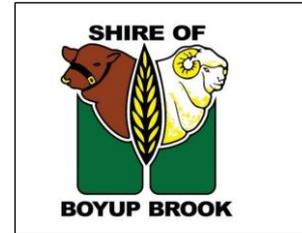


Date: 19 February 2026

To: Shire President
Deputy Shire President
Councillors
Community



Notice of Agenda – Ordinary Council Meeting

An Ordinary Council Meeting of the Shire of Boyup Brook will be held in the Council Chambers on 26 February 2026 at 6:00pm to consider the matters set out in the attached agenda.

A handwritten signature in black ink, appearing to read "Long", is positioned above the printed name of the Chief Executive Officer.

Leonard Long
Chief Executive Officer

Shire of Boyup Brook Corporate Values

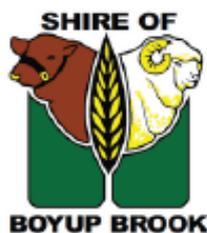
 **Proactive**
Embrace creativity, adaptability and continuous improvement seeking new ideas and solutions to address challenges and seize opportunities to ensure sustainability.

 **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.



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Agenda

1. Declaration of Opening

The Presiding Member declared the meeting open at ...pm.

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

Shire President
Deputy Shire President
Councillors

Cr Helen O'Connell
Cr Darren King
Cr David Inglis
Cr Michael Wright
Cr Philip Moore

Council Officers

Chief Executive Officer	Leonard Long
Executive Officer	Magdalena Le Grange
Executive Manager Operational Services	Jason Forsyth
Executive Manager Corporate Services	Carolyn Mallet
Manager Financial Services	Malcolm Armstrong
Manager Community Services	Nicola Jones

Observers / Public Members**2.2 Apologies****2.3 Approved Leave of Absence**

Nil

2.4 Request Leave of Absence**3. Deputations, Petitions and Presentations****3.1 Deputations**

Nil

3.2 Petitions

Petition regarding Item 9.2.1 at the Ordinary Council Meeting 27 November 2025. Addressed in Item 10.2.2 of this agenda.

3.3 Presentations

Nil

4. Public Question Time

- a. Public Question Time provides the public with an opportunity to put questions to the Council. Questions should only relate to the business of the Council and should not be a statement or personal opinion.
- b. During the Council meeting, after Public Question Time no member of the public may interrupt the meeting's proceedings or enter into conversation.
- c. Whenever possible questions should be submitted in writing at least 48 hours prior to the start of the meeting.
- d. All questions should be directed to the Presiding Member and only questions relating to matters affecting Council may be answered at an Ordinary Council Meeting and at a Special Council Meeting, only questions that relate to the purpose of the meeting may be answered. Questions may be taken on notice and responded to after the meeting at the discretion of the Presiding Member.

- e. The Presiding Member will control Question Time and ensure each person wishing to ask a question states their name and address before asking the question. If the question relates to an item on the agenda the item number should also be stated. In general persons seeking to ask questions will be given two (2) minutes within which to address their question to Council. The Presiding Member may shorten or lengthen this time at their discretion.

4.1 Response to Previous Public Questions Taken on Notice

4.2 Public Question Time

5. Declarations of Interest

5.1 Financial and / or Proximity Interest

5.2 Disclosures of Impartiality Interest that may cause Conflict

6. Previous Council Meeting Minutes

6.1 Ordinary Council Meeting Minutes – 29 January 2026

<p>Moved: Seconded:</p> <p>Officer Recommendation CM 26/02/...</p> <p>That the minutes of the Ordinary Council Meeting held on 29 January 2026 be confirmed as being a true and accurate record.</p> <p style="text-align: right;">..... For: Against:</p>
--

7. Presidential Communications

To be provided at the Ordinary Council Meeting.

8. Reports by Elected Members

Elected Members have the opportunity to provide a verbal report of meetings and events attended throughout the month.

9. Councillor Questions on Notice

10. Reports of Officers

10.1 Operational Services

10.1.1 Removal of Four Lemon Scented Eucalypt Gum Trees located at the Administration / Town Hall Carpark	
File Ref:	A2008
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Seconded:

Officer Recommendation CM 26/02/...

That Council:

1. Approve the removal of four (4) mature Lemon Scented Eucalypt Gum trees located adjacent to the Administration Office / Town Hall parking area.
2. Pursuant to section 6.8(1)(b) of the *Local Government Act 1995*, amends the 2025/2026 Budget to redirect a maximum of \$30,000 from the ICT Upgrades – Server to Town Gardens to fund the removal of the trees.

Account	Description	Increase	Decrease
1146601321	ICT Upgrades – Server		-\$30,000
1113110321	Town Gardens	\$30,000	

3. Notes that the Shire is actively seeking external grant funding to:
 - a) Landscape and rehabilitate the currently underutilised and unkept area adjacent to the Administration / Town Hall; and
 - b) Upgrade the existing effluent disposal system to an Aerated Treatment Unit (ATU) system to enable treated greywater reuse for irrigation purposes.

.....
For:
Against:

Summary

The four mature Lemon Scented Eucalypt Gum trees located adjacent to the Administration and Town Hall parking area have long contributed to the character and shade of the civic precinct.

However, increasing safety concerns associated with falling dead branches, together with damage to road pavement and intrusion into the septic effluent disposal system, now present an unacceptable risk to public safety and Shire infrastructure.

While the removal of established trees is never undertaken lightly, the Shire's primary obligation is to ensure the safety of the community and protect critical public assets.

Background

The four Lemon Scented Eucalypt Gum trees located adjacent to the Administration and Town Hall carpark have become prominent within the civic precinct over time. However, they do not form part of a planned or designed landscape area and appear to have either self-seeded or grown without structured landscape intent.



While mature trees contribute to shade and general amenity, these particular trees are situated immediately adjacent to active parking bays, pedestrian access points and underground infrastructure. In recent years they have shed significant dead limbs into high traffic areas, creating a foreseeable safety risk to tourists using the public ablutions and

community members using the Town Hall, as well as potential damage to vehicles.

Their extensive root systems have also lifted and cracked the road surface and kerbing and have intruded into the septic effluent disposal infrastructure servicing the Administration and Town Hall, increasing the risk of system failure and ongoing maintenance costs.

Although the removal of established trees is never undertaken lightly, the Shire's foremost responsibility is to ensure community safety and protect critical public infrastructure. Given the escalating risk profile, removal is considered a necessary and responsible action to mitigate public liability exposure and prevent further infrastructure damage.

Report Detail

The Shire acknowledges that mature trees play an important role in contributing to community character, environmental value and shade within public spaces, and their removal is not considered lightly given the loss of established canopy.

However, the ongoing shedding of large branches into an active public carpark and pedestrian zone presents a foreseeable and unacceptable safety risk. The potential for injury to community members, damage to vehicles, cannot be disregarded. In meeting its duty of care obligations, the Shire must prioritise public safety where risks are escalating and cannot be adequately managed through routine maintenance alone.

In addition to safety concerns, the trees' extensive root systems have compromised road pavement integrity, displaced kerbing and intruded into the existing septic effluent disposal system. Continued root growth is likely to further damage underground infrastructure, potentially resulting in system failure, increased maintenance costs and environmental health implications. Removal of the trees will prevent further deterioration and allow the Shire to properly address and rectify underlying infrastructure issues.

Importantly, the Shire is currently seeking grant funding to redevelop and landscape the underutilised area adjacent to the civic precinct and to upgrade the effluent disposal system to an Aerated Treatment Unit (ATU) system, enabling treated greywater reuse for irrigation.

Removal provides an opportunity to undertake a coordinated redesign of the area, incorporating appropriate replacement planting with non-invasive root systems and improved irrigation infrastructure.

The objective is not to diminish amenity, but to ensure the long-term safety, functionality and sustainability of this important civic precinct.

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	Develop and activate nodes and precincts to support effective land management, town planning and asset management.

Other Strategic Links

Nil

Statutory Environment

The Administration and Town Hall precinct constitutes both a workplace for Shire staff and a public access area for community members, contractors and elected members.

Under Section 19 of the *Work Health and Safety Act 2020 (WA)*, the Shire, as a Person Conducting a Business or Undertaking (PCBU), has a primary duty of care to ensure, so far as is reasonably practicable, the health and safety of workers and other persons.

The shedding of significant dead limbs within an active parking and pedestrian area represents a foreseeable hazard. In circumstances where routine maintenance cannot reliably eliminate the risk, removal of the trees is considered the most reasonably practicable control measure in accordance with the Act and the *Work Health and Safety Regulations 2022 (WA)*.

Under the *Civil Liability Act 2002 (WA)*, public authorities must take reasonable precautions against foreseeable risks.

Sustainability and Risk Consideration

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

Protecting public infrastructure and avoiding reactive emergency works supports sound financial management. Securing grant funding for landscaping and ATU upgrades will enhance sustainability outcomes while minimising impact on ratepayer funds.

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

Community safety within the Administration and Town Hall precinct is paramount. Ensuring safe access to civic services strengthens public confidence.

Future landscaping and replacement planting will maintain shade and visual amenity while selecting species more suitable for proximity to infrastructure, ensuring the precinct remains welcoming and functional.

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
Extreme	<p>The identified risks associated with the trees include personal injury from falling limbs, vehicle damage, workplace injury exposure, and continued deterioration of underground and surface infrastructure due to invasive root systems.</p> <p>Given the high traffic nature of the location, the likelihood of an incident occurring increases over time. Failure to act once a hazard has been identified may significantly heighten legal and reputational risk to the Shire.</p> <p>Removal of the trees reduces public safety exposure, mitigates ongoing infrastructure damage, and demonstrates that the Shire has taken proactive and reasonably practicable steps to manage a foreseeable risk in accordance with its statutory obligations.</p>

Consultation

Internal consultation has occurred with Executive Manager Operational Services as well as the Coordinator Infrastructure and Gardens regarding the condition of the trees and the associated risks.

In addition, at the recent Australia Day event held within the civic precinct, numerous verbal complaints were received from community members expressing concern about the dangerous overhanging limbs and the potential for injury.

These concerns reinforce the identified safety risk in what is a high use public space.

Broader community engagement may be undertaken as part of the proposed landscaping redevelopment should grant funding be secured, particularly in relation to replacement planting and future improvements.

Resource Implications

Financial

The estimated cost for the removal of the four trees, subject to formal quotation, is approximately \$30,000.

Additional associated costs may include pavement reinstatement works, inspection and repair of the septic effluent system, and future landscaping improvements, noting that landscaping components are intended to be subject to grant funding outcomes.

While the removal represents a planned expenditure, it must be considered in the context of risk exposure. Should a serious injury or in the worst case scenario, a fatality occurs as a result of falling limbs, the financial, legal and reputational consequences to the Shire would be significantly greater than the cost of proactive removal.

Addressing the hazard now represents a prudent and responsible approach to risk mitigation and asset protection.

Note:

The budgeted amount in the ICT Upgrade – Server account was to replace the current server. However, this was planned prior to the implementation of the current Magiq system, which is cloud based, although the Shire may still be required to have a smaller server onsite. Should this be the case a report will be presented to Council to consider using funds from the ICT reserve or it will be budgeted for in the coming 2026/2027 budget.

Workforce

Existing staff resources and contractors.

End

10.2 Community Services

10.2.1 Boyup Brook Amateur Swimming Club, Club House	
File Ref:	Building and Assets-Sporting-Swimming Pool and Gym
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Nicki Jones, Manager Community Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

<p>Moved: Seconded:</p> <p>Officer Recommendation CM 26/02/...</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Agree in principle for the Boyup Brook Swimming Club to pursue funding opportunities and quotes to build a Club House at the Boyup Brook Swimming Pool. 2. Provide Council with a detailed site plan and building plan for approval prior to submitting the required planning and or building applications to the Shire. <p style="text-align: right;">..... For: Against:</p>
--

Summary

The Boyup Brook Amateur Swimming Club (BBASC) would like to install a separate building at the Boyup Brook Swimming Pool to be used as a 'Club House'. They are seeking support to pursue funding opportunities and quotes to commence this project.

Background

The BBASC has experienced steady growth over the years. During the 2025/2026 season, membership increased by 50%, with 45 members aged between 8 and 15 years, and a strong cohort in the 8 to 11-year age group.

Two years ago, the club became affiliated with Swimming WA, providing the opportunity for members to enter competitions at a state level. Members have been actively competing at the State Country

Championships, achieving several medal results, which is a positive reflection on both the club and the Boyup Brook Swimming Pool.

Report Detail

The BBASC runs Monday 3:30pm – 5:30pm and Wednesday 3:00pm - 5:30pm along with swim clinics scheduled throughout the season.

The BBASC is seeking Council's support to install a separate building at the Boyup Brook Swimming Pool to be used as a clubhouse. The Club is requesting permission to pursue funding opportunities and obtain quotations to progress the proposed clubhouse. Once this preliminary work has been completed, the Club will provide all required documentation to enable the project to move to the next stage. It is noted that the Club will be required to enter into a lease agreement, with the specific terms to be confirmed following the granting of all necessary approvals and permits.

The BBASC maintains a strong membership base and is experiencing positive growth among children aged 8 to 15 years. This growth, together with the Club's recent affiliation with Swimming WA, has highlighted the need to investigate the development of a dedicated clubhouse at the Boyup Brook Swimming Pool. The proposed facility would support out-of-pool training sessions to further develop members' technique, confidence, and performance. It would also provide secure storage for specialised training equipment, including underwater communication devices that allow real time coaching between swimmer and coach, reducing the need for raised poolside instruction and improving the shared amenity of the facility for other patrons.

The Club currently includes members who are multi-classed and actively encourages new members of all abilities to participate, with one member recently gaining approval to compete in multi-class competition. This is a significant achievement, and the provision of a dedicated clubhouse would create a positive, safe, and supportive learning environment for all members.

More broadly, the Club provides an important outlet for local young people to participate in a team environment while continuing to develop individual skills and personal goals. While not all members will progress to State, National, or international competition, involvement in the Club fosters valuable life skills such as teamwork, inclusion, respect, resilience, and a strong work ethic, contributing positively to youth development within the community.

Proposed site of the Clubhouse to be located at Boyup Brook Swimming Pool (not to scale).



Proposed Site

These fence panels would be removed & repositioned after installation of building.



Concept Buildings



Examples of transportable buildings the club is looking at for the proposed clubhouse.

Shire of Boyup Brook Strategic Community Plan 2021 – 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Provide access to community, sport and recreation facilities.
	Outcome	Support a healthy, active, vibrant community.
	Objective	Facilitate access to sport and recreation services and programs.
	Outcome	Support a healthy, active, vibrant community.
	Objective	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 BBASC delivers important economic benefits to the community by encouraging participation in organised sport, attracting visiting families and competitors for potential meets and events, and increasing usage of local facilities. These activities support local businesses such as, cafés and retail outlets, while also strengthening the long-term viability of community infrastructure like the swimming pool. In addition, fostering

youth engagement in sport contributes to community wellbeing and retention of families in the district, which helps sustain school enrolments, volunteer capacity, and overall local economic resilience.

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

The BBASC provides significant social benefits by creating a safe, inclusive environment where young people can build friendships, develop teamwork and leadership skills, and grow in confidence through participation in sport.

The club also strengthens community connections by bringing families together, encouraging volunteer involvement, and fostering a shared sense of pride and belonging. Regular training and competition promote healthy lifestyles and positive routines for young people, while helping to support their physical and mental wellbeing and contributing to a vibrant, connected local community.

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 main risk of having a separate Club House lies in the ongoing maintenance and insurance requirements.

Consultation

Boyup Brook Swimming Club.

Resource Implications

Financial

Nil as this is to approve the Boyup Brook Swimming Club to pursue funding opportunities and quotes.

Workforce

Nil

End

10.2.2 Rescission of Resolution 2 to Council Decision CM 25/10/188 (Zoo Train Shed Location)	
File Ref:	Buildings & Assets-Sandakan Park-Master Plan
Previous Items:	<i>Council Decision 25/07/136, CM 25/10/188, CM 25/11/218</i>
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	10.2.2A Petition to Council 10.2.2B Proposed Locality Plan

Moved: **Seconded:**

Officer Recommendation CM 26/02/...

That Council:

- 1. Notes and acknowledges the petition submitted to Council on 29 January 2026 regarding the Pioneer Lady memorial and Rose Garden.**
- 2. Pursuant to section 5.41 of the *Local Government Act 1995*, rescinds Resolution 2 of Council Decision CM 25/10/188, being:

*“Approve the proposed location for the Zoo Train shed as illustrated in Diagram 3 contained in this report.”***
- 3. Approves the revised location for the Zoo Train shed within Sandakan Park as indicated on the attached locality plan.**
- 4. Pursuant to section 6.8(1)(b) of the *Local Government Act 1995*, amends the 2025/2026 Budget to redirect the balance of the \$29,200 allocation for the Zoo Train shed to landscaping improvements around the Pioneer Lady memorial.**

Account	Description	Increase	Decrease
113909- PKS02 Sandakan Playground Upgrade	Zoo Train		-\$29,200
113909- PKS03 (New) Sandakan Playground Upgrade	Landscaping of Pioneer Lady memorial	\$29,200	

5. Request the Chief Executive Officer to place the landscaping improvements around the Pioneer Lady memorial on hold until the outcome of the CBH Grassroots Community Grants program has been received (approx. May 2026).

6. Commits the funds in (4.) above to be included in the 2026/2027 budget should the required works not be undertaken in the 2026/2026 financial year.

Absolute Majority required (4).....

For:

Against:

Summary

Council is requested to:

- Acknowledge the petition presented on 29 January 2026 regarding the Pioneer Lady memorial and Rose Garden.
- Rescind Resolution 2 of Council Decision CM 25/10/188 relating to the previously approved Zoo Train shed location.
- Approve a revised location for the Zoo Train shed within Sandakan Park that does not require relocation of the memorial.
- Amend the 2025/2026 Budget to redirect the uncommitted balance of funds allocated for the Zoo Train shed toward landscaping improvements to the Pioneer Lady memorial.

Background

At the Ordinary Council Meeting held 30 October 2025, Council resolved to approve the design and location of the Zoo Train shed within Sandakan Park.

“Moved: Cr. King

Seconded: Cr. Wright

Council Decision CM 25/10/188

That Council:

- 1. Approve the proposed draft design for the Zoo Train shed as illustrated in Diagram 1 and Diagram 2 contained in this report.*
- 2. Approve the proposed location for the Zoo Train shed as illustrated in Diagram 3 contained in this report.*

CARRIED 5/0

For: Cr O’Connell, Cr Moore, Cr Inglis, Cr Wright, Cr King

Against: Nil

On 29 January 2026, a petition was presented to Council requesting reconsideration of the proposed relocation of the Pioneer Lady hologram and Stillborn Babies Rose Garden.

The petition states that:

- The hologram commemorates the pioneer women of Boyup Brook.
- The Rose Garden holds historical and sentimental value.
- Relocation would diminish the memorial's integrity.
- Signatories oppose moving the memorial to accommodate the Zoo Train.

The petition contains 141 signatures as referenced in the covering correspondence.

On 29 January 2026, Councillors and staff attended a site meeting at Sandakan Park to review the previously approved shed location, the spatial relationship between the Zoo Train and the Pioneer Lady memorial, access and sightlines within the park, and the practical implications of relocating the memorial.

During the inspection it was observed that the Pioneer Lady memorial is concreted in place, the hologram installation forms part of a deliberately designed memorial setting, and the Rose Garden contains established plantings with mature root systems. It was noted that relocating these elements would present structural risks.

Councillors acknowledged that moving the memorial could compromise its integrity. It was also acknowledged that the memorial has experienced neglect over time and would benefit from landscaping improvements to restore and enhance its presentation.

Report Detail

Having regard to the petition submitted to Council, the strength of community sentiment expressed, the site constraints identified during the 29 January 2026 inspection, and the risk and cost associated with relocating memorial infrastructure, officers have identified a revised location within Sandakan Park (refer attached locality plan) that retains the Zoo Train shed within the park while avoiding relocation of the Pioneer Lady memorial and Rose Garden.

The revised siting maintains appropriate integration within the broader park setting. However, updated cost estimates indicate that the originally

approved budget of \$30,000 will not be sufficient to construct the Zoo Train shed. To date, design and planning documentation have been prepared, with approximately \$800 expended, leaving a remaining balance of \$29,200.

Based on current estimated construction pricing, this remaining amount will not be adequate to deliver the shed, and the project will need to be reconsidered and appropriately funded in a future budget cycle.

It is therefore proposed that the balance of \$29,200 be reallocated toward landscaping improvements to the Pioneer Lady memorial, including garden rejuvenation and soil improvement, irrigation upgrades, pathway realignment and seating. This approach provides a practical reallocation of funds that cannot presently deliver the shed, responds constructively to community concerns raised through the petition, preserves the integrity of the memorial, and enhances the overall presentation and significance of the memorial setting within Sandakan Park.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Provide access to community sport and recreation facilities.
	Key Imperatives	Built Environment
	Outcome	Provide sustainable infrastructure that serves the current and future needs of the community.
	Objective	Construct/redevelop community and sporting facilities in a manner that maximises their life span, capacity and function.
	Key Imperatives	Governance and Organisation
	Objective	Improve financial sustainability.
	Outcome	Improve short and long term financial management planning.

Other Strategic Links

Nil

Statutory Environment

- Section 5.41 – *Local Government Act 1995*
- Section 6.8 – *Local Government Act 1995*.

Sustainability and Risk Consideration

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

Avoiding relocation of the memorial mitigates potential damage resulting in additional costs. Redirecting funds to landscaping improves park amenity and tourism presentation within existing budget parameters.

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

The landscaping of the Pioneer Lady memorial will enhance the visual aesthetic value of the memorial.

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	This proposal mitigates several key risks, including potential structural damage risk associated with relocating the memorial. By adopting a balanced approach that retains the integrity of the memorial while addressing project constraints, Council materially reduces these exposures and strengthens both financial and community outcomes.

Consultation

No direct or formal consultation process was undertaken in relation to the revised proposal. However, verbal representations were made during a Council meeting expressing community concerns, and a petition was subsequently submitted to Council outlining objections to the proposed relocation of the memorial.

These representations have been considered in the preparation of this report and the revised recommendation.

Resource Implications

Financial

Redirect remaining funds (estimated balance following confirmed quotation) to landscaping improvements within the Pioneer Lady memorial precinct.

Final landscaping scope to be confirmed within available funds.

Workforce

Existing staff resources and contractors.

End

10.3 Corporate Services

10.3.1 List of Accounts Paid in January 2026	
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:	10.3.1A List of Accounts Paid in January 2026

Moved: Seconded:

Officer Recommendation CM 26/02/...

That Council:

1. Receive the list of accounts paid in January 2026, totalling \$1,018,912.25 from Municipal account, and \$56,332.75 from Police Licensing account, as represented by:

Municipal	
EFT 1830–1938	\$ 737,457.33
Cheques	\$ 0.00
Direct Payments	\$ <u>281,454.92</u>
Municipal Total	\$1,018,912.25
Police Licensing	\$ 56,332.75
Grand Total	<u>\$1,075,245.00</u>

.....
For:
Against:

Summary

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in January 2026 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 31 January 2026.

Report Detail

Attachment 10.3.1A lists accounts/invoices the Shire paid by cheque or electronic means during the period 01 to 31 January 2026.

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 2025/2026 Annual Budget.

Workforce

Nil

End

10.3.2 Monthly Statement of Financial Activity for the period ending 31 January 2026	
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:	10.3.2A – Monthly Financial Report 31 January 2026

Moved: Seconded:

Officer Recommendation CM 26/02/...

That Council:

1. Receive the Monthly Financial Report for 31 January 2026, as presented (Attachment 10.3.2A).

.....
For:
Against:

Summary

The Monthly Financial Report for 31 January 2026 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 material 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 31 January 2026 shows a closing surplus of \$6,258,706.

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 provides:

- (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

10.3.3 Request to review Local Laws	
File Ref:	Governance-Local Laws
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Carolyn Mallett, Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number	Nil

Moved: Seconded:

Officer Recommendation CM 26/02/...

That Council:

- 1. Requests the Chief Executive Officer to give local public notice of the review of the following Shire of Boyup Brook Local Laws in accordance with s3.16 of the *Local Government Act 1995*:**
 - **Local Law No. 1 – Standing Orders;**
 - **Boyup Brook Cemetery Local Law;**
 - **Local Laws Relating to Fencing;**
 - **Parking and Parking Facilities Local Law;**
 - **Local Government Property Local Law;**
 - **Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law;**
 - **Dogs Local Law;**
 - **Bush Fire Brigades Local Law;**
 - **Health Local Laws.**
- 2. Notes that copies of the local laws may be inspected or obtained at the Shire offices or via the Shire’s website.**
- 3. Notes that, during the consultation period, staff will undertake benchmarking and research to ensure the local laws remain contemporary, relevant and enforceable.**
- 4. Advises that submissions about the local laws may be made to the Shire before a date to be specified in the public notice, being no less than six (6) weeks after the notice is given.**
- 5. Notes that following the submission period, any submissions received will be presented to Council for consideration and the review completed by resolution of Council.**

Absolute majority required (4)
For:
Against:

Summary

Local laws are made by the Shire of Boyup Brook under the *Local Government Act 1995* and are enforceable within the district. They help establish and maintain community standards and quality of life, and provide a framework under which businesses, residents, and ratepayers must conduct their activities.

Local laws must be consistent with State and Commonwealth legislation. They assist the Shire to manage local issues including public places, animals, health, cemeteries, parking, and community safety.

The purpose of the review is to determine whether the Shire’s local laws should be retained, amended, or repealed to ensure they remain relevant, effective, and consistent with aligned with current legislation and community needs.

Background

Section 3.16 of the *Local Government Act 1995* requires that all local laws must be reviewed within a 15-year period after their commencement or the last determination.

As part of the Local Government reforms and implementation of the *Local Government Amendment Act 2024*, the Shire is required to review all local laws prior to 7 December 2026, unless a review has occurred within the last eight (8) years.

Where a local law has not been reviewed within that period, Schedule 9.3 Division 7 Clause 65(10) provides that it will be automatically repealed two years after 7 December 2024.

If a local government has not conducted an 8-year review of current local laws, Schedule 9.3 Division 7 Clause 65(10) of the Act provides that unless a review is conducted within 2 years from 7 December 2024 (‘the amendment date’), the unreviewed Local Law(s) will be automatically repealed after that time.

The Shire has in place the following local laws:

- a. Local Law No. 1 – Standing Orders;
- b. Boyup Brook Cemetery Local Law;
- c. Local Laws Relating to Fencing;

- d. Parking and Parking Facilities Local Law;
- e. Local Government Property Local Law;
- f. Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law;
- g. Dogs Local Law;
- h. Bush Fire Brigades Local Law;
- i. Health Local Laws.

Report Detail

The procedure for reviewing, amending, repealing and making Local Laws in the Act is outlined below:

Part One – Review Process (s.3.16)

- j. Periodic Review – s.3.16(1) of the Act – The local government is to carry out a review of the local law to determine whether it considers that it should be repealed, amended or remain unchanged.
- k. Local Public Notice -s.3.16(2) – The local government is to give local public notice stating that it proposes to review the local law, identifying where and through which mediums local law can be viewed, and allowing at least 6 weeks for submissions to be made to the Shire.
- l. Summary of Submissions – Present a report on the outcome of the review/community consultation to Council to consider whether or not these local laws should be repealed, amended or retained.
- m. Section 3.16 of the Act cannot be used to repeal or amend a local law.

Part Two – Amendment/Repeal/New Local Laws (s.3.12)

- n. Local Council initiates process – Under s3.12(2) of the Act and Regulation (3) *Local Government (Functions and General) Regulations 1996* – the Council may resolve to initiate a new local Law and include in the resolution the purpose and effect of the local law.
- o. Local Public Notice – s3.12(3) and (3a) of the Act - The local government must give local public notice for at least 6 weeks, identifying where and during which hours (if appropriate) the proposed local law can be viewed.
- p. Notification to the Minister - s3.12(3b) of the Act - Send notification to the Minister as soon as the public notice is given (after advertisement appears in the paper).
- q. Considering Submissions – s3.12(4) of the Act - After the last day for submissions, Council to consider any submissions made and may make the local law as proposed or make amendments that are not significantly different from what was proposed (by absolute majority).
- r. Gazettal Notice – s3.12(5) of the Act - After making the local law, the local government is to publish it in the Gazette.
- s. Giving Public Notice – s3.12(6) of the Act - After the local law has been published in the Gazette, Council is to give local public notice stating

- the title of the local law; summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and advising that copies of the local law may be inspected or obtained.
- t. Notification to the Minister - s3.12(5) of the Act - Send notification to the Minister as soon as the public notice is given (after advertisement appears in the paper).
- u. Explanatory Memoranda – s3.12(7) of the Act - After Gazettal to provide an Explanatory Memorandum to the Government (WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL).
- v. Commencement of Local Laws - s3.14 of the Act - The Local Law will come into effect the 14th day after publication.
- w. Review by Government - s3.17 of the Act - Final point on the process where the local law can be amended or repealed via the Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL).

Next Steps

Members of the public will have the opportunity to lodge a submission to Council on the current local laws. This consultation period will run for at least 6 weeks. The submissions will be considered and presented with a recommendation to Council who will then determine whether to amend, repeal or retain the local laws.

During this initial consultation process staff will also undertake benchmarking and research to ensure that these local laws remain contemporary, relevant and enforceable. In conducting the review of these local laws, the Shire will engage with the community through the website, social media and Gazette to ensure it complies with the requirements of the Act. This will ensure that the review captures relevant societal and governance changes that may suggest that amendments are required to the Shire’s local laws.

The outcomes of the review will be presented to the Council later in 2026 with recommendations on any amendments to the Shire’s local laws, which may be required.

This process will confirm the ‘purpose’ and ‘effect’ of each local law and include a ‘proposed draft’ local law, which will then be advertised for a statutory period of 42 days to allow for any public comments, and together with a copy of the ‘proposed draft’ local law this will be forwarded to the relevant Ministers.

Shire of Boyup Brook Strategic Community Plan 2021 – 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy, and governance.

	<p>Outcome</p>	<p>Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.</p>
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Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995

Division 2 — Legislative functions of local governments

Subdivision 1 — Local laws made under this Act

3.5. Legislative power of local governments

- (1) A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.
- (2) A local law made under this Act does not apply outside the local government’s district unless it is made to apply outside the district under section 3.6.
- (3) The power conferred on a local government by subsection (1) is in addition to any power to make local laws conferred on it by any other Act.
- (4A) Nothing in the Building Act 2011 prevents a local government from making local laws under this Act about building work, demolition work, a standard for the construction or demolition of buildings or incidental structures, or the use and maintenance of, and requirements in relation to, existing buildings or incidental structures, as those terms are defined in section 3 of that Act.
- (4B) Nothing in the Health (Miscellaneous Provisions) Act 1911 or the Public Health Act 2016 prevents a local government from making local laws under this Act about matters relating to public health (as defined in the Public Health Act 2016 section 4(1)).
- (4) Regulations may set out —
 - (a) matters about which, or purposes for which, local laws are not to be made; or
 - (b) kinds of local laws that are not to be made, and a local government cannot make a local law about such a matter, or for such a purpose or of such a kind.
- (5) Regulations may set out such transitional arrangements as are necessary or convenient to deal with a local law ceasing to have

effect because the power to make it has been removed by regulations under subsection (4).

[Section 3.5 amended: No. 64 of 1998 s. 5; No. 24 of 2011 s. 166(2); No. 19 of 2016 s. 166.]

3.8. Local laws may adopt codes etc.

- (1) A local law made under this Act may adopt the text of —
 - (a) any model local law, or amendment to it, published under section 3.9; or
 - (b) a local law of any other local government; or
 - (c) any code, rules, specifications, or standard issued by Standards Australia or by such other body as is specified in the local law.
- (2) The text may be adopted —
 - (a) wholly or in part; or
 - (b) as modified by the local law; or
 - (c) as it exists at a particular date or, except if the text of a model local law is being adopted, as amended from time to time.
- (3) The adoption may be direct, by reference made in the local law, or indirect, by reference made in any text that is itself directly or indirectly adopted.

[Section 3.8 amended: No. 74 of 2003 s. 79.]

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- (2) At a Council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) Subject to subsection (3A), the local government is to
 - (a) give local public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to —
 - (i) the Departmental CEO; and

- (ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department; and
 - (iii) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3A) The local government may, at the Council meeting referred to in subsection (2), determine to proceed under subsection (3C) instead of subsection (3) if all the proposed local law would do is adopt, wholly and without modification —
 - (a) a model local law; or
 - (b) a model local law except certain provisions that the local government determines, at the Council meeting referred to in subsection (2), are not relevant to the local government and the district.
- (3B) In subsection (3A)(a) and (b), references to a model local law include an amendment of a model local law.
- (3C) If the local government determines to proceed under this subsection, the local government must —
 - (a) publish a notice on the local government’s official website stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 3 weeks after the notice is published; and
 - (b) as soon as the notice is published, give a copy of the notice to —
 - (i) the Departmental CEO; and
 - (ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions under subsection (3) or (3C) (as the case requires), the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* Absolute majority required.

-
- (5) After making a local law, the local government must —
 - (a) publish the local law in the Gazette; and
 - (b) give a copy of the local law to —
 - (i) the Departmental CEO; and
 - (ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is made — the chief executive officer of that other department.
 - (6) After the local law has been published in the Gazette the local government is to give notice in the required way —
 - (a) stating the title of the local law; and
 - (b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.
 - (6A) For the purposes of subsection (6), the required way for giving a notice is as follows —
 - (a) if the local government proceeded under subsection (3) — by local public notice;
 - (b) if the local government proceeded under subsection (3C) — by notice published on the local government's official website.
 - (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
 - (8) In this section —

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

[Section 3.12 amended: No. 1 of 1998 s. 8; No. 64 of 1998 s. 6; No. 49 of 2004 s. 16(4) and 23; No. 26 of 2016 s. 5; No. 16 of 2019 s. 8; No. 47 of 2024 s. 19.]

Section 3.16 of the Act provides that:

3.16. Periodic review of local laws

- (1) Within a period of 15 years after the day on which a local law commenced or a determination in respect of the local law was last made under subsection (4), as the case requires, a local government must carry out a review of the local law to determine whether it considers that the local law should be repealed, be amended or remain unchanged.
 - (2) The local government is to give local public notice stating that —
 - (a) the local government proposes to review the local law; and
 - (b) a copy of the local law may be inspected or obtained at any place specified in the notice; and
-

- (c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.
- (3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its Council.
- (4) After the report has been submitted to its Council, the local government must determine* whether it considers that the local law should be repealed, be amended or remain unchanged.

* Absolute majority required

Any consequential amendments to the Shire’s local laws must then be undertaken using the process set out in s3.12 of the Act.

Sustainability and Risk Considerations

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 risks that may impact the achievement of its business objectives.

Risk Level	Comment
High	<p>If a review of current local laws is not completed by 7 December 2026, unreviewed Local Law(s) will be automatically repealed.</p> <p>Without current and enforceable local laws, the Shire faces increased legal, operational, safety, and reputational risks, and a reduced ability to respond to local issues in line with community expectations.</p>

Consultation

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Local Government (Functions and General) Regulations 1996*
- WALGA.

Resource Implications

Financial

Cost associated with the review, advertising for public comment, amendment and/or making of existing or new local laws and their eventual Gazettal.

Workforce

Nil

End

10.4 Chief Executive Officer

10.4.1 Boyup Brook Medical Services monthly activity report for January 2026	
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

<p>Moved: Seconded:</p> <p>Officer Recommendation CM 26/02/...</p> <p>That Council:</p> <p>1. Receive the monthly activity report for the Boyup Brook Medical Services for January 2026.</p> <p style="text-align: right;">..... For: Against:</p>

Summary

This monthly report provides Council with an update on the operations of Boyup Brook Medical Services. Key highlights for January include Dr Devadason has continued to work a demanding workload with high patient bookings and Hospital attendances for inpatients and ED presentations.

The practice nurse continues to provide exceptional support, seeing patients and easing the doctor’s workload. Outdoor signage for the Australian Government’s Bulk Billing Practice Incentive Program (BBPIP) is installed on an external window of the Practice. The recruitment for a second GP continues.

Background

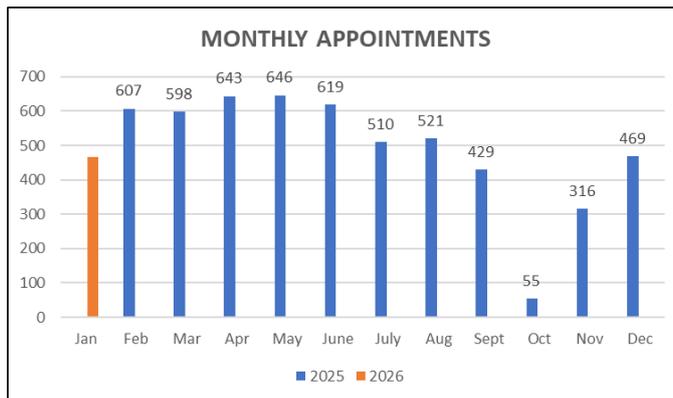
Boyup Brook Medical Services is an AGPAL-accredited practice operating under the RACGP Standards. It provides general practice and nursing services to the local community and operates Monday to Friday from 8:30am to 4:30pm.

As of 11 November 2025, the practice has transitioned to a fully bulk-billed service. All Medicare eligible patients are now bulk billed for eligible MBS items, with concession card holders and children under 16 having been bulk billed prior to this date.

Standard appointment slots are 15 minutes, with longer appointments available upon request. In addition to general practice services, the facility also hosts visiting allied health professionals including a physiotherapist, osteopath, podiatrist, psychologists, occupational therapist, and Emmett Technique therapist, thereby enhancing the breadth of health services available to the community.

Report Detail

In January 2026, the practice recorded a total of 466 patient consultations. These figures include all appointments invoiced for the Medical Centre, clinic appointments, phone consults and hospital consults.



The practice successfully transitioned to a fully bulk-billed model on 11 November 2025. Registration for the Australian Government’s Bulk Billing Practice Incentive Program (BBPIP) has been completed and the first BBPIP incentive payment has been received. Signage confirming bulk-billing status has been installed, and a community advertising campaign is continuing.

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 Medical Centre contributes significantly to the local economy. It provides essential healthcare access that supports community health and productivity and creates direct employment opportunities for medical and administrative staff. Furthermore, local access to medical services helps retain residents in the area and contributes to local economic activity through increased spending at nearby businesses.

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

The presence of a local medical centre enhances community well-being through convenient and timely access to health care. This is particularly important for vulnerable populations such as the elderly, people living with disability, and residents without transport. Early diagnosis and treatment of health issues can improve long-term health outcomes and overall quality of life.

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.

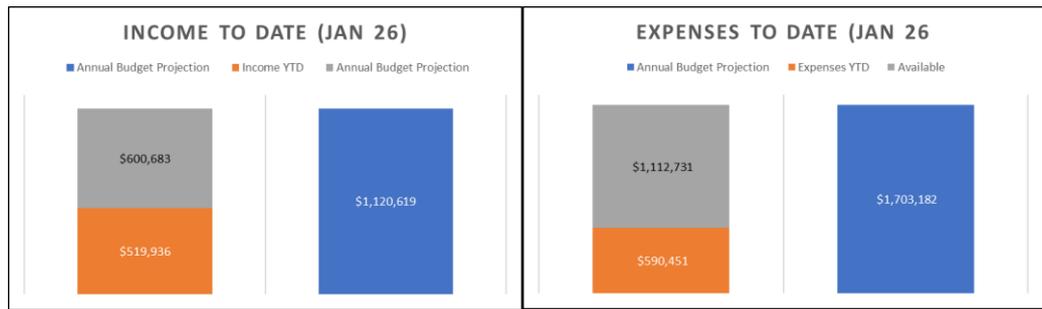
Risk Level	Comment
Moderate	The absence of a local medical centre would force residents to travel long distances for medical care. This could result in delayed treatment, particularly in emergencies, and poorer health outcomes.

Consultation

Nil

Resource Implications

Financial



Workforce

The Medical Centre currently employs:

- One (1) General Practitioner with one vacancy.
- Two (2) part-time Receptionists.
- One (1) part-time Nurse 3 days per week.
- One (1) Practice Manager.

End

1. Approve the repair of the front-end loader with funds required for the repair being taken from the Rylington Park Operational Reserve.

CARRIED 5/0

For: Cr O’Connell, Cr Inglis, Mr Walker, Mr McElroy, Cr King

Against: Nil”

The current value (as is) of the tractor/front-end loader has been estimated to be \$10,000 by Afagri Equipment, with its estimated sale price post repairs \$35,000.

Report Detail

The tractor/front-end loader broke down late 2025. The machine was taken to Afagri Equipment to diagnose the problem and a quote to repair attached as Attachment 10.4.2B.

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)

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 risks that may impact on the achievement of its business objectives.

Risk Level	Comment
Moderate	Without an operational machine, it will be very difficult for the Working Farm Manager to feed the sheep which could impact the animal's health.

Consultation

Nil

Resource Implications**Financial**

The cost of the repair estimated to be \$35,000 will be taken from the Rylington Park Operational Reserve, following the transfer the reserve will have a balance of \$228,178.

Workforce

Nil

End

10.4.3 Boyup Brook Caravan Park monthly report for January 2026	
File Ref:	A2007
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Malcolm Armstrong, Manager Financial Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Seconded:

Officer Recommendation CM 26/02/...

That Council:

- 1. Receive the monthly report for the Boyup Brook Caravan Park for January 2026.**

.....
For:
Against:

Summary

This monthly report provides Council with an update on the operational status and strategic value of the Boyup Brook Caravan Park.

Background

The Boyup Brook Caravan Park is a Shire owned asset located in the heart of Boyup Brook. Renowned for its peaceful surroundings and convenient access to local amenities and attractions, the park serves as an important rest stop for travellers and grey nomads exploring regional Western Australia.

As a key tourism asset in a small rural town, the caravan park plays a critical role in attracting and accommodating visitors, thereby supporting the local economy and enhancing the town’s reputation as a welcoming and accessible destination.

To strengthen tourism outcomes and operational sustainability, the Shire entered a partnership with the Campervan and Motorhome Club of Australia (CMCA). CMCA is a national organisation that supports the needs of motorhome and caravan users. This partnership aims to boost visitation, improve service delivery, and ensure the park continues to generate economic and social benefits for the community.

Report Detail

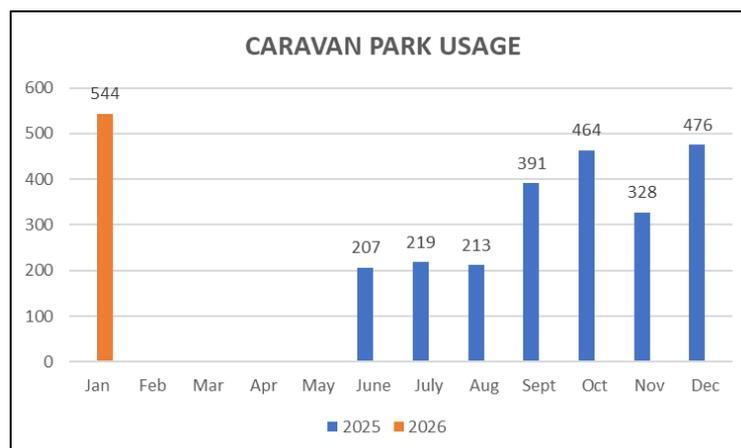
The CMCA Flax Mill Caravan Park, managed under agreement by the Campervan and Motorhome Club of Australia (CMCA), continues to provide a steady stream of short-term accommodation for travellers and visitors to Boyup Brook. The following is a summary of site bookings and income received for January 2026.

A total of 544 nights were booked during the January 2026 reporting period, generating gross income of \$13,340.

Under the current revenue-sharing agreement, the Shire receives 73% of gross income and CMCA retain 27%.

- Revenue: For January 2026, the Shire's share of revenue totalled \$9,738.20, representing a considerable increase of just over 18% compared to January 2025.
- Occupancy: During January 2026, a total of 544 nights were booked, representing a substantial increase of 39% compared to the same period last year.
- While total nights booked increased, the lower increase in income comparative to this period last year reflects a shift in booking mix, with a 43% increase in Self-Contained RV sites and 25% increase in the new Unpowered River sites booked, which are a lower nightly fee.
- The CMCA Caretaker reports that:
 - There continues to be a steady increase in individual travellers and families choosing to stay at the Flax Mill Caravan Park during the school holiday period, attracted by the peaceful setting along the Blackwood River.
 - Of total bookings, 55% were non CMCA members and 45% were CMCA members
 - Demand for longer term accommodation continues to grow, with a significant increase in requests for permanent residency being received.
 - Current long-term residents generally utilise the caravan park to support the shearing and health industries, with some others residing due to lack of affordable housing in the region. There has been a notable increase in requests from outlying regions, including metropolitan areas, driven by ongoing housing shortages and affordability.
 - With the increase in long term residents, concerns have been raised that the Caravan Park may be unintentionally attracting patrons seeking permanent residency.

- CMCA management have been working with the Shire to assess the current situation and options for managing this into the future. As the Shire holds the licence for the Caravan Park, there are legislative restrictions that must be complied with.
- It is recommended that the Shire and CMCA re-assess the maximum stay period at the CMCA Flax Mill Caravan Park to establish guidelines that are compliant, balanced, and that continue to support those requiring shorter term accommodation, without adversely impacting tourism.



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 Boyup Brook Caravan Park contributes positively to the Shire’s economy, particularly through its partnership with CMCA. The arrangement has increased the park’s visibility and usage, particularly among CMCA members, who bring additional patronage to local businesses such as cafés, shops, and service stations. The enhanced

tourism profile contributes to job creation and helps sustain a range of small enterprises, promoting economic resilience in the region.

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

The caravan park enhances the town’s vibrancy by supporting visitor engagement and community connection. Increased tourism brings a sense of vitality to the town and supports local pride. It also helps create opportunities for residents to engage with visitors and promote the region’s identity. The economic benefits gained through tourism contribute to improved local services and infrastructure.

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.

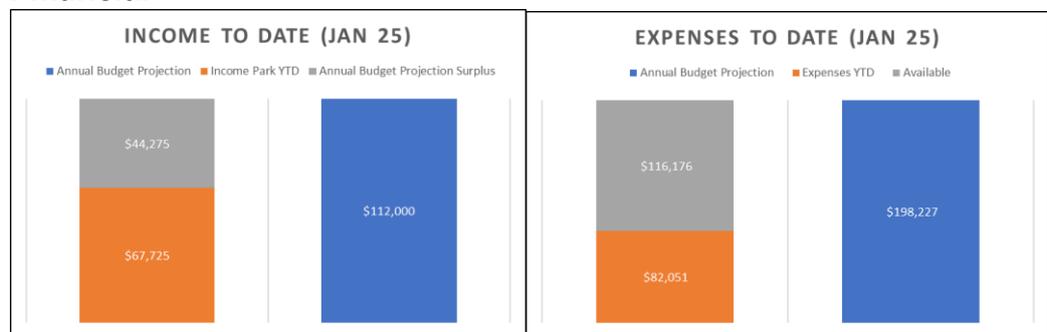
Risk Level	Comment
Moderate	A key risk is over reliance on tourism as a driver of economic activity. A sustained downturn in visitor numbers due to factors such as fuel prices, economic downturns, or natural disasters could reduce income for local businesses and affect the Shire’s tourism objectives. Diversification and long-term planning are essential to manage this risk.

Consultation

Nil

Resource Implications

Financial



Workforce

Nil

End

10.4.4 Boyup Brook Swimming Pool monthly report for January 2026	
File Ref:	RE/45/002
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Tara Reid, Swimming Pool Manager
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Seconded:

Officer Recommendation CM 26/02/...

That Council:

- 1. Receive the monthly report for the Boyup Brook Swimming Pool for January 2026.**

.....
For:
Against:

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

The swimming pool opened to the public on Tuesday 28 October 2025.

General Opening Hours

Monday, Tuesday, Wednesday and Friday 10:00am – 5:30pm.

Saturday, Sunday and Public Holidays 12:00pm – 5:30pm.

January has been a productive and highly attended month for both the Swimming Pool and Gym facilities. Strong patronage, successful program delivery, competitive achievements by the Swimming Club, and proactive maintenance works demonstrate the continued value of these facilities to the Boyup Brook community and surrounding districts.

Ongoing planning and infrastructure assessment will remain a priority to ensure the long-term sustainability and functionality of these important community assets.

January saw the successful delivery of the Department of Education's VacSwim program at the Boyup Brook Swimming Pool. The program was well supported by local families, with strong participation from children within the community. Two local teachers were engaged to deliver the program, ensuring quality instruction and continuity for participants. The program continues to play an important role in promoting water safety and swimming skills for children in Boyup Brook.

During the summer holiday period, the Swimming Pool recorded a total of 2,839 patrons, reflecting strong community engagement.

The Boyup Brook Swimming Pool continues to attract visitors from surrounding towns, largely due to its diving boards, inflatables, and relaxed natural surroundings. These features distinguish the facility within the region and contribute significantly to its popularity during the peak summer period.

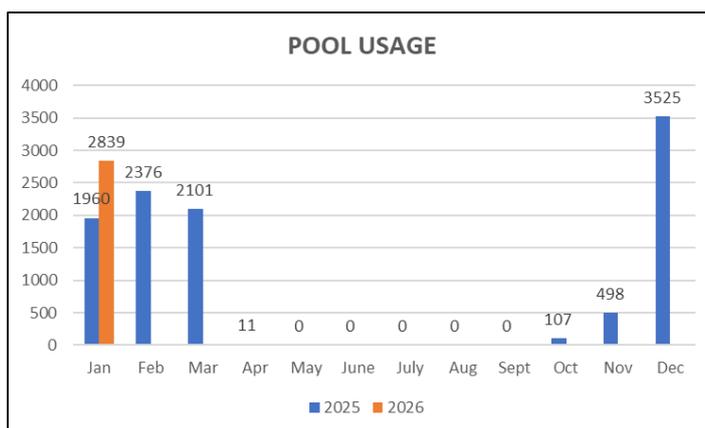
Water Aerobics classes remain well attended, with an average of 16 participants per session. Several new participants have joined in recent weeks, demonstrating continued interest in this low-impact fitness program. The classes provide an important health and wellbeing opportunity for a broad cross-section of the community.

Early Morning Swim sessions are currently attracting up to 20 swimmers per session, representing the highest attendance since the program commenced in 2020. The continued growth in participation highlights the value of extended access hours and strong community demand for structured lap swimming opportunities.

The Boyup Brook Swimming Club has continued training throughout the school holidays. Members have competed at the State Country Championships in Perth, the York Swim Meet, and in Australind. A number of swimmers achieved medal placings across these events, which is a significant accomplishment for the Club and a positive reflection on the development of local athletes.

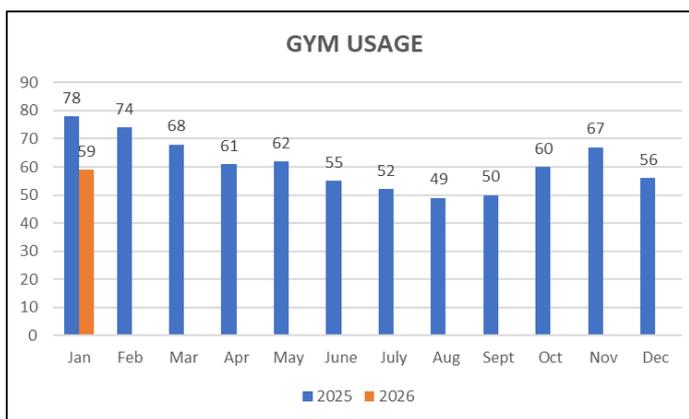
Repairs and maintenance of the pool’s water pipe system were a primary focus during January. A number of split joints were identified within the system. This issue has now been rectified through the installation of a pressure reduction valve on the main water supply. The solution has proven successful, with no further issues reported to date.

A meeting has been scheduled with Otis from Distinctive Pools on Thursday 20 February to discuss leak detection within the pool bowl and to obtain quotations for a comprehensive report. The report will provide recommendations aimed at extending the longevity of the Swimming Pool facility.



The Boyup Brook Gym currently has 59 members and continues to experience steady daily usage. The 5:00pm timeslot has become particularly popular, reflecting strong after work attendance.

A member survey is currently being conducted to assess overall satisfaction, determine which equipment is most utilised, and identify equipment requests. The results will inform future refurbishment planning and ensure the facility continues to meet community needs.



Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Provide access to community, sport and recreation facilities.
	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Facilitate access to sport and recreation services and programs.
	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 in a regional town 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 in a regional area 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 regional areas.

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.

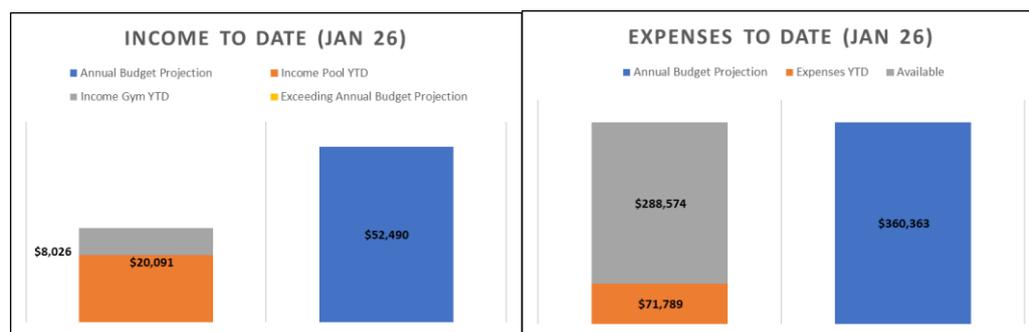
Risk Level	Comment
High	The main risk of having a public swimming pool lies in the ongoing costs of maintenance, staffing, and insurance, which can be significant. Pools require regular upkeep to ensure safety standards are met, and without proper management, unexpected repairs or liabilities could arise.

Consultation

Nil

Resource Implications

Financial



Workforce

Nil

End

10.4.5 Chief Executive Officer annual performance review 2025/2026 process	
File Ref:	P/File LONG Leonard
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Carolyn Mallett, Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	Nil

Moved: Seconded:

Officer Recommendation CM 26/02/...

That Council:

- 1. In accordance with clause 4.4 of the Chief Executive Officer’s Contract of Employment, determine that the Full Council will undertake the Chief Executive Officer’s annual performance review interview.**
- 2. Schedule the Chief Executive Officer’s annual performance review interview for [insert date] at [insert time] in the Council Chambers; and**
- 3. Following the conclusion of the performance interview, request that a confidential report be submitted to the March 2026 Ordinary Council Meeting for consideration in accordance with the Contract of Employment and Regulation 18FA (specifically Schedule 2 Division 3 Clause 18) of the *Local Government (Administration) Regulations 1996*.**

Absolute majority required (4)

For:

Against:

Summary

The purpose of this report is to ensure Council complies with the Chief Executive Officer’s Contract of Employment and the *Local Government Act 1995* in relation to the annual performance review process.

Background

Pursuant to section 5.38(1) of the *Local Government Act 1995*, Council is required to review the performance of the Chief Executive Officer at least once in each annual period.

Clause 4.1 of the Chief Executive Officer's Contract of Employment further prescribes the procedural requirements for undertaking the annual performance review, as follows:

“4.1 Subject to any alternative procedure agreed between the Council and You, a performance review under this clause must include the following procedures:

- (a) You must give the Council at least one month's written notice of when Your performance review is required.*
- (b) The Council must decide, under clause 4.3, who is to conduct the performance review and must give You at least 10 working days' notice in writing of when the performance review is to be conducted and who is to conduct it.*
- (c) Within 14 days after being given notice under paragraph (b), You must prepare a report assessing Your performance against the Performance Criteria and give that report to the Reviewer.*
- (d) You and the Reviewer will discuss the process and timing of the performance review, which must include at least one interview session that provides for mutual discussion and feedback.*
- (e) You may be accompanied at an interview session by any other person nominated by You.*
- (f) Within one month of the conclusion of the performance review, the Reviewer must prepare a report, in consultation with You, to be signed by both the Reviewer and You, that includes:*
 - (1) Conclusions about Your performance during the period covered by the performance review.*
 - (2) Any proposal by either party to amend the Performance Criteria as a consequence of the performance review.*
 - (3) Any directions or recommendations made to You in relation to the future performance by You, and*
 - (4) Details of the extent, if any, to which You disagree with any statement in the report.*
- (g) If the Reviewer is not the Council, that report must then be submitted to the Council for consideration, and*

(h) *Under Regulation 18FA (specifically Schedule 2 Division 3 Clause 18 of the Local Government (Administration Regulations 1996 (WA), the Council is to accept the report with or without modifications or is to reject the report.'*

Report Detail

Under the CEO’s Contract of Employment, Council must determine:

1. Who will conduct the annual performance review; and
2. When the performance review will be undertaken.

Council has the following options in determining who will conduct the review:

- The Full Council.
- A panel of appointed Elected Members; or
- An independent external consultant.

Council has undertaken the previous two performance reviews internally. However, Council retains the discretion to appoint a suitably qualified independent consultant. Engagement of a consultant would generally be appropriate where:

- There are potential relationship or governance concerns between Elected Members and the Chief Executive Officer.
- There is a need for independent facilitation; or
- Council considers an external and objective assessment to be beneficial.

Indicative cost for engaging an external consultant is estimated to be between \$7,000 and \$15,000, depending on scope and facilitation requirements.

The review process forms part of Council’s governance obligations and supports transparency, accountability and continuous organisational improvement.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy and governance.
	Outcome	Strengthen Leadership, advocacy and governance capabilities.

Other Strategic Links

Sound governance and effective organisational leadership underpin the achievement of all Strategic Community Plan objectives.

Statutory Environment

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Chief Executive Officer’s Contract of Employment.*

Sustainability and Risk Consideration

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

The annual performance review ensures effective executive leadership and organisational performance, which supports sound financial management and long-term economic sustainability of the Shire.

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

Effective performance oversight of the Chief Executive Officer contributes to strong governance, service delivery standards and community confidence in local government decision making.

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 undertake the Chief Executive Officer’s annual performance review within the required timeframe would constitute a breach of the Contract of Employment and may result in non-compliance with section 5.38 of the <i>Local Government Act 1995</i> .

Consultation

- Shire President
- Deputy Shire President.

Resource Implications

Financial

If Council undertakes the performance review internally, there will be no direct impact on the approved budget.

Should Council resolve to appoint an independent consultant, funding will be required to cover estimated fees between \$7,000 and \$15,000.

Workforce

Nil

End

10.4.6 Proposed Recreation Centre Development and Implementation Plan 2026	
File Ref:	RESERVE 1454
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	10.4.6A - Draft Shire of Boyup Brook Recreation Centre Development and Implementation Plan

Moved: Seconded:

Officer Recommendation CM 26/02/...

That Council:

- 1. Adopt the Draft Shire of Boyup Brook Recreation Centre Development and Implementation Plan 2026 as attached (Attachment 10.4.6A).**
- 2. Notes that the Plan provides a staged, long-term framework for infrastructure renewal and enhancement at the Boyup Brook Recreation Centre.**
- 3. Notes that inclusion of individual projects within the Plan does not constitute automatic budget approval and that each phase and project will be subject to separate Council consideration through the Annual Budget and Long-Term Financial Plan processes.**

.....
For:
Against:

Summary

The Recreation Centre Development and Implementation Plan 2026 establish a structured, staged and financially responsible framework for the long-term planning, renewal and enhancement of infrastructure at the Boyup Brook Recreation Centre

The Plan adopts a five-phase approach, prioritising planning and investigations before capital expenditure, followed by staged delivery aligned with asset condition, risk and financial capacity.

Adoption of the Plan will formalise Council's strategic intent, strengthen future funding applications, and ensure infrastructure investment remains aligned with the Strategic Community Plan and Long-Term Financial Plan.

Background

The Boyup Brook Recreation Centre is one of the Shire's most significant community assets, supporting sport, recreation, health, social interaction and regional visitation.

The Plan has been prepared to:

- Provide evidence based planning prior to major capital expenditure.
- Address higher construction and mobilisation costs associated with regional Western Australia.
- Ensure financial sustainability and intergenerational equity.
- Maintain flexibility to respond to competitive and periodic grant funding opportunities.

The document outlines a logical staging model rather than fixed chronological commitments, allowing Council to bring forward, defer or re-sequence projects in response to funding opportunities, asset risk or emerging priorities.

Report Detail

The Recreation Centre Development and Implementation Plan 2026 provide Council with a disciplined, staged and financially responsible roadmap for the long-term renewal and enhancement of one of the Shire's most significant community assets.

Adoption of the Plan formalises Council's strategic direction, strengthens advocacy and funding opportunities, and ensures that infrastructure investment remains evidence based, risk informed and aligned with long-term financial sustainability.

The Plan applies core asset management principles including:

- Planning before construction.
- Condition and risk based prioritisation.
- Grant ready project scoping.

This approach ensures infrastructure investment is strategically justified, financially responsible and sustainable over the long term.

The Plan outlines the following indicative investment ranges:

Phase	Description	Indicative Cost Range (excl. GST)
Phase 1	Planning & Investigations	\$55,000 – \$104,000
Phase 2	Priority Construction Upgrades	\$170,000 – \$340,000
Phase 3	Targeted Enhancements	\$135,000 – \$250,000
Phase 4	Major Asset Renewal	\$1.75m – \$2.7m
Phase 5	Surface & Perimeter Optimisation	\$360,000 – \$560,000

Phase 1 focuses on investigations, technical assessments and concept designs to reduce risk prior to capital commitment.

Phases 2 and 3 deliver targeted upgrades.

Phase 4 addresses major renewal of high risk, end of life assets including oval lighting and swimming pool infrastructure.

Phase 5 transitions remaining high maintenance assets to lower cost, sustainable solutions.

The Plan will be integrated into the Long-Term Financial Plan through:

- Sequenced delivery over 10+ years.
- Progressive funding through grants, reserves and borrowings where appropriate.
- Potential use of lease proceeds from Shire owned assets.
- Partnership and co-investment opportunities linked to community cropping land arrangements.
- Avoidance of single year capital spikes.

Importantly, adoption of the Plan does not commit Council to immediate expenditure but establishes a strategic framework for future consideration.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Provide access to community sport and recreation facilities.
	Key Imperatives	Economic Development
	Outcome	Support a strong and inclusive economy.
	Objective	Promote the town as a great place to visit, stay and live.
	Key Imperatives	Built Environment

	Outcome	Provide sustainable infrastructure that serves the current and future needs of the community.
	Objective	Construct/redevelop community and sporting facilities in a manner that maximises their life span, capacity and function.
	Key Imperatives	Governance and Organisation
	Objective	Improve financial sustainability
	Outcome	Improve short and long term financial management planning.

Other Strategic Links

- Adopted Boyup Brook Recreation Centre Master Plan.

Statutory Environment

The Plan aligns with the Integrated Planning and Reporting framework under the *Local Government Act 1995* and associated Regulations.

Adoption supports:

- Strategic Community Plan alignment.
- Long-Term Financial Plan integration.

Sustainability and Risk Consideration

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

The staged development of the Recreation Centre Master Plan is expected to deliver positive economic outcomes for the Shire and the broader region by supporting local employment during construction phases, increasing demand for local contractors, and enhancing the capacity to host sporting events and community activities.

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

The staged enhancement of the Recreation Centre will positively contribute to the quality of life of the community by providing safe, accessible and contemporary facilities that support physical activity, social connection and community participation.

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 adoption of the Recreation Centre Development and Implementation Plan reflects the Shire of Boyup Brook's ongoing commitment to proactively identifying, assessing and managing risks that may impact the achievement of its strategic and operational objectives.

Consultation

The Recreation Centre is a high use community facility supporting multiple sporting codes, schools, community groups and regional events.

Adoption of the Plan demonstrates Council's commitment to transparent long-term planning and responsible infrastructure investment.

Future engagement will occur at the project specific level as individual phases are progressed.

Resource Implications

Financial

The Plan provides indicative cost ranges only and includes a rural loading and contingency allowance of approximately 15 – 25% to account for mobilisation, contractor availability and market volatility.

Financial implications will be considered progressively through:

- Annual Budget processes.
- Long-Term Financial Plan reviews.
- External funding applications.
- Reserve and borrowing considerations where appropriate.

Workforce

Existing staff resources will manage procurement, contractor supervision, and ongoing site maintenance.

End

10.4.7 Budget Review 2025/2026 consideration of expenditure adjustments due to uncertainty of Forest Products Commission equivalent rate revenue	
File Ref:	Finance-Budget Review 2025/2026
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: Seconded:

Officer Recommendation CM 26/02/...

That Council:

- 1. Notes the uncertainty surrounding the payment of Forest Products Commission (FPC) equivalent rates to the Shire.**
- 2. Requests the Chief Executive Officer to prepare amendments to the 2025/2026 Annual Budget, pursuant to Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, for consideration at the March Ordinary Council Meeting.**
- 3. Requests the Chief Executive Officer to prepare a media release advising the community that due to the uncertainty surrounding the payment of Forest Products Commission (FPC) equivalent rates to the Shire the Community Grants Program for 2026/2027 will be placed on hold.**
- 4. Authorises the Chief Executive Officer to write to organisations operating under Memorandum of Understanding advising that continued funding beyond 30 June 2026 is subject to confirmation of FPC equivalent rate revenue.**
- 5. Authorises the Chief Executive Officer to provide preliminary notice to St John Ambulance that continuation of the Community Membership arrangement beyond 2026/2027 is subject to revenue certainty.**
- 6. Authorises the Chief Executive Officer to write to the relevant Ministers and Shadow Ministers seeking urgent clarification regarding the distribution of FPC equivalent rates.**

Absolute majority required (4)

For:

Against:

Summary

Council is requested to consider the removal of the identified items from the adopted 2025/2026 Budget due to the current uncertainty surrounding Forest Products Commission (FPC) rate revenue.

FPC is now remitting the equivalent of rates to the Western Australian Treasury in accordance with the *Forest Products Act 2000*.

The potential shortfall exceeds \$135,000 and presents a material financial sustainability risk, including potential impacts on the Long-Term Financial Plan if not addressed proactively.

Background

For the past several years, the Forest Products Commission (FPC) has paid rates directly to the Shire in respect of plantation land within the Shire. This revenue has formed part of the Shire's ordinary rate base and has been relied upon in annual budget preparation and long-term financial planning.

Recent changes have resulted in FPC now remitting the equivalent of rates to the Western Australian Treasury in accordance with the *Forest Products Act 2000*, rather than directly to local government. At the time of preparing this report, no confirmation has been received whether the equivalent funds will be distributed back to the Shire, nor the timing or mechanism for any such payment.

The potential revenue shortfall currently exceeds \$135,000 or 3% of the rate income. To place into context had the Shire been advised prior to the adoption of the budget that FPC will no longer pay rates directly to the Shire, to maintain a balanced budget the rates for the 2025/2026 year would have to have been increased from the approved 7% to approximately 10%.

This exposure may increase should FPC acquire additional land within the Shire, as any further plantation holdings would similarly result in rate equivalents being paid to Treasury rather than directly to the Shire. This creates ongoing uncertainty around revenue stability and long-term financial forecasting.

In the absence of formal confirmation from Treasury, it is considered financially prudent for Council to review expenditure items within the adopted 2025/2026 budget to mitigate exposure to an unfunded operating deficit. Further to identify discretionary spending items that could be excluded from the 2026/2027 budget.

Report Detail

The Shire's 2025/2026 adopted budget was prepared on the basis that FPC plantation land within the shire would continue to generate rate revenue consistent with previous financial years, with FPC paying rates directly to the Shire.

FPC formally advised the Shire of the change in payment arrangements a couple of weeks after Council had adopted the 2025/2026 Budget. Under the revised arrangement, FPC now remits the equivalent of rates to WA Treasury in accordance with the *Forest Products Act 2000*, rather than directly to local government. This advice was received after the budget settings had been finalised and adopted, meaning Council did not have the opportunity to factor the change into its financial modelling at the time of adoption.

In response to the change, representatives of the Warren Blackwood Alliance of Councils, which included the Chief Executive Officer and the Shire President, met with the Minister for Forestry Hon Jacki Jarvis in early January to outline the financial implications of rates no longer being paid directly to local governments. The impact on small rural shires with significant plantation holdings was clearly articulated. Unfortunately, at the time of preparing this report, no formal response or confirmation has been received.

The current arrangement creates inequity for rural local governments with significant plantation land holdings, as the infrastructure, emergency management obligations and community impacts associated with forestry operations remain the responsibility of the Shire, while equivalent rate revenue is remitted to consolidated revenue. This places disproportionate financial pressure on affected rural local governments.

The following budgeted items have not yet been actioned and could be amended through the upcoming budget review process:

- Reserve Transfer amendments.
However, it must be noted that this may have an impact on future budgeting, Long Term Financial Plan and Strategic Community Plan capital projects:
 - Reduce Transfer to Plant Reserve from \$50,000 to \$35,000
 - Reduce Transfer to Building Reserve from \$104,385 to \$54,385
 - Reduce Transfer to Recreation Reserve (Pool) from \$50,000 to \$35,000
 - Reduce Transfer to Bridges Reserve from \$50,000 to \$35,000

- Reduce Transfer to Assets and Master Plan Reserve from \$30,000 to \$0
- Capital Projects:
 - ICT Upgrades – Renewal of Server, now moving to cloud based. - \$10,000

The proposed reduction equates to \$139,385.

Failure to act at this stage may result in an operating deficit requiring more significant service reductions, reserve transfers or unplanned borrowing. Early intervention provides Council with greater control over the financial outcome and demonstrates responsible stewardship of public funds

Should no confirmation be received from WA Treasury regarding the payment of the equivalent rates paid by FPC back to the Shire by the time preparation of the 2026/2027 budget begins the following items have been identified as discretionary expenditure totalling \$173,700 and includes community events, sponsorships, grants and contributions under Memorandum of Understanding.

These items were selected for review on the basis that they are non-statutory lower operational risk than essential services such as road maintenance, asset maintenance, emergency management, waste services and statutory governance functions.

The identified discretionary and community support items are broken down as follows:

- Community Events and Activities
 - Movie Nights – \$ 1,000
 - Heritage Festival – \$ 1,000
 - UBAS (Shire Contribution) – \$12,700
 - Community Christmas Celebrations – \$ 5,000
 - Seniors Christmas Lunch – \$ 2,000
 - \$21,700

A decision on whether to proceed with the following identified discretionary and community support items is required for the following reasons:

- The Community Grants and Sponsorship Program is scheduled to commence in March through a public call for applications. Proceeding without revenue certainty exposes the Shire to financial risk.

- Sponsorships & Community Grants
 - General Sponsorships – \$ 2,000
 - Community Grants – \$25,000
 - \$27,000

- Organisations operating under Memoranda of Understanding must be formally advised if funding will not continue, to allow appropriate time for their own budget preparation for 2026/2027. St John Ambulance (Community Membership) requires a 12-month notice period prior to cancellation)

- Memoranda of Understanding (MoUs)
 - Community Resource Centre – \$ 45,000
 - Museum – \$ 5,000
 - Visitor Centre – \$ 25,000
 - St John Ambulance – \$ 30,000
 - Country Music Festival – \$ 20,000
(\$10,000 + \$10,000 in-kind)
 - \$125,000

Given the current uncertainty surrounding FPC rate revenue, it is recommended that Council instruct the Chief Executive Officer to notify all MoU organisations of Council’s intention not to continue the MoUs in the 2026/2027 financial year, and in the case of St John Ambulance, to provide the required 12 months’ notice resulting in cessation from the 2027/2028 financial year.

This approach ensures procedural fairness to partner organisations while prioritising the Shire’s financial sustainability in the absence of confirmed replacement revenue.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Improve financial sustainability.
	Outcome	Improve short and long term financial management planning.

Other Strategic Links

- 2025/2026 budget.

Statutory Environment

- *Local Government Act 1995.*
- *Local Government (Financial Management) Regulations 1996.*

- *Forest Products Act 2000.*

Sustainability and Risk Consideration

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

Many of the listed events and MoU supported organisations contribute to local economic activity through tourism, visitor expenditure and community participation. A reduction in funding will impact the local economy.

However, maintaining long-term financial sustainability is critical to ensuring continued investment in roads, facilities and services that underpin the broader regional economy. Protecting core infrastructure and statutory functions is considered paramount.

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

The proposed reductions would impact community events, cultural activities and volunteer supported organisations that enhance social wellbeing and community connection.

Council must balance these social benefits against the responsibility to safeguard the Shire’s financial position. If Treasury confirms funding replacement, Council may reinstate affected items through a future budget amendment.

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	<p>There is a high financial risk arising from the uncertainty of Forest Products Commission equivalent rate revenue. If mitigation measures are not implemented and funds are not received from Treasury, the Shire may incur an operating deficit requiring reserve transfers or unplanned borrowing.</p> <p>There is also a governance risk if Council does not act prudently in response to known revenue uncertainty, and a community risk should fund reductions impact volunteer-based organisations. Proactive mitigation demonstrates responsible financial stewardship.</p>

Consultation

- Internal Executive Team
- Warren Blackwood Alliance of Councils
- Minister of Forestry.

Resource Implications

Financial

The potential loss of FPC rate revenue represents a direct and material impact on the Shire's operating position for 2025/2026, with the identified shortfall currently exceeding \$135,000, 3% rates revenue for 2025/2026.

Proactive adjustment through the budget review process supports improved short and long-term financial management planning, consistent with the Shire of Boyup Brook Strategic Community Plan 2021–2031 objective of strengthening financial sustainability.

Workforce

Nil

End

10.4.8 Proposed change to the Rylington Park operational model	
File Ref:	Committees-Rylington Park
Previous Items:	Item 14.1.1 RP 25/11/050
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	10.4.8A Rylington Park Map

Moved: **Seconded:**

Officer Recommendation CM 26/02/...

That Council:

- 1. Proceed with the implementation of following operational model:**
 - a) Paddocks 20, 21 and 22 (Approx 53ha) being made available to lease at a peppercorn rate to a community group for cropping purposes via expression of interest / tender process.**
 - i. Approx 10ha of the area in 1(a) above be made available for trials. If any land is not used for trials such land can be used for cropping by the community group.**
 - b) The dwelling house, accommodation units, ablutions, commercial kitchen and training room be retained for use by the Shire.**
 - i. The area is to be fenced off to clearly be demarcated.**
 - c) Advertise the remainder of the farm for lease (at market rates) on the open market with the following additional conditions contained in the lease:**
 - i. Term of the lease would be an initial three (3) years with the option of another three (3) years.**
 - ii. The lease is to commence as from 1 March 2027 allowing the lessee access to ‘knock down’ in September 2026 and is to be advertised as soon as possible following Councils decision on the matter.**
 - iii. The hatched area indicated on Attachment 10.4.8A is to be retained as a revegetated creek line and is to be protected and not grazed.**

9. Request the Chief Executive Officer to obtain a property condition report prior to the property lease commencing.
 10. Proceeds of the sale of the machinery, produce and livestock be quarantined in a reserve account solely for the use to reinstate Rylington Park should the Council of the day wish to no longer lease the farm and to run the farm.
 11. The Rylington Park scholarship be continued with funds be taken from the farm lease income.
 12. Request the Chief Executive Officer to rename the Rylington Park Community Projects Reserve to the Farleigh / Rylington Park Community Projects Reserve where the annual lease income (less all costs associated with the retention of infrastructure by the Shire as per 1(b) above) shall be retained in the reserve account. Any interest received on the reserve account is to be kept in the reserve account. (interest to be diverted back to the reserve)
 13. A percentage of lease income, to maintain the value of the Rylington Park Reinstatement Farm Reserve (to be approved through the budget process) shall be determined by the Committee after the ‘on farm’ sale for recommendation to Council.
 14. The percentage determined in (13) above will be reviewed on an annual basis by Council through the budget process.
 15. Approve all costs associated with the retention of infrastructure by the Shire as per 1(b) above to be deducted from the annual lease income and included in the relevant Rylington Park maintenance / capital account through the annual budget process.
- Absolute majority required (4)**
For:
Against:

Summary

At its meeting held on 5 February 2026, the Rylington Park Committee considered various future operational models for Rylington Park and resolved (RP 26/02/014) to recommend that Council proceed with a revised leasing based operational model.

The Committee’s recommendation seeks to:

- Ensure compliance with the *Local Government Act 1995*.

- Provide long-term financial sustainability.
- Honour the wishes of the late Mr Eric Farleigh.
- Maintain provision for community benefit and agricultural research.
- Reduce financial risk exposure to ratepayers.

Council is requested to consider and determine the Committee's recommendation.

Background

Rylington Park was gifted to the Shire of Boyup Brook by the late Mr Eric Farleigh in 1989 with the stated wish that the property be used for:

“Benefit of persons within the Shire and for research purposes and that my farming records and other records are kept with my farming property.”

Following dissolution of the former incorporated management committee in 2021, the Charter of the Rylington Park Institute for Agricultural Training and Research was adopted, confirming the property is held in trust for community benefit and agricultural training and research.

An MoU with Edith Cowan University (ECU) was signed in October 2021 for a 20-year term to support agricultural research and training.

At its meeting of 20 November 2025, the Committee resolved to continue operating under the existing model pending further investigation and workshop discussions.

Following two workshops to review potential models including the review of financial performance, legislative considerations and industry conditions, the Committee has resolved to recommend a revised model to Council.

Report Detail

Given the changes within the agricultural industry and the financial performance of the farm in recent years, the Committee considered four potential operational models for Rylington Park. In doing so, it remained mindful of the original intent of the late Mr Eric Farleigh that the property be used for the benefit of persons within the Shire and for research purposes.

The following models were considered:

Model 1,

Being continuation of the current operational structure with the Shire directly running the farm supported by a Committee of Council and a Farm Manager, would allow the local government to retain full control over the farm and its assets.

This model would continue to provide land for grower trials, facilitate shearing schools through AWI, and maintain the MoU with ECU. However, it presents significant disadvantages, including potential non-compliance with the *Local Government Act 1995* due to the commercial and fluid nature of farming operations, the requirement to employ full-time and part-time staff, contractor costs, and exposure to commodity market volatility.

There remains a real risk that ratepayers would be required to subsidise operational losses. While the model aligns strongly with the Farleigh bequest through ongoing research, trials and training activities, it carries considerable financial and reputational risk.

Model 2,

Which would maintain Shire ownership and control but involve the Committee taking a more hands-on operational role supported by a Farm Co-ordinator, offered potential reductions in labour and contractor costs while preserving trials, shearing schools and the ECU partnership.

Notwithstanding these benefits, this model would still expose the Shire to market volatility and the likelihood of financial losses requiring ratepayer support. It would also continue to present compliance concerns and rely heavily on the availability and capacity of Committee members to provide labour and oversight. While consistent with the intent of the bequest, the financial sustainability of this model remained uncertain.

Model 3,

Reverting to an independent style committee structure with limited local government involvement, would reduce direct Shire operational responsibility and potentially lower costs, while maintaining the ability to conduct trials and facilitate industry engagement.

This model offered improved compliance alignment; however, it would still leave the Shire exposed as the landowner to market risk and financial losses. There were also concerns regarding the ability to attract suitably skilled and committed community members to manage a complex agricultural enterprise, and the continued need for employed farm staff. The risk of ratepayer subsidy and redirection of funds from other community services would remain.

Model 4,
 Leasing the farm on the open market while retaining specific paddocks for community use and trial activities and retaining the dwelling for staff or key worker accommodation, offered compliance with the *Local Government Act 1995*, removal of operational market exposure and predictable lease income. It would also enable continued support for community projects and scholarships through lease revenue and preserve land for research trials. The primary disadvantage identified was the reduced operational control by the Shire during the lease period.

After considering all options, the Committee did not resolve to adopt any single model in its pure form. Instead, it has recommended a hybrid approach based primarily on Model 4, modified to ensure that community cropping, research trials, scholarship funding, and key infrastructure retention continue in a manner consistent with Mr Farleigh’s wishes. This hybrid model seeks to balance financial sustainability, legislative compliance, and risk reduction while preserving the core principles of community benefit and agricultural research that underpin Rylington Park.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Provide access to community sport and recreation facilities.
	Key Imperatives	Built Environment
	Outcome	Provide sustainable infrastructure that serves the current and future needs of the community.
	Objective	Construct/redevelop community and sporting facilities in a manner that maximises their life span, capacity and function.
	Key Imperatives	Governance and Organisation
	Objective	Improve financial sustainability.
	Outcome	Improve short and long term financial management planning.

Other Strategic Links

Nil

Statutory Environment

The recommended model ensures compliance with the *Local Government Act 1995* by removing direct commercial farming operations by the Shire and transitioning to a lease arrangement.

Sustainability and Risk Consideration

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

The proposed leasing model is expected to deliver a more stable and sustainable economic outcome for the Shire and broader region. By transitioning from direct farm operations to a structured lease arrangement, the Shire will benefit from predictable lease income while removing exposure to the operational volatility associated with commodity markets and seasonal conditions. The sale of machinery and livestock will release capital, enabling funds to be quarantined and reinvested into community projects and long-term reserves. Importantly, the inclusion of a community cropping component ensures that local agricultural participation and productive use of the land continue, maintaining economic activity within the district.

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

From a social perspective, the recommended model continues to support key community outcomes. The Rylington Park scholarship program will be maintained through lease income, ensuring ongoing support for youth development within the Shire. Retention of access to the shearing shed for community events preserves important social and industry gatherings, while the community cropping arrangement provides opportunity for local engagement in agricultural activity. By reducing the risk of operational losses being subsidised by ratepayers, the model also protects broader community services and rate stability. Collectively, the approach preserves and respects the Farleigh legacy while adapting to contemporary governance and financial realities.

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 decision regarding the future operational model for Rylington Park represents a significant strategic determination for Council and is therefore assessed as carrying a high-risk level in terms of financial, reputational and governance implications. However, the recommended hybrid leasing model materially reduces the Shire’s exposure to market volatility, minimises the likelihood of ratepayer subsidy for farm operations, and addresses

	operational compliance concerns associated with direct commercial farming activities. As such, while the decision is strategically significant, the recommended approach mitigates many of the ongoing risks identified under the current model.
--	--

Consultation

- The Chief Executive Officer has liaised with the Deputy Vice-Chancellor (Regional Futures) of Edith Cowan University, who has advised that the University understands the circumstances surrounding the proposed decision and remains committed to continuing its collaboration with the Shire on research initiatives.
- The Chief Executive Officer has liaised with David Farleigh, the grandson of the late Eric Farleigh who has the following concerns:
 - *“If all the machinery and livestock are sold as proposed, what consideration has been given in the event circumstances change, and the shire wishes to revert Rylington Park back to its current or similar model at the end of the lease period? How would the machinery and livestock replacement be funded given the high cost of capital equipment and livestock?”*

The Shire provided the following response:

The funds received through the sale of livestock, crop and machinery will be placed in a reserve account, in addition a percentage of the annual lease income will also be placed in the same reserve to ensure the balance of the reserve is increased annually. This reserve will be set up in such a way that the funds in the reserve can only be used to ‘restart’ the farm should circumstances change.

- *“When leased, would provisions be made for the lessee to maintain fences, stock watering points and infrastructure allowing the farm to revert back to a mixed farm enterprise? Most cropping involves large machinery meaning bigger paddocks are preferred so I feel it is important that fences aren’t removed as the cost of replacement could prove prohibitive.”*

The Shire provided the following response:

The proposed lease will be drawn up by a suitably qualified professional and will ensure that the lessee will maintain all structures within the lease including fences. Should fences be removed they would have to be replaced in the same location at

the expiry of the lease. In this regard a property condition report will be prepared and the exact location of fencing determined prior to any lease being entered into.

David Farleigh provided the following comment on the Shire response to his concerns.

“My queries have been answered.”

Resource Implications

Financial

The transition to the proposed leasing model will involve certain upfront and ongoing financial considerations, including costs associated with conducting the on-farm auction, obtaining a property condition report prior to lease commencement, and maintaining retained infrastructure such as the dwelling, accommodation, ablutions and commercial kitchen.

In addition, reserve accounting adjustments will be required to appropriately quarantine sale proceeds and allocate lease income in accordance with Council’s resolutions.

Notwithstanding these costs, the overall financial position of Rylington Park is expected to improve through the establishment of steady lease revenue and the removal of exposure to operational losses and market volatility associated with direct farming activities.

Workforce

- Farm operational roles to cease following transition.
- Administrative oversight required for lease management.

End

10.4.9 Proposed Disposal of Property, Lot 38 Mitchell Avenue, Boyup Brook.	
File Ref:	A1661
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	10.4.9A – Offer to Purchase

Moved: Seconded:

Officer Recommendation CM 26/02/...

That Council:

- 1. Receives the offer to purchase Lot 38 Mitchell Avenue, Boyup Brook in the amount of \$135,000.**
- 2. Authorises the Chief Executive Officer to obtain a current independent market valuation in accordance with section 3.58 of the *Local Government Act 1995*.**
- 3. Requests the Chief Executive Officer to present a final report for Councils consideration regarding the disposal of Lot 38 Mitchell Avenue, Boyup Brook following:**
 - a) Compliance with section 3.58 of the *Local Government Act 1995*;**
 - b) Provision of two (2) weeks’ public notice of the proposed disposition; and**
- 4. Requests the Chief Executive Officer to notify the Boyup Brook Pioneers Museum of the following:**
 - a) Council will donate 5% of the net sale price (after deduction of associated costs, legal expenses and agent fees) to the Boyup Brook Pioneers Museum.**
 - b) The Shire has investigated the requirement for a retaining wall and will not be constructing a retaining wall at this stage. Should it become an issue in future years its construction will be budgeted for.**
 - c) The buyer has noted they will construct a standard height fence at no cost to the Shire.**
 - d) Regarding 4(c) above the Shire will include a clause in the contract of sale (should it proceed) that the Shire will not be**

That Council:

1. *Authorise the Chief Executive Officer to place Lot 38 Mitchell Avenue, Boyup Brook on the market for sale.*
2. *Request the Chief Executive Officer to obtain quotations for the construction of a compliant retaining wall on the boundary adjoining the Boyup Brook District Pioneers Museum.*
3. *Request the Chief Executive to notify the Boyup Brook District Pioneers Museum, that Council will consider its request for a percentage of the sale proceeds when an offer to purchase is presented for Council consideration.*

CARRIED BY ABSOLUTE MAJORITY 5/0

*For: Cr O'Connell, Cr Moore, Cr Inglis, Cr Wright, Cr King
Against: Nil"*

The property has now been marketed and an offer to purchase has been received.

Report Detail

An offer to purchase Lot 38 Mitchell Avenue has been received in the amount of \$135,000.

In accordance with section 3.58 of the *Local Government Act 1995*, disposal by private treaty requires:

- A market valuation obtained not more than six (6) months prior to disposition.
- A conditional agreement with the proposed purchaser; and
- Public notice for a minimum of two (2) weeks outlining the proposed disposition, including the purchaser's details, market value and proposed sale price.

A current independent market valuation will be obtained to ensure compliance with statutory requirements. Should Council resolve to proceed, the proposed disposition will be publicly advertised in accordance with legislative requirements prior to finalisation.

The Museum previously advised its support for the sale, subject to:

- Construction of a compliant retaining wall and dividing fence.

The Shire will not proceed with construction of a retaining wall at this time, as the existing retaining structure is not located on the boundary and the adjoining buildings show no evidence of structural movement, instability or damage.

On this basis, there is no current engineering or safety justification requiring immediate works. Should the condition of the land or adjoining structures change in the future, and a retaining wall become necessary, the Shire can assess the matter at that time and make appropriate provision within a future budget.

The purchaser has advised that they are prepared to construct a standard height fence at their own cost. As such a condition will be included in the contract of sale stating that the Shire is not obliged to contribute in any way to the construction of a standard height fence.

- Consideration of a small percentage of net proceeds being allocated to the Museum.

In determining the level of financial contribution to the Boyup Brook District Pioneers Museum, Shire has considered the costs associated with preparing the land for sale, statutory valuation, legal expenses and associated selling costs. After deduction of these costs, the net proceeds available to the Shire will be materially reduced. In balancing its broader financial responsibilities to the community and the need to reinvest capital into priority projects, Shires recommends that a contribution of 5% of the net sale price represents a reasonable and equitable allocation that acknowledges the Museum’s position while ensuring prudent financial management of public funds

Council may at the time of final consideration of the disposal consider whether to proceed with the sale.

The sale would remove an underutilised asset from the Shire’s balance sheet, eliminate ongoing maintenance exposure and create a new rateable property within the townsite.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Economic Development
	Outcome	Make land available for economic growth, development and improvement.
	Objective	Increase land availability for industrial, housing, visitor accommodation and tourism infrastructure.

Other Strategic Links

Nil

Statutory Environment

- Section 3.58 – *Local Government Act 1995*
- *Dividing Fences Act 1961 (WA)*

Sustainability and Risk Consideration

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

The sale will generate a one off capital inflow that may be reinvested into priority projects. In addition, residential development will create a new rateable property, increasing recurrent rate revenue. Private investment in housing also stimulates local trade, supports builders and contractors, and strengthens long-term economic resilience.

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

Development of a vacant lot enhances townsite amenity, reduces the risk of vandalism or neglect, and may attract new residents to the community. Increased population supports local schools, sporting clubs, businesses and community services.

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	Retaining the land exposes the Shire to ongoing maintenance and compliance costs, potential fire hazard and public liability exposure, reputational risk associated with holding a vacant and undeveloped lot, and the opportunity cost of unrealised capital and foregone rate revenue. Disposal of the property materially reduces these risks while aligning with Council's adopted asset rationalisation strategy and broader financial sustainability objectives.

Consultation

Consultation has occurred with the Boyup Brook District Pioneers Museum, which has indicated support for the sale subject to the matters previously raised.

Statutory public consultation will occur if Council resolves to proceed with disposal by private treaty.

Resource Implications

Financial

Costs associated with the disposal include obtaining an independent market valuation, legal and conveyancing expenses, real estate commission where applicable subject to Council's decision. These costs will be met from the sale proceeds, with the remaining net proceeds to be allocated in accordance with Council's determination.

Workforce

Existing staff resources and attorneys.

End

10.4.10 Implementation of a compressed four-day work week for full time administration staff	
File Ref:	HR-Employment Resources
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: **Seconded:**

Officer Recommendation CM 26/02/...

That Council:

- 1. Endorse the implementation and ongoing management of a compressed four-day work week for eligible employees, with the Chief Executive Officer authorised to administer, monitor and make minor operational adjustments as required, including reverting to the standard five-day work week should service delivery be adversely affected.**
- 2. Endorse the proposed public holiday substitution arrangements to ensure equitable access to public holidays.**
- 3. Note that the arrangement will operate through two fixed teams, with designated non-working days of Monday and Friday respectively.**

.....
For:
Against:

Summary

Council is requested to consider the implementation of a compressed four-day work week, whereby eligible employees will work their existing ordinary weekly hours, redistributed over four days instead of five.

The proposed model is designed to maintain a five-day council, preserve service delivery, and provide workforce flexibility without reducing hours or increasing employment costs.

The model includes two fixed teams, with one team rostered off on Mondays and the other on Fridays, supported by a clear and consistent approach to public holidays.

Background

The Shire is taking a proactive and innovative approach to workforce planning by considering a compressed four-day work week that maintains ordinary working hours and ensures no impact on service delivery to the community.

The proposed model introduces set start and finish times and replaces the current ad-hoc Rostered Day Off arrangements with a clear and predictable roster, improving internal coordination and operational planning.

Importantly, the model is structured to maintain a five-day council, ensuring that community access, responsiveness and service standards remain unchanged while organisational capacity is retained.

Report Detail

While there is currently limited whole of workforce compressed or four-day work week trials within Western Australian local governments, the evidence from comparable local government and public sector organisations in the United Kingdom, New Zealand, Ireland and Iceland is considered highly relevant to the WA local government context. These authorities operate under similarly regulated public sector environments with strong governance requirements, community service obligations and accountability expectations.

Importantly, the proposed model differs from many international examples in that it does not reduce total working hours, maintains a five-day council, and applies fixed rosters with defined start and finish times, which aligns with the operational and industrial realities of WA local government. As a result, the proposal represents a conservative, low risk adaptation of proven public sector workforce practices rather than an untested approach.

It is proposed that Council endorse a compressed four-day work week with the following features:

- Employees work their existing ordinary weekly hours, redistributed over four working days.
 - Current working hours is 8:15am – 4:45pm with 30min lunch over five days.
 - Proposed working hours is 7:45am – 5:45pm with a 30min lunch over four days.
 - No change to salary, classification, or employment conditions.
-

- Customer Service counter remains open Monday to Friday, maintaining a five-day council 9:00am – 4:30pm.

Team structure

- Team A: Non workday is Monday.
- Team B: Non workday is Friday.

Eligible staff are evenly split between Team A and Team B to always ensure minimum staffing and decision-making capacity.

Initially limited to eligible administrative roles, Depot staff are excluded at this stage due to the current ‘Enterprise Bargaining Agreement’ (EBA). Similar arrangements will be considered in the new EBA when the current EBA expires.

Public Holiday Arrangements

To ensure equity between the two teams, a clear substitution arrangement will apply to public holidays. Where a public holiday falls on a Monday, employees rostered off on Mondays will take the following Tuesday as their public holiday. Where a public holiday falls on a Friday, employees rostered off on Fridays will take the preceding Thursday as their public holiday. Employees rostered to work on the public holiday will observe the public holiday in the usual manner.

This approach ensures that all employees receive the same public holiday entitlement, regardless of their rostered non workday, while maintaining service continuity.

Governance and Management Controls

At least one senior officer will be on duty on every working day. Managers will be split across the Monday and Friday teams to ensure decision making authority is maintained. The Chief Executive Officer retains discretion to temporarily vary rosters where operationally required.

The Executive team will continuously monitor service delivery, workload impacts, and operational risks.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Increase stability and capacity in Shire staff.
	Outcome	Reduce staff turnover and provide training to increase staff efficiency and capability.

Other Strategic Links

Nil

Statutory Environment

There is no requirement under the *Local Government Act 1995* or associated regulations that prescribes specific working hour arrangements for local government employees. The proposed working arrangements will be implemented in accordance with applicable industrial, workplace health and safety, and employment obligations.

Sustainability and Risk Consideration

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

The proposed compressed four-day work week is expected to have no adverse impact on the Shire's local or regional economy, as council services will continue to be delivered across five working days with no reduction in operating hours or workforce capacity. By maintaining consistent service availability, the arrangement supports local businesses, residents and contractors who rely on timely access to Shire services and approvals.

In addition, the model is cost neutral and does not require additional staffing or operational expenditure, ensuring responsible financial management. Over time, improved workforce stability and productivity may also deliver indirect economic benefits by reducing recruitment, onboarding and training costs, supporting continuity of corporate knowledge and enabling more efficient delivery of projects and services that contribute to the local economy.

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

The proposed compressed four-day work week is designed to maintain community access to services and facilities with no change to council opening hours or service availability, ensuring there is no negative impact on community amenity. By providing employees with greater certainty through fixed start and finish times and a predictable roster, the arrangement supports improved work life balance and workforce wellbeing.

A stable and engaged workforce contributes positively to organisational culture, service responsiveness and continuity, which in turn benefits the broader community. Over time, the model may also enhance the Shire's attractiveness as an employer, supporting the retention of skilled staff within the community and strengthening local social outcomes.

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	If Shire does not proceed with the proposal, the Shire will continue with existing arrangements. While this presents no immediate operational risk, it foregoes the opportunity to move to a structured, cost neutral model designed to improve coordination, consistency and organisational sustainability while maintaining service delivery.

Consultation

- Eligible Administration Staff.

Resource Implications

Financial

There are no direct financial implications arising from the proposal. Employees will continue to work their ordinary weekly hours, and no additional staffing or overtime is proposed.

Workforce

Nil

End

10.5 Planning

10.5.1 Draft Renewable Energy Planning Code and proposed amendments to the Planning and Development (Significant Development) Regulations 2024 Council submission	
File Ref:	Government Department Liaison-DPLH
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	10.5.1A -Draft Renewable Energy Planning Code 10.5.1B Draft Council formal response

<p>Moved: Seconded:</p> <p>Officer Recommendation CM 26/02/...</p> <p>That Council:</p> <ol style="list-style-type: none"> Notes the draft Renewable Energy Planning Code and proposed amendments to the Planning and Development (Significant Development) Regulations 2024. Request the Chief Executive Officer to submit the Councils comments as per attachment 10.5.1B signed by the Shire President to the Western Australian Planning Commission and relevant State Ministers. <p style="text-align: right;">..... For: Against:</p>
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Summary

The purpose of this report is for Council to consider and endorse formal comment to the Western Australian Planning Commission (WAPC) in relation to:

- The draft Renewable Energy Planning Code (December 2025 – Public Consultation Draft); and
- The proposed amendments to the Planning and Development (Significant Development) Regulations 2024.

Background

The WAPC is progressing a Renewable Energy Planning Framework comprising:

- A Renewable Energy Planning Code prepared under Part 3A of the Planning and Development Act 2005.
- Amendments to the Planning and Development (Local Planning Schemes) Regulations 2015; and
- Amendments to the Planning and Development (Significant Development) Regulations 2024.

The proposed amendments to the Significant Development Regulations will classify renewable energy facilities, battery storage facilities, transmission systems, hydrogen production facilities and ammonia production facilities valued at \$20 million or more as mandatory significant development, requiring determination by the WAPC under Part 11B of the *Planning and Development Act 2005*.

In practical terms, it is highly likely that most commercial scale renewable energy proposals within the Shire of Boyup Brook would exceed this threshold and therefore be determined by the WAPC rather than by Council.

The draft Code establishes statewide development standards for renewable energy infrastructure including wind farms, with further parts to address solar farms, transmission systems and battery storage.

Report Detail

The Shire of Boyup Brook welcomes the opportunity to provide comment on the draft Renewable Energy Planning Code and the proposed amendments to the *Planning and Development (Significant Development) Regulations 2024*.

The Shire supports the State's transition to renewable energy and recognises the importance of providing certainty and consistency in planning assessment. However, Council considers that the proposed framework, as currently drafted, does not adequately address the specific economic, agricultural and land use realities of small rural local governments.

The Shire notes that renewable energy facilities valued at \$20 million or more will be classified as mandatory significant development requiring

determination by the Western Australian Planning Commission under Part 11B of the *Planning and Development Act 2005*.

Given the scale of commercial wind, solar and associated infrastructure projects, it is highly probable that most renewable energy proposals within the Shire of Boyup Brook will fall within this mandatory pathway. While the documentation states that local government and community consultation will continue ultimate decision-making authority will rest with the WAPC.

The Shire is concerned that this significantly reduces local influence over developments with long term economic, environmental and social implications for the district. The Shire considers it essential that formal local government recommendations carry substantial weight in any determination and that the consultation process be clearly defined, robust and transparent. In addition, cost recovery arrangements for local government involvement must be clearly articulated to avoid unfunded administrative burdens.

The Shire further notes that the Code prevails over inconsistent local planning policies and that any supplementary policies must align with the Code and receive WAPC approval.

While statewide consistency has merit, rural local governments must retain the capacity to address localised issues, particularly those relating to agricultural productivity and landscape character. The Shire of Boyup Brook is an agricultural district where cropping and grazing underpin the local economy. The Shire is concerned that the Code does not explicitly recognise high value agricultural land, farming efficiency or cumulative land fragmentation as primary planning considerations. Without explicit recognition of agricultural land protection, there is a real risk of incremental erosion of the productive land base that sustains the local economy.

Although the Code contains detailed provisions addressing flora, fauna, water resources and natural hazards, it does not require a comprehensive assessment of cumulative economic impacts at a local government scale.

Renewable energy facilities, transmission corridors and associated infrastructure can permanently alter land use patterns, disrupt farm operations and reduce agricultural efficiency. The Shire considers that independent economic impact assessments, prepared at a local government scale and publicly available, should be mandatory for all large-scale renewable energy proposals. Without this requirement, there is insufficient assurance that long term economic consequences for rural communities will be properly understood or weighed in the decision-making process.

In relation to wind turbine siting, the Shire acknowledges the requirement for a minimum setback of 1.1 times blade tip height from non-host lots, reserves and habitable buildings.

While this provision addresses structural safety risk, it does not address broader agricultural, operational or cumulative visual impacts. Modern wind turbines are substantial vertical structures, and in open agricultural landscapes the scope for meaningful visual mitigation is limited. The Shire is concerned that reliance on performance-based assessments without explicit agricultural land protection criteria may result in progressive industrialisation of rural landscapes without sufficient strategic oversight.

The Shire supports the requirement for Noise Impact Assessments and Shadow Flicker Assessments. However, the Shire considers that cumulative noise impacts, independent peer review mechanisms and enforceable compliance monitoring must be clearly articulated within the framework. In rural settings, operational impacts may extend beyond immediate host lots, and appropriate safeguards must be in place to protect neighbouring landowners.

With respect to landscape and visual impact, the Code focuses primarily on landscapes of State, national or international significance. The Shire considers that this approach undervalues locally significant rural landscapes and scenic corridors that form part of the district's identity and tourism appeal. The absence of explicit recognition of locally significant landscapes may limit the ability of rural communities to preserve valued landscape character.

The Shire acknowledges the environmental protections embedded within the Code, including provisions relating to flora, fauna, water management and decommissioning. Nevertheless, the Shire emphasises that land degradation associated with turbine pads, substations, access tracks and underground infrastructure represents a permanent alteration of agricultural land. Clear standards for rehabilitation to productive agricultural condition following decommissioning should be embedded within the Code to ensure land remains viable for future farming use.

In summary, while the Shire supports renewable energy development in principle, it considers that the current framework places insufficient emphasis on agricultural land protection, cumulative economic impact and meaningful local government influence. Renewable energy expansion must occur in a manner that safeguards productive agricultural land, maintains rural landscape character, ensures transparent and robust community consultation and preserves an appropriate role for local government in shaping long term land use outcomes. Council respectfully requests that these matters be addressed prior to finalisation of the

Renewable Energy Planning Code and associated regulatory amendments.

Key Issues Summary – Renewable Energy Planning Framework

Concern	Resulting Risk	Proposed Adjustment
Mandatory WAPC determination for projects over \$20m	Reduced local decision-making influence over major developments	Ensure formal local government recommendations carry substantial weight and consultation processes are clearly defined
Code overriding inconsistent local planning policies	Limited ability to address agricultural and rural-specific issues	Provide flexibility for local agricultural land protection policies to supplement the Code
No explicit recognition of high-value agricultural land	Incremental erosion and fragmentation of productive farmland	Recognise agricultural land protection and farming efficiency as primary planning considerations
No mandatory local economic impact assessment	Insufficient understanding of long-term economic consequences for rural communities	Require independent local government-scale economic impact assessments for large-scale proposals
Setbacks focused on safety only	Agricultural, operational and cumulative visual impacts not fully addressed	Expand criteria to include agricultural operational impacts and cumulative assessment
Limited recognition of locally significant landscapes	Undervaluing rural character and scenic corridors	Include locally identified significant landscapes within assessment criteria
Lack of clarity around cumulative noise and compliance	Risk of unresolved impacts on neighbouring landowners	Mandate cumulative noise assessment, independent peer review and enforceable compliance mechanisms
Land degradation and rehabilitation standards	Potential permanent loss of productive agricultural land	Require rehabilitation to productive agricultural condition following decommissioning

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.
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Other Strategic Links

- Draft policy PD11 - Renewable Energy Facilities Local Planning Policy was endorsed by Council at the Ordinary Council meeting held on 27 November 2025.

Statutory Environment

- *Planning and Development Act 2005*
- *Planning and Development (Significant Development) Regulations 2024.*
- Renewable Energy Planning Code (Draft).

Sustainability and Risk Consideration

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

Renewable energy projects may generate short-term construction employment and lease income for host landowners. However, cumulative loss or fragmentation of productive agricultural land may impact cropping efficiency, livestock management and local supply chains. Council considers that economic impacts must be assessed at a local government scale.

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

Renewable energy developments may generate differing impacts between host and non-host landowners. Transparent assessment processes and meaningful consultation will be critical to maintaining community cohesion.

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 proposed Renewable Energy Planning Code and amendments to the Significant Development Regulations present strategic, governance, financial and reputational risks to the Shire of Boyup Brook.

	<p>The introduction of a mandatory WAPC determination pathway for developments exceeding \$20 million may significantly reduce Council’s direct decision-making role for large scale projects within its district. This creates a governance and reputational risk, as the community may hold Council accountable for outcomes over which it has limited statutory control.</p> <p>There is also potential for increased administrative workload associated with consultation and technical review without clear cost recovery mechanisms, placing pressure on limited staff resources. In addition, cumulative land use change that impacts the local agricultural economy may present a longer-term financial risk to the Shire’s rate base and economic sustainability, requiring clear advocacy and transparent communication.</p>
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Consultation

Nil

Resource Implications

Financial

The proposed reforms may result in reduced application fee revenue where the WAPC acts as the decision maker, together with increased administrative and consultation workload for the Shire. There is also the potential for longer term economic impacts associated with agricultural land use change, which may affect the local rate base and broader financial sustainability of the Shire.

Workforce

Nil

End

11. Minutes of Committees

11.1 Local Emergency Management Advisory Committee Meeting Minutes, 5 November 2025

Moved: Seconded:
Officer Recommendation CM 26/02/...
That Council:
1. Receive the <u>confirmed</u> minutes of the Local Emergency Management Advisory Committee Meeting held on 5 November 2025.
..... For: Against:

11.2 Rylington Park Committee Meeting Minutes, 20 November 2025

Moved: Seconded:
Officer Recommendation CM 26/02/...
That Council:
1. Receive the <u>confirmed</u> minutes of the Rylington Park Committee Meeting held on 20 November 2025.
..... For: Against:

11.3 South West Country Zone Meeting Minutes, 21 November 2025

Moved: Seconded:
Officer Recommendation CM 26/02/...
That Council:
2. Receive the <u>unconfirmed</u> minutes of the South West Country Zone Meeting held on 21 November 2025.
..... For: Against:

11.4 South West Regional Road Group Meeting Minutes, 24 November 2025

<p>Moved: Seconded:</p> <p>Officer Recommendation CM 26/02/...</p> <p>That Council:</p> <p>1. Receive the <u>unconfirmed</u> minutes of the South West Regional Road Group Meeting held on 24 November 2025.</p> <p>..... For: Against:</p>

12. Motions of which previous notice has been given

Nil

13. Late Items/Urgent Business Matters

Nil

14. Confidential Items of Business

Nil

15. Closure

There being no further business the meeting closed at ...pm.

Presiding Member

Date