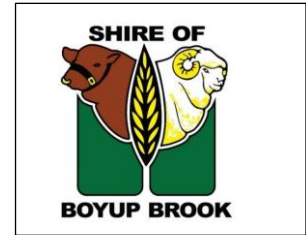


Date: 9 June 2025

To: Shire President
Deputy Shire President
Councillors
Community



Minutes – Ordinary Council Meeting

29 May 2025

A handwritten signature in black ink, appearing to read "Long", is written in a cursive style.

Leonard Long
Chief Executive Officer

Shire of Boyup Brook Corporate Values



Proactive

Embrace creativity, adaptability and continuous improvement seeking new ideas and solutions to address challenges and seize opportunities to ensure sustainability.



Leadership & Teamwork

Lead through collaboration, promote diversity, have pride in our work and partner with the community to achieve shared visions and aspirations.



Accountability & Integrity

Demonstrate respect, transparency, honesty and inclusivity in all interactions with the community.



Commitment

Build and share knowledge, act professionally and develop relationships that make a positive contribution to our community.



Engaging Community

Show respect, understanding and compassion for others and work collaboratively with community for better outcomes.



Contents

1.	Declaration of Opening	5
2.	Record of Attendance	5
2.1	Attendance.....	5
2.2	Apologies.....	6
2.3	Request for Leave of Absence.....	6
3.	Deputations, Petitions and Presentations	6
3.1	Deputations.....	6
3.2	Petitions	6
3.3	Presentations	6
4.	Public Question Time	6
4.1	Response to Previous Public Questions Taken on Notice.....	6
4.2	Public Question Time	6
5.	Declarations of Interest	6
5.1	Financial and / or Proximity Interest	6
5.2	Disclosures of Impartiality Interest that may cause Conflict	7
6.	Previous Council Meeting Minutes / Out of Session Confirmation	7
6.1	Ordinary Council Meeting Minutes – 1 May 2025.....	7
6.2	Special Council Meeting Minutes – 9 May 2025.....	7
7.	Presidential Communications	7
8.	Councillor Questions on Notice	8
9.	Reports of Officers	8
9.1	Operational Services	8
9.2	Community Services.....	9
9.2.1	Acquisition of the Zoo Train from the Boyup Brook District Pioneers’ Museum	9
9.3	Corporate Services	13
9.3.1	List of Accounts Paid in April 2025.....	13
9.3.2	Monthly Statement of Financial Activity for the period ending 30 April 2025.....	17
9.4	Chief Executive Officer.....	21
9.4.1	Boyup Brook Early Learning Centre monthly activity report for April 2025	21
9.4.2	Boyup Brook Medical Services monthly activity report for April 2025.....	25
9.4.3	Rylington Park monthly activity report for April 2025	28
9.4.4	Boyup Brook Caravan Park monthly report for April 2025	33
9.4.5	Boyup Brook Swimming Pool monthly report for April 2025	36
9.4.6	Proposed sale of Lot 1 (60) Forrest Street, Boyup Brook	41
9.4.7	Establishing the Chairperson of Local Government Committees	48

9.5	Planning.....	52
10.	Minutes of Committees	52
10.1	South West Regional Road Group Minutes – 31 March 2025	52
10.2	Warren Blackwood Alliances of Councils Climate Alliance Reference Group Minutes – 11 April 2025.....	52
10.3	South West Country Zone Minutes – 28 April 2025	53
11.	Motions of which previous notice has been given	53
12.	Late Items / Urgent Business Matters	53
13.	Confidential Items of Business.....	53
14.	Closure	53

Agenda

1. Declaration of Opening

The Presiding Member declared the meeting open at 6:01pm.

Acknowledgement of Traditional Custodians

We acknowledge and pay our respects to the Traditional Custodians of the land on which we meet and work.

Council Meetings are public meetings.

The Council Chambers is not a parliament and Parliamentary Privilege does not apply.

Elected Members and staff risk being held personally liable if their comments are defamatory, or breach any duty of confidentiality.

Statements made during Council meetings are solely those of the person making them. Nothing expressed at a Council Meeting can be attributed to the Shire, unless it is adopted by a resolution of Council.

The Confirmed Minutes of a Council Meeting are the official record of that Council meeting. Verbatim Minutes are not required.

Please make sure your mobile phones are turned off or on silent for the duration of the Meeting.

This meeting will be audio recorded and made available for public access on the Shire Website.

2. Record of Attendance

2.1 Attendance

Councillors

Shire President

Deputy Shire President

Councillors

Cr Richard Walker

Cr Helen O'Connell

Cr Charles Caldwell

Cr Philippe Kaltenrieder

Cr Darren King

Cr David Inglis

Council Officers

Chief Executive Officer
Executive Officer
Manager Financial Services

Leonard Long
Magdalena Le Grange
Malcolm Armstrong

Observers / Public Members

Christian Jones
Elizabeth Roney

2.2 Apologies

Councillor

Cr Michael Wright

Executive Manager Corporate Services
Executive Manager Operational Services
Manager Community Services

Carolyn Mallet
Jason Forsyth
Nicola Jones

2.3 Request for Leave of Absence

2.3.1 Councillor King requested leave of absence from the August 2025 Ordinary Council Meeting.

3. Deputations, Petitions and Presentations**3.1 Deputations**

Nil

3.2 Petitions

Nil

3.3 Presentations

Nil

4. Public Question Time**4.1 Response to Previous Public Questions Taken on Notice**

Nil

4.2 Public Question Time

Nil

5. Declarations of Interest**5.1 Financial and / or Proximity Interest**

Nil

5.2 Disclosures of Impartiality Interest that may cause Conflict

- 5.2.1 Councillor O'Connell declared an Impartiality Interest in item 9.2.1 Acquisition of the Zoo Train from the Boyup Brook District Pioneers' Museum, being a committee member of the Boyup Brook District Pioneers' Museum.

6. Previous Council Meeting Minutes / Out of Session Confirmation

6.1 Ordinary Council Meeting Minutes – 1 May 2025

Moved: Cr. O'Connell

Seconded: Cr. King

Council Decision CM 25/05/085

That the minutes of the Ordinary Council Meeting held on 1 May 2025 be confirmed as being a true and accurate record.

CARRIED 6/0

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King,
Cr Caldwell
Against: Nil**

6.2 Special Council Meeting Minutes – 9 May 2025

Moved: Cr. Kaltenrieder

Seconded: Cr. Caldwell

Council Decision CM 25/05/086

That the minutes of the Special Council Meeting held on 9 May 2025 be confirmed as being a true and accurate record.

CARRIED 6/0

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King,
Cr Caldwell
Against: Nil**

7. Presidential Communications

May

Friday 16th

- 10am Citizenship Ceremony for Angie Houkamau.

Sunday 18th

- 11am CRC 30th birthday celebration.

Monday 26th

- 11am Funeral service for Terry Ginnane with CEO Leonard in Busselton.

8. Councillor Questions on Notice

Nil

9. Reports of Officers

9.1 Operational Services

Nil

9.2 Community Services

- Councillor O'Connell declared an Impartiality Interest in item 9.2.1 Acquisition of the Zoo Train from the Boyup Brook District Pioneers' Museum, being a committee member of the Boyup Brook District Pioneers Museum.

9.2.1 Acquisition of the Zoo Train from the Boyup Brook District Pioneers' Museum	
File Ref:	CR/31/020
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Nicki Jones, Manager Community Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	9.2.1A – MOU between Joan King and the Boyup Brook District Pioneers' Museum

Moved: Cr. O'Connell	Seconded: Cr. King
Council Decision CM 25/05/087	
That Council:	
1. Accept custodianship of the Perth Zoo Train Number 1954 from the Boyup Brook District Pioneers' Museum. 2. The Perth Zoo Train Number 1954 is relocated to Sandakan Park and housed in a weatherproof structure.	
CARRIED 6/0 For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King, Cr Caldwell Against: Nil	

Summary

The report is to provide Council information on the Perth Zoo Train Number 1954 with the intent of having the train relocated from the Boyup Brook District Pioneer's Museum to Sandakan Park. Once relocated, the long-term vision is to have the train running on a track around the park on special occasions and events.

Background

The Perth Zoo Train Number 1954 was the second train at the South Perth Zoo and ran from 1954 through to 1973. The train was built at the State Engineering Works at Leighton, North of Fremantle and delivered in 1954

to the then Zoological Gardens Board. The train is one of a kind and its design was based upon the original Zoo Train which ran on a 2-foot gauge track.

Mr William (Bill) Swinbank (dec'd.) had acquired the train from the Perth Zoo when it was sold in the early 1970's and it spent considerable time in the Geraldton area where Mr Swinbank planned to run it and where part restoration of the train and carriages were undertaken. The train was later brought back to Carabooda North of Perth. Bill Swinbank unfortunately passed away before he could realise his dreams and the train was sold as part of the estate.

Mrs Joan King of Byford purchased the Perth Zoo Train Number 1954 at the Swinbank Collection Auction in 2008 and in 2009 donated the train to the Boyup Brook Community through a business connection with Boyup Brook Farm Supplies. A Memorandum of Understanding between the King family and the Boyup Brook District Pioneers' Museum was signed on the 28th February 2009.

In 2009 the Boyup Brook District Pioneers' Museum was successful with a Royalties for Regions grant of \$19,600 to restore the Zoo Train Number 1954 back to operational condition. A Zoo Train Coordinating Committee was established to implement works. The restored train and one carriage are currently displayed at the Museum. There are two more carriages that require restoration which are currently stored in the Flax Mill shed.

Report Detail

It is proposed custodianship of the Perth Zoo Train 1954 is handed to the Shire of Boyup Brook from the Boyup Brook District Pioneers' Museum with the intention of displaying the train at Sandakan Park. It is proposed the train is displayed in a weatherproof shed-like structure with large viewing windows and gates at either end. The gates will allow for the train to be driven in and out of the shed. The Shire will further investigate the availability of suitable train tracks with the long-term plan of installing the tracks in Sandakan Park. The train would be used at events where children and families could enjoy a ride around the park.

The Shire is currently in the process of applying for a grant to fund the weatherproof shed structure.

Shire of Boyup Brook Strategic Community Plan 2021 – 2031

	Key Imperatives	Built Environment
	Outcome	Create a safe and inviting community for locals and visitors.
	Objective	Partner with key stakeholders to improve streetscapes and revitalise the town centre.
	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Promote community participation, interactions and connections.
	Key Imperatives	Social and Community
	Outcome	Encourage the preservation of our culture, heritage and history.
	Objective	Support and promote community events and activities.
	Key Imperatives	Economic Development
	Outcome	Support a strong and inclusive economy.
	Objective	Promote the town as a great place to visit, stay and live.

Other Strategic Links

Nil

Statutory Environment

Nil

Sustainability and Risk Considerations

Economic – (Impact on the Economy of the Shire and Region)

With the rich history of the Zoo Train 1954, the potential to attract visitors to Boyup Brook is greatly increased, boosting spending in local businesses. By improving the town's appeal, the train can contribute to population retention and even attract new residents, fostering long-term economic growth.

Social – (Quality of life to community and / or affected landowners)

The zoo train provides social benefits by creating shared experiences for families and groups, fostering bonding and enjoyment across generations. It also promotes inclusivity by offering an accessible attraction for people with mobility challenges, helping everyone participate in the full Sandakan Park experience.

Policy Implications

Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risks that may impact the achievement of its business objectives.

Risk Level	Comment
Moderate	The risk is deemed moderate due to the unknown long-term financial costs involved.

Consultation

Nil

Resource Implications**Financial**

The full financial implication is not currently known however, as per the MOU, the Perth Zoo Train Number 1954 is to be insured for no less than \$30,000. There will also be ongoing maintenance and repairs along with a weatherproof structure to house the train. The structure will also be subject to ongoing maintenance and repairs.

Workforce

Nil

End

9.3 Corporate Services

9.3.1 List of Accounts Paid in April 2025	
File Ref:	FM/1/002
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Joanna Hales-Pearce, Finance Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	9.3.1A List of Accounts Paid in April 2025

Moved: Cr. King

Seconded: Cr. O’Connell

Council Decision CM 25/05/088

That Council receives the list of accounts paid in April 2025, totalling \$1,024,957.30 from Municipal account, and \$50,807.10 from Police Licensing account, as represented by:

Municipal	EFT	EFT17198–EFT17283	\$	663,683.20
	Cheques	20690-20692	\$	13,173.60
	Direct Payments		\$	<u>348,100.50</u>
Municipal Total				<u>\$1,024,957.30</u>
Police Licensing			\$	50,807.10
Grand Total				<u>\$1,075,764.40</u>

CARRIED 6/0

For: Cr Walker, Cr O’Connell, Cr Kaltenrieder, Cr Inglis, Cr King,
Cr Caldwell

Against: Nil

Summary

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in April 2025 are presented to Council.

Background

This report presents accounts/invoices received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 30 April 2025.

Report Detail

Attachment 9.3.1A lists accounts/invoices the Shire paid by cheque or electronic means during the period 01 to 30 April 2025.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy and governance.
	Outcome	Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.

Other Strategic Links

Nil

Statutory Environment

Local Government (Financial Management) Regulations 1996, Regulations 12 and 13 apply and are as follows:

12. *Payments from municipal fund or trust fund*

- (1) *A payment may only be made from the municipal fund or the trust fund —*
 - (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
 - (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*
- (2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

13. *Lists of accounts*

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
 - (a) *the payee's name.*
 - (b) *the amount of the payment.*
 - (c) *the date of the payment; and*

- (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
- (a) *for each account which requires council authorisation in that month —*
- (i) *the payee's name.*
- (ii) *the amount of the payment; and*
- (iii) *sufficient information to identify the transaction*
- and*
- (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub regulation (1) or (2) is to be —*
- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
- (b) *recorded in the minutes of that meeting*

Sustainability and Risk Consideration

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected landowners)

Nil

Policy Implications

Council's *Register of Delegations 2.8.18 Payments from the Municipal or Trust Funds* and *Register of Sub Delegations 2.5.12 Payments from the Municipal or Trust Funds* has application.

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risk that may impact on the achievement of its business objectives.

Risk Level	Comment
Moderate	The reporting of the monthly spending by a local government is required to be presented to Council in terms of the relevant legislation. Not presenting this information to Council would be a breach of the <i>Local Government Act 1995</i> .

Consultation

Nil

Resource Implications

Financial

Account payments accorded with the adopted 2024/2025 Annual Budget.

Workforce

Nil

End

9.3.2 Monthly Statement of Financial Activity for the period ending 30 April 2025	
File Ref:	FM/10/003
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Darren Long, Finance Consultant
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	9.3.2A – Monthly Financial Report 30 April 2025

Moved: Cr. Kaltenrieder	Seconded: Cr. Inglis
Council Decision CM 25/05/089	
That Council:	
1. Receive the Monthly Financial Report for 30 April 2025, as presented (Attachment 9.3.2A).	
For: Cr Walker, Cr O’Connell, Cr Kaltenrieder, Cr Inglis, Cr King, Cr Caldwell	
Against: Nil	
CARRIED 6/0	

Summary

The Monthly Financial Report for 30 April 2025 is presented to Council.

Background

The *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* require local governments to prepare monthly reports containing the information that is prescribed.

The Regulations require local governments to prepare annual budget estimates and month by month budget estimates so that comparatives can be made to Year to Date (YTD) Actual amounts of expenditure, revenue and income, and materials variances can be commented on.

Report Detail

The Shire prepares the monthly financial statements in the statutory format along with other supplementary financial reports consisting of:

1. Statement of Comprehensive Income by Program.
2. Statement of Comprehensive Income by Nature/Type.

3. Statement of Financial Activity by Nature.
4. Statement of Financial Activity by Program.
5. Summary of Net Current Asset Position.
6. Material Variances Report.
7. Statement of Financial Position.
8. Statement of Cash Flows.
9. Report on Progress of Capital Expenditure Program.
10. Report on Major Business Units.
11. Statement of Cash Back Reserves.
12. Loan Borrowings Report; and
13. Detailed Operating and Non-Operating Schedules.

At its budget meeting, Council adopted a material variance threshold of \$10,000 or 10%.

For interpretation purposes, this means any variance at Function/Program level that is greater than 10% and exceeds \$10,000 in value is reported on and commentary is provided to explain the YTD budget estimate to YTD actual variance. The material variance is shown on the Statement of Financial Activity, in accordance with the *Local Government (Financial Management) Regulations 1996*.

The material variance commentary is now provided in a separate statement, called the Material Variances Report. This statement categorises the variance commentary according to reporting Nature/Type and groups the variances by Operating Revenue, Operating Expenditure, Investing and Financing Activities.

The Statement of Financial Activity as of 30 April 2025 shows a closing surplus of \$2,608,566.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy and governance.
	Outcome	Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995

Section 6.4—Specifies that a local government is to prepare such other financial reports as are prescribed.

Local Government (Financial Management) Regulations 1996:

Regulation 34 states:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month in the following detail:
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c).
 - (b) budget estimates to the end of month to which the statement relates.
 - (c) actual amounts of expenditure, revenue, and income to the end of the month to which the statement relates.
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c).
 - (e) the net current assets at the end of the month to which the statement relates.

Sub regulations 2, 3, 4, 5, and 6 prescribe further details of information to be included in the monthly statement of financial activity.

Sustainability and Risk Consideration

Economic – (Impact on the Economy of the Shire and Region)
Nil

Social – (Quality of life to community and / or affected landowners)
Nil

Policy Implications
Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risk that may impact on the achievement of its business objectives.

Risk Level	Comment
Moderate	The reporting of the monthly spending by a local government is required to be presented to Council in terms of the relevant legislation. Not presenting this information to Council would be a breach of the <i>Local Government Act 1995</i> .

Consultation

Nil

Resource Implications

Financial

Nil

Workforce

Nil

End

9.4 Chief Executive Officer

9.4.1 Boyup Brook Early Learning Centre monthly activity report for April 2025	
File Ref:	A190
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Jimina Shaw-Sloan, Director Early Learning Centre
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Cr. King

Seconded: Cr. O'Connell

Council Decision CM 25/05/090

That Council:

- 1. Receive the monthly activity report for the Boyup Brook Early Learning Centre for April 2025.**

CARRIED 6/0

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King,
Cr Caldwell
Against: Nil**

Summary

The monthly report is to provide Council with an update on the operations at the Boyup Brook Early Learning Centre.

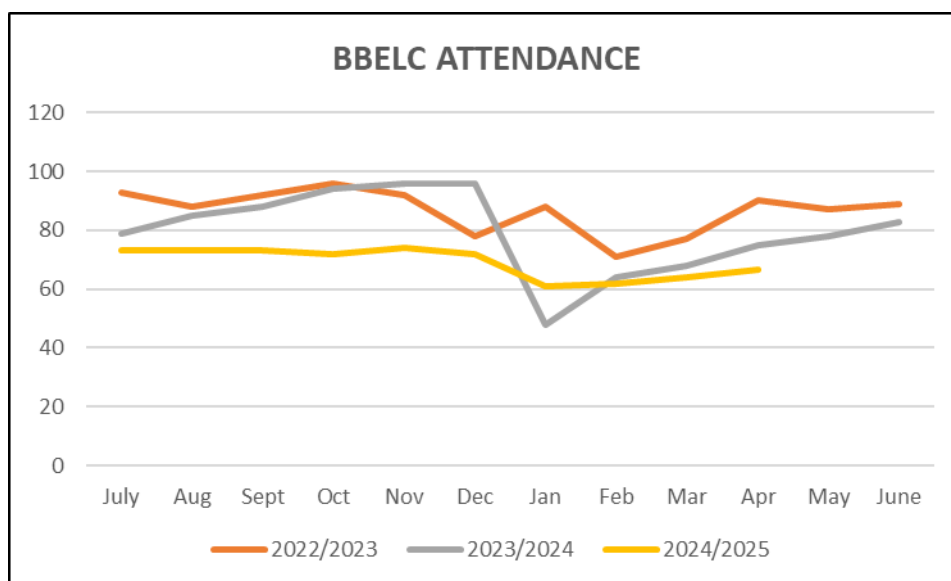
Background

Boyup Brook Early Learning Centre is a multi-aged single space facility catering for children aged 0 – 7 years of age. Operating Tuesday to Friday from 8:15am to 5:15pm.

The centre offers a play-based program, with an emphasis on child led experiences within a natural environment and real-world resources.

Report Detail

Average monthly attendance.



Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Facilitate access to health facilities, services and programs to achieve good general and mental health wellbeing in the community. Promote community participation, interactions and connections.

Other Strategic Links

Nil

Statutory Environment

Nil

Sustainability and Risk Considerations

Economic – (Impact on the Economy of the Shire and Region)

The Boyup Brook Early Learning Centre holds significant importance for the local economy, it provides a critical service for working parents, enabling them to continue their employment or education without the burden of childcare. This support is particularly crucial in rural areas, where access to childcare facilities might be limited.

By ensuring that parents can work, the centre directly contributes to the economic activity and productivity of the town.

Social – (Quality of life to community and / or affected landowners)

The Boyup Brook Early Learning Centre brings significant social benefits to the community. The centre offers a safe and nurturing environment for children, allowing parents, to pursue employment or education opportunities that were previously inaccessible due to childcare responsibilities.

Policy Implications

Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risks that may impact on the achievement of its business objectives.

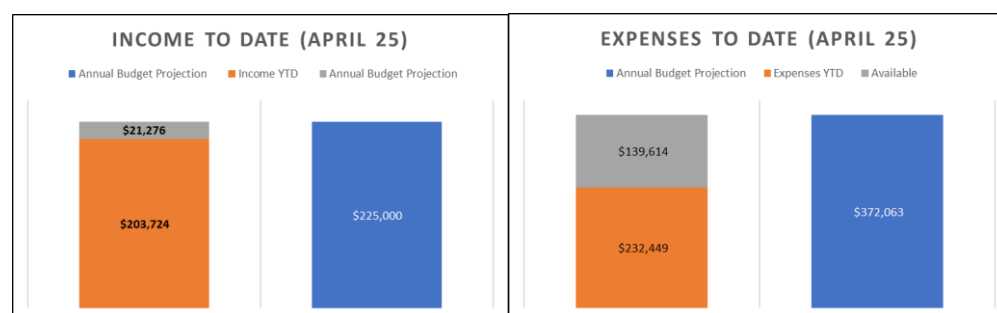
Risk Level	Comment
Moderate	The availability of early learning centres can be a factor in attracting and retaining young families in the area. Without such facilities, the Shire might experience a decline in population growth or struggle to attract new residents, which can have broader economic implications.

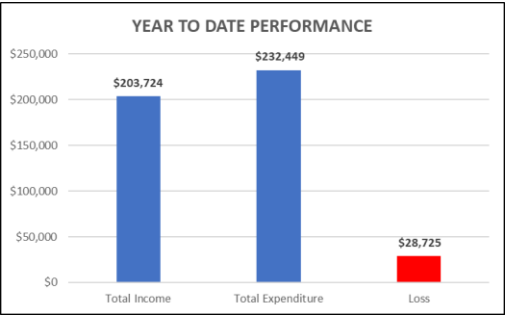
Consultation

Nil

Resource Implications

Financial





Workforce
Nil

End

9.4.2 Boyup Brook Medical Services monthly activity report for April 2025	
File Ref:	A1270
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Sarah Alexander, Practice Manager
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Cr. O'Connell

Seconded: Cr. Inglis

Council Decision CM 25/05/091

That Council:

- 1. Receive the monthly activity report for the Boyup Brook Medical Services for April 2025.**

CARRIED 6/0

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King,
Cr Caldwell
Against: Nil**

Summary

The monthly report is to provide Council with an update on the operations at the Boyup Brook Medical Services.

Background

Boyup Brook Medical Services is an AGPAL (RACGP Standards) accredited practice. It provides general practice and nursing services to the community. Operating Monday to Friday from 8:00am to 4:30pm.

It is a mixed billing practice. Concession card holders and children under 16 are bulk billed. Appointment times are in 15-minute slots, however longer appointments can be requested. The practice also provides a room for visiting allied health practitioners (physio, osteo, podiatrist, dietician, phycologist OT and audiologist).

Report Detail

Nil

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Facilitate access to health facilities, services and programs to achieve good general and mental health wellbeing in the community. Promote community participation, interactions and connections.

Other Strategic Links

Nil

Statutory Environment

Nil

Sustainability and Risk Considerations**Economic** – (Impact on the Economy of the Shire and Region)

The Medical Centre offers several economic benefits to the community. It provides local access to healthcare, which can improve overall community health and productivity. It creates jobs, from medical staff to administrative roles. Employees and patients may spend locally, supporting other businesses.

Social – (Quality of life to community and / or affected landowners)

The social benefits of having a medical centre in the community includes enhanced access to health services which can lead to earlier detection and treatment of diseases, improving overall community health. Local access to medical care is more convenient, especially for elderly, disabled, or those without transportation. These social benefits contribute to the well-being and quality of life in Boyup Brook.

Policy Implications

Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risks that may impact on the achievement of its business objectives.

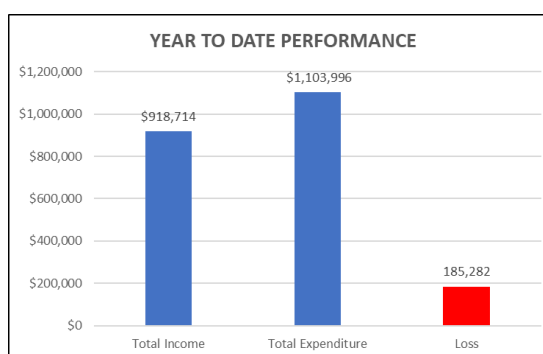
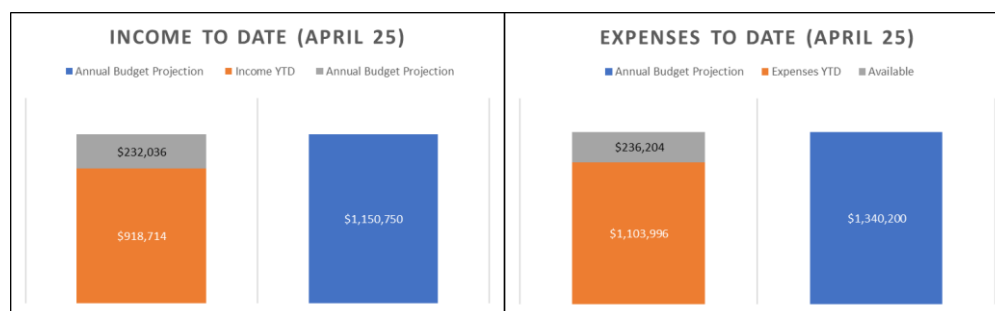
Risk Level	Comment
Moderate	Not having a medical centre would result in residents having to travel significant distances for medical care. In emergencies, the lack of a local medical centre could lead to delayed treatment and potentially poorer health outcomes. Without local healthcare services, residents might leave for areas with better access, impacting local businesses and overall economy.

Consultation

Nil

Resource Implications

Financial



Workforce

The centre employs two (2) Doctors (4.5 days/week at the practice), 2 part-time receptionists, 1 part time nurse (currently vacant) and a practice manager.

End

9.4.3 Rylington Park monthly activity report for April 2025	
File Ref:	RP/01/002
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Peter Grainger, Farm Working Manager
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Cr. Inglis

Seconded: Cr. Caldwell

Council Decision CM 25/05/092

That Council:

- 1. Receive the monthly activity report for the Rylington Park Farm for April 2025.**

CARRIED 6/0

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King,
Cr Caldwell
Against: Nil**

Summary

The monthly report is to provide Council with an update on the operations at the Rylington Park Farm.

Background

The Rylington Park Institute for Agricultural Training and Research, known as Rylington Park, is a key agricultural asset located 27km from Boyup Brook, in Mayanup.

This 650-hectare property was donated to the Shire of Boyup Brook in 1985 by Mr. Eric Farleigh for agricultural research and training, aimed at the betterment of the Boyup Brook community. Managed by the Shire, the property runs various agricultural programs, including shearing schools and fertiliser and seed trials.

It also offers scholarships to youth in agriculture and has a strategic relationship with Edith Cowan University for research and education, with the intent to share findings with the local farming community. Rylington Park is committed to supporting the agricultural industry and the regional community through its various initiatives.

Report Detail

Weed Control

- Hand spraying and pulling weeds melons.

Infrastructure and Equipment Maintenance

- Repairs to sheep yards chains on gates.
- Ongoing fencing maintenance and cleared fallen branches from fences.
- Cleaned all water troughs trough blocks.
- Repairs to the pencil auger.

Crop Management

- Sprayed first knockdown on all cropping paddocks.
- Cleaned up fallen branches and trees in crop paddocks.

Livestock Sales

- 229 merino wether lambs.

Grain Sales

- Nil

Feed on Hand

- Barley 125 tonnes.
- Lupins 35 tonnes.
- Barley straw 224 Bales.
- Hay 420 bales.

Feeding program

- Barley trail feeding ewes 220 grams per week.
- All lambs on lick feeders of barley/lupin mix 250 grams per week plus hay ad lib in feedlots.
- 1 hay bale per 100.

Livestock Handling and Management

- Lick blocks to all sheep.
 - Moved mobs as required to maximize paddock feed.
 - Drenched and vaccinated ewes.
-

- Marked 220 out of season lambs.

Livestock Inventory

- White Suffolk Rams: 12, 1 death.
- Merino rams: 29.
- Merino Ewes: 2028, 6 Deaths.
- XB lambs 27.
- Merino ewe lambs 435, 4 Deaths.
- Merino Wether lambs 218, 4 Deaths.
- **TOTAL:** 2749, 15 Deaths.

Wool Sales

- Nil.

Shearing Schools, events & trials

- Nil.

OHS

- Working through the check sheet for the farm.
- No incidents.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Natural Environment
	Objective	Manage natural resources sustainably.
	Outcome	Work with key stakeholders to manage land, fire disease, pest animals and weeds.

Other Strategic Links

Nil

Statutory Environment

Nil

Sustainability and Risk Considerations

Economic – (Impact on the Economy of the Shire and Region)

Rylington Park Farm contributes economically to both the Shire and Region by providing education and skill development in agriculture which can enhance the workforce, leading to more efficient and innovative farming practices.

Conducting agricultural research can lead to better farming techniques and increased productivity, positively impacting the local economy. The farm also hosting field days, and the event draws visitors locally and regionally which can stimulate local spending.

Offering scholarships encourages local youth to pursue careers in agriculture, potentially leading to a more skilled labour pool. Shearing schools support the sheep industry, vital for the local economy. These activities can lead to job creation, increased productivity, and the overall growth of Boyup Brook's agricultural sector.

Social – (Quality of life to community and / or affected landowners)

Rylington Park Farm can impact the quality of life in the Boyup Brook community by enhancing access to agricultural training and education, boosting local economy through job creation and agricultural advancements.

The farm also brings community members together during events and field days, and through its training encourages young people to consider futures in agriculture, aiding in community retention.

Policy Implications

Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risks that may impact on the achievement of its business objectives.

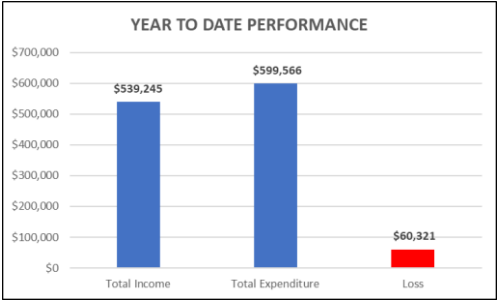
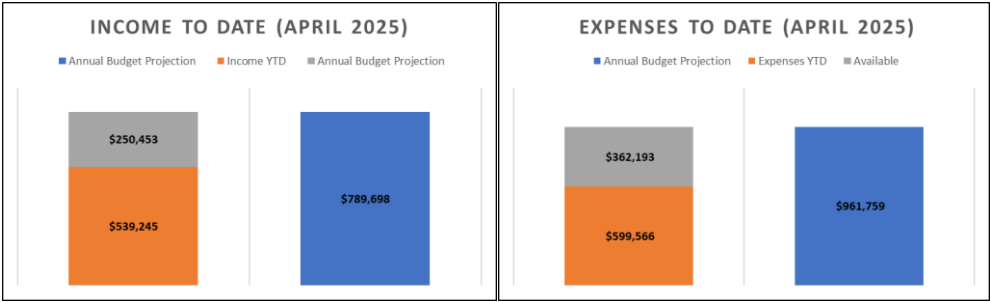
Risk Level	Comment
Moderate	The Shire's risks regarding Rylington Park Farm include costs of operating the farm and funding programs may not always be covered by revenue or grants. Fluctuations in agricultural markets can affect the farm's economic viability. Extreme weather events could impact farm operations and ensuring all farming practices meet regulatory standards.

Consultation

Nil

Resource Implications

Financial



Workforce
Nil

End

9.4.4 Boyup Brook Caravan Park monthly report for April 2025	
File Ref:	A2007
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Malcolm Armstrong, Manager Financial Administration
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Cr. O'Connell

Seconded: Cr. Kaltenrieder

Council Decision CM 25/05/093

That Council:

- 1. Receive the monthly report for the Boyup Brook Caravan Park for April 2025.**

CARRIED 6/0

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King,
Cr Caldwell
Against: Nil**

Summary

The monthly report is to provide Council with an update on the operations at the Boyup Brook Caravan Park.

Background

The Boyup Brook Caravan Park is owned by the Shire of Boyup Brook and situated in the heart of Boyup Brook, Western Australia. Known for its tranquil setting and proximity to local attractions, it serves as a well-known stop for tourists. As a small, rural town, Boyup Brook's caravan park plays a significant role in attracting visitors to the area, contributing to the local economy and providing a welcoming spot for travellers to experience the charm of the region.

The Shire entered into an arrangement with the Campervan and Motorhome Club of Australia (CMCA), a national organisation that supports the needs of caravan and motorhome enthusiasts across the country. The CMCA arrangement aims to boost visitor numbers, improve park services, and ensure ongoing economic benefits for Boyup Brook.

Report Detail

The partnership with the CMCA has already begun to yield positive results. Visitor numbers have increased since the arrangement was first introduced, with a noticeable spike during the winter months, which are traditionally quieter for the park. This has provided a much-needed boost to local businesses, which benefit from the steady flow of tourists spending on food, services, and fuel.

In addition to attracting more tourists, the arrangement with CMCA has raised the profile of Boyup Brook on a national level. Being listed in CMCA's directory and marketed directly to their membership base has positioned Boyup Brook Caravan Park as a must-visit destination for travellers.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Natural Environment
	Objective	Manage natural resources sustainably.
	Outcome	Work with key stakeholders to manage land, fire disease, pest animals and weeds.

Other Strategic Links

Nil

Statutory Environment

Nil

Sustainability and Risk Considerations

Economic – (Impact on the Economy of the Shire and Region)

The partnership between the Shire and the CMCA has had a positive impact on the local economy of the Shire and surrounding region. Increased visitor numbers, particularly from CMCA members, have led to greater spending in local businesses. The park's growing profile encourages repeat visits, contributing to the long-term economic sustainability of Boyup Brook and the wider region.

Social – (Quality of life to community and / or affected landowners)

The partnership between the Shire and the CMCA has positively impacted the quality of life for the local community. With increased tourism, local businesses benefit from more customers, helping them to thrive and create job opportunities.

Policy Implications

Nil

Risk Management Implications

Shire of Boyup Brook’s commitment to the identification and management of risks that may impact on the achievement of its business objectives.

Risk Level	Comment
Moderate	The primary risk for the Shire is over-reliance on tourism, if visitor numbers decline, local businesses may experience reduced income, impacting the overall economy.

Consultation

Nil

Resource Implications

Financial



Workforce

Nil

End

9.4.5 Boyup Brook Swimming Pool monthly report for April 2025	
File Ref:	RE/45/002
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Nicki Jones, Manager Community Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Cr. Inglis	Seconded: Cr. King
Council Decision CM 25/05/094	
That Council:	
1. Receive the monthly report for the Boyup Brook Swimming Pool for April 2025.	
For: Cr Walker, Cr O’Connell, Cr Kaltenrieder, Cr Inglis, Cr King, Cr Caldwell	
Against: Nil	
CARRIED 6/0	

Summary

The monthly report is to provide Council with an update on the operations at the Boyup Brook Swimming Pool.

Background

The Boyup Brook Swimming Pool was originally built in 1971. It has long been a key recreational facility for the local community, offering a space for residents to cool off, exercise, and gather for social events.

In 2004, the pool underwent significant renovations. These upgrades were aimed at modernising the facilities, improving safety, and ensuring compliance with contemporary standards. The renovation included upgrades to the pool's filtration system, better accessibility features, and enhancements to the overall user experience. The revamp also helped extend the life of the pool, ensuring it could continue to serve the community for years to come.

The Boyup Brook Swimming Pool remains a popular spot for locals, hosting swimming lessons, school events, and community gatherings. It plays an important role in promoting physical activity and providing a recreational outlet in our community.

Report Detail

General Opening Hours

Monday, Tuesday, Wednesday and Friday 10:00am – 6:00pm

Saturday and Sunday 12:00pm – 6:00pm

Swimming Pool

The Boyup Brook Swimming Pool has seen 12,791 total patrons for the 2024/2025 pool season.

The pool officially closed for the season on 16 April 2025. The Shire of Boyup Brook and CoMHAT held a joint Easter Celebration at the swimming pool on 15 April with CoMHAT generously providing a sausage sizzle and Easter Egg Hunt. An enjoyable time was had by all with 163 patrons in attendance.

On Wednesday 17 April six high school Outdoor Education students attended their Bronze Medallion Assessment with all six receiving their Bronze Medallion. The students had been attending the swimming pool for a two-hour session once a week for 10 weeks. Students were required to demonstrate a number of initiatives including rescue techniques and resuscitation.

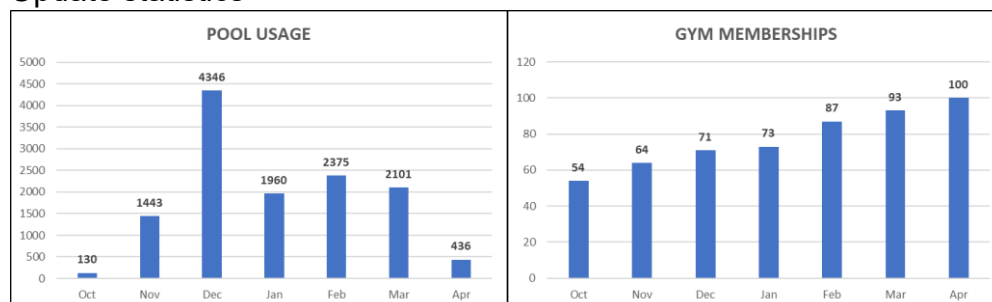
Boyup Brook Swimming Pool has been recognised for achieving its first waterwise endorsement at the Annual Waterwise Recognition event held on 7 May 2025. Our Pool Manager has been working hard over the last year to achieve this fabulous endorsement. A water audit was conducted by the Water Corporation which identified leaking taps and water sources that didn't have water saving devices. The Water Corporation generously upgraded the taps, toilet cisterns and shower heads to water saving devices.

The patrons of the swimming pool also contributed to the reduction of water by having shorter showers. The swimming pool metre had a water logger installed which reports on daily water usage and identifies high flow rates. Using this information, leaks were identified and repaired which included replacing an aging and faulty solar hot water system with a water and energy efficient heat pump. The water logger also calculates the water usage for pool gardens, backwashes and patron usage. Becoming a Water Wise Aquatic Centre is extremely important when you consider the reduction of rainfall in our Shire and region.

Gym

The Boyup Brook Community Gym has had seven new members in April. The gym is seeing increased regular usage throughout April and is continuing to provide a safe space for exercise.

Update statistics



Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Promote community participation, interactions and connections.

Other Strategic Links

Nil

Statutory Environment

Nil

Sustainability and Risk Consideration

Economic – (Impact on the Economy of the Shire and Region)

A public swimming pool facility offers significant economic benefits. It attracts both locals and visitors. It encourages community events like swimming lessons or competitions, which can generate additional income. By improving the town's appeal and enhancing the quality of life, the pool can contribute to population retention and even attract new residents, fostering long-term economic growth.

Social – (Quality of life to community and / or affected landowners)

A public pool facility enhances the community's quality of life by providing a safe and accessible space for recreation, exercise, and social interaction. It promotes health and well-being, offering people of all ages a place to stay active, learn water safety, and cool off during the hot

months. The pool also fosters a sense of community, bringing people together for activities, events, and relaxation, helping to reduce isolation and improve mental health in our community.

Policy Implications

Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risk that may impact on the achievement of its business objectives.

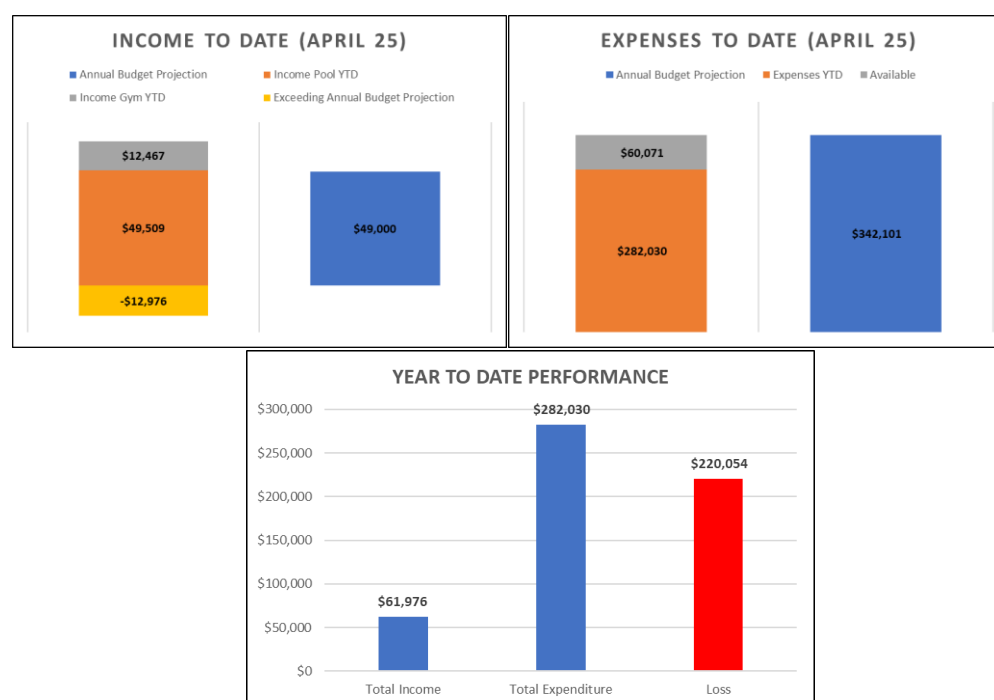
Risk Level	Comment
High	The main risk of having a public swimming pool lies in the ongoing costs of maintenance, staffing, and insurance, which can be significant. Pools require regular upkeep to ensure safety standards are met, and without proper management, unexpected repairs or liabilities could arise.

Consultation

Nil

Resource Implications

Financial



Workforce

Nil

End

9.4.6 Proposed sale of Lot 1 (60) Forrest Street, Boyup Brook	
File Ref:	A2009 & A15327
Previous Items:	OCM 30/11/2023 OCM 29/08/2024
Applicant:	River Grove Private Estate Pty Ltd
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number	9.4.6A Engineering Report 9.4.6B Concept Subdivision 9.4.6C Subdivision Development Letter

Moved: Cr. King

Seconded: Cr. Caldwell

Council Decision CM 25/05/095

That Council:

1. **Notify the Smook Trust that due to a lack of progress on the proposed development Council will no longer proceed with the sale of Lot 1 (60) Forest Street to the Smook Trust.**
2. **Acknowledge the “Offer to Purchase” from River Grove Private Estate Pty Ltd, conditional on the applicant covering all cost associated with the following which is to be considered the purchase price:**
 - a) **The preparation of a purchase agreement and the legal transfer of the property considered to be the purchase price.**
 - b) **Subject to Councils final approval of the proposal the cost associated with complying with the requirements of s3.58 of the *Local Government Act 1995*.**
3. **Authorise River Grove Private Estate Pty Ltd to lodge a quote request at their own cost with Western Power on behalf of the Shire based on the proposed subdivision of Lot 1 (60) Forrest Street into four lots.**
4. **Subject to River Grove Private Estate Pty Ltd acceptance of the required quote in (3.) above:**
 - a) **Request the Chief Executive Officer to obtain a current valuation of Lot 1 (60) Forrest Street, Boyup Brook in accordance with section 3.58(4)(c)(i) of the *Local Government Act 1995*.**

- b) Request the Chief Executive Officer to advertise the proposed sale of Lot 1 (60) Forrest Street, Boyup Brook in accordance with section 3.58(3) of the *Local Government Act 1995*.**
- c) Authorise River Grove Private Estate Pty Ltd to submit a subdivision application at their own cost to the Western Australian Planning Commission.**
- d) Authorise the Chief Executive Officer to execute all documents required in relation to the subdivision application referenced in (c) above.**
- 5. Following compliance with clauses (4.(a)), (4.(b)), and (4.(c)), formally consider the ‘Offer to Purchase’ for Lot 1 (60) Forrest Street, Boyup Brook from River Grove Private Estate Pty Ltd.**
- 6. Request the Chief Executive Officer to emphasize to River Grove Private Estate Pty Ltd that this resolution is not an approval of the ‘Offer to Purchase’ of Lot 1 (60) Forest Street, Boyup Brook. And that as per clause (5.) above Council will consider the ‘Offer to Purchase’ following compliance of the clauses referred to in clause (5.) above and that any costs incurred by River Grove Private Estate Pty Ltd will not be refunded should the final approval not be granted.**

CARRIED BY ABSOLUTE MAJORITY 6/0

**For: Cr Walker, Cr O’Connell, Cr Kaltenrieder, Cr Inglis, Cr King,
Cr Caldwell
Against: Nil**

Summary

Council is requested to consider the disposal of Lot 1 (60) Forrest Street, Boyup Brook, and to support a new offer from River Grove Private Estate Pty Ltd. Due to the lack of response and progress from the previous proponent, the Smook Trust, and a more viable and committed offer now received from River Grove Private Estate Pty Ltd, it is recommended that Council move forward with the new proposal.

Background

At the Ordinary Council Meeting of 29 August 2024, Council resolved as follows:

“Moved: Cr. Alexander

Seconded: Cr. O’Connell

COUNCIL DECISION 24/08/181

That Council:

1. *Acknowledges the “Offer to Purchase” from Smook Trust for Lot 1 (60) Forrest Street, Boyup Brook for the price of \$95,000.*
2. *Request the Chief Executive Officer to obtain a valuation of Lot 1 (60) Forrest Street, Boyup Brook, in accordance with s3.58(4)(c)(i) of the Local Government Act 1995.*
3. *Request the Chief Executive Officer to advertise the potential sale of Lot 1 (60) Forrest Street, Boyup Brook, in accordance with s3.58(3) of the Local Government Act 1995.*
4. *Request the potential purchaser to provide the Shire of Boyup Brook with a development plan prepared by a suitably qualified consultant indicating the type of development proposed.*
5. *Following compliance with (2), (3) and (4) above, will formally consider the ‘Offer to Purchase’ Lot 1 (60) Forrest Street, Boyup Brook.*

CARRIED BY ABSOLUTE MAJORITY 7/0

*For: Cr Walker, Cr O’Connell, Cr Alexander, Cr Kaltenrieder, Cr Inglis,
Cr King, Cr Caldwell
Against: Nil”*

At the Ordinary Council Meeting of 29 August 2024 (Res 24/08/181) acknowledged the potential purchase of Lot 1 (60) Forest Street to Smook Trust, subject to inter alia the following:

- “4. Request the potential purchaser to provide the Shire of Boyup Brook with a development plan prepared by a suitably qualified consultant indicating the type of development proposed.”*

Despite attempts, officers have been unable to contact the Smook Trust to obtain a development plan or any further update. As a result, officers recommend withdrawing from the proposed sale to the Smook Trust.

Report Detail

Due diligence investigations have identified significant challenges associated with the property, particularly in relation to effluent disposal. The engineering report prepared by Structerre (Attachment 9.4.9A) confirms that the existing soil conditions are not suitable for on-site effluent treatment, as required under the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.

In light of these findings, the following options were considered:

1. Proceed with the offer from River Grove Private Estate Pty Ltd, which includes covering all statutory compliance costs (such as valuation, legal transfer, and advertising), as well as obtaining subdivision approval. The total estimated cost is between \$5,000 and \$10,000, fully borne by the applicant.
2. Undertake extensive site works, including soil replacement, to make the land suitable for development. This would require engagement of contractors and is likely to exceed the current market value of the property.
3. Retain the property and withdraw it from the market.

River Grove Private Estate Pty Ltd has proposed subdividing the site into four lots (Attachment 9.4.9B). Of these, one will be developed by the applicant with a residential dwelling to serve as a display home, while the remaining three will be marketed for sale and development by future owners.

Prior to any development proceeding, the following remedial works must be completed:

Demolition and safe disposal of the existing asbestos structure

Removal of two concrete hardstands and associated overhead structures

Comprehensive soil remediation to ensure compliance with effluent disposal requirements

Should Council support the officer's recommendation and all statutory requirements be satisfied, a final decision on the proposed sale will be brought back to Council. At that time, officers will recommend that conditions be included to ensure timely development of the site.

Currently, the lot is vacant and costs the Shire approximately \$400 per year in maintenance. Once subdivided and developed, the site is expected to generate approximately \$5,000 in total annual rates income.

However, it is acknowledged that there is a risk the subdivided lots may remain undeveloped for some time. To mitigate this, discussions with River Grove Private Estate Pty Ltd have resulted in a commitment that—if Council accepts the offer—the applicant will be required to develop at least one of the four lots within two years of subdivision approval.

Shire of Boyup Brook Strategic Community Plan 2021 – 2031

	Key Imperatives	Economic Development
	Outcome	Be a business-friendly Shire and create conditions for economic growth.
	Objective	Support development of industry/business incubation, innovation and entrepreneurship using a planned approach.

Other Strategic Links

The proposed development is consistent with the Shire's Local Planning Strategy, which supports urban consolidation and infill development within the townsite boundary.

Statutory Environment

Local Government Act 1995

The statutory requirements for the disposal of local government property are found in s3.58 of the *Local Government Act 1995*. Unless the sale is exempt, the Shire can dispose of the land on one (1) of the following three (3) ways:

- Public Auction.
- Public Tender.
- By 'private treaty' (i.e., a sale to an individual privately).

Public Auction – If the sale is conducted by auction, the land must be sold to the highest bidder. The *Auction Sales Act 1973* deals with the legalities of a sale by auction.

Public Tender – If the sale is conducted by public tender, the Shire may determine what is the 'most acceptable tender, whether or not it is the highest tender'. In the sale of land, generally, the highest tender would be the most acceptable, although there may be cases where the tender is conditional, and the Shire may consider that the terms of the condition(s) mean the tender is not the most acceptable. Part four (4) of the *Local Government (Functions and General) Regulations* deals with the requirements for public tenders where the local government calls for tender for the supply of goods or services under s3.57 of the Act.

Private Treaty – It requires (in summary):

- Ascertaining the market value of the property through a valuation carried out not more than 6 months before the proposed disposition.

- Reaching a conditional agreement with a proposed purchaser (which may or may not reflect the market valuation).
- Giving two (2) week's local public notice of the proposed disposition, describing the property concerned and the details of the proposed disposition (which must include the other party's details, the market valuation and the amount at which the Shire proposes to sell).

Sustainability and Risk Considerations

Economic – (Impact on the Economy of the Shire and Region)

The development of four residential lots would result in increased rates revenue and contribute positively to the local economy. It may also trigger further development activity in the precinct.

Social – (Quality of life to community and / or affected landowners)

The addition of new housing addresses ongoing residential shortages and may attract new residents or retain existing families, contributing positively to community wellbeing.

Policy Implications

Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risks that may impact the achievement of its business objectives.

Risk Level	Comment
Moderate	Proceeding with the new offer carries moderate statutory and financial risk, mitigated by the applicant covering all associated costs. Inaction risks reputational damage due to the site's prolonged vacancy and deterioration.

Consultation

Should Council support this proposal, advertising will be undertaken in accordance with the *Local Government Act 1995*.

Resource Implications

Financial

There is no net cost to the Shire. All expenses—including valuation, advertising, legal, and subdivision costs—are to be borne by the applicant.

Workforce

Nil

End

9.4.7 Establishing the Chairperson of Local Government Committees	
File Ref:	GO/37/001
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	Nil

Moved: Cr. King Seconded: Cr. Kaltenrieder

Council Decision CM 25/05/096

That Council:

- 1. Due to the recent resignation of Cr Sarah Alexander from Council, that Cr O'Connell be appointed to the Boyup Brook Medical Services Committee.**
- 2. In terms of section 5.12 of the *Local Government Act 1995* the following Chairperson and Deputy Chairperson is appointed to the relevant committees established in terms of section 5.8 *Local Government Act 1995*.**
 - a) Audit, Risk and Improvement Committee:**
 - Chairperson – Shire President.
 - Deputy Chairperson – Deputy Shire President.
 - b) Rylington Park Committee:**
 - Chairperson – Shire President.
 - Deputy Chairperson – Councillor Caldwell.
 - c) Boyup Brook Medical Services Committee:**
 - Chairperson – Shire President.
 - Deputy Chairperson – Councillor O'Connell.

CARRIED BY ABSOLUTE MAJORITY 6/0
For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King,
Cr Caldwell
Against: Nil

Summary

Amendments to the *Local Government Act 1995* now require that Council formally appoint the Chairperson and Deputy Chairperson to committees established under section 5.8. This report recommends Council make these appointments to ensure compliance with new requirements under section 5.12.

Background

Recent amendments to section 5.12 of the *Local Government Act 1995* remove the ability for committee members to elect their own Chairperson. Instead, a Chairperson and Deputy Chairperson must be appointed by resolution of the Council for all committees established under section 5.8 of the Act.

This legislative change directly affects the following committees of Council:

- Audit, Risk and Improvement Committee.
(Committee consists of all Councillors)
- Rylington Park Committee.
(Committee consists of Cr Wright, Cr Caldwell, Cr King, Cr Inglis, Shire President Cr Walker and Deputy Shire President Cr O'Connell and two community members.)
- Boyup Brook Medical Services Committee.
(Committee consists of Shire President Cr Walker, Cr Kaltenrieder, Cr King and Cr Alexander (resigned).)

While there is no current requirement that these appointments be independent persons, future reforms will introduce such a requirement.

Under section 87 of the *Local Government Amendment Act 2024*, yet to be proclaimed, local governments will be required to transition their Audit Committees to Audit, Risk and Improvement Committees (ARICs). This section, once enacted, will mandate the appointment of an independent person as the Presiding Member. Indications from the Department of Local Government suggest this will align with the October 2025 local government elections.

Report Detail

To ensure statutory compliance, Council must appoint both a Chairperson and Deputy Chairperson to its committees before 1 July 2025. The current committee structure does not reflect these appointments via Council resolution.

Pending the proclamation of section 87 of the *Local Government Amendment Act 2024*, which will mandate the establishment of an Audit, Risk and Improvement Committee, Council will be required to reconsider

these appointments, specifically ensuring the Chairperson is an independent member.

For now, compliance can be achieved by formalising appointments of existing Council members or other suitable persons to these positions, by absolute majority.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy and governance.
	Outcome	Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.

Other Strategic Links

Nil

Statutory Environment

- *Local Government Act 1995* – Section 5.8: Establishment of Committees.
- *Local Government Act 1995* – Section 5.12: Appointment of Presiding Members.
- *Local Government Amendment Act 2024* – Section 87 (not yet proclaimed).

Sustainability and Risk Consideration

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected landowners)

Nil

Policy Implications

Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risk that may impact on the achievement of its business objectives.

Risk Level	Comment
High	Failure to appoint the Chairperson and Deputy Chairperson by Council resolution before 1 July 2025 will result in non-compliance with statutory requirements.

Consultation

Department of Local Government, Sport and Cultural Industries.

Resource Implications**Financial**

Nil

Workforce

Nil

End

9.5 Planning

Nil

10. Minutes of Committees

Moved: Cr. O'Connell	Seconded: Cr. King
Council Decision CM 25/05/097	
That Council adopts the following items En-Bloc:	
1. Item 10.1 South West Regional Road Group Minutes – 31 March 2025 (CM 25/05/098).	
2. Item 10.2 Warren Blackwood Alliances of Councils Climate Alliance Reference Group Minutes – 11 April 2025 (CM 25/05/099).	
3. Item 10.3 South West Country Zone Minutes – 28 April 2025 (CM 25/05/100).	
CARRIED 6/0	
For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King, Cr Caldwell	
Against: Nil	

10.1 South West Regional Road Group Minutes – 31 March 2025

Moved: Cr. O'Connell	Seconded: Cr. King
Council Decision (En-Bloc CM 25/05/098)	
That Council:	
1. Receive the <u>unconfirmed</u> minutes of the South West Regional Road Group Meeting held on 31 March 2025.	
CARRIED 6/0	
For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King, Cr Caldwell	
Against: Nil	

10.2 Warren Blackwood Alliances of Councils Climate Alliance Reference Group Minutes – 11 April 2025

Moved: Cr. O'Connell	Seconded: Cr. King
Council Decision (En-Bloc CM 25/05/099)	
That Council:	

1. Receive the unconfirmed minutes of the Warren Blackwood Alliances of Councils Climate Alliance Reference Group Meeting held on 11 April 2025.

CARRIED 6/0

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King,
Cr Caldwell
Against: Nil**

10.3 South West Country Zone Minutes – 28 April 2025

Moved: Cr. O'Connell

Seconded: Cr. King

Council Decision (En-Bloc CM 25/05/100)

That Council:

1. Receive the unconfirmed minutes of the South West Country Zone Meeting held on 28 April 2025.

CARRIED 6/0

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King,
Cr Caldwell
Against: Nil**

11. **Motions of which previous notice has been given**
Nil

12. **Late Items / Urgent Business Matters**
Nil

13. **Confidential Items of Business**
Nil

14. **Closure**

There being no further business the meeting closed at 6:14pm.

Presiding Member

Date