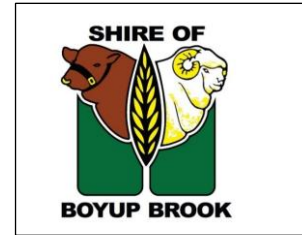


Date: 7 May 2026

To: Shire President
Deputy Shire President
Councillors
Community



Minutes of Ordinary Council Meeting

Minutes of Ordinary Council Meeting of the Shire of Boyup Brook held in the Council Chambers on 30 April 2026 at 6:00pm.

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

Leonard Long
Chief Executive Officer

Shire of Boyup Brook Corporate Values



Proactive

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



Leadership & Teamwork

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



Accountability & Integrity

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



Commitment

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



Engaging Community

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



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Agenda

1. Declaration of Opening

The Presiding Member declared the meeting open at 6:00pm.

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. Philip Moore
Cr. Helen Hack
Cr. John Matthews

Council Officers

Chief Executive Officer	Leonard Long
Executive Officer	Magdalena Le Grange
Executive Manager Operational Services	Jason Forsyth
Executive Manager Corporate Services	Carolyn Mallett
Manager Financial Services	Malcolm Armstrong

Observers / Public Members

Helen Walker (arrived 6:06pm).
Lynn Tooke left the Chambers at 6:47pm.
Shirley Broadhurst left the Chambers at 6:47pm.
Lyn Willett left the Chambers at 6:47pm.
Neil Timms
Tania Timms
Sharon Tedore
Bev Bagby
Darryl Bagby
Jan Larkin
Jan Muller
Lorraine Sambell-Sayer
Jodi Nield
Dan Sayer
Lizz Rear

2.2 Apologies

Councillor Manager Community Services	Cr. Michael Wright Nicola Jones
--	------------------------------------

2.3 Approved Leave of Absence

Nil

2.4 Requests for Leave of Absence

Nil

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

Nil

3.2 Petitions

Nil

3.3 Presentations

Nil

4. Public Question Time

4.1 Response to Previous Public Questions Taken on Notice

Nil

4.2 Public Question Time

Dan Sayer

Question 1

Item 10.5.5, Given that the proposed shortfall in rates from FPC properties is approximately \$40,000 and the Shire, from figures published in the Agenda for this meeting, seeks to recoup 100% of this shortfall from external community groups under MOU, what steps have the Shire taken to cut back expenses in internal Shire resources and expenses?

Shire Response:

While the report refers to an initial approximate shortfall of \$40,000, it should be noted that this figure has already increased following an additional land purchase by the Forest Products Commission. When this additional purchase is considered together with the proposed annual rate increase for the 2026/27 financial year, the estimated shortfall is approximately \$70,000.

Accordingly, the proposed reduction of \$40,000 from the external community group MOUs does not represent 100% of the estimated current shortfall. Rather, it represents approximately 57% of the revised estimated shortfall. The remaining shortfall, proposed to be recovered through the pausing of the community grants program. Any further increase arising from additional Forest Products Commission land purchases, will need to be considered by the Shire and addressed through the required budget review processes, with Council approval.

The Shire has, over recent months, been actively reviewing opportunities to identify and implement internal savings. As part of this process, a comprehensive workforce review was undertaken, resulting in a number of positions being made redundant to reduce the overall cost to the Shire and improve operational efficiencies.

The Shire is also reviewing other areas where further savings may be achieved, with options to be presented to Council for consideration at future meetings. In addition, the Shire has been progressing its Long-Term Financial Plan to support ongoing financial sustainability and ensure that future budget decisions are made in a structured and financially responsible manner.

Further work is also being undertaken to rationalise the Shire's asset base, with the aim of reducing ongoing maintenance, renewal and operational costs where appropriate. This demonstrates that the Shire is not seeking to address the financial impact solely through reductions to external community group MOUs, but is also actively reviewing internal operations, staffing structures, service levels and asset holdings to identify broader and more sustainable savings.

Jodi Nield

Question 1

Can you please provide details on how this proposal demonstrates the State and Local Governments' legislative requirements and shared commitment to deliver a responsive and sustainable public library service, in accordance with the Public Library Services Agreement, dated October 2025?

Shire Response:

The proposal does not seek to discontinue the Shire's public library service or withdraw from the shared State and Local Government commitment under the Public Library Services Agreement, October 2025. Rather, it forms part of an interim financial management response to the loss of rate revenue from Forest Products Commission properties.

The report recognises the importance of services that support community access to information and assistance, while also acknowledging the Shire's legislative responsibility to manage its finances responsibly and sustainably.

The proposed proportional reduction to the relevant MOU is therefore intended to balance continued community service delivery with the Shire's need to respond prudently to an uncertain and reduced revenue position.

Question 2

Other than St John Ambulance, can you please advise of the 'Duration' and 'Termination' clauses of each of the other MOU have been adhered to in preparing this proposal?

Shire Response:

All MOUs, with the exception of those with the Community Resource Centre and St John Ambulance, require a three-month notice period for termination. Depending on Council's decision on this item, the relevant termination provisions will be complied with accordingly. With regard to the Community Resource Centre legal advice has been sort and provided to Council for consideration when dealing with the item.

Tania Timms

Question 1

Given that finances are tight, why is the Shire proposing to give away the land at 60 Forrest Street for free to a developer, instead of selling the land “as is” for a reduced price of \$40,000 to cover the rates shortfall?

The costs associated with making the land ready for development or subdivision should be borne by the developer.

Shire Response:

The property has previously been marketed; however, a prospective developer withdrew their offer due to the significant costs associated with preparing the land for development.

The recommendation, which is yet to be considered by Council, proposes that Lot 1, 60 Forrest Street be made available to a developer at no cost to the ratepayers. This approach is intended to facilitate the development of the land for much needed housing within the Shire.

By enabling development of the vacant land, the Shire would reduce its ongoing maintenance obligations, including minor grounds maintenance costs, and create an opportunity for the property to become rateable. This would allow the Shire to generate ongoing rate revenue from the land, rather than continuing to hold the property as an underutilised asset and ongoing liability.

Question 2

In the Sustainability and Risk Consideration of agenda item 10.5.5, the report recognises some short term and social impact from the cut in MOU funding on individual organisations, particularly tourism, events, heritage and local services and also mentions the positive contributions to the community life these organisations have. Yet it concludes that the Policy Implications are Nil. How is this assessed and by whom? And what is their qualification to make such an assessment?

How does effectively shutting down the Visitor Centre and all the suppliers associated with it, qualify as a lower priority or justified over the purchase of land at 86 Abel Street or pay-rises for councillors?

Shire Response:

The Shire recognises that the recommendation may have an impact; however, the policy implication is considered Nil, as the Shire does not currently have a policy that directly addresses tourism.

The purchase of 86 Abel Street represents a long-term strategic financial decision that may support improved utilisation of the property in the future. It should be noted, however, that any proposed development or change in use of the property would need to be discussed with the current occupants and would require further consideration and approval by Council.

In relation to the recommendation regarding increases to Councillor fees and allowances, the Shire refers to the relevant Council report item for detailed information and justification.

Shirley Broadhurst

Question 1

Approximately how much does the Council normally dedicate to the Community Grants Program?

Shire Response:

The Council normally allocates \$26,000 towards community grants.

Question 2

The shortfall of \$40,000 has been identified. It would seem that the full amount is planned to be covered by the organisations with MOU's. Why hasn't the saving of the suspended Grant funds been taken into account?

Shire Response:

The \$26,000 has been taken into account.

The report refers to an initial approximate shortfall of \$40,000, this figure has increased following an additional land purchase by the Forest Products Commission. When this additional purchase is considered together with the proposed annual rate increase for the 2026/2027 financial year, the estimated shortfall is approximately \$70,000.

Of this amount, \$40,000 or 57% is proposed to be recovered through the MOUs and 42% from the community grants.

5. Declarations of Interest

5.1 Financial and / or Proximity Interest

- Cr. King declared a Financial Interest in Item 10.3.1 List of Accounts paid for February 2026 due to being listed as one of the payees.
- Cr. O'Connell declared a Financial Interest in Item 10.3.1 List of Accounts paid for February 2026 due to being listed as one of the payees.

- Cr. Inglis declared a Financial Interest in Item 10.6.1 Development Application (warehouse/storage) – Lot 13129 Bridgetown – Boyup Brook Road, Boyup Brook, due to his spouse being a paid member of the board.

5.2 Disclosures of Impartiality Interest that may cause Conflict

- Cr. O’Connell declared an Impartiality Interest in Item 10.5.5 Review of Memorandums of Understanding and Community Grants Program in Response to FPC non-payment of Rates, due to being a CRC committee member.
 - Cr. O’Connell declared an Impartiality Interest in Item 10.6.1 Development Application (warehouse/storage) – Lot 13129 Bridgetown – Boyup Brook Road, Boyup Brook, due to her holding membership shares in the Boyup Brook Co-op.
 - Cr. King declared an Impartiality Interest in Item 10.5.5 Review of Memorandums of Understanding and Community Grants Program in Response to FPC non-payment of Rates, due to his wife being a CRC committee member and Cr. King being a St John Ambulance support.
 - Cr. King declared an Impartiality Interest in Item 10.6.1 Development Application (warehouse/storage) – Lot 13129 Bridgetown – Boyup Brook Road, Boyup Brook, due to holding membership shares in the Boyup Brook Co-op.
 - Cr. Hack declared an Impartiality Interest in Item 10.6.1 Development Application (warehouse/storage) – Lot 13129 Bridgetown – Boyup Brook Road, Boyup Brook, due to holding membership shares in the Boyup Brook Co-op.
 - Cr. Matthews declared an Impartiality Interest in Item 10.6.1 Development Application (warehouse/storage) – Lot 13129 Bridgetown – Boyup Brook Road, Boyup Brook, due to holding an account at the Boyup Brook Co-op.
-

6. Previous Council Meeting Minutes

6.1 Ordinary Council Meeting Minutes – 26 March 2026

Moved: Cr. King	Seconded: Cr. Inglis
Council Decision CM 26/04/085	
That the minutes of the Ordinary Council Meeting held on 26 March 2026 be confirmed as being a true and accurate record.	
CARRIED 6/0	
For: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews	
Against: Nil	

6.2 Special Council Meeting Minutes – 15 April 2026

Moved: Cr. Inglis	Seconded: Cr. King
Council Decision CM 26/04/086	
That the minutes of the Special Council Meeting held on 15 April 2026 be confirmed as being a true and accurate record.	
CARRIED 6/0	
For: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews	
Against: Nil	

7. Presidential Communications

- Attended the opening night of the Blackwood River Arts Trail at the Boyup Brook Town Hall (28 March–6 April 2026), which featured participation from local Boyup Brook artists.
- Congratulations to newly elected Councillors Cr Helen Hack and Cr John Matthews. Acknowledgement is also given to Johan Brits, Alan Lamb and Eric Muncey for standing as candidates in the election.
- It is with sadness that we note the passing of former Councillor Eric Biddle (2009–2014) on 8 April 2026. Sincere condolences to the Biddle family.
- Acknowledgement of participation of local groups in the Southern Forests and Valleys Heritage Festival.
- ANZAC Day Service – appreciation to the Boyup Brook RSL Club for organising this important commemorative event.

-
- Special congratulations to Clancy Westphal, the 2025 Recipient of the Ted McLaughlin Memorial Scholarship who delivered a powerful and deeply moving speech at the Sandakan War Memorial in Malaysia on ANZAC Day.
 - It was a privilege to present Mrs Sue White with the title of Honorary Freeman of Boyup Brook on 28th April. Congratulations to a most deserving recipient of this honour.
 - Meetings were held with Members of Parliament regarding the FPA rates issue, as part of ongoing advocacy for a resolution. The Shire of Boyup Brook tabled an item that was endorsed at the South West Country Zone meeting on 24 April requesting WALGA urgently advocate to the Western Australian Treasurer, Minister for Forestry and Minister for Local Government.

8. Reports by Elected Members

- Cr. Hack – Attended the Anzac dawn Service on 25 April 2026.
- Cr. Moore – Attended the Regional Road Group meeting held on 30 March 2026 in Eaton where a discussion was held regarding heavy haulage permit requirements. Outcome that local government lobby MRWA and a report to be presented to the July RRG meeting.
- Cr. Matthews – Hosted Minister Punch on 28 April 2026.

9. Councillor Questions on Notice

Nil

10. Reports of Officers

10.1 Operational Services

10.1.1 Agricultural Shed removal - Lot 60 Grover Street, Boyup Brook	
File Ref:	Reserve 27912 (previously known as Lot 332 Jayes Road)
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Ashley Pearce, Acting Assets Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Cr. King

Seconded: Cr. Inglis

Council Decision CM 26/04/087

That Council:

1. Consider the request from a member of the public to remove and repurpose the Agricultural Shed located on Shire-managed land.
2. Note that the requesting party has now satisfied the Shire's Work Health and Safety and Insurance requirements to undertake the dismantling and removal works, subject to compliance with all approved controls and conditions.
3. Require that all dismantling, removal and transport works be carried out in accordance with the safety documentation, insurances and risk controls provided to and accepted by the Shire prior to commencement.
4. Require the requesting party to fully fund all dismantling, removal, transport and site clean-up costs associated with the works.
5. Require the works to be coordinated with the Shire and undertaken in a manner that leaves the site safe, clean and free of debris to the satisfaction of the Executive Manager Operational Services.
6. Note that approval of this request, if granted, is considered on a case-by-case basis and does not create precedent for the disposal or removal of other Shire infrastructure assets.

CARRIED 6/0

For: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack,

**Cr. Matthews
Against: Nil**

Summary

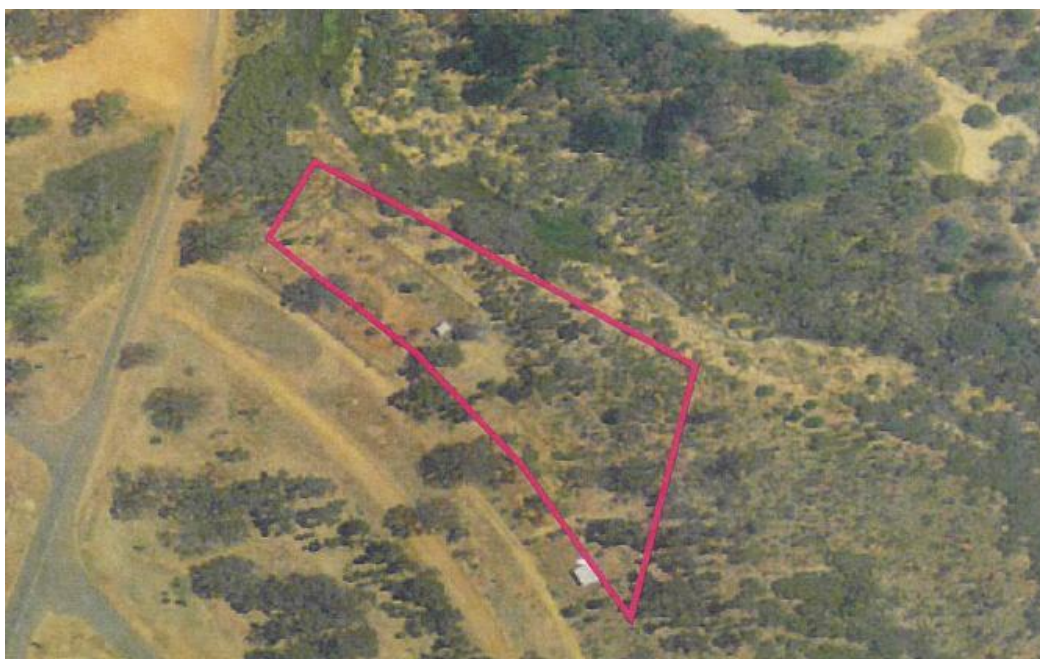
A request has been received to remove an existing Agricultural Shed and repurpose it for private use.

While material reuse may have environmental benefits, the Shire was previously required to ensure that any dismantling of this structure could occur safely and in accordance with its duty of care obligations. The requesting party has now provided information sufficient to satisfy the Shire's Work Health and Safety and Insurance requirements, subject to the approved controls being maintained throughout the works.

If Council supports removal of the shed, the works may proceed under the requesting party's accepted Work Health and Safety arrangements, provided all approved insurances, safety controls and Shire conditions remain in place. All associated costs are to be borne by the requesting party.

Background

The Agricultural Shed is located on Shire managed land and forms part of the Shire's asset inventory. A request has been received to dismantle and remove the structure for private reuse.



While material reuse may reduce waste, dismantling the structure still presents inherent safety risks, including structural instability, working at

heights, lifting operations and the use of cutting tools. Since preparation of the original report, the requesting party has addressed the Shire's Work Health and Safety and Insurance requirements and provided the documentation necessary for the Shire to consider the works proceeding under controlled conditions.


Report Detail

The dismantling and removal of a structural building requires appropriate planning, equipment and safety controls.

Key risks include structural instability, collapse of roof or framing components, manual handling injuries, use of cutting tools and machinery, and transport of heavy materials. These risks remain relevant, however they can be more appropriately managed where the requesting party has demonstrated compliance with the Shire's Work Health and Safety and Insurance requirements and the works are undertaken in accordance with the accepted controls.

To mitigate these risks, the works should only proceed in accordance with the safety documentation, insurances and risk controls already submitted to the Shire, together with any further conditions imposed by the Shire before commencement. This approach allows the structure to be removed while maintaining appropriate oversight, legislative compliance and risk management measures.

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 assets management.

Other Strategic Links

Nil

Statutory Environment

- *Local Government Act 1995*
- *Work Health and Safety Act 2020 (WA).*

The common law duty of care requires the Shire to take reasonable steps to ensure that activities occurring on Shire managed land do not expose individuals to foreseeable harm.

Sustainability and Risk Consideration

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

Reuse of the structure may reduce disposal costs and waste.

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

Repurposing materials may reduce landfill disposal where feasible.

Policy Implications

Policy G6-Risk Management

The Shire's risk management framework requires the identification and mitigation of operational risks that may impact community safety, financial exposure or organisational liability. In this instance, the requesting party has addressed the Shire's Work Health and Safety and Insurance requirements, allowing the residual risk to be managed through conditions of approval and ongoing compliance with the accepted controls.

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 shed removal works still carry inherent risks of injury, structural failure and property damage if the approved controls are not followed. As the requesting party has satisfied the Shire's Work Health and Safety and Insurance requirements, the residual risk can be managed through compliance with the accepted documentation, insurances and Shire oversight.

Consultation

Nil

Resource Implications

Financial

No direct cost to the Shire if works are undertaken at the expense of the requesting party.

Workforce

Minimal staff oversight may be required to confirm that the approved safety controls are maintained and that the site is left in a safe and satisfactory condition.

End

10.2 Community Services

10.2.1 Boyup Brook Swimming Pool Monthly Report for the Month of March 2026	
File Ref:	Building and Assets/Sporting/Swimming Pool and Gym
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: Cr. King	Seconded: Cr. Moore
Council Decision CM 26/04/088	
That Council:	
<ol style="list-style-type: none"> Receive the monthly report for the Boyup Brook Swimming Pool for the month of March 2026. 	
CARRIED 6/0 For: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews Against: Nil	

Summary

The purpose of this report is to provide Council with an update on the operations, patronage and activities of the Boyup Brook Swimming Pool and Gym for the month of March 2026.

Background

The Boyup Brook Swimming Pool was originally constructed in 1971 and has long served as an important recreational facility for the local community, providing opportunities for exercise, leisure and social connection.

In 2004, the facility underwent significant upgrades to modernise the asset, improve safety and accessibility, and ensure compliance with contemporary standards. These works included improvements to the filtration system, accessibility features and the overall functionality of the facility. These upgrades assisted to extend the useful life of the pool and support its ongoing role as a valued community asset.

The Boyup Brook Swimming Pool continues to play an important role in the community by supporting public recreation, swimming lessons, school activities and organised sporting use.

Report Detail

The swimming pool opened to the public for the 2025/2026 season 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

March 2026 reflected the beginning of the seasonal transition toward cooler weather, with patronage easing slightly compared with the peak summer period. Notwithstanding this seasonal decline, both the swimming pool and gym continued to provide important recreation, fitness and community benefits.

Swimming Pool

The Boyup Brook Swimming Pool recorded a total patronage of 1,295 visits during March 2026. While this represented a slight reduction in attendance, the result is consistent with the onset of cooler weather and the expected seasonal reduction in casual use.

Water aerobics continued to attract strong participation throughout the month and remains a valuable program that supports both physical wellbeing and social connection within the community.

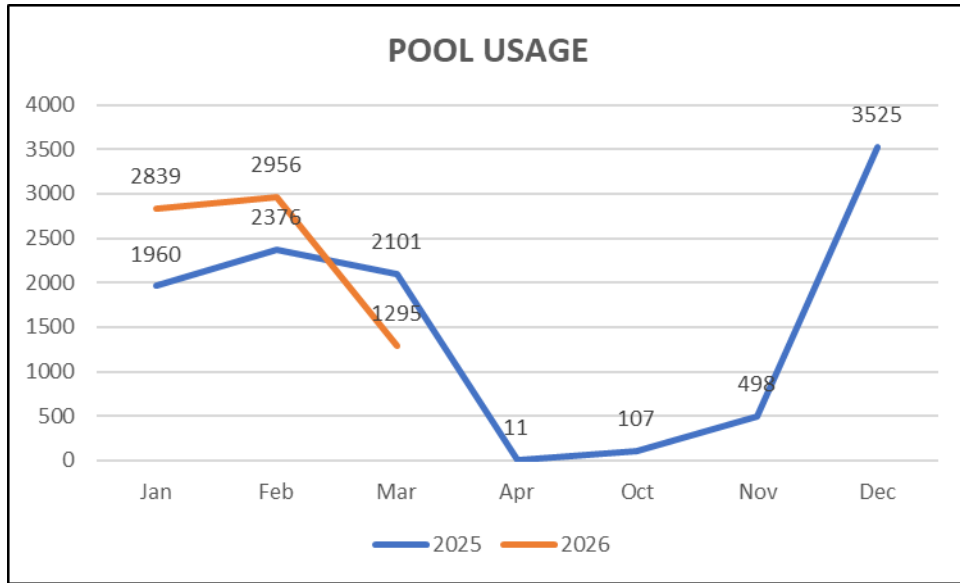
The Early Morning Swim program concluded during March due to cooler weather conditions and a corresponding decline in attendance.

A highlight for the month was the successful hosting of the BBDHS Swimming Carnival. The event was well attended and enjoyed by students, with the heated pool significantly enhancing the experience given the cooler conditions on the day. The carnival was reported as a very positive event, characterised by strong participation, positive behaviour and good sportsmanship.

The Boyup Brook Swim Club continued to make regular use of the facility, holding sessions on Mondays and Wednesdays and contributing positively to overall pool usage.

Another notable achievement during the month was the successful completion of the Bronze Star swimming stage by seven BBDHS students as part of their outdoor education program. This is a commendable

outcome and reflects the important role the facility plays in supporting the development of water safety and survival skills within the community.

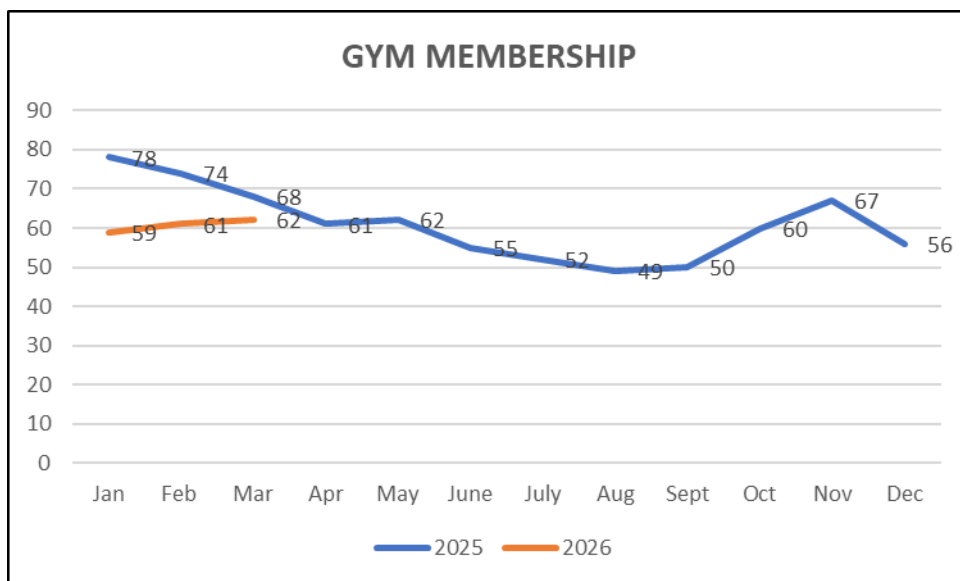


Gym

The Boyup Brook Gym continued to experience steady use throughout March 2026, with membership standing at 62 at the end of the month.

The facility remains well utilised by the community and continues to complement the recreational and health benefits provided by the swimming pool.

In addition, quotes are currently being obtained for consideration as part of the budget process, informed by the results of the recent user survey.



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)

The Boyup Brook Swimming Pool and Gym provide economic benefit to the Shire by supporting local liveability and making Boyup Brook a more attractive place to live and raise a family. Community recreation assets such as these contribute to population retention, support visitation associated with school, club and community events, and enhance the overall appeal of the town. They also provide flow-on benefits to local businesses through event attendance and community activity.

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

The swimming pool and gym make an important contribution to the quality of life of the Boyup Brook community by providing safe and accessible spaces for recreation, exercise and social interaction. These facilities support physical and mental wellbeing, encourage active lifestyles, assist with water safety education, and provide opportunities for people of all ages to connect with others. In a regional community, such facilities are particularly valuable in helping to reduce isolation and strengthen community cohesion.

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.

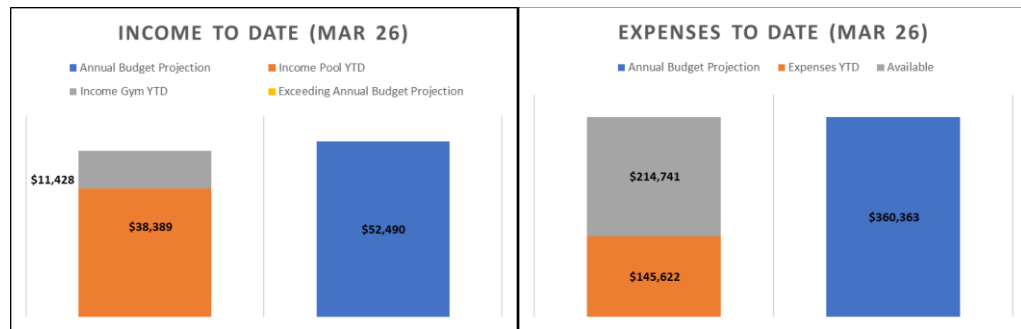
Risk Level	Comment
Moderate	The principal risks associated with the operation of a public swimming pool and gym relate to ongoing maintenance, staffing, compliance and insurance costs, together with the need to ensure the facilities remain safe, functional and financially sustainable. These risks are managed through regular maintenance, supervision, operational oversight and forward planning for asset renewal and budget requirements.

Consultation

Nil

Resource Implications

Financial



Workforce

Nil

End

10.2.2 Kulikup Agriculture and Soldiers Memorial Hall Incorporated – Request for Extension for 2024/2025 Community Grant Works	
File Ref:	Community Relations/Kulikup Agriculture and Soldiers Memorial Hall/Community Grants
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Nicki Jones, Manager Community Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Cr. Moore	Seconded: Cr. Inglis
Council Decision CM 26/04/089	
That Council:	
<ol style="list-style-type: none"> Approves the extension of the Kulikup Agriculture and Soldiers Memorial Hall Incorporated 2024/2025 Community Grant until 30 November 2026. 	
CARRIED 6/0 For: Cr. O’Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews Against: Nil	

Summary

The Kulikup Agriculture and Soldiers Memorial Hall Incorporated have requested an extension to their Community Grant from the 2024/2025 financial year due to unforeseen circumstances causing delays in the project.

Background

The Kulikup Agriculture and Soldiers Memorial Hall Incorporated were successful in their application for the 2024/2025 Community Grants for Phase 2 – Front Entrance works. Due to circumstances beyond their control, the project has been delayed meaning it is unlikely they will be able to meet the required deadline of 30 June 2026.

Report Detail






An extension is sought for this project due to unforeseen delays associated with obtaining the required engineering certification.

Plans for the veranda footings were initially prepared by an engineering company, however, the appointed building surveyor has advised that approval cannot be granted without formal certification from a qualified engineer. It has since been indicated that additional fees would be required to obtain certification for the documentation already prepared.

In light of these circumstances, quotes are currently being sought from alternative engineers to identify a more cost-effective option. Additional time is requested to enable further engagement with suitably qualified engineers and to identify a practical and financially sustainable solution for the replacement of the veranda footings without incurring substantial unplanned impacts to the project.

The Kulikup Agriculture and Soldiers Memorial Hall Incorporated are not seeking additional funding, but rather an extension of time to complete the project. A revised and more achievable completion date would be 30 November 2026.

Shire of Boyup Brook Strategic Community Plan 2021 – 2031

	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	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Promote community participation, interactions and connections.
	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Promote community participation, interactions and connections.
	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	Governance and Organisation
	Objective	Improve financial sustainability.
	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

Nil

Sustainability and Risk Consideration

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

There is no known negative economic impact to the Shire or region.

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

The upgraded facilities will bring about a sense of community connectedness.

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
Low	There is no known risk in approving the extension.

Consultation

Nil

Resource Implications

Financial

There is no financial impact to the Shire in approving the extension.

Workforce

Nil

End

10.3 Financial Services

Moved: Cr. O'Connell

Seconded: Cr. King

Council Decision CM 26/04/090

That Council:

- 1. As a result of both the President and Deputy President required to leave the chamber put the following to the vote:**

Cr Inglis be voted in to take up the position of Chair for this Item.

CARRIED 6/0

**For: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack,
Cr. Matthews
Against: Nil**

- Cr. King declared a Financial Interest in Item 10.3.1 List of Accounts paid for February 2026 due to being listed as one of the payees.
 - Cr King left the Chamber at 6:23pm
 - Cr King returned to Chamber at 6:24 pm.
- Cr. O'Connell declared a Financial Interest in Item 10.3.1 List of Accounts paid for February 2026 due to being listed as one of the payees.
 - Cr O'Connell left the Chamber at 6:23pm
 - Cr O'Connell returned to Chamber at 6:24pm and reassumed the Chair.

10.3.1 List of Accounts paid in February 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 February 2026

Moved: Cr. Moore

Seconded: Cr. Hack

Council Decision CM 26/04/091

That Council:

- 1. Receive the list of accounts paid in February 2026, totalling \$739,062.19 from Municipal account, and \$73,751.15 from Police Licensing account, as represented by:**

Municipal	
EFT 1939–2062	\$415,745.92
Cheques 20718-20719	\$ 26,307.57
Direct Payments	\$ 297,008.70
Municipal Total	\$739,062.19
Police Licensing	\$ 73,751.15
Grand Total	\$812,813.34

CARRIED 4/0

For: Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews

Against: Nil

Summary

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in February 2026 are presented to Council.

Background

At the Ordinary Council Meeting held on 26 March 2026,


'Item 10.3.1 List of Accounts paid in February 2026 listed in the agenda, has been withdrawn from consideration at this meeting by the Chief Executive Officer as a quorum will be lost, due to direct financial interest disclosures made by Councillors Helen O'Connell and Darren King, which require these Councillors to be excluded from participation and voting on this matter in accordance with *Local Government Act 1995 Section 5.67*. The Item will be resubmitted to the April Ordinary Council Meeting for consideration.'

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 28 February 2026.

Report Detail

Attachment 10.3.1A lists accounts/invoices the Shire paid by cheque or electronic means during the period 01 to 28 February 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 subregulation (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 List of Accounts paid in March 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:	10.3.2A List of Accounts paid in March 2026

Moved: Cr. Inglis	Seconded: Cr. Moore
Council Decision CM 26/04/092	
That Council:	
1. Receive the list of accounts paid in March 2026, totalling \$1,589,892.13 from Municipal account, and \$49,607.65 from Police Licensing, as represented by:	
Municipal	
EFT 2063–2217	\$1,290,208.51
Cheques	\$ 0
Direct Payments	\$ 299,683.62
Municipal Total	\$1,589,892.13
Police Licensing	\$ 49,607.65
Grand Total	\$1,639,499.78
CARRIED 6/0	
For: Cr. O’Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews	
Against: Nil	

Summary

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

Report Detail

Attachment 10.3.2A lists accounts/invoices the Shire paid by cheque or electronic means during the period 01 to 31 March 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 subregulation (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

10.3.3 Monthly Statement of Financial Activity for the period ending 31 March 2026	
File Ref:	FM/10/003
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Malcolm Armstrong, Manager Financial Services Darren Long, Finance Consultant
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	10.3.3A Monthly Financial Report 31 March 2026

Moved: Cr. Inglis	Seconded: Cr. Moore
Council Decision CM 26/04/093	
That Council:	
1. Receive the Monthly Financial Report for 31 March 2026, as presented (Attachment 10.3.3A).	
CARRIED 6/0	
For: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews	
Against: Nil	

Summary

The Monthly Financial Report for 31 March 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 March 2026 shows a closing surplus of \$5,155,474.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

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

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996:

Regulation 34 states:

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

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

Sustainability and Risk Consideration

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

Nil

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

Nil

Policy Implications

Nil

Risk Management Implications

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

Risk Level	Comment
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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> .
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Consultation

Nil

Resource Implications**Financial**

Nil

Workforce

Nil

End

10.3.4 Overview of Default Ratepayers	
File Ref:	Finance/Rates/Council Items
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Heather Marland, Rates Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Cr. Inglis	Seconded: Cr. King
Council Decision CM 26/04/094	
That Council:	
<ol style="list-style-type: none"> Notes the report on the statistics of default rate payers as of 10 April 2026, with a current outstanding Rate Debt of \$640,732.49 this includes all overdue, credit, pension rebates and deferred rates. 	
CARRIED 6/0 For: Cr. O’Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews Against: Nil	

Summary

The aim of this report is to inform Council of the current overdue rates of which the overall balance is \$640,732.49. This is made up of assessments in credit, Forest Products Commission unpaid rates (including differential rating), Pension Rebates yet to be claimed and Deferred rates.

Background

The Shire of Boyup Brook engages AMPAC Debt Recovery for its debt collection needs. As a fully licensed commercial collection agency, AMPAC offers a comprehensive suite of debt recovery services across the nation, leveraging state-of-the-art collection technologies. It is recognised as a preferred supplier for local government procurement and the Western Australian Local Government Association (WALGA), underscoring its reliability and effectiveness in the field.

There are currently no outstanding cases listed with AMPAC.

Report Detail

Due to recent software changes, it is currently not possible to present the information in the same format as previous reports. In previous reports only the overdue amounts were reported. At present, all outstanding amounts reported will include both overdue balances and instalment amounts. At the time of writing this report all instalments were due and payable, therefore, all reported amounts are outstanding.

Update from Previous Report – October 2025

A40268 – \$2114.13 – this rate notice had continued to be Returned to Sender; a skip trace was authorised and contact made. The rate payer has now reduced the outstanding from \$7,849.13 in 3 months.

A00660 - \$11,938.84 – this property has been sold and all outstandings paid.


FPC – The Shire of Boyup Brook acknowledges that FPC have made a contribution to the Shire for the 2025/26 and 2026/27 financial years, representing a value of the base UV rates payable for the numerous assessments. (ie does not include the differential rate value). This cannot be offset against the rate as it is considered a financial contribution, not a payment of rates. A credit against the assessments will be processed.

Outstanding Rates:

Status	Number of Assessments	Outstanding Amount	Notes
Total Outstanding	546	\$640,732.49	
Advance Paid Rates	70	(\$55,378.43)	
Forest Product Commission	13	\$132,745.13	
Pension Rebate to Claim	163	\$105,536.97	
Deferred Rates	26	\$47,169.13	
Total Balance		\$410,659.66	Adding back credit and subtracting the other three.

In the previous report two items were mentioned, being assessments 00214 and 01520. These now have an outstanding balance of \$34,791 and \$9,669. (\$44,460). These two rate payers combined make approx. 1% of 25/26 rates raised and approx. 10% of the overdue amount.

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

6.56(1) If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, if any, in a court of competent jurisdiction.

6.64 Actions to be taken

(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —

- (a) from time to time lease the land; or*
- (b) sell the land; or*
- (c) cause the land to be transferred to the Crown; or*
- (d) cause the land to be transferred to itself.*

(2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.

(3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land and may withdraw caveats so lodged by it.

Sustainability and Risk Consideration

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

The failure to collect budgeted rates negatively impacts the budget, hindering the Shire's ability to meet its financial commitments.

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

The inability to collect the anticipated rate funds may impede the Shire's execution of budgeted items, adversely affecting the quality of services and facilities provided to the community.

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
High	If rates are not collected, the council faces significant financial risk, compromising its ability to deliver essential services and maintain infrastructure. This shortfall in revenue can lead to budget deficits, forcing the council to either cut services, delay projects, or increase rates and fees in the future to compensate for the loss. Such outcomes not only strain the council's financial health but also impact the community's quality of life and satisfaction with local governance.

Consultation

- Executive Manager Corporate Services.
- Rates Officer.
- Manager Financial Services.

Resource Implications

Financial

Nil

Workforce

Nil

End

10.4 Corporate Services

10.4.1 Boyup Brook Caravan Park monthly report for March 2026	
File Ref:	A2007
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Carolyn Mallett, Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Cr. King	Seconded: Cr. Matthews
Council Decision CM 26/04/095	
That Council:	
<ol style="list-style-type: none"> 1. Receive the monthly report for the Boyup Brook Caravan Park for March 2026. 	
CARRIED 6/0 For: Cr. O’Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews Against: Nil	

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

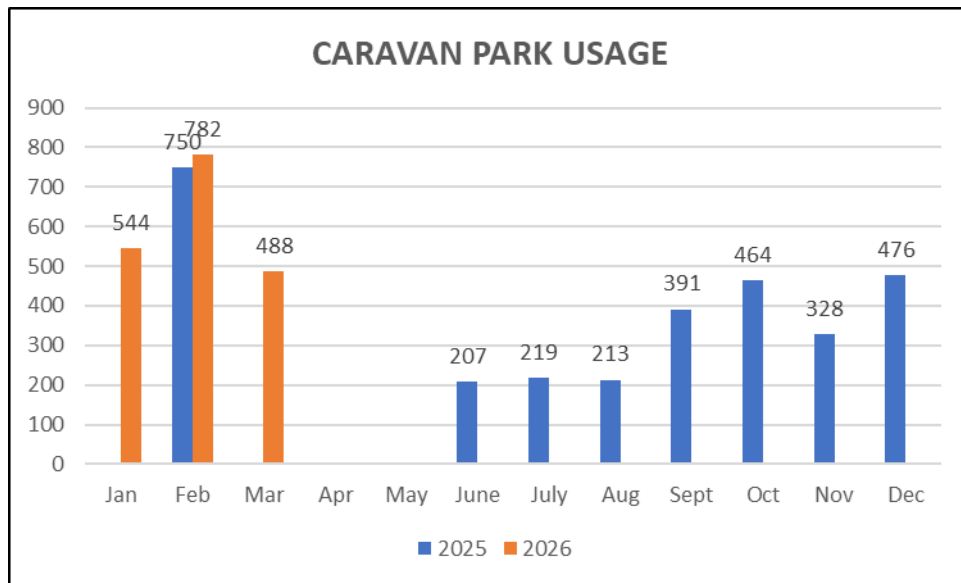
The CMCA Flax Mill Caravan Park, managed under agreement by the Campervan and Motorhome Club of Australia (CMCA), continues to provide a steady stream of short-term accommodation for travellers and visitors to Boyup Brook.

For the March 2026 reporting period, a total of 488 site nights were booked, generating gross income of \$13,617.00. Under the current revenue sharing agreement, the Shire receives 73% of gross income and CMCA retain 27%.


- Revenue: For March 2026, the Shire's share of revenue totalled \$9,940.41, representing a 41% increase compared with March 2025.
- Occupancy: During March 2026, a total of 488 nights were booked, representing a 41% increase compared with the same period last year.
- The increase in bookings (up 142 nights) reflects strong demand, particularly for unpowered river sites and ensuite sites.
- March is typically a well patronised period due to the early March long weekend, and this trend was further supported by an increase in longer stay visitors.
- It is encouraging to see a continued steady increase in individual travellers and families choosing to stay at the Flax Mill Caravan Park, attracted by the peaceful setting along the Blackwood River.
- Demand for longer term accommodation has gained momentum again, with a notable increase in requests for extended residency.
- Long term residency requests are primarily associated with essential workers and individuals engaged in local industries such as shearing, infrastructure projects, road works, and health services. In some instances, longer stays are also being sought due to the limited availability of affordable housing within the region.
- While the increase in longer term occupancy supports workforce accommodation needs, it also presents a risk that the Caravan Park may be perceived as accommodating longer term or semi-permanent residency. This is being actively monitored to ensure the facility continues to operate in line with its intended purpose of providing short-term visitor accommodation and supporting local tourism.
- The Shire and CMCA are awaiting the outcome of the Department of Local Government, Industry Regulation and Safety (LGIRS) statutory review of the Residential Parks (Long-stay Tenants) Act 2006. This review will assess the effectiveness of the Act across all stages of tenancy and determine whether legislative or regulatory changes are required. Until further guidance is available, long-term stays will

continue to be closely monitored to ensure compliance with legislative requirements, noting that the Shire holds the licence for the Caravan Park.

- Water efficiency upgrades identified through the Waterwise Council Program audit have now been completed. These works included the installation of water efficient fixtures such as WELS rated taps, showerheads, aerators, and toilets, improving overall water usage across the facility.
- The Shire acknowledges the support of the Water Corporation and the Department of Water and Environmental Regulation in delivering the Waterwise Program, which provided upgrades valued at \$25,060.



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 Consideration

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.

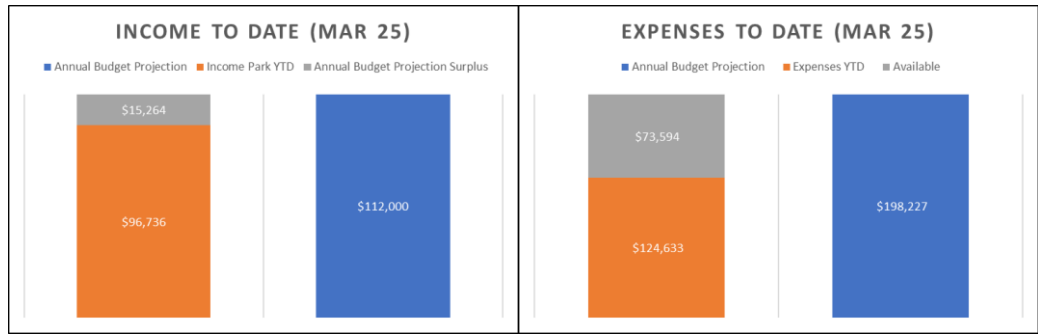
Risk Level	Comment
Moderate	A key risk is over-reliance on tourism as a driver of economic activity. A sustained downturn in visitor numbers due to factors such as fuel prices, economic downturns, or natural disasters could reduce income for local businesses and affect the Shire's tourism objectives.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

Consultation

Nil

Resource Implications

Financial



Workforce

Nil

End

10.4.2 Audit, Risk and Improvement Committee - Terms of Reference	
File Ref:	Committees/Terms of Reference Manual
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Carolyn Mallett, Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	10.4.2A Draft Audit Risk and Improvement Committee Terms of Reference 10.4.2B Advertisement for Expression of Interest (EOI) for ARIC Independent Members 10.4.2C Expression of Interest Information Package

Moved: Cr. King

Seconded: Cr. Moore

Council Decision CM 26/04/096

That Council:

- 1. Approve the structure of the Audit, Risk and Improvement Committee (ARIC) to include an Independent Presiding Member and Independent Deputy of the Presiding Member, and not include the optional Deputy Presiding Member role.**
- 2. Adopt the amended Audit, Risk and Improvement Committee Terms of Reference (ToR) as presented in Attachment 10.4.2A, to be effective from 1 July 2026.**
- 3. Approve the following meeting attendance fees and allowances per meeting for the ARIC Independent Members for the 2026/27 financial year:**
 - a) Meeting attendance fee: \$300 per meeting**
 - b) Travel expenses to be reimbursed in accordance with Section 30.6 of the *Local Government Officers' (Western Australia) Award 2021*, as at the date of the Salaries and Allowances Tribunal Determination.**
- 4. Approve the attached Expression of Interest (EOI) document to recruit an external Independent Presiding Member and an external Independent Deputy of the Presiding Member.**
- 5. Authorise the Chief Executive Officer to undertake an Expressions of Interest process and advertise for the positions of Independent Presiding Member and Independent Deputy of the Presiding Member.**

6. Note that nominations for the two independent members will be presented to Council for consideration at the June Ordinary Council Meeting.

7. Acknowledge the ongoing role of the Audit, Risk and Improvement Committee in providing independent oversight of financial management, governance, and risk.

CARRIED BY ABSOLUTE MAJORITY 6/0

**For: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack,
Cr. Matthews
Against: Nil**

Summary

This report seeks Council approval to adopt amended Terms of Reference (ToR) for the Audit, Risk and Improvement Committee and to commence recruitment of independent members.

The amendments are required to ensure compliance with the *Local Government Act 1995* (as amended) and associated Regulations, which mandate the establishment of an ARIC with an independent Presiding Member and an independent Deputy of the Presiding Member appointed through an open and transparent process.

Adoption of the revised ToR and recruitment of independent members will strengthen the Shire's governance framework, enhance transparency and accountability, and ensure compliance with legislative requirements by 30 June 2026.

Background

The Shire of Boyup Brook's Audit and Risk Advisory Committee (ARIC) is a standing committee of the Council established under the *Local Government Act 1995* (the Act). All elected members were appointed to the Committee at the Special Council Meeting held on 30 October 2025 for a term concluding at the 2027 Local Government election day.

Recent legislative reforms introduced through the *Local Government Amendment Act 2024* have mandated changes to the structure and function of audit committees across Western Australia. The transition from traditional audit committees to Audit, Risk, and Improvement Committees (ARICs) is part of the Local Government Regulations Amendment Regulations (No. 4) 2025, which came into effect on January 1, 2026. This reform aims to strengthen local government practices by ensuring that ARICs have an external independent presiding member and an external

independent deputy to the presiding member, enhancing transparency and accountability in financial and risk management.

Key amendments include:

- Expanding the Committee's role to include risk management and continuous improvement
- Mandating the appointment of an independent Presiding Member
- Requiring the appointment of an independent Deputy of the Presiding Member
- Strengthening governance, accountability and oversight functions.

The Terms of Reference for ARIC have been revised to align with updated legislative requirements, and the Shire is required to implement these changes, including the appointment of independent members by 30 June 2026 to ensure compliance.

Report Detail

All local governments are required to establish an Audit, Risk and Improvement Committee with two independent members by 30 June 2026 to provide objective and impartial oversight of financial management, risk, and governance.

The Act provides for the following independent external member roles:

- **Independent Presiding Member** (mandatory appointment, s.7.1A(3))
 - Appointed first as a committee member under s.5.10(1) and then appointed as the presiding member under s.5.12 of the Act
 - Must not be an elected member or employee of any local government.
- **Independent Deputy of the Presiding Member** (mandatory appointment, s.7.1B)
 - Appointed only as a deputy committee member under s.5.11A, deputising only to the office of presiding member.
 - The Deputy of the Presiding Member does not attend ARIC meetings, unless the Presiding Member is unable to attend the meeting.
 - Must not be an elected member or employee of any local government.
- **Deputy Presiding Member** (Optional appointment s.7.1A(4))
 - Appointed first as a committee member under s.5.10(1) and then appointed as the deputy presiding member under s.5.12(2)
 - A Deputy Presiding Member is a committee member and therefore would attend all meetings.

- Is an optional role and not considered necessary for the Shire's ARIC.

It is proposed that Council adopt a structure including:

- One Independent Presiding Member
- One Independent Deputy of the Presiding Member.

This approach meets legislative requirements while maintaining an efficient and cost effective committee structure.

The appointment of an independent Presiding Member provides:

- Increased transparency and accountability
- Enhanced community confidence in governance practices
- Access to specialised expertise in financial and risk management

Subject to adoption of the ToR, an Expression of Interest (EOI) process will be undertaken to attract suitably qualified candidates. The CEO will assess applications and present recommendations to Council at the June Ordinary Council Meeting. Once this appointment is undertaken the Shire's ARIC will be compliant with the Act, meeting the compliance requirement deadline of 30 June 2026.

Recent amendments to the Act also simplify the appointment process, with Council now appointing the Presiding Member and Deputy of the Presiding Member by absolute majority, rather than by committee election.

The fees for independent members is determined by the Salaries and Allowances Tribunal (WA) (SAT) pursuant to, Local Government Chief Executive Officers and Elected Members Determination No 1 of 2025, and as updated annually.

For Band 1-4 local governments, fees range between a minimum of \$105 and a maximum of \$1,215 per meeting. As a Band 4 local government, it is proposed that the Shire of Boyup Brook set the fee at \$400 per meeting, reflecting the level of financial and/or risk management experience of the Independent Member.

Based on quarterly meetings, the estimated annual cost is approximately \$2,000, to be provided for within the 2026/2027 Budget.

Independent members are also eligible for reimbursement of reasonable travel and associated expenses in accordance with Section 30.6 of the *Local Government Officers' (WA) Award 2021*.

In accordance with sections 5.100(4), (5) and (6) of the Act, Independent Members are also eligible for reimbursement of reasonable travel and

associated expenses, at rates set out in Section 30.6 of the *Local Government Officers’ (WA) Award 2021*.

An advertisement has been prepared (Attachment 10.4.2B) seeking expressions of interest for independent committee members, aiming to attract suitably qualified individuals to provide valuable expertise and perspectives to support the Shire’s governance and strategic financial oversight.


The amended ToR has been prepared to align with legislative requirements and best practice governance standards. Key elements include:

- Objectives: Oversight of financial reporting, audits, risk management, and continuous improvement initiatives.
- Membership: A minimum of three members, including an independent chairperson in compliance with legislation.
- Responsibilities: Covering financial reporting, risk management, compliance, and governance improvements.
- Meetings: To be held quarterly or as required, with clear requirements for agendas, minutes, and accountability.

The ToR also enables the Shire to utilise the WALGA pool of suitably qualified independent members where appropriate.

The ToR has been drafted to ensure alignment with the legislative changes and to promote best practices in local government governance.

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 and reflects associated risks.

Other Strategic Links

Nil

Statutory Environment

- *Local Government Act 1995 (as amended by the Local Government Amendment Act 2024)*
- *Local Government (Audit) Regulations 1996*
- *Local Government (Administration) Regulations 1996*

- *Local Government Regulations Amendment Regulations (No.4) 2025.*

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	<p>Failure to adopt updated TOR and appoint independent members by the required timeframe may result in:</p> <ul style="list-style-type: none"> • Non-compliance with the legislative requirements • Reduced effectiveness of governance and oversight functions <p>The appointment of independent members strengthens governance, improves accountability, and supports best practice risk management.</p>

Consultation

Chief Executive Officer

Department of Local Government Industry Regulation and Safety (LGIRS).

Resource Implications

Financial

Costs associated with:

- Advertising for independent members: approximately \$500
- Independent Member fees: To be determined, with provision in the 2026/2027 Budget, will amount to approximately \$2,000 per annum.
- Travel Expenses reimbursed at rates set out in Section 30.6 of the *Local Government Officers' (WA) Award 2021*.

Workforce

Nil

End

10.5 Chief Executive Officer

10.5.1 Elected Member Sitting Fees Review 2026/2027	
File Ref:	FM/9/005
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	Nil

Moved: Cr. Inglis

Seconded: Cr. King

Council Decision CM 26/04/097

That Council, pursuant to sections 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*, regulations 30 to 34 of the *Local Government (Administration) Regulations 1996*, and the *Local Government Chief Executive Officers and Elected Council Members Determination No. 1 of 2026*, effective from 1 July 2026:

- 1. Continue the annual attendance fee method in lieu of per meeting attendance fees for all council, committee and prescribed meetings.**
- 2. Increase the annual attendance fee for Elected Members from \$8,395 to \$8,689 per annum.**
- 3. Increase the annual attendance fee for the Shire President from \$15,693 to \$16,242 per annum.**
- 4. Increase the annual allowance for the Shire President from \$10,280 to \$10,640 per annum.**
- 5. Set the annual allowance for the Deputy Shire President at 25% of the Shire President's annual allowance, being \$2,660 per annum.**
- 6. Increase the annual ICT allowance for Elected Members from \$1,440 to \$1,490 per annum.**

LOST 0/6

For: Nil

**Against: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack,
Cr. Matthews**

Reason:

Although Councillors have not received any increase in fees and allowances since 2020/21, Council recognises the current financial position of the Shire.

Foreshadowed Motion**Moved: Cr. Moore****Seconded: Cr. Inglis****Council Decision CM 26/04/098****That Council:**

- 1. Continue the annual attendance fee method in lieu of per meeting attendance fees for all council, committee and prescribed meetings.**
- 2. Not receive any increase in annual sitting fees and allowances, and that the sitting fees and allowances remain as per 2025/2026.**
- 3. Resolves that elected members ICT allowance not be paid for the 2026/2027 financial year.**

CARRIED BY ABSOLUTE MAJORITY 6/0

**For: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack,
Cr. Matthews
Against: Nil**

Summary

The Salaries and Allowances Tribunal has issued its 2026 determination, effective from 1 July 2026, providing for a 3.5% increase to elected member attendance fee ranges. This report recommends that Council apply a corresponding increase to the Shire's current elected member fees and allowances. This is justified, appropriate and necessary.

The proposed increase is modest, remains well within the prescribed Band 4 limits. Importantly, Council has not increased elected member sitting fees or allowances since the 2020/2021 financial year. In that context, maintaining the current amounts is no longer appropriate if Council wishes to properly recognise the demands of elected office, support strong local governance and ensure that community members are not discouraged from serving in local government.

Background

Elected members are entitled to receive fees and allowances in accordance with the *Local Government Act 1995*, the *Local Government*

(Administration) Regulations 1996 and the applicable determination of the Salaries and Allowances Tribunal. Council may, by absolute majority, elect to pay annual attendance fees in lieu of per meeting attendance fees for council, committee and prescribed meetings. That is the method currently adopted by the Shire and it has operated effectively.

The report notes that the Shire's current adopted amounts are:

- Elected Member annual attendance fee: \$8,395.
- Shire President annual attendance fee: \$15,693.
- Shire President annual allowance: \$10,280.
- Deputy Shire President annual allowance: 25% of the President's allowance.
- ICT allowance: \$1,440.

The report also notes that these amounts have not been increased since the 2020/2021 financial year. That position means that, in real terms, the value of the fees and allowances has steadily declined over time.

Report Detail

The Shire of Boyup Brook is classified by the Salaries and Allowances Tribunal as a Band 4 local government. Under the Local Government Chief Executive Officers and Elected Council Members Determination No. 1 of 2026, effective from 1 July 2026, the Band 4 annual attendance fee range in lieu of meeting fees is \$4,161 to \$11,023 for elected members and \$4,161 to \$22,646 for the President. The Band 4 annual allowance range for a President is \$596 to \$23,257. The annual ICT allowance range is \$500 to \$3,500. The Deputy President allowance remains capped at 25% of the President's allowance. The determination lists 60 Western Australian local governments in Band 4.

Applying a 3.5% increase to Boyup Brook's current adopted amounts results in the following:

Item	Current	Proposed 2026/2027	Increase
Elected Member annual attendance fee	\$8,395	\$8,689	\$294
Shire President annual attendance fee	\$15,693	\$16,242	\$549
Shire President annual allowance	\$10,280	\$10,640	\$360
Deputy Shire President annual allowance	\$2,570	\$2,660	\$90
ICT allowance	\$1,440	\$1,490	\$50

Even after the proposed increase, the Shire would remain comfortably below the maximum Band 4 limits. On the proposed figures, Boyup Brook would sit at approximately:

- 78.8% of the maximum elected member annual attendance fee;
- 71.7% of the maximum President annual attendance fee;
- 45.7% of the maximum President annual allowance; and
- 42.6% of the maximum ICT allowance.

This is an important point. The recommendation is not to move Boyup Brook to the top of the Band 4 scale, nor to adopt an excessive position. Rather, it is to make a modest and responsible adjustment that keeps the Shire's elected member remuneration broadly aligned with current statutory settings and the real demands of elected office.

There is also a strong benchmarking basis for the proposed increase. A review of published Band 4 local government fee and allowance settings demonstrates that there is significant variation across the Band 4 cohort. Some councils adopt figures close to the top of the available range, while others adopt lower and more conservative settings. This confirms that the SAT framework is intended to provide local governments with discretion to determine a level appropriate to their circumstances, provided it remains within the applicable statutory limits.

A comparison with published examples from other Band 4 local governments shows that Boyup Brook's proposed increase remains moderate.

Local Government	Councillor Annual Attendance Fee	President Annual Attendance Fee	President Annual Allowance	Deputy President Allowance	ICT Allowance	Comparison to Proposed Boyup Brook Position
Boyup Brook (proposed 2026/2027)	\$8,689	\$16,242	\$10,640	\$2,660	\$1,490	Mid-range overall
Gnowangerup	\$10,650	\$21,880	\$22,470		\$3,500	Materially higher than Boyup Brook across key categories
Cranbrook	\$5,939	\$11,879	\$14,664	\$3,666	\$665	Lower on attendance fees, higher on allowances
Nannup	\$7,000	\$14,000	\$16,000	\$4,000	\$1,500	Lower on attendance fees, materially higher on allowances
Mingenew	\$4,260	\$13,128	\$13,482	\$3,371	\$252	Lower on attendance fees, higher on

Local Government	Councillor Annual Attendance Fee	President Annual Attendance Fee	President Annual Allowance	Deputy President Allowance	ICT Allowance	Comparison to Proposed Boyup Brook Position allowances, much lower ICT
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This comparison demonstrates that the proposed increase does not place Boyup Brook at the upper end of the Band 4 market. Rather, it confirms that Boyup Brook’s attendance fee component is solid but not excessive, while its allowance component remains comparatively conservative, particularly when compared with nearby and relevant examples such as Nannup and Cranbrook. Even after the proposed increase, Boyup Brook remains well below the Band 4 maximums prescribed by SAT.

There is also a strong governance justification for the increase. The role of an elected member now extends well beyond attendance at Ordinary Council Meetings. Elected members are required to review substantial agenda and briefing material, attend committee and prescribed meetings, participate in workshops and budget deliberations, contribute to strategic planning and policy development, undertake audit and risk oversight, represent the Shire at external and community meetings, and operate within an increasingly complex legislative and governance environment. The Tribunal expressly recognises that elected member fees and allowances are intended to acknowledge the time, effort and expenses associated with those duties.


Council has not increased elected member fees and allowances since the 2020/2021 financial year. In practical terms, this means elected members have absorbed a number of years of rising costs without any corresponding adjustment. That is particularly relevant in a rural local government setting where elected members are often expected to be highly accessible, engaged and visible across a broad range of community matters. It is neither fair nor sustainable for the Shire to expect elected members to continue carrying the real cost of those responsibilities without periodic review.

The annual ICT allowance should also be reviewed upward. The attached report records that elected members are provided with a laptop, but are required to maintain their own phone and internet services. In an environment where elected members are increasingly expected to access large agenda packs electronically, communicate regularly by email and mobile phone, and remain digitally connected to carry out their role effectively, the existing ICT allowance should be kept current. The proposed increase to \$1,490 remains well below the Band 4 maximum of \$3,500.

The financial impact of the proposal remains modest. The report estimates that the total additional cost of the 3.5% increase would be approximately \$3,115 per annum, which can be accommodated within the Shire’s annual operating budget.

For these reasons, the proposed increase is justified and should be supported. It reflects the current SAT determination, recognises the responsibilities and growing demands of elected office, retains Boyup Brook within a moderate Band 4 position, and helps ensure that the Shire continues to attract and retain committed and capable elected members.

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* – sections 5.98, 5.98A, 5.99 and 5.99A.
- *Local Government (Administration) Regulations 1996* – regulations 30 to 34.
- *Salaries and Allowances Act 1975*.
- *Local Government Chief Executive Officers and Elected Council Members Determination No. 1 of 2026, effective from 1 July 2026*.

Sustainability and Risk Consideration

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

The proposed increase will result in a modest increase in annual expenditure of approximately \$3,115. This additional cost is minor in the context of the Shire’s overall budget and is considered reasonable to ensure that the Shire maintains a contemporary and appropriate elected member remuneration framework. Effective local governance underpins sound decision making, strategic leadership and organisational stability, all of which support broader confidence in the Shire and its capacity to serve the district.

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

Appropriate fees and allowances support the attraction, retention and participation of capable community members in local government. This is particularly important in a small rural local government where the pool of people willing and able to undertake elected office can be limited. A fair and contemporary remuneration structure helps maintain strong local democratic representation and supports the quality of leadership available to the community.

Policy Implications

Council Policy M8 – Council Members Fees, Allowances and Reimbursement of Expenses.

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	Failure to review and adjust elected member fees and allowances on a regular basis may result in the Shire falling further behind current statutory settings and comparable Band 4 practice. Over time this creates a genuine risk that suitable community members may be discouraged from nominating for Council or continuing in office, which may adversely affect councillor attraction, retention, succession planning and the overall quality of governance.

Consultation

Internal consultation has occurred with Corporate Services regarding legislative requirements, the current fee structure and financial implications.

This report has also been prepared having regard to the current SAT determination.

Resource Implications

Financial

The proposed increase is estimated to add approximately \$3,115 per annum and will be incorporated into the 2026/2027 budget process.

Workforce

Nil

End

10.5.2 Tender Evaluation Weighting for Rylington Park Farm	
File Ref:	Tenders/Current Tenders/RFT 26-001 Rylington Park Lease Tender
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: Cr. Inglis

Seconded: Cr. Moore

Council Decision CM 26/04/099

That Council:

- 1. Endorse the following tender evaluation weighting for any tender process relating to the lease of Shire farmland:**

Evaluation Criterion	Weighting
Local Content / Local Benefit to the Shire of Boyup Brook	30
Demonstrated Farming Experience and Capacity	20
Financial Stability and Ability to Perform	20
Proposed Farm Management and Land Stewardship	15
Lease Return / Financial Offer	10
Compliance, Risk and References	5
Total	100

- 2. Endorse that the “Local Content / Local Benefit to the Shire of Boyup Brook” criterion be assessed having regard to matters including, but not limited to:**
 - a) whether the tenderer is based within the Shire of Boyup Brook or the immediate district;**
 - b) the extent to which the tenderer proposes to use local employees, contractors and suppliers;**
 - c) the economic benefit likely to be generated within the Shire of Boyup Brook; and**
 - d) the tenderer’s demonstrated long-term commitment to the district and local community.**
- 3. Note that the adopted weighting is intended to provide a clear and lawful preference toward tenderers who will deliver direct economic and community benefit to the Shire of Boyup Brook, whilst still ensuring the successful tenderer has the experience,**

financial capacity and operational ability to properly manage the leased farmland.

- 4. Authorise the Chief Executive Officer to incorporate the endorsed weighting into the relevant tender documentation for the lease of Shire farmland.**

CARRIED 6/0

**For: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack,
Cr. Matthews
Against: Nil**

Summary

The purpose of this report is to seek Council endorsement of a tender evaluation weighting for the future lease of Shire farmland.

It is proposed that the weighting give the greatest emphasis to local content and local benefit to the Shire of Boyup Brook, while also ensuring that any successful tenderer has the necessary farming experience, financial stability, and operational capacity to manage the land appropriately and meet all lease obligations.

The proposed weighting is designed to support a transparent procurement process that achieves broader local benefit rather than focusing solely on the highest financial offer.

Background

Council has previously considered matters relating to the future leasing and management of Shire farmland. In progressing any lease to the open market, it is appropriate that Council determine the evaluation framework that will be used to assess tender submissions.

In leasing a farming property, the Shire is not simply disposing of access to land for the highest return. Rather, Shire is seeking to secure an outcome that protects the Shire's asset, ensures the land is responsibly managed, provides confidence that lease obligations will be met, and where possible delivers economic and community benefit to the Shire of Boyup Brook.

For that reason, it is considered appropriate that tender submissions be assessed against a range of qualitative and financial criteria, with the strongest weighting given to local content and local benefit.

Report Detail

It is proposed that the tender evaluation weighting for the lease of Shire farmland be structured as follows:

Evaluation Criterion	Weighting
Local Content / Local Benefit to the Shire of Boyup Brook	30
Demonstrated Farming Experience and Capacity	20
Financial Stability and Ability to Perform	20
Proposed Farm Management and Land Stewardship	15
Lease Return / Financial Offer	10
Compliance, Risk and References	5
Total	100

Local Content / Local Benefit to the Shire of Boyup Brook – 30%

This criterion is proposed as the highest weighted criterion in order to clearly favour tenderers who will generate direct benefit to the Boyup Brook community and economy.

This criterion would assess matters such as whether the tenderer is based within the Shire of Boyup Brook, whether local employees, contractors and suppliers will be engaged, the level of economic activity likely to be retained within the Shire, and the tenderer’s broader commitment to the local community.

Importantly, framing the criterion around “local content” and “local benefit to the Shire of Boyup Brook” is considered more appropriate than a simple preference based solely on place of residence. This approach links the assessment directly to measurable benefit for the Shire, including employment, local expenditure, and community contribution.

Demonstrated Farming Experience and Capacity – 20%

This criterion would assess the tenderer’s relevant farming experience, including experience with properties of a similar nature, scale or operational complexity.

This is an important criterion as the Shire must be satisfied that the successful tenderer has the practical knowledge, labour resources, plant and equipment, and operational systems necessary to properly manage the property.

Financial Stability and Ability to Perform – 20%

This criterion would assess the tenderer's financial capacity to meet lease obligations and to operate the property in a sustainable and responsible manner.

It is essential that the Shire be satisfied that the successful tenderer has the business strength and working capital necessary to fund seasonal inputs, undertake routine maintenance, and meet rental commitments. A failure in this regard could expose the Shire to lease default, deterioration of the property, and additional administrative or legal costs.

Proposed Farm Management and Land Stewardship – 15%

This criterion would assess the quality of the tenderer's proposed management of the land, including stock and pasture management where relevant, weed control, biosecurity, fencing and water infrastructure maintenance, and broader land stewardship practices.

As the land is a Shire asset, it is important that the successful tenderer not only operate the property commercially, but also manage it in a way that maintains or enhances its long-term condition and productivity.

Lease Return / Financial Offer – 10%

This criterion would assess the financial return offered to the Shire, including annual rent and any additional value offered, such as contributions to maintenance or improvements.

While the financial return remains an important consideration, it is not recommended that this be the dominant criterion. A tenderer offering a slightly lower return may nevertheless provide better overall value to the Shire if they bring stronger local benefit, better asset stewardship, and lower risk.

Compliance, Risk and References – 5%

This criterion would assess references, insurances, work health and safety compliance, regulatory understanding, and general risk profile.

Although weighted lower than the other criteria, this remains an important component of the assessment, as it provides additional confidence regarding the tenderer's track record and ability to comply with the lease conditions and associated obligations.


Overall Assessment Rationale

The proposed weighting is intended to achieve a balanced outcome.

It gives the greatest emphasis to local content and local benefit, thereby favouring proponents who are based in or closely connected to Boyup Brook and who will contribute directly to the district. At the same time, it retains substantial weighting for farming experience, financial stability and land stewardship so that the successful tenderer is not simply local, but also capable, reliable and able to manage the asset to an appropriate standard.

This approach is considered to be in the best interests of the Shire, as it seeks to maximise broader community benefit while also protecting the Shire's asset and minimising financial and operational risk.

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

Section 3.58 of the *Local Government Act 1995* relates to the disposition of property by a local government. Depending on the structure and term of the proposed lease, the leasing of Shire property may require compliance with the relevant statutory processes and any associated regulatory requirements.

The tender evaluation criteria adopted by Council should be transparent, relevant to the subject matter of the lease, and capable of being consistently applied to all tenderers.

The proposed weighting has been structured to ensure that the Shire is able to assess not only the financial offer, but also the broader community, economic and asset management outcomes arising from the proposed lease.

Sustainability and Risk Consideration

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

The proposed weighting is intended to generate stronger economic benefit within the Shire of Boyup Brook by favouring tenderers who are likely to engage local labour, contractors and suppliers and who will retain a greater proportion of expenditure within the local economy.

This approach supports local business activity and may contribute to employment and contractor opportunities within the Shire. It also recognises that the value of the lease to the Shire should not be measured by rent alone, but also by the broader economic activity generated locally.

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

A leasing arrangement that favours local benefit may contribute positively to the community by supporting local enterprise, maintaining productive use of the land, and reinforcing confidence that Shire assets are being managed in a way that benefits the Shire.

It may also strengthen community acceptance of the leasing process, as residents are more likely to view the outcome favourably where the evaluation process clearly considers the interests of the Boyup Brook community rather than focusing only on the highest price.

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	<p>There are risks associated with leasing farmland without a clear and appropriate evaluation framework.</p> <p>If excessive emphasis is placed solely on rental return, the Shire may receive an offer from a tenderer who lacks sufficient farming experience, financial capacity, or commitment to maintaining the property to an acceptable standard. This may result in lease default, reputational issues, asset deterioration, or costly enforcement action.</p>

	<p>Conversely, if the criteria are not clearly defined and documented, the Shire may be exposed to perceptions of inconsistency or unfairness in the evaluation process.</p> <p>The proposed weighting reduces these risks by establishing a transparent framework that balances local benefit with capability, financial capacity, compliance and asset stewardship.</p>
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Consultation

Internal consultation has been undertaken in the preparation of this report.

Should Council endorse the proposed weighting, the criteria would be incorporated into the tender documentation for the lease and clearly disclosed to all prospective tenderers.

Resource Implications

Financial

There are no direct financial implications arising from the adoption of the proposed evaluation weighting itself.

The weighting will, however, influence the assessment of future tender submissions and may result in Council selecting a tender that does not necessarily offer the highest rental return, but which delivers greater overall value to the Shire through reduced risk, stronger local economic benefit, and better long-term management of the asset.

This is considered an appropriate and prudent approach in the context of leasing a significant Shire asset.

Workforce

Nil

End

10.5.3 Public Health Plan	
File Ref:	Public Health/Public Health Plan
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Angela Hales – Environmental Health Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	10.5.3A Draft Public Health Plan

Moved: Cr. Inglis	Seconded: Cr. King
Council Decision CM 26/04/100	
That Council:	
1. Endorse the Shire of Boyup Brook Public Health Plan 2026-2031.	
CARRIED 6/0	
For: Cr. O’Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews	
Against: Nil	

Summary

The *Public Health Act 2016* (The Act) requires local governments to develop a Public Health Plan (the Plan) that is comprehensive and includes a set of proposed actions that informs the way in which public health is managed within a local government.

A draft Public Health Plan is attached that complies with the requirements of Part 5 of the Act and will be made available on the website once endorsed by Council.

Local governments must prepare and publish their local public health plans by 4 June 2026. This reinforces the commitment at both state and local levels to effectively plan the health and well-being of all residents. The attached Public Health Plan is submitted to Council for endorsement as the Shire of Boyup Brook Public Health Plan 2026-2031.

Background

In 2016, the *Public Health Act 2016* was introduced to provide a modern more flexible and risk-based approach to public health regulation. Part 2, division 2 stipulates that local governments must initiate, support and manage public health planning for its district.

The Act provides a framework that promotes and manages current and emerging public health risks in WA. Under this new Act, all Local governments are required to develop a Public Health Plan that addresses the requirements of Part 2 of the Act for implementation by June 2026.

The Shire Plan was originally drafted in 2021 but was put on hold due to the pandemic. The Plan has now been reviewed and updated in response to significant changes in the public health landscape and lessons learnt, including the declaration of a State of Emergency and the ongoing impacts of the COVID-19 pandemic.

The pandemic has been one of the most significant public health challenges faced by State and local governments in recent history. It highlighted the critical role of local governments in implementing clear safeguards, policies, and programs to protect, maintain, promote, and improve the health and wellbeing of the community.

This Public Health Plan reflects these lessons and provides a proactive framework to support prevention, preparedness, and resilience, ensuring the Shire is well positioned to respond to both current and emerging public health risks while continuing to support the long-term wellbeing of the Boyup Brook community.

The Department of Health and local governments share a statutory responsibility for public health. Part 5 of the *Public Health Act 2016* was mandated on 4 June 2024, requiring the Chief Health Officer to publish the State Public Health Plan 2025-2030 by 4 June 2025, with Local governments finalising their plans by June 2026.


Report Detail

Local public health plans are required to be consistent with and align to the objectives of the State Public Health Plan whilst responding to local public health risks and emerging issues such as vaping.

Public health planning encompasses every aspect of our lives that enables us to thrive. It provides the safeguards, policies and programs designed to protect, maintain, promote, and improve the health of individuals and their communities and to prevent and reduce the incidence of illness and disability. By actively planning for the best public health outcomes, we can support and drive the changes required to ensure our communities remain healthy and resilient. The Plan will also provide an avenue for ongoing communication with the local community.

Public Health Plans are subject to ongoing review and reporting on an annual basis and must be renewed in their entirety every five years.

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

Public Health Act 2016

Section 45. Local public health plans.

(1) A local government must prepare a public health plan (a local public health plan) that applies to its local government district.

(2) A local public health plan must be consistent with the State public health plan.

Sustainability and Risk Consideration

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

The plan will support more efficient use of health resources by focusing on prevention and early intervention, reducing demand on acute services. It will also contribute to ageing in place by promoting accessible services, healthy environments, and community support, enabling older adults to remain independent and live safely in their own homes for longer.

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

Implementing the actions from the Public Health Plan can significantly improve quality of life across the community. The impact is usually broad, affecting health, social stability, and economic well-being.

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	Council would be in breach of the <i>Public Health Act 2016</i> .

Consultation

Consultation was undertaken by the Environmental Health Officer with key stakeholders, including the Department of Health – Environmental Health Directorate and the WA Country Health Service – Health Promotion Team.

Workshops were attended to analyse relevant data and to work through the public health plan template.

Community engagement was conducted through the local gazette and social media platforms. However, no community feedback was received to inform the development of the plan. As a result, the identified priority areas and actions were based on local knowledge and existing community priorities that align with the State Public Health Plan and the Shire’s Strategic Community Plan.

Resource Implications

Financial

The implementation of the plan will largely be managed within existing resources and incorporated into business-as-usual activities and the annual budget.

Where additional resources are required, external funding opportunities, including special project grants, will continue to be sought to support actions that align with the plan’s priorities.

Developing and maintaining key partnerships will also be an important strategy to leverage shared resources, reduce costs, and enhance the effectiveness of implementation.

Workforce

Implementation will be managed with current resources.

End

10.5.4 Boyup Brook Medical Services monthly activity report for March 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

Moved: Cr. Inglis	Seconded: Cr. Moore
Council Decision CM 26/04/101	
That Council:	
<ol style="list-style-type: none"> 1. Receive the monthly activity report for the Boyup Brook Medical Services for March 2026. 	
CARRIED 6/0 For: Cr. O’Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews Against: Nil	

Summary

This monthly report provides Council with an update on the operations of Boyup Brook Medical Services. Key highlights for March include Dr Devadason continuing to manage a demanding workload with high patient bookings and hospital attendances for inpatients and ED presentations. Practice nurse Nicola 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) remains installed on an external window of the Practice. The recruitment for a second GP continues and background preparation for the renovations and transfer of practice software have both begun.

Background

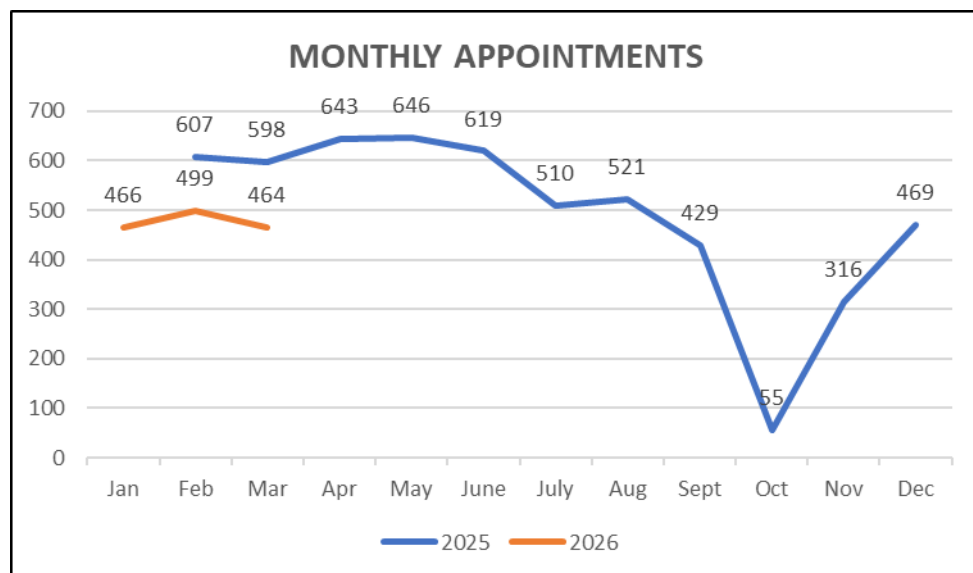
Boyup Brook Medical Services is an AGPAL-accredited practice operating under the RACGP Standards. It provides general practice and nursing services to the local community and operates Monday to Friday from 8:00am to 4:30pm.

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 sixteen 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 March 2026, the practice recorded a total of 464 patient consultations, this number is down slightly due to Dr Nilesh attending training for one week during March. These figures include all appointments invoiced for the Medical Centre, clinic appointments, phone consults and hospital consults.



NOTE: This graph represents the total number of patients invoiced per month. Patients include hospital inpatients, ED patients and all patients seen at the practice.

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 Consideration

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 healthcare. 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. Full bulk billing further supports continuity and equity of care.

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.

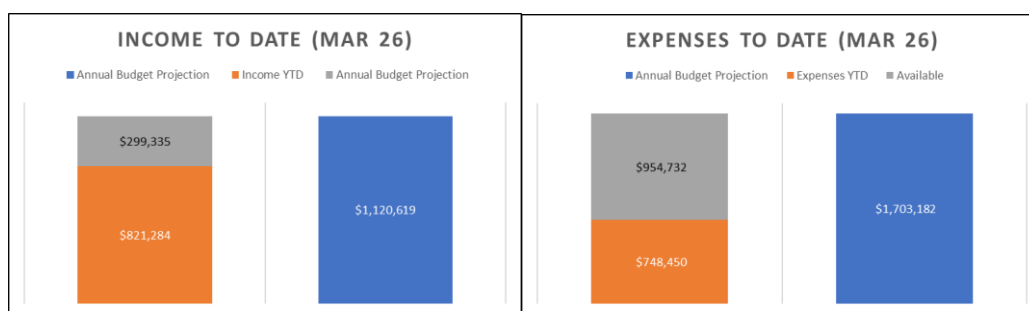
Risk Level	Comment
Moderate	The absence of a local medical centre would force residents to travel long distances for medical care. This could result in delayed treatment, particularly in emergencies, and poorer health outcomes.

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

- Cr. O’Connell declared an Impartiality Interest in Item 10.5.5 Review of Memorandums of Understanding and Community Grants Program in Response to FPC non-payment of Rates, due to being a CRC committee member.
- Cr. King declared an Impartiality Interest in Item 10.5.5 Review of Memorandums of Understanding and Community Grants Program in Response to FPC non-payment of Rates, due to his wife being a CRC committee member and Cr. King being a St John Ambulance support.

10.5.5 Review of Memorandums of Understanding and Community Grants Program in Response to FPC non-payment of Rates	
File Ref:	Finance/Rates/Council Items
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: Cr. Inglis

Seconded: Cr. King

Council Decision CM 26/04/102

That Council:

- 1. Notes that the Forest Products Commission has offered the Shire of Boyup Brook a sponsorship payment of \$230,000 covering the 2025/2026 and 2026/2027 financial years.**
- 2. Notes that the estimated value of rates formerly received from Forest Products Commission land over the same two-year period is approximately \$270,000, resulting in an estimated current shortfall of approximately \$40,000.**
- 3. Notes that no confirmation has been received from Western Australian Treasury as to whether any amount paid by the Forest Products Commission to the Treasurer by way of rates equivalent will be remitted to the Shire of Boyup Brook.**
- 4. Endorses, as an interim financial management measure, the full pause of the Shire’s community grants program until there is greater certainty regarding the Shire’s ongoing revenue position.**
- 5. Reduces the Shire’s annual financial contributions under the following Memorandums of Understanding, with the reduction**

applied proportionally across all listed organisations other than St John Ambulance, as follows:

- a) **Boyup Brook District Pioneers Museum — reduced from \$5,000 to \$2,647;**
 - b) **Country Music Club of Boyup Brook — reduced from \$10,000 to \$5,294;**
 - c) **Boyup Brook Tourism Association — reduced from \$25,000 to \$13,235;**
 - d) **St John Ambulance — no reduction, to remain at \$30,000 for the 2026/2027 financial year, noting that the current Memorandum of Understanding requires a minimum of 12 months' notice to be given prior to cancellation; and**
 - e) **Boyup Brook Community Resource Centre — reduced from \$45,000 to \$23,824.**
- 6. Notes that the above reductions account for approximately \$40,000 of the loss in rate income arising from the Forest Products Commission no longer paying rates directly to the Shire.**
- 7. Notes that, should the current situation continue whereby the Forest Products Commission acquires additional properties within the Shire and Treasury does not remit equivalent rates back to the Shire, the loss in rate income for the 2026/2027 financial year may increase further and have an additional adverse impact on the Shire's annual budget.**
- 8. Authorises the Chief Executive Officer to continue advocating to the State Government and Treasury for confirmation that rates equivalent payments made by the Forest Products Commission are to be remitted to affected local governments.**

LOST 0/6

For: Nil

**Against: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack,
Cr. Matthews**

Foreshadowed Motion

Moved: Cr. Moore

Seconded: Cr. King

Council Decision CM 26/04/103

That Council:

- 1. Request the Chief Executive Officer to include the required funds in the 2026/2027 budget by reducing projects and maintenance planned in 2026/2027 to enable the final year of the**

Memorandums of Understanding to be honoured at their current value.

- 2. Endorse, as an interim financial management measure, the full pause of the Shire’s community grants program until there is greater certainty regarding the Shire’s ongoing revenue position.**
- 3. Request the Chief Executive Officer to write to all the current Memorandum of Understanding holders advising that the current model will be reconsidered following their expiry on 30 June 2027.**
- 4. Request the Chief Executive Officer to investigate the application of section 19(1) of the *Library Board of Western Australia Act 1951* in relation to the Shire’s ability to impose a library rate or levy to fund the ongoing costs associated with maintaining the Shire’s library service currently hosted at the Boyup Brook Community Resource Centre.**

CARRIED 6/0

**For: Cr. O’Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack,
Cr. Matthews**

Against: Nil

Summary

The purpose of this report is for Council to consider immediate expenditure control measures in response to the loss of a significant source of rate revenue formerly received from Forest Products Commission land holdings within the Shire.

The Forest Products Commission has advised that, pursuant to section 43 of the *Forest Products Act 2000*, land held by it is not rateable land and that it is instead required to pay to the Treasurer an amount equivalent to what would otherwise have been payable in local government rates and charges. The Forest Products Commission has offered the Shire a sponsorship payment of \$230,000 across the 2025/2026 and 2026/2027 financial years; however, this amount is below the estimated total rates revenue of approximately \$270,000 that would otherwise have been payable over the same period, leaving a current estimated shortfall of approximately \$40,000.

In the absence of any confirmation from Treasury as to whether those equivalent payments will ultimately be distributed to local governments, it is considered prudent for Council to review discretionary expenditure. This report recommends a temporary pause to the community grants program and a proportional reduction to selected Memorandums of Understanding

in order to account for approximately \$40,000 of lost rate income as an interim financial management measure.

It is also important to recognise that, should the current situation continue and additional Forest Products Commission properties be acquired within the district without equivalent rates being remitted back to the Shire, the loss in rate income for the 2026/2027 financial year may increase further and place additional pressure on the annual budget.

Background

Historically, the Shire has received rates from freehold properties held by the Forest Products Commission within the district. That revenue has formed part of the Shire's broader funding base used to support services, infrastructure and community outcomes.

The Forest Products Commission has now formally advised that land held by it is not rateable land for the purposes of local government rating legislation and that, under section 43 of the *Forest Products Act 2000*, it is instead required to pay to the Treasurer an amount equivalent to the local government rates and charges that would otherwise have been payable. The same correspondence advises that, for the period 2025/2026 and 2026/2027, the Forest Products Commission proposes to provide the Shire with a sponsorship payment of \$230,000.

The sponsorship payment does not fully offset the revenue the Shire would otherwise have expected to receive through ordinary rates. Based on current estimates, annual rates over the two-year period are approximately \$270,000, resulting in a shortfall of approximately \$40,000.

This position also creates an ongoing strategic and budgetary risk for the 2026/2027 financial year and beyond. Should the current situation continue, whereby the Forest Products Commission acquires additional properties within the Shire and Treasury does not remit the equivalent rates back to the Shire, the loss of rate income would increase further. This would place additional pressure on the Shire's annual budget and may require Council to consider further expenditure reductions or other budget adjustments in order to maintain financial sustainability.

Report Detail

The Shire is presently required to prepare and manage its budget in circumstances where a formerly reliable source of rate revenue has effectively been removed, yet there remains no clear advice from Treasury as to whether the equivalent payments collected from the Forest Products Commission will be returned to the Shire.

This uncertainty materially affects the Shire’s capacity to plan with confidence. Sound financial management requires Council to adopt a prudent and conservative approach where a revenue stream is uncertain, particularly in a small rural local government environment where the loss of a single major revenue source can have a disproportionate impact on the delivery of community services and discretionary programs.

The position may be summarised as follows:

- Estimated rates that would otherwise have been payable over 2025/2026 and 2026/2027: approximately \$270,000
- Sponsorship offered by the Forest Products Commission over the same period: \$230,000
- Estimated current shortfall: approximately \$40,000.

Although the sponsorship provides some temporary assistance, it is not a substitute for a legislatively certain and ongoing revenue arrangement. It also does not provide any assurance beyond the two-year period identified in the correspondence. In addition, the Forest Products Commission’s letter indicates a desire to discuss support for services that have a direct benefit to the plantation industry beyond this period, which suggests that future contributions may be selective and discretionary rather than a full reimbursement of the equivalent rates collected by Treasury.

Given this uncertainty, it is considered appropriate for Council to review discretionary expenditure that is not essential to statutory compliance or core service delivery. Two areas capable of review are the Shire’s Memorandums of Understanding and the community grants program.

The current Memorandums of Understanding considered in this report are as follows:

Organisation	Current Amount	Comment
Boyup Brook District Pioneers Museum	\$5,000	
Country Music Club of Boyup Brook	\$10,000	Plus \$10,000 in-kind
Boyup Brook Tourism Association	\$25,000	
St John Ambulance	\$30,000	Retained at current level for 2026/2027 due to 12 months’ notice requirement under current MOU
Boyup Brook Community Resource Centre	\$45,000	

Organisation	Current Amount	Comment
Total	\$115,000	

For the purpose of this report, it is proposed that the St John Ambulance contribution is not reduced for the 2026/2027 financial year. This is because the current Memorandum of Understanding requires that a minimum of 12 months' notice be provided prior to cancellation. As a result, the Shire is not in a position to immediately withdraw from that arrangement for the 2026/2027 financial year without first complying with the notice provisions of the agreement.

Excluding St John Ambulance, the remaining MOU pool subject to reduction is therefore:

- | | |
|--|----------|
| • Boyup Brook District Pioneers Museum: | \$5,000 |
| • Country Music Club of Boyup Brook: | \$10,000 |
| • Boyup Brook Tourism Association: | \$25,000 |
| • Boyup Brook Community Resource Centre: | \$45,000 |

This gives a total adjustable MOU pool of \$85,000.

Council requested consideration of reductions to these MOU arrangements in an amount sufficient to account for approximately \$40,000 of lost rate income arising from the Forest Products Commission rates equivalent arrangement.

In order to apply the reduction in an equitable manner, the impact has been distributed proportionally across the four adjustable MOUs rather than reducing the same dollar amount from each organisation. A proportional approach is considered more reasonable because it shares the financial burden according to the size of each existing contribution. This avoids placing a disproportionate impact on smaller funded organisations and ensures that each affected organisation contributes on the same percentage basis.

The calculation is as follows:

- $\$40,000 \div \$85,000 = 47.06\%$

Accordingly, each of the four adjustable MOUs is reduced by 47.06%, with St John Ambulance remaining unchanged for the 2026/2027 financial year due to the existing notice requirement under its MOU.

The revised MOU contributions are therefore:

Organisation	Current Amount	Reduction	Revised Amount
Boyup Brook District Pioneers Museum	\$5,000	\$2,352.94	\$2,647.06
Country Music Club of Boyup Brook	\$10,000	\$4,705.88	\$5,294.12
Boyup Brook Tourism Association	\$25,000	\$11,764.71	\$13,235.29
St John Ambulance	\$30,000	\$0.00	\$30,000.00
Boyup Brook Community Resource Centre	\$45,000	\$21,176.47	\$23,823.53

These figures account for approximately \$40,000 of the Shire's lost rate income.

This approach is intended to provide Council with an immediate and measurable response to the loss of rate income while still maintaining a level of ongoing support to the affected organisations. It also avoids the more severe consequences that may arise from fully terminating multiple arrangements at once. The recommendation therefore seeks to balance financial prudence with fairness and community impact.

In addition to the above MOU commitments, the Shire also maintains a community grants program. While valuable, the grants program is discretionary and can be paused more readily than many operational or statutory functions. A full pause of the program is therefore considered an appropriate interim financial response while the Shire awaits clarity from Treasury.


Pausing the community grants program, together with proportionally reducing the adjustable MOU commitments, would enable Council to preserve funds for statutory functions, essential infrastructure and core local government services while maintaining flexibility to review the position should the Shire's financial circumstances improve.

It is also important to recognise that the current estimated shortfall of approximately \$40,000 may increase further if the present situation continues. In particular, should the Forest Products Commission purchase additional land within the Shire and Treasury not remit the equivalent rates collected under section 43 of the *Forest Products Act 2000* back to the Shire, the loss in rate income for the 2026/2027 financial year would increase further. This would have a corresponding impact on the Shire's annual budget and may necessitate further reductions in discretionary expenditure, reconsideration of service levels, or other financial management responses in future budget deliberations.

Accordingly, the recommendation in this report is intended as a prudent interim response to revenue uncertainty rather than a reflection on the

value of the organisations concerned. The organisations listed each make important contributions to community life in Boyup Brook; however, Council must first ensure that the Shire remains in a financially sustainable position to continue delivering its core responsibilities across the whole district.

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

Nil

Statutory Environment

- Section 43 of the *Forest Products Act 2000* provides that land held by the Forest Products Commission is not rateable land for the purposes of local government rates and charges, and that the Commission is instead required to pay to the Treasurer an amount equivalent to the rates and charges that would otherwise have been payable.
- Section 6.4 of the *Local Government Act 1995* requires a local government to manage its finances in a responsible manner.
- Section 6.8 of the *Local Government Act 1995* provides that expenditure from the municipal fund is not to be incurred unless it is included in the annual budget or otherwise authorised in accordance with that Act.

Council is therefore required to take a prudent approach to expenditure where there is uncertainty surrounding a significant source of income

Sustainability and Risk Consideration

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

There may be some short-term impact on individual organisations and associated local activity arising from reduced MOU contributions and the pause of the community grants program. This may be particularly relevant where funding supports tourism, events, heritage activation or local service provision. However, the recommendation supports the broader financial sustainability of the Shire by ensuring limited funds are prioritised toward core local government responsibilities and essential services.

Maintaining the Shire’s financial stability is critical to the longer-term economic wellbeing of the district.

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

The organisations currently supported under Memorandums of Understanding contribute positively to community life, including heritage preservation, visitor servicing, local events, emergency response support and community access to information and services. A reduction in support may therefore have some social impact. Notwithstanding this, it is considered preferable to take measured and transparent interim action now rather than risk more significant disruption to the Shire’s overall service capacity at a later stage. The recommendation is intended to preserve the Shire’s ability to continue delivering its core services to the wider community.

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
Extreme	<p>There are significant financial and strategic risks in maintaining current discretionary expenditure levels without certainty as to whether the Shire will receive the equivalent of the rates formerly paid by the Forest Products Commission.</p> <p>The key risks include:</p> <ul style="list-style-type: none"> • Budget shortfall risk arising from the immediate estimated \$40,000 gap between expected rates revenue and the sponsorship amount received. • Escalation risk should further Forest Products Commission land acquisitions occur within the Shire, thereby increasing the revenue loss. • Service delivery risk if discretionary commitments are maintained and Council is later required to reduce expenditure in a more abrupt or reactive manner. • Community impact risk where reductions to MOU-supported organisations may affect local services, events, heritage activities, visitor servicing or community access to information and assistance. • Contractual and service continuity risk if funding arrangements that are subject to notice requirements

	<p>are varied without proper regard to the terms of the agreement. In the case of St John Ambulance, the current MOU requires a minimum of 12 months' notice prior to cancellation, and for that reason the contribution is proposed to remain unchanged for the 2026/2027 financial year.</p> <ul style="list-style-type: none"> • Future budget escalation risk if the current arrangement remains unchanged and additional Forest Products Commission land acquisitions occur within the district without equivalent rates being remitted by Treasury to the Shire. In that event, the loss of rate income for the 2026/2027 financial year would increase further and place additional strain on the annual budget. • Governance risk if Council continues to make ongoing funding commitments without a clear understanding of the Shire's medium-term revenue position.
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Consultation

Consultation has occurred through correspondence received from the Forest Products Commission. At the time of preparing this report, no formal advice has been received confirming whether Treasury will remit the equivalent rates payments to the Shire.

Further consultation will be required with the affected organisations should Council resolve to vary the scope or value of existing Memorandums of Understanding.

Resource Implications

Financial

The financial implications are central to this report.

- Estimated rates over 2025/2026 and 2026/2027 that would otherwise have been received: approximately \$270,000
- Sponsorship offered by the Forest Products Commission: \$230,000
- Estimated shortfall: approximately \$40,000.

It should also be noted that this figure reflects the Shire's presently identified loss in rate income based on current land holdings and current advice available to the Shire. If the present situation continues into the 2026/2027 financial year, with further property acquisitions by the Forest Products Commission and no remittance of equivalent rates from Treasury, the loss in rate income may increase further. This would have a direct adverse impact on the Shire's annual budget and may require additional budget measures beyond those recommended in this report.

In addition to the above, the Country Music Club of Boyup Brook also receives an estimated \$10,000 in in-kind support. While this report has focused on direct cash contributions, Council may also wish to review in-kind support arrangements separately if further budget restraint becomes necessary.

The pause of the community grants program, together with the above MOU reductions, would provide Council with an opportunity to partially account for the current loss in rate income and reduce the Shire's financial exposure until the State provides a clear and reliable position regarding the remittance of equivalent rates.

Workforce

Nil

End

10.5.6 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:	Nil

Moved: Cr. King

Seconded: Cr. Inglis

Council Decision CM 26/04/104

That Council:

- 1. Notes that a current market valuation of Lot 38 Mitchell Avenue, Boyup Brook was obtained from a suitably qualified and registered valuer, which assessed the market value of the property at \$130,000.**
- 2. Notes that in accordance with section 3.58 of the *Local Government Act 1995*, the Shire gave local public notice on 13 March 2026 of the proposed disposition by private treaty of Lot 38 Mitchell Avenue, Boyup Brook, and that no comments or submissions were received during the advertising period.**
- 3. Approves the disposal by private treaty of Lot 38 Mitchell Avenue, Boyup Brook to the proposed purchaser for \$135,000, being an amount above the independently assessed market value.**
- 4. Authorises the Chief Executive Officer to sell and dispose of Lot 38 Mitchell Avenue, Boyup Brook for not less than \$135,000, and to take all necessary steps to give effect to and complete the sale, including signing, sealing and delivering all contracts, transfer documents and associated instruments.**
- 5. Authorises the Chief Executive Officer to include a clause in the contract of sale include a clause confirming that the Shire is not obliged to contribute toward the cost of a standard dividing fence on the boundary adjoining the Boyup Brook District Pioneers Museum lot.**
- 6. Approves that 5% of the net sale proceeds, after deduction of associated costs including legal expenses, settlement fees, statutory fees and any agent's commission, be provided to the Boyup Brook District Pioneers Museum.**

- 7. Authorises the Chief Executive Officer to utilise a maximum of \$60,000 from the sale proceeds to purchase 86 Abel Street, Boyup Brook.**
- 8. Authorises the Chief Executive Officer to transfer the net balance of the sale proceeds, excluding the amount referred to in item 6 and 7 above, into the Aged Accommodation Reserve GL 1300101000.**

CARRIED BY ABSOLUTE MAJORITY 6/0

**For: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack,
Cr. Matthews**

Against: Nil

Summary

Council is requested to consider final approval for the disposal of Lot 38 Mitchell Avenue, Boyup Brook.

At its meeting of 27 February 2026, Council resolved to receive the offer to purchase the property for \$135,000 and requested a final report be presented following compliance with section 3.58 of the *Local Government Act 1995*, including public advertising of the proposed disposition.

A current market valuation has since been obtained from a suitably qualified and registered valuer, which assessed the market value of the property at \$130,000. The proposed sale was publicly advertised on 13 March 2026 and no comments or submissions were received. Council may now determine whether it wishes to approve the sale and authorise the Chief Executive Officer to complete all actions necessary to finalise the disposition.

Background

The subject lot was acquired by Council in 2015 for the potential expansion of the Boyup Brook District Pioneers Museum. Since acquisition, no development has occurred and the land has remained vacant.

At its Ordinary Council Meeting held on 29 February 2024, Council endorsed the Boyup Brook Land Disposal / Development Strategy 2024, which identified underutilised and surplus land suitable for disposal in order to reduce holding costs and reinvest capital into strategic priorities. Lot 38 Mitchell Avenue was identified within that strategy as suitable for disposal.

At the Ordinary Council Meeting held on 30 October 2025, Council resolved to place the property on the market for sale. Thereafter, at the

Ordinary Council Meeting held on 27 February 2026, Council received the offer to purchase in the amount of \$135,000 and resolved to progress the proposed sale in accordance with section 3.58 of the *Local Government Act 1995*, including obtaining a market valuation and providing public notice prior to final consideration.

Report Detail

An offer to purchase Lot 38 Mitchell Avenue, Boyup Brook has been received in the amount of \$135,000. Council previously resolved to consider the offer favourably, subject to compliance with the statutory requirements applicable to a private treaty disposition under section 3.58 of the *Local Government Act 1995*.

A current market valuation has been obtained from a suitably qualified and registered valuer, who assessed the market value of the property at \$130,000. The offered purchase price of \$135,000 is therefore above the assessed market value.

In accordance with Council's previous resolution, the proposed sale was publicly advertised on 13 March 2026. No comments or submissions were received during the advertising period.

Council is therefore now in a position to determine the matter and, if it sees fit, approve the disposal by private treaty and authorise the Chief Executive Officer to complete all documentation necessary to finalise the sale.

The Museum has previously raised matters relating to a retaining wall, dividing fence and a contribution from the proceeds of sale. As previously reported, the Shire does not propose to construct a retaining wall at this stage, as there is no current engineering or safety basis that justifies immediate works. The purchaser has indicated a willingness to construct a standard height fence at their own cost, and it is proposed that the contract of sale make clear that the Shire will not be obliged to contribute toward a dividing fence on that boundary.

It is further proposed that 5% of the net sale proceeds, after deduction of associated sale costs, legal expenses and any agent's commission, be provided to the Boyup Brook District Pioneers Museum. This recognises the Museum's interest in the adjoining land while ensuring the majority of the proceeds remain available for broader Shire purposes.

The sale of the property will remove an underutilised asset from the Shire's balance sheet, reduce ongoing holding exposure and create the

opportunity for future private investment and an additional rateable assessment 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 receipt that can be applied toward other strategic property and reserve purposes previously identified by Council. In addition, development of the site will create a further rateable property and support local economic activity through private investment, building works and associated spending within the town.

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

The development of a currently vacant lot has the potential to improve the appearance and activation of the townsite, reduce the risk of neglect or anti-social behaviour associated with vacant land, and contribute to the availability of housing within the community. These outcomes support broader community amenity and long-term town vitality.

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	If the property is retained, the Shire remains exposed to ongoing maintenance obligations, potential fire and public liability risks, and the opportunity cost associated with holding an underutilised asset. Approval of the sale materially reduces these risks while also securing a sale price above the independently assessed market valuation.

Consultation

Consultation has previously occurred with the Boyup Brook District Pioneers Museum in relation to the proposed disposal and associated boundary matters. In addition, the proposed disposition was publicly advertised on 13 March 2026, and no comments or submissions were received.

Resource Implications

Financial

Costs associated with the disposal include valuation, legal and conveyancing costs, statutory fees and any selling costs. These costs will be met from the sale proceeds. The remaining net proceeds will be applied in accordance with Council's decision.

Workforce

Nil

End

10.5.7 Proposed disposal of Lot 1 (60) Forrest Street, Boyup Brook	
File Ref:	A15327
Previous Items:	Decision CM 25/05/095
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	Nil

Moved: Cr. King

Seconded: Cr. Inglis

Council Decision CM 26/04/105

That Council:

- 1. Notes that a suitably qualified and registered valuer has valued Lot 1 (60) Forrest Street, Boyup Brook at \$150,000.**
- 2. Notes that, in addition to the unknown cost of any environmental rehabilitation that may be required following formal site investigation, the current estimated costs required to enable a WAPC application and satisfy associated government agency and servicing requirements are \$150,225 plus GST.**
- 3. Notes that, whilst the land is proposed to be provided to the developer at no cost, the proposed arrangement is also at no cost to the Shire in respect of the transfer, with the developer to be responsible for all costs associated with the transfer of the land and the costs required to progress the development.**
- 4. Notes that, if Council approves the proposed disposition following completion of the statutory advertising process, the developer will be required to substantially commence development on at least one of the proposed subdivided lots within 12 months of settlement, unless an extension of time is approved by Council.**
- 5. Notes that, should the developer fail to substantially commence development on at least one subdivided lot within 12 months of settlement, and no extension of time has been approved by Council, the contract of sale is to include an appropriate protective mechanism in favour of the Shire:**
 - a) condition requiring the land, or any undeveloped lot as determined appropriate, to be transferred back to the Shire at no cost to the Shire.**
- 6. Authorises the Chief Executive Officer to give local public notice of the proposed disposition of Lot 1 (60) Forrest Street, Boyup**

Brook in accordance with section 3.58(3) of the *Local Government Act 1995* noting the selling price as nil.

- 7. Requests the Chief Executive Officer to present a further report to Council following the close of the advertising period for Council to consider any submissions received and determine whether to proceed with the proposed disposition, including the final development condition and consequence of non-compliance to be incorporated into the sale documentation.**

CARRIED BY ABSOLUTE MAJORITY 6/0
For: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack,
Cr. Matthews
Against: Nil

Summary

Council is requested to authorise the Chief Executive Officer to proceed with the statutory advertising requirements under section 3.58 of the *Local Government Act 1995* in relation to the proposed disposal of Lot 1 (60) Forrest Street, Boyup Brook.

The report also outlines that a suitably qualified and registered valuer has valued the property at \$150,000 and that substantial costs would be incurred to prepare the land for development. Whilst the lot is proposed to be provided to the developer at no cost, the arrangement is also intended to be at no cost to the Shire in respect of the transfer and development enabling works, as those costs are to be borne by the developer. In addition, once the land is transferred and developed, the resulting properties will generate additional ongoing rates income to the Shire.

Should Council approve the proposed disposition following the completion of the statutory process, it is intended that the developer be required to develop at least one of the proposed subdivided lots within 12 months of settlement.

Background

At the Ordinary Council Meeting held on 29 May 2025, Council considered item 9.4.6 Proposed sale of Lot 1 (60) Forrest Street, Boyup Brook and resolved under Council Decision CM 25/05/095 to no longer proceed with the earlier proposal involving the Smook Trust and to instead progress preliminary steps associated with a proposal from River Grove Private Estate Pty Ltd. That resolution included obtaining a current valuation and advertising the proposed sale in accordance with section 3.58 of the *Local Government Act 1995* before any final decision would be made.

Since that time, a suitably qualified and registered valuer has valued the property at \$150,000. In addition, further consideration has been given to the likely costs involved in enabling the land to be developed.

While the due diligence clause has been signed off in principle, the actual cost to rehabilitate the environmental issues remains unknown because the formal site investigation cannot be undertaken until the proposed agreement is in place.

Report Detail

The property presents a development opportunity, however there are significant upfront costs and risks associated with making the land ready for development and enabling a subdivision application to proceed.

Current cost estimates to enable a WAPC application and associated government agency and servicing requirements are as follows:

Asbestos / sheds removal:	\$15,000
Environmental assessment:	\$9,000
Western Power quote:	\$8,000
Surveying:	\$19,975
Electrical engineering:	\$8,500
NBN:	\$6,000
Western Power installation:	\$11,500
Indigenous heritage:	\$1,500
Bushfire management assessment:	\$3,250
Town planning / WAPC:	\$5,250
Water Corporation engineering:	\$3,250
Water infrastructure:	\$24,000
Water connection fee:	\$10,600
Site works and retaining:	\$24,400

Total: \$150,225 plus GST

In addition to the above, legal fees and project management fees have not been included. There is also a material unknown risk in relation to environmental rehabilitation, as the formal site investigation has not yet been completed and cannot be completed until the proposed agreement is in place.

Whilst the proposal is for the land to be provided to the developer at no cost, it is important to note that the arrangement is also intended to be at no cost to the Shire in terms of the transfer of the land and the development-enabling process. The developer would be responsible for all costs associated with the transfer, together with the costs of

progressing the approvals, investigations and works required to facilitate the proposed development.


Having regard to the above, the value to the Shire is not derived from an upfront sale price, but rather from the developer assuming the substantial cost burden and development risk necessary to unlock the site for residential development. This includes avoiding the need for the Shire to fund significant upfront establishment costs, while also removing exposure to costs associated with transfer and statutory processes.

In addition, once the land has been transferred, subdivided and developed, the resulting properties will become rateable and will provide an additional ongoing source of rates income to the Shire. This represents a longer-term financial benefit to the local government, in addition to the broader benefit of facilitating housing development within the townsite.

To further protect the Shire's interests and ensure that the proposal results in an actual development outcome, it is proposed that, should Council approve the disposition, the developer be required to develop at least one of the proposed subdivided lots within 12 months of settlement. This requirement would be incorporated into the relevant agreement or sale documentation.

This approach is considered reasonable for Council to test through the statutory public notice process. Advertising the proposal does not bind Council to proceed with the disposition. Rather, it enables Council to comply with the Act, obtain community feedback, and then make an informed final decision following a further report.

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*.

Sustainability and Risk Consideration

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

The proposal has the potential to facilitate residential development on a site that has remained undeveloped for a considerable period. This may assist with local housing supply, support population retention and growth, and contribute to future rate revenue and local economic activity. Importantly, it would do so without the Shire being required to meet the substantial upfront costs of making the land development ready.

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

Additional residential development within the townsite has the potential to improve housing availability and support broader community wellbeing by making it easier for people to live and remain in Boyup Brook.

Policy Implications

Nil

Risk Management Implications

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

Risk Level	Comment
Moderate	There is some reputational and statutory risk associated with disposing of the land for nil monetary consideration. However, this is mitigated by the independent valuation, the requirement for statutory advertising, the return of the matter to Council for final determination, the expectation that the developer will meet all transfer and development-enabling costs, and the proposed requirement that at least one subdivided lot be developed within 12 months of settlement.

Consultation

Consultation will occur through the statutory local public notice process required under section 3.58 of the *Local Government Act 1995*.

Resource Implications

Financial

The current known enabling costs are estimated at \$150,225 plus GST, excluding legal fees, project management fees and any environmental

rehabilitation costs identified through future formal site investigation. Under the proposed arrangement, these costs, together with the costs associated with transfer of the land, are intended to be borne by the developer. As such, whilst the land is proposed to be transferred for nil monetary consideration, the proposal is intended to be at no direct cost to the Shire and has the potential to generate additional ongoing rates income once the resulting properties are created and rated.

Workforce

Nil

End

10.6 Planning

- Cr. Inglis declared a Financial Interest in Item 10.6.1 Development Application (warehouse/storage) – Lot 13129 Bridgetown – Boyup Brook Road, Boyup Brook, due to his spouse being a paid member of the board.
 - Cr Inglis left the Chambers at 6:45pm
 - Cr Inglis returned to Chamber at 6:47pm.
- Cr. O’Connell declared an Impartiality Interest in Item 10.6.1 Development Application (warehouse/storage) – Lot 13129 Bridgetown – Boyup Brook Road, Boyup Brook, due to holding membership shares in the Boyup Brook Co-op.
- Cr. King declared an Impartiality Interest in Item 10.6.1 Development Application (warehouse/storage) – Lot 13129 Bridgetown – Boyup Brook Road, Boyup Brook, due to holding membership shares in the Boyup Brook Co-op.
- Cr. Hack declared an Impartiality Interest in Item 10.6.1 Development Application (warehouse/storage) – Lot 13129 Bridgetown – Boyup Brook Road, Boyup Brook, due to holding membership shares in the Boyup Brook Co-op.
- Cr. Matthews an Impartiality Interest in Item 10.6.1 Development Application (warehouse/storage) – Lot 13129 Bridgetown – Boyup Brook Road, Boyup Brook, due to holding an account at the Boyup Brook Co-op.

10.6.1 Development Application (warehouse/storage) – Lot 13129 Bridgetown – Boyup Brook Road, Boyup Brook	
File Ref:	A40350
Previous Items:	<i>Item 9.5.1 OCM 27/11/2025</i>
Applicant:	H & H Architects
Author and Title:	A. Nicoll, Urban and Regional Planner
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	10.6.1A Development Plans

Moved: Cr. Moore

Seconded: Cr. King

Council Decision CM 26/04/106

That Council Resolves to:

- 1. Approve the development application for the proposed Warehouse/Storage (2 Sheds and sea container), at Lot 13129**

Bridgetown – Boyup Brook Road, subject to the following conditions and advice notes:

Conditions:

- a) Prior to occupancy of use, unless varied by a condition of approval or a minor amendment to the satisfaction of the Chief Executive Officer, development shall occur in accordance with the approved plans.
- b) If the development is not substantially commenced within a period of two (2) years, or another period specified in the approval, the approval will lapse and be of no further effect.
- c) Stormwater from the lot shall be managed to the satisfaction of the Shire of Boyup Brook. Stormwater should be appropriately attenuated, and any flows overground should be developed to limit erosion.
- d) All vehicular parking and access areas shall be developed and maintained as per the approved details and plans, to the satisfaction of the Shire of Boyup Brook. The movement of vehicles to and from the site shall be undertaken in a manner so as to cause minimum interference with other vehicular traffic.
- e) No goods or materials shall be stored, either temporarily or permanently, in the parking or landscape areas or in access driveways, unless otherwise agreed in writing by the Shire of Boyup Brook.
- f) Any lighting device shall be positioned and shielded so as not to cause any direct, reflected or incidental light beyond the property boundaries.
- g) Native vegetation is to be planted and maintained in the locations shown on the approved plan as 'Indigenous Vegetation Reinfestation' and 'Low Height Indigenous Ground Cover'. The planting of the native vegetation is required as an offset to the vegetation proposed for removal, as a result of the approved building/development works.

Advice:

1. A certified BA1 application is to be submitted for the proposed sheds. The water tank(s) may be lodged as an uncertified application or included in the certified application.
2. There is an existing wash-down area at the property, which is currently non-compliant. The ponds associated with the wash-

down area extend outside the boundary of the land parcel. Should the use of the site as a wash-down area continue, formal approval is to be sought and compliance undertaken in accordance with the Department of Water and Environmental Regulation requirements.

3. It is advised that the landholder/developer liaise with the Water Corporation, Western Power and Main Roads WA regarding servicing requirements.
4. Any advertising requires an application for development approval, unless exempted in accordance with the Shire's Scheme.
5. The level of noise emanating from the premises shall not exceed that prescribed in the *Environmental Protection Act 1986*, and the *Environmental Protection (Noise) Regulations 1997*.
6. Where approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
7. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

CARRIED 5/0

For: Cr. O'Connell, Cr. King, Cr. Moore, Cr. Hack, Cr. Matthews

Against: Nil

Summary

The Shire has received a development application for Warehouse/Storage at Lot 13129 Bridgetown–Boyup Brook Road, Boyup Brook, being the former Boyup Brook saleyards site.

The proposal comprises:

- two sheds for storage purposes;
- one shipping container for storage purposes;
- internal access roads and car parking;
- water tanks; and
- associated stormwater infrastructure.

Part of the proposed development extends beyond the existing cleared area on the site and therefore requires Council to consider a variation to Clause 28 of the Shire's local planning scheme. Council is requested to determine the application and, if supportive, approve the proposal subject to conditions.

Background

The Development Application – Lot 13129 Bridgetown–Boyup Brook Road, Boyup Brook was listed for consideration at the Ordinary Council Meeting held on 29 January 2026. However, the item was withdrawn by the Chief Executive Officer after a quorum was lost due to financial interest declarations made by Councillors David Inglis and Michael Wright, who were required to leave the chamber and not participate in consideration of the matter in accordance with the Local Government Act 1995.

Lot 13129 was historically used as a sheep saleyard area, with heavy vehicle access associated with the transport of livestock to and from the site.

In 2023, the site was transferred from the 'Rural' zone and 'Public Purposes' reserve to the 'Light Industry' zone.

As part of that planning framework, the following provision was inserted into the Scheme in relation to this site:

“All development within Lot 13129 Bridgetown–Boyup Brook Road, including for fire mitigation, is to be contained within existing cleared areas.”

The application is now returned to Council for determination.

Report Detail

The application seeks development approval for Warehouse/Storage at Lot 13129 Bridgetown–Boyup Brook Road. The proposed development includes buildings and associated site works intended for storage purposes, including the storage of chemicals and flammable goods.

Under the Scheme, Warehouse/Storage means premises, including indoor or outdoor facilities, used for:

- a) the storage of goods, equipment, plant or materials; or
- b) the display or sale by wholesale of goods.

The proposed use is capable of being considered within the Light Industry zone, subject to compliance with the requirements of the Scheme and the satisfactory resolution of relevant planning considerations.

The development comprises the following:

- Two sheds with Surfmist Colorbond roof and wall finishes, each generally comprising:
 - floor area of approximately 25 metres x 19.9 metres;
 - wall height of approximately 6 metres; and
 - overall roof height of approximately 7.8 metres.
- One shipping container in Surfmist colour, generally comprising:
 - floor area of approximately 12.2 metres x 2.45 metres; and
 - height of approximately 2.6 metres.
- Associated site works, including:
 - twelve car parking bays;
 - vehicle standing and manoeuvring areas;
 - gravel and sealed access arrangements;
 - water tanks; and
 - stormwater management infrastructure.

A key planning issue arising from the application is that part of the development is proposed outside the site's existing cleared area. Clause 28 of the Scheme specifically provides that all development on the lot is to be contained within existing cleared areas. Accordingly, the application seeks Council's support for a variation to that requirement.

The plans identify the areas proposed to be developed beyond the existing cleared area, as well as areas proposed for revegetation to offset the vegetation loss associated with that encroachment.

In assessing the application, it is relevant that the Scheme also provides at Clause 49(2) that a local government may approve an application for development approval that does not comply with site and development requirements. Clause 49(4) further requires the local government to consider whether the non-compliance is likely to adversely affect owners or occupiers in the general locality or on adjoining land, and if so, to undertake consultation.

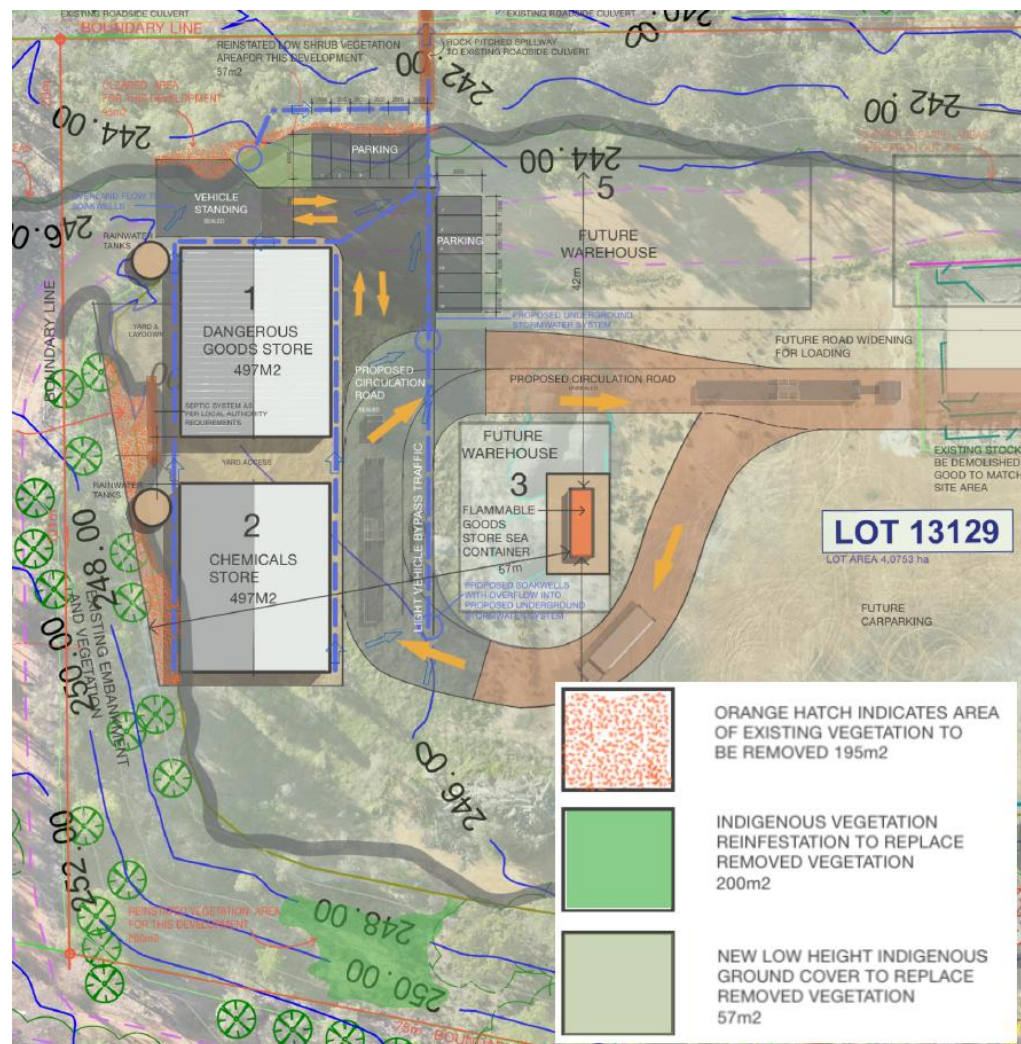
In this instance, it is considered that the proposed variation is unlikely to have a material adverse effect on adjoining owners or occupiers, having regard to the nature of the site, the zoning of the land, the scale of the proposal, the separation from sensitive land uses, and the fact that the use is storage-based rather than customer intensive. For that reason, public consultation was not considered necessary.

The proposal is also considered supportable having regard to the objectives of the Light Industry zone, namely to provide for industrial and

service-based uses that are generally compatible with urban areas and that are appropriately designed and located.


While part of the proposal extends outside the existing cleared area, the encroachment is limited in the broader context of the site and is accompanied by revegetation measures identified on the plans. Subject to conditions relating to stormwater management, access, parking, lighting, storage and revegetation, the application is considered capable of proceeding without unreasonable impact on the amenity, function or environmental values of the locality.

It is therefore recommended that Council approve the application subject to appropriate conditions.



Shire of Boyup Brook Strategic Community Plan 2021 – 2031

	Key Imperatives Outcome	Economic Development
		Be a business friendly Shire and create conditions for economic growth.

	Objective	2.1 Reduce red tape and promote a supportive business friendly culture.
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Other Strategic Links

Nil

Statutory Environment

The application has been assessed against the Shire’s local planning framework, including the provisions applicable to the Light Industry zone and the site-specific requirements applying to Lot 13129 Bridgetown–Boyup Brook Road.

The relevant statutory considerations include:

- the permissibility of the proposed Warehouse/Storage land use within the Light Industry zone;
- Clause 28 of the Scheme, which requires development on the site to be contained within existing cleared areas;
- Clause 49(2) of the Scheme, which enables the local government to approve development that does not comply with a site or development requirement; and
- Clause 49(4) of the Scheme, which requires consultation where non-compliance is likely to adversely affect owners or occupiers in the general locality or adjoining area.

It is considered that the proposal is consistent with the intent of the zoning and that the variation to Clause 28 may reasonably be supported in the circumstances of this application.

Sustainability and Risk Consideration

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

The proposal will facilitate the productive use of industrially zoned land and support business and service activity within the Shire. The development of storage infrastructure on the site has the potential to contribute to local economic activity and investment.

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

The proposal is not expected to have a significant adverse impact on surrounding landowners, having regard to the location of the site, the industrial zoning, and the conditions recommended as part of the approval.

Appropriate management of parking, lighting, stormwater and site operations will assist in maintaining amenity outcomes.

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
Low	The principal planning risks relate to stormwater management, access and parking, amenity impacts, and vegetation clearing outside the existing cleared area. These matters are considered capable of being appropriately managed through conditions of approval and separate regulatory processes where required.

Consultation

Having regard to the location of the proposed development, the industrial zoning of the land, the nature of the use, the scale of the proposal, and the separation from sensitive land uses, it was considered that the proposed variation to the site and development requirement was unlikely to adversely affect owners or occupiers in the general locality or adjoining area.

Accordingly, consultation was not undertaken.

Resource Implications

Financial

Nil

Workforce

Nil

End

11. Minutes of Committees

11.1 Audit, Risk and Improvement Committee Meeting Minutes, 29 January 2026

<p>Moved: Cr. King</p>	<p>Seconded: Cr. Inglis</p>
<p>Council Decision CM 26/04/107</p>	
<p>That Council:</p>	
<p>1. Receive the <u>unconfirmed</u> minutes of the Audit, Risk and Improvement Committee Meeting held on 29 January 2026.</p>	
<p style="text-align: right;">CARRIED 6/0</p>	
<p style="text-align: right;">For: Cr. O’Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews</p>	
<p style="text-align: right;">Against: Nil</p>	

11.2 Local Emergency Management Committee Meeting Minutes, 4 February 2026

<p>Moved: Cr. Inglis</p>	<p>Seconded: Cr. Moore</p>
<p>Council Decision CM 26/04/108</p>	
<p>That Council:</p>	
<p>1. Receive the <u>unconfirmed</u> minutes of the Local Emergency Management Committee Meeting Minutes, 4 February 2026.</p>	
<p style="text-align: right;">CARRIED 6/0</p>	
<p style="text-align: right;">For: Cr. O’Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews</p>	
<p style="text-align: right;">Against: Nil</p>	

11.3 Rylington Park Committee Meeting Minutes, 5 February 2026

<p>Moved: Cr. Moore</p>	<p>Seconded: Cr. Inglis</p>
<p>Council Decision CM 26/04/109</p>	
<p>That Council:</p>	
<p>1. Receive the <u>unconfirmed</u> minutes of the Rylington Park Committee Meeting held on 5 February 2026.</p>	
<p style="text-align: right;">CARRIED 6/0</p>	
<p style="text-align: right;">For: Cr. O’Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack, Cr. Matthews</p>	

Against: Nil

11.4 Audit, Risk and Improvement Committee Meeting Minutes, 26 February 2026

Moved: Cr. King

Seconded: Cr. Inglis

Council Decision CM 26/04/110

That Council:

- 1. Receive the unconfirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 26 February 2026.**

CARRIED 6/0

**For: Cr. O’Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack,
Cr. Matthews**

Against: Nil

11.5 Rylington Park Committee Meeting Minutes, 26 March 2026

Moved: Cr. Inglis

Seconded: Cr. King

Council Decision CM 26/04/111

That Council:

- 1. Receive the unconfirmed minutes of the Rylington Park Committee Meeting held on 26 March 2026.**

CARRIED 6/0

**For: Cr. O’Connell, Cr. King, Cr. Moore, Cr. Inglis, Cr. Hack,
Cr. Matthews**

Against: Nil

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 6:49pm.

Presiding Member

Date