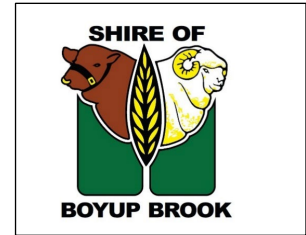


Date: 7 October 2026

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 24 September 2026 at 6:00pm.

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

Leonard Long
Chief Executive Officer

Shire of Boyup Brook Corporate Values



Proactive

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



Leadership & Teamwork

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



Accountability & Integrity

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



Commitment

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



Engaging Community

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



Contents

1. Declaration of Opening	5
2. Record of Attendance	5
2.1 Attendance	5
2.2 Apologies	6
2.3 Approved Leave of Absence	6
2.4 Request Leave of Absence	6
3. Deputations, Petitions and Presentations	6
3.1 Deputations	6
3.2 Petitions	6
3.3 Presentations	6
4. Public Question Time	6
4.1 Response to Previous Public Questions Taken on Notice	6
4.2 Public Question Time	9
5. Declarations of Interest	10
5.1 Financial and / or Proximity Interest	10
5.2 Disclosures of Impartiality Interest that may cause Conflict	10
6. Previous Council Meeting Minutes	11
6.1 Ordinary Council Meeting Minutes – 27 August 2026	11
7. Presidential Communications	11
8. Reports by Elected Members	12
9. Councillor Questions on Notice	13
10. Reports of Officers	14
10.1 Planning	14
10.1.1 Development Application (Nature Based Park) – Lot 7876 Terry Road, Boyup Brook	14
10.2 Governance and Community Services	27
10.2.1 Shire of Boyup Brook – Council Policy Framework and Policy Review Program	27
10.2.2 Shire of Boyup Brook – Review of Local Laws 2026	33
10.3 Corporate Services	40
10.3.1 List of Accounts Paid in August 2026	40
10.3.2 Flax Mill Overflow Camping – Country Music Muster 2027	44
10.4 Chief Executive Officer	50
10.4.1 St Mary's Christmas Play – Facility Fee Waiver and Use of Council Chambers	50

10.4.2 Boyup Brook District Pioneers Museum – Request to Waive Refuse and Power Charges	55
10.4.3 Appointment of community representatives to the Independent Living Unit Development Committee	59
10.4.4 Administration Office, Medical Centre and Depot Christmas – New Year Closure	64
10.4.5 Homeschool Sports Carnival – Request to Waive Oval Hire Fees	68
10.4.6 Medical Services Governance Committee Community Appointments	72
10.5 Operational Services	76
11. Minutes of Committees	77
11.1 Local Emergency Management Committee Meeting Minutes, 18 August 2026	77
11.2 South West Country Zone Meeting Minutes, 21 August 2026	77
12. Motions of which previous notice has been given	77
13. Late Items / Urgent Business Matters	77
14. Confidential Items of Business	77
14.1 Proceed behind closed doors	77
14.1.1 CONFIDENTIAL URGENT BUSINESS - Temporary Engagement of General Practitioner Locum	78
14.2 Proceed with the meeting in public	78
15. Closure	78

Agenda

1. Declaration of Opening

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

Welcome to all Councillors, staff and members of the public in attendance.

Acknowledgement of Traditional Custodians

We acknowledge the Kaniyang people as the Traditional Custodians of the land on which we meet.

We pay our respects to Elders past, present and emerging.

Please ensure that mobile phones are switched off or placed on silent for the duration of the meeting.

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

Members of the public are reminded that no other visual or audio recording of this meeting is allowed without the permission of the Presiding Member.

Councillors are reminded to declare any conflict of interest as they arise in accordance with the *Local Government Act 1995*.

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
Executive Manager Governance & Community Services	Gordon MacMile
Urban and Regional Planner	Adrian Nicoll (left chambers at 6:43pm)

Observers / Public Members

There were 9 members of the public in attendance.

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Cr Michael Wright

2.4 Request 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

Question taken on notice at the Ordinary Council Meeting held on 30 July 2026.

Mr Paul Goerling

Question 1

Question toward the Councillors, you need to account for the 1,100 sheep missing in the last 2 financial years at Rylington Park that the Auditor General found missing and issuing a qualified report, instead of an unqualified report. Don't say they're deaths otherwise the RSPCA will be involved too.

Shire Updated Response

In addition to the Response to Mr Goerling's Previous Question Taken on Notice detailed in this Council Meeting's agenda, I can advise that further information is now available that wasn't at the time of publishing, as follows:

The Shire would like to share with the community an update following questions raised about the livestock figures reported for Rylington Park in the 2024/25 Annual Report. This 2024/25 report showed a variance of 1,177 livestock.

The Shire had identified variances within the livestock records and had planned to undertake a review following completion of the livestock count for the 2025/26 financial year. That count has now been completed, and the Shire has undertaken a preliminary review of livestock records for the 2024/25 and 2025/26 financial years to better understand the variance reported.

The preliminary review has identified the following for the 2024/25 livestock count:

- Approximately 685 ewes were not counted (due to the movement of sheep during the count, 1 mob wasn't brought in and was excluded from the count).*
- Approximately 341 hoggets were incorrectly recorded as lambs. (In the year that they are born, lambs are not included in the total livestock count for Local Government biological asset reporting purposes, as they are deemed not to have a commercial value at the time. As these 341 sheep remained recorded as lambs rather than being reclassified and counted as hoggets, they were excluded from the total livestock count).*
- The approximate 151 remaining stock variance relates to livestock losses/deaths.*

The preliminary review has provided the Shire a much clearer picture of the livestock records at Rylington Park.

A detailed review and final livestock count will be completed and included as part of the Shire's 2025/26 Annual Report.

We appreciate the community's interest in Rylington Park and the questions that have been raised. The Shire is committed to keeping our community informed and providing clear, transparent and accurate information about the Shire's assets, services and operations.

Shire Response:

The variance of 1,177, described as "Deaths, Slaughtered and Variance" in Note 7(b) – Biological Assets of the Notes to and forming part of the Financial Report for the year ended 30 June 2025, has been further investigated.

Following completion of the livestock audit count at 30 June 2026, the Shire has undertaken a reconciliation of livestock movements over the previous two financial years. This review identified that approximately 685 ewes were not included in the livestock count at 30 June 2025, and that a significant number of lambs had been incorrectly classified as hoggets.

These matters account for a substantial component of the previously reported variance. It is anticipated that the corrections arising from the reconciliation will result in a positive livestock variance for 2025/26, which will be reflected in the 2025/26 Annual Financial Report.

Question taken on notice at the Ordinary Council Meeting held on 27 August 2026.

Ms Carina Wilson

Agenda Item 10.4.1 — Compliance Audit Return 2025

The Auditor General has issued the Shire a qualified audit opinion in five of the last six annual reports - every one of them solely on the biological assets at Rylington Park. Item 10.4.1 tonight asks Council to adopt the 2025 Compliance Audit Return, to be certified by the Shire President and the CEO. The Return answers "Yes" to all four questions regarding these qualified opinions and require the Shire to prepare a report stating what action it took on the significant matters in the auditor's report, give that report to the Minister within three months, and that the CEO publish a copy on the Shire's official website within 14 days. The Return states it is, and I quote: "Part of the Annual Report." I have not found anything regarding this issue in the 24/25 annual report. I have searched the annual reports, the council minutes and attachments, and every audit committee minutes and attachments file published on the Shire's website I cannot find any report to the Minister regarding the biological assets of Rylington Park in any of them. On 7 August 2026 I wrote to all seven Councillors about this. The Shire President replied and I quote: "These matters will be reviewed and investigated." Tonight every Councillor votes to approve this CAR.

Question 1

On which page of which Annual Report does this report appear? If no page number can be given, then the Return contains several incorrect answers — so before the Shire President and CEO certify this Return and submit it to the Local Government Inspector, will Council amend the s.7.12A responses to reflect the actual position?

Shire Response:

Chief Executive Officer – two separate legislations are referred to, and the Auditor General and Compliance Audit Return are different.

The Independent Auditor's Report is included in the Annual Report published on the Shire web site each year.

The Shire confirms that the responses provided in relation to the matters queried in the 2025 Compliance Audit Return are correct.

The reporting requirements under sections 7.12A(4) and (5) of the Local Government Act 1995 apply where a significant matter is identified by the auditor in an audit report.

The Shire has previously received qualified audit opinions; however, the matters giving rise to those qualifications were not identified as significant matters in the

relevant Independent Auditor's Reports. Accordingly, the Shire was not required to prepare a separate report to the Minister under section 7.12A(4) or undertake the associated publication under section 7.12A(5) in respect of those matters.

This does not diminish the Shire's requirement to appropriately consider, and address findings raised through the audit process.

The OAG separately provides its management letter and audit opinion to the responsible Minister through the audit process.

It should also be noted that the qualified opinions received in previous years related to the auditor's ability to obtain sufficient appropriate audit evidence over the opening balance of livestock following the appointment of a new audit team. As the incoming audit team was not present to observe the livestock balance at the previous year end, this resulted in a qualification relating to the opening balance and associated comparative information. The shire was advised that in these circumstances, the qualification would affect two audit periods before an unqualified opinion could be issued.

Once sufficient appropriate audit evidence is available in subsequent audit periods, the qualification can be resolved. Over the past five years, the Shire has had two new audit teams appointed, which has contributed to the recurrence of this audit qualification.

4.2 Public Question Time

Public question time opened 6:05pm.

Mr Andrew Ball

Question 1

Given average market price of 1,026 sheep being \$184,680 if this was included in last financial years books, would Council decision have been different in regards to Rylington Park?

Has anyone investigated if the \$180,000 error was accidental or intentional?

Shire Response:

Chief Executive Officer – first part of the question, it would not have made any difference in Council decision, it was made on the strategic future of Rylington Park and not on current livestock count.

The error was accidental, the Auditors would have reported on it if anything was untoward.

Cr Moore – it would have appeared as an asset in the financial statements, it would not have affected the cash flow and would not have changed the financial position when making the decision.

Cr Inglis asked Mr Ball to clarify the question relating to the 151 sheep that remained unaccounted for.

Question 2

What's your view on public question time and does it give members of the community the ability to engage in democracy?

I note, 2 meetings ago when public question time got a bit out of hand and you launched a personal attack on a much-loved disabled member of the community. You also threatened another member of the community with increasing her rates because she asked for better communication, and incidentally 2 weeks later a rate rise went through, 3 times over CPI.

If people can't come the Council meetings and ask questions, would you consider doing a conflict resolution and anti-bullying course, ask fellow Councillors to chair public question time or resign?

Shire Response:

Shire President – it gives members of the community the opportunity to ask questions of the Council on decisions that have been made.

Anyone can ask a question, and there is the opportunity now to ask questions. I will not be resigning.

Cr Inglis asked Mr Ball why he thinks the Shire President should resign?

Mr Ball stated he had provided 3 options, the first option where people can feel empowered to ask questions of power, and be able to ask questions without being belittled by the Chair and personally attacked by the Chair, that the Chair would consider doing an anti-bullying and conflict resolution course.

Public question time closed 6:14pm.

5. Declarations of Interest

5.1 Financial and / or Proximity Interest

Nil

5.2 Disclosures of Impartiality Interest that may cause Conflict

- Cr Hack declared an Impartiality Interest in Item 10.1.1 Development Application (Nature Based Park) – Lot 7876 Terry Road, Boyup Brook being that the applicant is a family friend.

6. Previous Council Meeting Minutes

6.1 Ordinary Council Meeting Minutes – 27 August 2026

Moved: Cr. King

Seconded: Cr. Moore

Council Decision CM 26/09/188

That the minutes of the Ordinary Council Meeting held on 27 August 2026 be confirmed as being a true and accurate record.

CARRIED 6/0

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

7. Presidential Communications

- It is with sadness that I acknowledge the passing of Dick White. Sincere condolences are extended to Sue White and her family.
- The Boyup Brook Sandakan Service was well attended on the 8th September. Australian Defence Force personnel, representatives from the RSL from across the South West, local government representatives and members of our community came together to pay their respects and ensure the stories and sacrifices of those who served are not forgotten. Thank you to the Boyup Brook RSL for your dedication and support in making this event a success. Congratulations to Eloise who was the winner of the Sandakan Scholarship 2026.
- Welcome to Dr Nandhini who will be consulting at the Boyup Brook Medical Services on Fridays. We look forward to her experience and care she will bring to our community.
- I am pleased to advise that the refurbishment works on the swimming pool are on track, and the pool is expected to reopen in mid-November, depending on the weather.
- The regular 'Our Community Matters' session will be held on 7th October at 5pm. This session will include information about the Community Group Memorandum of Understanding (MOUs) going forward.
- 23rd September 2026, Councillors, CEO Leonard Long, Executive Manager of Operational Services, Jason Forsyth and Works Coordinator, Craig McMeikan took a trip around the Shire looking at various roads, the progress of projects and the Boyup Brook Landfill Site. Thank you to the staff for taking the time to provide this informative and useful session,

helping to keep Councillors informed about works and operations across the Shire.

- Work is progressing well on the Boyup Brook Evacuation and Recreation Centre. It is pleasing to see the progress being made on this magnificent community asset.
- Boyup Brook Emergency Preparedness Week – Thursday 1st October to Wednesday 7th October at the Town Hall – everyone is welcome to attend this event to help the community prepare for a safer fire season.
- The Rylington Park Scholarship applications close 25th September 2026.
- Nominations for the Boyup Brook Community Awards close on Friday 6th November 2026.
Forms and guidelines are available on the Shire website.

8. Reports by Elected Members

- Cr Hack
- 7th September
I spent a long day as one of the judging panel for the Sandakan Scholarship at BBDHS.
I commend the new HASS teacher, Christy Deakin who had very little time to prepare the students but did a wonderful job. The judging was close, but Eloise Jones was a standout and I expect she will represent the Shire of Boyup Brook positively when she and a parent attends next year's ANZAC Service in Borneo.
- 8th September
I attended the Sandakan Service and was pleased to lay a wreath with my 8 year old grandson, Ethan Anderson, for his Great Great Uncle Alex Hack who died on the Death March.
- We had another art exhibition at the Visitor's Centre of Bev Bagby's art which has been very popular with many sales.
- 17th September
I attended WALGA AGM with President O'Connell.
It was very interesting to participate in live electronic voting.
I was very proud to witness President O'Connell receive her certificate for Elected Member Skill Set training on stage. Congratulations on this achievement, Helen.
- 23rd September
The bus tour with the other councillors was very educational. Thanks to Jason Forsyth for explaining the funding model for roads!
Also a big thankyou to Craig McMeikan for driving the bus and explaining things as well.

- Cr Inglis
 - 23rd September
Gained insight during bus tour on road works being worked on, and what is still coming up.
- Cr Moore
 - 23rd September
It was highlighted during the bus tour that everywhere the bus went could have done with some work. The Shire is doing everything they possibly can within the funding available.
- Cr King
 - 23rd September
The bus tour was very informative and although focussing on larger projects, it highlighted work done/work that still needs to be done with a limited budget.
- Cr Matthews
 - 23rd September
The road trip was excellent, the highlight the pending issue of waste management and bring to public awareness it's a disaster that needs to be addressed.

As a private citizen, welcome the hosting of Peter Kenyon (bank of ideas on 17 September 2026) where people can come together, focus on the issues and as a team resolve some of the issues and that Council support such events that bring the community together.

9. Councillor Questions on Notice

Nil

10. Reports of Officers

10.1 Planning

- Cr Hack declared an Impartiality Interest in Item 10.1.1 Development Application (Nature Based Park) – Lot 7876 Terry Road, Boyup Brook being that the applicant is a family friend.

10.1.1 Development Application (Nature Based Park) – Lot 7876 Terry Road, Boyup Brook	
File Ref:	A9370
Previous Items:	Refusal – OCM 26 Aug 2021 – 10.3.1
Applicant:	R & C Harrison
Author and Title:	A. Nicoll, Urban and Regional Planner
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	10.1.1A Development Application Nature Based Park 10.1.1B Public Submissions 10.1.1C Caravan Park Policy

Moved: Cr. O'Connell

Seconded: Cr. Moore

Council Decision CM 26/09/189

That the Council suspend Standing Orders as per clause 15.6 of the Standing Orders Local Law No. 1 to allow free and open discussion on the matter.

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

Moved: Cr. King

Seconded: Cr. Moore

Council Decision CM 26/09/190

That the Council resume Standing Orders as per clause 15.6 of the Standing Orders Local Law No. 1.

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

Moved: Cr. Inglis

Seconded: Cr. King

Council Decision CM 26/09/191

That Council resolves to approve the development application for the proposed Nature Based Park, at Lot 7876 Terry Road, Boyup Brook, subject to the following

conditions and advice notes:**Conditions:**

- 1. Prior to occupation and commencement of the approved use, unless varied by a condition of approval or a minor amendment to the satisfaction of the Shire of Boyup Brook, all development shall be undertaken in accordance with the approved plans.**
- 2. The Nature Based Park is restricted to a maximum of four (4) sites (Sites 1 & 2 for campers and Sites 3 & 4 for caravans). No additional camping or caravan sites are to be established without further development approval from the Shire.**
- 3. A caretaker is to reside on-site and be available to manage the Nature Based Park while the facility is in use. If no caretaker is on site, the site may not be used for its proposed purpose.**
- 4. A register of occupiers is to be maintained in a form that enables the Shire to readily ascertain:**
 - a) the name and principal place of residence of an occupier for each site occupied; and**
 - b) the dates on which an occupier, or group of occupiers, arrives at and departs from a site.**
- 5. Prior to commencement of the approved use, Sites 1 and 2 (campers) are to be provided with a minimum 12,000-litre rainwater tank, approved dry composting toilet facilities and an appropriate system for the management and disposal of greywater generated from washing dishes and other approved activities.**
- 6. Sites 3 and 4 are restricted to caravans only, with each caravan to contain its own toilet and washing amenities.**
- 7. A minimum 10,000-litre dedicated water storage capacity is to be provided and maintained for firefighting purposes.**
- 8. No guest or vehicle is to occupy a site for more than 28 days in any three-month period, or such other maximum period as may be prescribed by the applicable legislation.**
- 9. External lighting associated with the Nature Based Park is to be limited to lighting reasonably required for safety and security purposes and is to be designed and positioned to minimise light spill onto adjoining properties and retain the nature-based character of the site.**
- 10. All guests are to receive a copy of the property's Bushfire Plan, including the Leave Early Strategy via Terry Road, upon confirmation of their booking.**
- 11. All wastewater, rubbish, human effluent, composting toilet waste and dog**

waste is to be managed and disposed of in accordance with the requirements of the relevant regulatory authorities and at an approved disposal facility where required.

12. The development is to be operated and maintained in a manner that does not create a community safety concern or adversely affect the amenity of the subject locality.
13. All caravan and camping sites are to be maintained in a clean, safe and sanitary condition and are not to be permitted to become a hazard to health or safety.
14. A person who owns, has the care or control of a dog is to ensure that, while at the facility, the dog is kept on a leash and under the control of a responsible person.
15. At least one suitable fire extinguisher is to be provided in an area readily accessible to all persons using the facility.
16. No amplified music, public address system or other activity that generates unreasonable noise is permitted within the Nature Based Park. All activities are to comply with the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*.
17. All vehicles associated with the Nature Based Park are to be parked in a manner that does not obstruct emergency access or prevent vehicles from leaving the site in the event of an emergency.
18. The Nature Based Park is to be operated in accordance with any management plan approved by the Shire, including requirements relating to visitor management, environmental management, waste disposal, emergency procedures, fire management and site safety.
19. Any increase in the number of approved sites, expansion of the Nature Based Park or material change to the approved use requires further approval from the Shire.

Advice:

1. In addition to the requirement for development approval, caravan parks and camping grounds are required to obtain and maintain the applicable licence to operate and meet the servicing, infrastructure, health and safety requirements of the *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997*.
2. The areas in which campsites are located are to comply with the requirements of the Shire's current Firebreak and Fire Hazard Notice, including requirements relating to firebreaks and Asset Protection Zones around buildings, sheds, caravans and other temporary accommodation, and fuel storage.

- 3. The approved development is not to commence operation until all applicable licensing, health and safety requirements have been satisfied.**
- 4. Failure to comply with any condition of development approval constitutes an offence under the *Planning and Development Act 2005* and the Shire of Boyup Brook Local Planning Scheme No. 2 and may result in enforcement action by the local government.**
- 5. The level of noise emanating from the premises shall not exceed that prescribed by the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*.**
- 6. The applicant is advised that the operation of the Nature Based Park is subject to all applicable environmental, public health, bushfire and emergency management requirements.**
- 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 Part 14 of the *Planning and Development Act 2005*. An application for review must be made within 28 days of the determination.**

CARRIED 6/0

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

Against: Nil

Summary

The Shire has received a development application for a Nature Based Park comprising a maximum of two (2) caravan sites and a maximum two (2) camper sites at Lot 7876 Terry Road, Boyup Brook.

The Lot 7876 Terry Road is zoned 'Rural Smallholdings'.

The application was advertised in accordance with the Shire's requirements, with comments objecting to the proposal received from neighbouring landholders. The objections submitted were that the proposal does not comply with the Shire's Caravan Park Policy (PD10) as the proposal is not incidental to the lands principle use or adjacent to an existing tourist attraction and has the potential to impact on neighbours and the general amenity of the area.

The proposed use/development has been assessed against the Shire of Boyup Brook Local Planning Scheme No. 2 and the Shire's Caravan Park Policy (PD10).

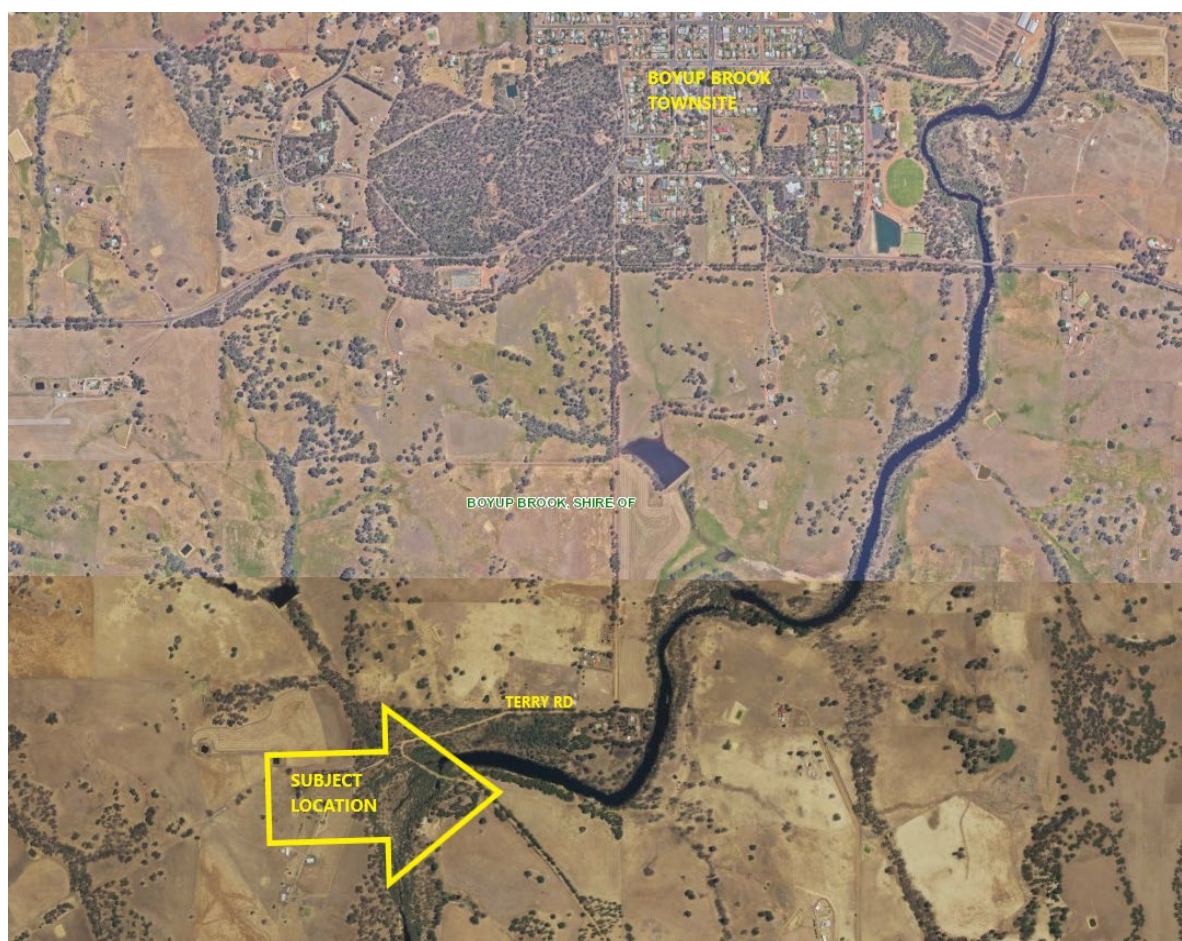
The proposed use/development is considered consistent with the objectives of the Rural Smallholdings zone and complies with the requirements of the Shire's Caravan Park Policy.

The proposal has also been significantly reduced from the 12-site Nature Based Park application previously considered by Council in 2021 and now provides for a maximum of four (4) sites, an on-site caretaker, potable water and approved sanitation facilities.

The limited scale of the proposal, together with appropriately proposed conditions of development approval, and a separate licensing requirement applicable to caravan parks and camping grounds, is considered to adequately address the potential impacts associated with the use.

Accordingly, it is recommended that Council approve the development application subject to conditions regulating the number of sites, caretaker arrangements, length of stay, waste and wastewater management, fire safety, visitor management, noise, lighting and general amenity.

The following figure illustrates the location of the subject property.



Background

The Shire has received an application for the development of a four-site Nature Based Park at Lot 7876 Terry Road, Boyup Brook.

The *Caravan Parks and Camping Grounds Regulations 1997* define a Nature Based Park as a facility that:

- is not in close proximity to an urban area;
- has been predominantly formed by nature; and
- has limited or controlled artificial light and noise intrusion.

The proposed development is considered to fall within this definition due to the rural location, natural setting and proposed limited scale and nature of operation.

Local Planning Scheme No.2.

A Nature Based Park is not specifically identified in the Table 3 – Zoning Table of the Shire of Boyup Brook Local Planning Scheme No. 2.

Where a use is not specifically identified in the zoning table, consideration is required to be given to whether the proposed use is consistent with the objectives of the relevant zone and the broader planning framework.

Lot 7876 Terry Road is zoned Rural Smallholdings. The objective of the Rural Smallholdings zone is:

To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.

The proposal is limited to a maximum of four sites and is therefore considered to represent a relatively low-intensity tourism use that can operate without materially altering the rural character or landscape attributes of the locality, subject to appropriate management controls.

Previous Application

The current landholder applied in 2021, seeking approval for a (then) 12-site Nature Based Park on Lot 7876 Terry Road.

That application was refused by Council on the basis that the proposal did not meet minimum requirements, including requirements relating to an on-site caretaker and on-site toilet facilities. The current proposal is substantially reduced in scale and includes additional infrastructure and management measures intended to address matters identified in the Shire's Caravan Park Policy and in consideration of Council's refusal reasons in 2021.

Caravan Park Policy

Council adopted the Caravan Park Policy - PD10 in 2025, which identifies matters to be considered when assessing camping facilities, including that the facility:

be incidental to the principal use of the land, such as a nature reserve, or be adjacent to or within immediate proximity of a tourist attraction;

- be environmentally friendly;
- be appropriately setback from neighbouring properties;
- have a caretaker on-site; and
- provide potable water and toilet facilities.

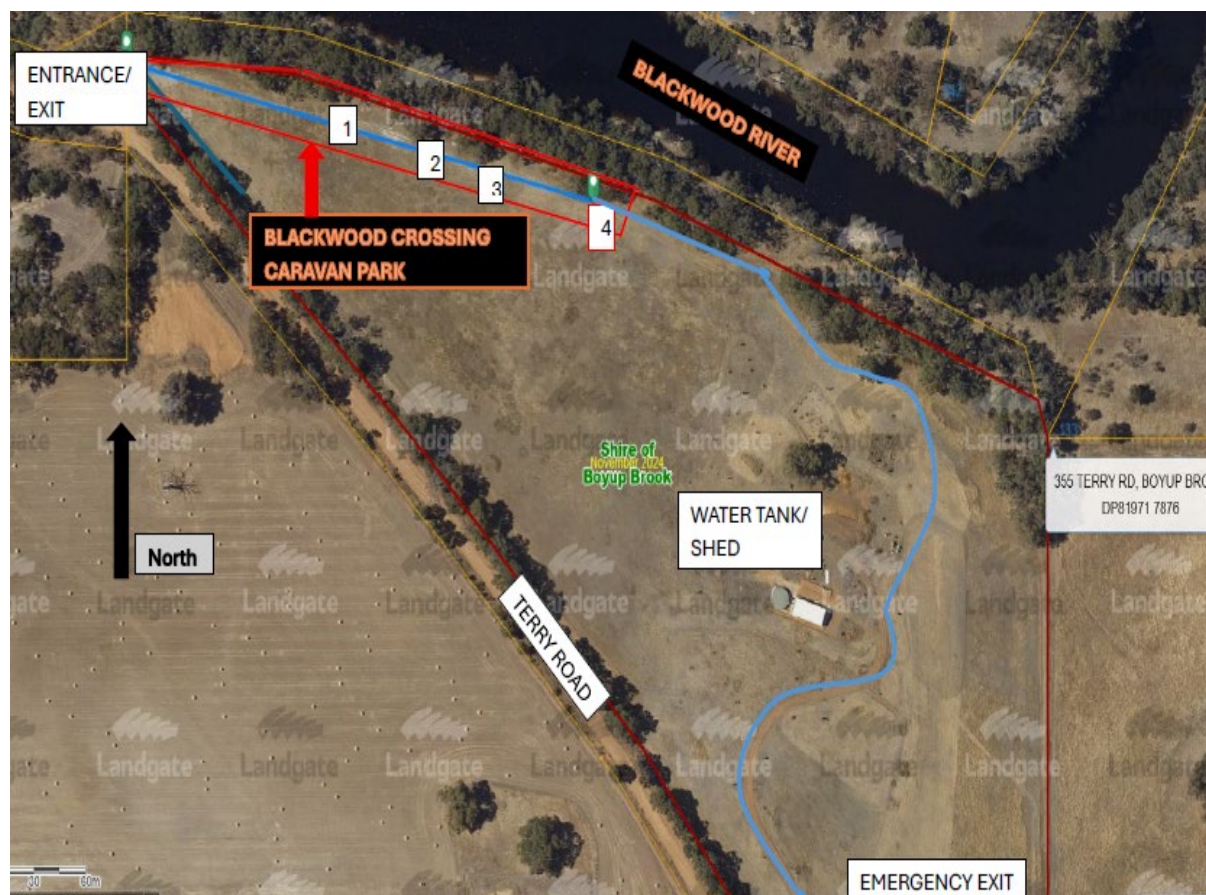
The Policy also provides for consideration of an exemption for a Nature Based Park with a maximum of four (4) sites and a limitation on length of stay where reasonable justification is provided for limited services, including consideration of environmental impact and sustainability.

The current application proposes:

- a maximum of four sites;
- an on-site resident caretaker;
- Department of Health consent for composting toilet facilities;
- dedicated potable water supply; and
- a limited length of stay.

The proposal is considered to satisfy the general intent and requirements of Caravan Park Policy PD10.

The below figure illustrates the proposed Nature Based Park – 4 sites.



Advertising and Submissions

The application was advertised to adjoining and affected landowners in accordance with the Shire's requirements.

Neighbouring landholders raised concerns relating to the proposed Nature Based Park, including:

1. The Blackwood River and surrounding rural landscape should not be considered an established tourist attraction for the purposes of Policy PD10.
2. The development may significantly alter the visual character of the property and surrounding rural landscape.
3. The use may adversely affect the privacy, amenity and quiet enjoyment of surrounding rural properties through noise, artificial lighting and increased activity.
4. Pets associated with visitors may adversely affect neighbouring livestock.
5. The use will generate additional waste, including visitor rubbish, food waste and maintenance waste.
6. The proposed onsite toilet may result in environmental, visual and odour impacts.
7. There are concerns regarding visitor safety during winter when Terry Road river crossings may be affected.
8. There are concerns regarding fire, emergency and general visitor safety controls.

Report Detail

Nature Based Park Classification

The proposal is considered to satisfy the definition of a Nature Based Park under the *Caravan Parks and Camping Grounds Regulations 1997*.

The site is in a rural setting away from an urban area and the proposed development is intended to retain the natural character of the property, with limited artificial lighting and controlled noise.

The proposed scale of four sites is also consistent with the low-intensity nature of a Nature Based Park.

Planning Scheme Assessment

The proposal is considered consistent with the objective of the Rural Smallholdings zone.

The proposed use/development is limited to four sites and is therefore unlikely to generate a level of activity that would materially compromise the rural amenity of the locality.

The use/development is also separated from neighbouring residences.

The nearest identified neighbouring dwelling, proposed at Lot 6116 Terry Road, is approximately 350 metres from the proposed Nature Based Park and is located on the opposite side of Terry Road.

Subject to conditions of development approval, the proposal is considered to be able to operate with minimal impacts on the rural character, landscape attributes or amenity of the locality.

Caravan Park Policy

The proposal is assessed as compliant with the intent of Policy PD10 as the proposal:

- is located within immediate proximity of the Blackwood River, which provides a natural attraction for visitors;
- is intended to operate as a low-impact, environmentally responsive tourism use;
- provides appropriate separation from neighbouring properties;
- provides for an on-site caretaker;
- provides potable water; and
- provides approved toilet facilities.

The proposal is also limited to four (4) sites, which is the maximum number identified in Policy PD10 for consideration of a reduced service Nature Based Park.

Response to Objections

- Tourist Attraction - Objectors questioned whether the Blackwood River constitutes an established tourist attraction for the purposes of Policy PD10.

The Blackwood River as an example of a tourist attraction that may support a camping facility being considered nearby. The proposed site is in the broader Blackwood River environment, and the nature-based nature of the proposed accommodation is consistent with the type of low-impact tourism contemplated by the Policy.

- Visual Character and Rural Landscape - The proposal has been substantially reduced from the 12-site application previously considered by Council in 2021.

The current proposal is limited to four (4) sites and is subject to conditions requiring the development to remain generally in accordance with the approved plans. The limited scale and rural separation between the sites and neighbouring properties are expected to minimise visual impacts.

The proposal is considered capable of operating consistently with the natural and rural character of the locality.

- Privacy, Noise and Amenity - The small number of sites, with approximately 350 metre separation from the nearest identified proposed dwelling and the requirement for an on-site caretaker are expected to minimise potential impacts on surrounding residents.

The operation remains subject to the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*.

Additional conditions are proposed to limit artificial lighting and prevent activities that would unreasonably affect the amenity of surrounding properties.

- Pets and Livestock - The potential for visitor dogs to impact neighbouring livestock is acknowledged. A condition is proposed requiring dogs associated with the facility to remain on a leash and under the control of a responsible person while at the facility.

The caretaker will also provide a mechanism for visitor compliance and management of any incidents.

- Waste Management - The operation of four (4) sites (including 2 being self-contained, as per the proposed conditions of approval) will generate a relatively limited quantity of waste.

Conditions will require rubbish, food waste and other waste generated by visitors to be appropriately contained and removed from the property to an approved disposal facility.

The operation will also be subject to the applicable health and environmental requirements associated with the separate caravan park licensing process.

- Toilet, Wastewater and Environmental Impacts - The application proposes a Department of Health approved composting toilet and potable water supply.

The provision of approved ablution facilities addresses one of the principal deficiencies identified in the previous 2021 application.

The development approval should require the proposed toilet and associated wastewater arrangements to be installed and maintained in accordance with the requirements of the relevant regulatory authorities.

The use of the property is also to be managed so that wastewater and other waste do not adversely affect the surrounding environment or nearby waterways.

- Winter road conditions and Visitor Safety - The concern regarding access during periods of winter rainfall and potential impacts on the Terry Road river crossings are acknowledged.

Visitors are to be provided with relevant emergency and bushfire information, including the property's Bushfire Plan and Leave Early Strategy.

The on-site caretaker also provides an ongoing mechanism for communicating site conditions and emergency requirements to visitors. The applicant should ensure that the operation of the facility does not obstruct emergency access and that appropriate emergency arrangements are maintained.

- Fire and Emergency Safety - The rural location of the property requires appropriate fire and emergency management measures.

The application provides for dedicated water storage for firefighting purposes, and conditions will require compliance with applicable firebreak and asset protection requirements.

Visitors are also to receive the property's Bushfire Plan and Leave Early Strategy upon confirmation of their booking.

The separate licensing process will provide an additional mechanism for assessing the facility's health, safety and servicing requirements prior to operation.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Natural Environment
	Outcome	Deliver a sustainable and progressive approach to waste management.
	Objective	Adopt and encourage renewable energy and sustainable practices.

Other Strategic Links

Nil

Statutory Environment

- Under the Shire of Boyup Brook Local Planning Scheme No. 2, the proposed Nature Based Park may be considered for approval where the use is consistent with the objectives of the Rural Smallholdings zone.
- The *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997* establish additional requirements applicable to the operation of caravan parks and camping grounds, including licensing and management requirements.

Development approval does not, of itself, authorise the operation of the Nature Based Park. The applicant is required to obtain the necessary caravan park/camping ground licence from the Shire prior to commencing operation. The licensing process will

provide for assessment of the applicable health, safety, servicing and infrastructure requirements.

The proposal is also subject to the *Planning and Development Act 2005*, *Environmental Protection Act 1986* and other applicable legislation.

Sustainability and Risk Consideration

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

Facilitate the strengthening and growth of our visitor experience.

Environmental

Strive to achieve a balance between the preservation of our unique environment and the delivery of sustainable economic growth.

Policy Implications

The application is consistent with the Shire's Caravan Park Policy (PD10).

The proposal is limited to four (4) sites and provides the key management and servicing measures identified by the Policy, including an on-site caretaker, potable water and toilet facilities.

No adverse policy implications have been identified.

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
Low	The proposal is in line with the Shire's Scheme.

Consultation

Shire staff consulted with surrounding landholders, who expressed some concerns relating to several factors, including the potential for the use/development of the property as a caravan park to impact on the current rural peaceful lifestyle enjoyed by neighbours in the locality. Impacts such as noise, visual impacts, security, traffic, lighting, rubbish and pets.

The concerns received have been considered and where appropriate, conditions applied to ensure amenity values are protected.

The applicant is required to obtain a caravan park/camping ground licence from the Shire prior to commencing operation. This licensing process will provide for assessment of the applicable health, safety, servicing and infrastructure requirements on an annual basis. Should issues arise, the Shire can choose not to renew the licence, meaning the caravan park would need to cease operating.

Resource Implications

Financial

There are no significant financial implications for the Shire arising directly from the determination of this development application.

Any applicable development application and licensing fees will be payable by the applicant in accordance with the Shire's adopted fees and charges.

Workforce

Nil

End

10.2 Governance and Community Services

10.2.1 Shire of Boyup Brook – Council Policy Framework and Policy Review Program	
File Ref:	Policies/Draft Policies
Previous Items:	CM 26/03/073 – Policy Manual Review
Applicant:	Nil
Author and Title:	Gordon MacMile, Executive Manager Governance and Community Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	10.2.1A (Draft) Policy Framework

Moved: Cr. King

Seconded: Cr. Matthews

Council Decision CM 26/09/192

That Council:

- 1. Adopts the Shire of Boyup Brook Policy Framework as per Attachment 10.2.1A;**
- 2. Supports the review of all current Shire and (potentially) new policies against the Policy Framework; and**
- 3. Notes the policy review phases and timeline for 2026/27.**

CARRIED 6/0

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

Against: Nil

Summary

The Shire of Boyup Brook maintains a suite of policies at different levels ranging from Council-adopted strategic / community wide, through organisational-level to workplace-level standard operating procedures.

A comprehensive, complete and fit-for-purpose suite of policies is essential for good governance, leadership and community servicing.

The Shire completed a desktop-level review of current policies in early 2026.

With additional resourcing now available, Council is requested to endorse the establishment of a formal Policy Framework (Framework) and to support the 2026/27 review of all current and (potentially) new policies against the Framework.

Background

When developing or updating policy and procedures, it is important to understand the different level, function and meaning of a policy and a procedure within a local government, and how they relate to relevant legislative requirements.

Legislation (*Local Government Act 1995 s2.7(2)(b)*) provides for policies of a local government to be determined by the Council, and for the Chief Executive Officer to manage the day-to-day operations of the local government in accordance with Council policy.

Policies form an essential component of any sound governance structure and internal control environment. Council policies set out high level strategic positions of organisations, to assist and guide operations, providing direction in the absence of legislative requirements.

Policies of Council should provide guidance to articulate the strategic directions of Council, and set out a broad, overall position of the local government to be followed at an operational level.

(Non-Council) policies (known as management policies) and procedures detail the operational position or approach, tasks, process and requirements to be accomplished, and the specific actions to be performed by staff.

Essentially, they are a set of positions and rules from the Chief Executive Officer intended to communicate to staff expected standards and actions to be undertaken to achieve the strategic direction and policies of Council and compliance with legislation.

Standard Operating Procedures function at a workplace level and are established by relevant Executive Managers or Managers within the extent of their authority.

The Shire of Boyup Brook has a total of 73 current Council policies covering following the areas:

- Council / Members (10).
- Governance (16) and Finance (6).
- Corporate and Community (28).
- Operational Services (1).
- Emergency Management (1); and
- Planning and Development (11).

Report Detail

A desktop review of the current Shire policies was completed in March 2026, adopted by Council and published in the Policy Manual as legislatively required.

With additional resources now available, a full and comprehensive review of all Shire policies can now be undertaken, and include the following:

1. Gap Analysis (August 2026 - Complete) - Undertake a 'gap analysis' comparing the Shire's current policy suite with an ideal set of local government policies.
2. Policy Framework (September 2026 – Pending) - Council to adopt a Policy Framework that establishes the hierarchy and structural environment for the Shire's policies, and against which all current and (potentially) new policies can be reviewed.
3. Policy Review (October 2026 to June 2027 – Commenced / In Progress) – undertake a 4-phase review of the Shire policy environment that considers the:
 - a. Addition of any new and required policies.
 - b. Amendment of any existing policies because of any budgetary circumstances, legislative changes and operational changes that have occurred since the earlier review (March 2026).
 - c. De-escalating of any current Council-level policies that should be management / administrative-level policies or procedures, based on the Policy Framework, subject to Council approval.

Gap Analysis

A gap analysis of the Shire's policy environment was conducted in August 2026 and identified the following:

- An ideal suite of local government policies would normally include approximately 80 specifically focused policies, of which the Shire currently has 32. Meaning a further 48 may need to be added because of the full review.
- 25 current Shire policies that may or may not form part of an expected local government suite, many created for Boyup Brook specific circumstances. These will be further reviewed, with many likely to be retained.
- 13 Council-level policies that should be management policies when assessed against the (Draft) Policy Framework.

Policy Framework

The (Draft) Policy Framework policy is attached (refer Attachment 10.2.1A) to this agenda report for consideration by Council; establishing the hierarchy and structural environment for the Shire's policies, and against which all current and (potentially) new policies can be reviewed.

Policy Review Timetable

Action	Detail	Deadline	Status
Gap Analysis		August 2026	Complete
Policy Framework		OCM - September 2026	Pending
Policy Review	Phase 1 – Council and Community	OCM – October 2026	In Progress
	Phase 2 – Corporate and Governance	OCM - February 2027	Not Started
	Phase 3 – Engineering, Building, Health, Operations	OCM – April 2027	Not Started
	Phase 4 – Emergency Management	OCM – June 2027	Not Started

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

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

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995 (June 2026) s2.7 is relevant and detailed as follows:

2.7. Role of council

- 1) The council governs the local government's affairs and, as the local government's governing body, is responsible for the performance of the local government's functions.
- 2) The council's governing role includes the following —

- a) overseeing the allocation of the local government's finances and resources.
 - b) determining the local government's policies.
 - c) planning strategically for the future of the district.
 - d) determining the services and facilities to be provided by the local government in the district.
 - e) selecting the CEO and reviewing the CEO's performance.
 - f) providing strategic direction to the CEO.
- 3) For the purpose of ensuring proper governance of the local government's affairs, the council must have regard to the following principles —
 - a) the council's governing role is separate from the CEO's executive role as described in section 5.41; and
 - b) it is important that the council respects that separation.

The hierarchy and structure of the (draft) Policy Framework have been developed to provide clear guidance to both Council and the administration, in accordance with the separation described in s2.7(3)(a) above.

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)

Clear, transparent and fair policies can have a positive impact on the social connectivity and unity within the community.

Policy Implications

This item relates to entire policy environment within the Council and Shire administration, and all individual policies within.

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	- Failure to complete the Local Law review, in accordance with the legislatively required processes and time deadlines, will deem the Shire non-compliant with the <i>Local Government Act 1995</i> and other regulatory requirements. - Failure to implement an effective, current and fit-for-purpose suite of Local Laws impacts on the community's confidence in Shire's leadership and governance authority.

Consultation

The formulation or amendment of Council-level policies is not subject to public consultation. The final adoption of Council-level policies is undertaken through the publicly accessible Ordinary Council Meeting process.

Internal consultation will be undertaken in all 4 phases of the review process in relation to management / administrative-level policies.

Resource Implications

Financial

Existing internal staffing resources will be used to complete the full policy review.

Workforce

Internal staff resources used to undertake review and to draft (future) proposed policies.

End

10.2.2 Shire of Boyup Brook – Review of Local Laws 2026	
File Ref:	Governance/Local Laws/Local Law Review 2026
Previous Items:	Item 7.3.3 (16 June 2005)
Applicant:	Nil
Author and Title:	Gordon MacMile, Executive Manager Governance and Community Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	10.2.2A Review of Local Laws 2026 – Recommended Actions and Timeline

Moved: Cr. Hack

Seconded: Cr. Inglis

Council Decision CM 26/09/193

That Council:

- 1. Notes the completion of the Shire of Boyup Brook Local Law Review 2026 in accordance and compliant with the *Local Government Act 1995* Transitional Provisions.**
- 2. Resolves the following in relation to the Shire of Boyup Brook Local Laws:**
 - **Local Law No.1 – Standing Orders – Remain Unchanged**
 - **Activities in Thoroughfares and Public Places and Trading Local Law - Amendment Local Law to be developed.**
 - **Parking and Parking Facilities Local Law – Remain Unchanged.**
 - **Local Law Relating to Fencing - Amendment Local Law to be developed.**
 - **Cemetery Local Law - Amendment Local Law to be developed.**
 - **Dogs Local Law - Amendment Local Law to be developed.**
 - **Local Government Property Local Law - Amendment Local Law to be developed.**
 - **Health Local Laws - Amendment Local Law to be developed.**
 - **Bush Fires Brigades Local Law - Amendment Local Law to be developed.**
- 3. Endorses the development of new Principal Local Laws in relation to Cats and Waste.**
- 4. Notes the timeline in Attachment 10.2.2A to this Report detailing the expected progress of New Principal and Amendment Shire of Boyup Brook Local Laws.**

CARRIED BY ABSOLUTE MAJORITY 6/0

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

Against: Nil

Summary

The Shire of Boyup Brook is required to complete a periodical review of existing Local Laws, including public notice and consultation.

The current suite of nine Shire Local Laws was gazetted in 2004, with some amended in 2005.

Endorsement by Council of the outcomes of the 2026 Local Law review process will ensure the Shire is compliant with the *Local Government Act 1995* (Act) Transitional Provisions.

Background

Process of Local Law Review

The *Local Government Act 1995* established the authority for local governments to make local laws considered necessary for the good government of their districts. A local government is required to undertake periodic reviews of their current local laws (as amended) in accordance with Section 3.16 of the Act. Under Section 3.16 of the Act, the local government must conduct a review to consider whether a current local law should be repealed, amended, or remain unchanged.

The *Local Government Amendment Act 2024* amended the *Local Government Act 1995* to extend the period for review of local laws from 8 to 15 years. Subject to the transitional provisions, local laws not reviewed within 15 years after they commenced, or after the last s.3.16 review, will be repealed. This change came into effect on 7 December 2024.

Local Governments have a transitional period of two years from the date in late December 2024 (i.e. until 7 December 2026) to conduct any overdue local law reviews.

A review must be conducted by:

- Providing local public notice (in accordance with section 1.7 of the Act, and regulation 3A of the *Local Government (Administration) Regulations 1996*) stating:
 - the Local Government's intention to review the local law;
 - that a copy of the local law may be inspected at a specified place; and
 - that submissions by the community may be made until a certain date. *

* This date must be at least 6 weeks after the notice is given. [s.3.16(2)]

- Providing a report to Council after the submission period closes, which outlines the submissions, and recommends the local law be either repealed, amended, or remain unchanged. [s.3.16(3)]

- After considering the report and submissions Council must determine (by absolute majority) whether the local law be either repealed, amended, or remain unchanged. [s.3.16(4)]

Should a Council determine it is necessary to repeal or amend the local law, the local government must commence the process of making a new repeal or amendment local law (outlined in section 3.12 of the Act) to implement any changes. This includes the requirement to conduct another local public notice process under section 3.12(3).

Section 3.16 of the *Local Government Act 1995* requires that all local laws must be reviewed within a 15-year period after their commencement to determine if they should remain unchanged, be repealed, or amended.

The 15-year period is taken to be from either when the local law commenced or when the last review of the local law was completed.

The following suite of Shire of Boyup Brook Local Laws were gazetted on 3 February 2004:

- Local Law No.1 – Standing Orders.
- Activities in Thoroughfares and Public Places and Trading Local Law.
- Parking and Parking Facilities Local Law.
- Local Law Relating to Fencing.
- Cemetery Local Law.
- Dogs Local Law.
- Local Government Property Local Law.
- Health Local Laws.
- Bush Fires Brigades Local Law.

Three Local Laws (Fencing, Local Government Property and Parking) were amended in June 2005, with others (Standing Orders, Activities in Thoroughfares and Public Places and Trading) amended in August 2005.

The remaining Shire Local Laws (Cemeteries, Dogs, Health, Bush Fires) are unchanged since February 2004.

Report Detail

Particularly relevant to the Shire's current Local Law review process is that if the requirements (for the review) were not conducted in the pre-amendment period (7 December 2016 to 6 December 2024) is the following:

- If a local law commenced before 7 December 2016, and the local government did not give local public notice of reviewing the local law between 7 December 2016 and 6 December 2024, then the local law must be reviewed before 6 December 2026.

- If the review is not completed in this time, the local law will be revoked and no longer be applicable or enforceable. Clause 65(10) of the Transitional Provisions had the effect of providing a 2-year grace period for overdue local law reviews.

Any Shire local laws which were due for review before 7 December 2024 but were not reviewed in accordance with Section 3.16, must be reviewed before 6 December 2026.

Shire of Boyup Brook Local Law Review Process

The Shire commenced the current Local Law review process in accordance with the Council resolution of 26 February 2026. Public notice was given on 13 March 2026 of the intent to conduct a review of, and seeking feedback on the following Local Laws:

- Local Law No.1 – Standing Orders.
- Activities in Thoroughfares and Public Places and Trading Local Law.
- Parking and Parking Facilities Local Law.
- Local Law Relating to Fencing.
- Cemetery Local Law.
- Dogs Local Law.
- Local Government Property Local Law.
- Health Local Laws.
- Bush Fires Brigades Local Law.

The public consultation period on the above Local Laws concluded on 1 May 2026 with no submissions being received.

Internal (officer) consultation occurred throughout August and September 2026.

Adoption of the recommendations contained in this Council report will complete the Local Law review process and deem the Shire compliant with the *Local Government Act 1995* Transitional Provisions and the deadline date of 7 December 2026.

Shire of Boyup Brook - Local Law Review Outcomes / Proposed Recommendations

The Shires' local law review outcome(s) is below:

Shire of Boyup Brook Local Law	Comment	Review Outcome / Proposed Recommendation
Local Law No.1 – Standing Orders	Model LG Standing Orders are being prepared within State Government and expected in mid-2027. Current Shire Standing Orders do not require urgent attention / change.	Remain Unchanged (for now). New Amendment Local Law in line with Model Local Laws (in mid-2027).

Shire of Boyup Brook Local Law	Comment	Review Outcome / Proposed Recommendation
Activities in Thoroughfares and Public Places and Trading Local Law	Updated approaches needed in relation to signage, trading in public places, street musicians, roadside and verge treatments.	Amendment Local Law to be developed.
Parking and Parking Facilities Local Law	Provisions within the Shire Local Law remain relevant, no changes or amendments required.	Remain unchanged
Local Law Relating to Fencing	Updated approaches needed to fence in residential and commercial areas, fencing between residential and rural properties, fences requiring development approval.	Amendment Local Law to be developed.
Cemetery Local Law	Updated (Shire) approaches needed to cemetery management and / or minor amendments required to encompass legislative changes to <i>Cemeteries Act 1986</i> and <i>Cremations Amendment Regulations 2026</i> .	Amendment Local Law to be developed
Dogs Local Law	Updated (Shire) approaches to the management of dogs and / or minor amendments to encompass legislative changes to <i>Dog Act 1976</i> (November 2024) and <i>WA Dog Act Regulations 2026</i> .	Amendment Local Law to be developed
Local Government Property Local Law	Updated (Shire) approaches needed to apply (more) consistent approaches to leasing, licensing, distribution of costs, eligibility for community / low-income housing and permissible activities on Shire property.	Amendment Local Law to be developed
Health Local Laws	Substantial changes have occurred with head of power / overarching (State) legislation, as well as across many functional areas including sanitation, housing, animal waste, offensive trades, and infectious diseases.	Amendment Local Law to be developed
Bush Fires Brigades Local Law	Minor amendments required to update approaches to Bush Fire Brigades and legislative changes.	Amendment Local Law to be developed

Additionally, and compared to the usual suite of local government local laws, the Shire does not have local laws in relation to Cats and Waste.

A Waste Local Law is proposed to be introduced as a new Principal Local Law in the Amendment / Making process to commence in October 2026 and be gazetted, subject to Council approval in March 2027.

The Making of a new Principle Local Law in relation to Cats needs to wait for the outcome of the current (Parliamentary) Statutory review of the *Cat Act 2011* and any resultant regulations.

Refer Attachment 10.2.2A for proposed Local Law Making / Amendment timeline.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

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

Other Strategic Links

Nil

Statutory Environment

Section 3.16 of the *Local Government Act 1995* (updated June 2026) prescribes the process for a review of local laws, including:

- Giving local public notice that the local government proposes to review the local laws, that the local law may be inspected or obtained at any place specified in the notice, and submissions may be made to the local government not less than 6 weeks after the notice is given [s.3.16(2)].
- A LG concludes the review process by considering any submissions received and causing a report of the review to be submitted to Council [s.3.16(3)].
- Council must then resolve (by absolute majority) that the local law(s) should be repealed, amended, or remain unchanged [s.3.16(4)]. This resolution effectively provides direction to the Administration as to the action required in relation to each local law the subject of the review.

Sustainability and Risk Consideration

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

Effective management of activities in public places can have a positive impact on the vibrancy of the district and the attraction of visitors.

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

Clear, transparent, and fair local laws can have a positive impact on the social connectivity and unity within the community.

Policy Implications

The following Shire policies have a relationship with the suite of reviewed Local Laws:

- Policy G10 – Disposal of Property.
- Policy G13 – Community Engagement.
- Policy C10 – Letting of Council Properties.
- Policy C13 – Consumption of Liquor on Council Property by Outside Bodies.

Risk Management Implications

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

Risk Level	Comment
High	• Failure to complete the Local Law review, in accordance with the legislatively required processes and time deadlines, will deem the Shire non-compliant with the <i>Local Government Act 1995</i> and other regulatory requirements. • Failure to implement an effective, current, and fit-for-purpose suite of Local Laws impacts on the community's confidence in Shire's leadership and governance authority.

Consultation

Public notice was given on 13 March 2026 of the intent to conduct a review of and seeking feedback on the Shire of Boyup Brook Local Laws. The public consultation period concluded on 1 May 2026 with no submissions being received. Internal (officer) consultation occurred throughout August and September 2026.

Resource Implications

Financial

No direct costs to Council at this point, minor costs will be incurred on public consultation (advertising / public notice) and final gazettal, subject to Council approval.

Workforce

Internal staff resources used to undertake review and to draft (future) proposed amendments and new Local Laws.

End

10.3 Corporate Services

Note:

In accordance with s.5.63(1)(h) of the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996 r.21*, as follows, a Council Member is not required to disclose an interest or leave the Chamber relating to a payment listed in the list of accounts provided to Council.

21. *Interests that need not be disclosed (Act s.5.63(1)(h))*

The Interests prescribed for the purpose of section 5.63(1)(h) are as follows –

- (a) An interest relating to an allowance to which section 5.98A or 5.99A refers;*
- (b) An interest (not being an interest referred to in section 5.63(1)) relating to the payment by the local government of money that the local government is legally obliged to pay.*

10.3.1 List of Accounts Paid in August 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 August 2026

Moved: Cr. Inglis

Seconded: Cr. Moore

Council Decision CM 26/09/194

That Council receives the list of accounts paid in August 2026, totaling \$844,443.85 from Municipal account, and \$39,358.70 from Police Licensing, as represented by:

Municipal		
EFT	2865-2986	\$583,155.69
Cheques	20730-20731	\$ 3,086.29
Direct Payments		<u>\$258,201.87</u>
Municipal Total		\$844,443.85
Police Licensing		\$ 39,358.70
Grand Total		<u>\$883,802.55</u>

CARRIED 6/0

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

Against: Nil

Summary

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in August 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 1 to 31 August 2026.

Report Detail

Attachment 10.3.1A lists accounts/invoices the Shire paid by cheque or electronic means during the period 1 to 31 August 2026.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

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

Other Strategic Links

Nil

Statutory Environment

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

12. *Payments from municipal fund or trust fund*

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

13. *Lists of accounts*

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
 - (a) *the payee's name.*
 - (b) *the amount of the payment.*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
 - (a) *for each account which requires council authorisation in that month —*
 - (i) *the payee's name.*
 - (ii) *the amount of the payment; and*
 - (iii) *sufficient information to identify the transaction*

and

 - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub-regulation (1) or (2) is to be —*
 - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

Sustainability and Risk Consideration

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

Nil

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

Nil

Policy Implications

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

Risk Management Implications

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

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

Consultation

Nil

Resource Implications

Financial

Account payments accorded with the draft 2026/2027 Annual Budget and adopted 2025/2026 Annual Budget where applicable.

Workforce

Nil

End

10.3.2 Flax Mill Overflow Camping – Country Music Muster 2027

File Ref:	Leases/Shire Properties/Leases-Flax Mill Caravan Park/Overflow Paddock
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. Inglis Seconded: Cr. Matthews

Council Decision CM 26/09/195

That Council:

- 1. Supports the Country Music Club of Boyup Brook WA Inc. managing (on behalf of the Shire) the marketing, bookings, ticketing and operation of camping at the Shire owned Flax Mill Overflow Paddock, 112 Jackson Street, Boyup Brook, in connection with the 2027 Boyup Brook Country Music Muster, being held from 19 to 21 February 2027.**
- 2. Acknowledges the Chief Executive Officer will negotiate and finalise an arrangement with the Country Music Club of Boyup Brook WA Inc., including the financial contribution payable and the respective operational responsibilities of the parties.**
- 3. Acknowledges the Chief Executive Officer will notify the Campervan and Motorhome Club of Australia (CMCA) of the temporary arrangements applying to the Flax Mill Overflow Paddock for the 2027 Boyup Brook Country Music Muster.**
- 4. Acknowledges the Chief Executive Officer will notify the party to the Agistment Agreement for the Flax Mill Overflow Paddock of the temporary arrangements applying during the Muster period.**
- 5. Acknowledges the Chief Executive Officer will approve minor variations to the arrangement that do not materially alter the intent or financial implications of the arrangement.**

CARRIED 6/0

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

Summary

Council is requested to support the Shire entering into an arrangement with the Country Music Club of Boyup Brook WA Inc. (CMCBB) for the management (on behalf of the Shire) of camping at the Shire owned Flax Mill Overflow Paddock during the 2027 Boyup Brook Country Music Muster.

Under the current arrangement, bookings for the Overflow Paddock are managed by the Campervan and Motorhome Club of Australia (CMCA), while camping associated with the Muster at other locations is predominantly coordinated through CMCBB and participating community organisations.

The proposed arrangement would consolidate the marketing, bookings, ticketing and management of Muster camping at the Overflow Paddock with CMCBB, reduce the operational and financial burden on the Shire and provide additional fundraising opportunities for local community organisations.

Background

The annual Boyup Brook Country Music Muster will be held from 19 to 21 February 2027 at the Music Park on Jackson Street, Boyup Brook. The 2027 event will mark the 40th anniversary of the Muster, which is a significant annual event for the Boyup Brook community and attracts visitors from across Western Australia.

Camping is an important component of the Muster, with most of the festival camping marketed and ticketed by the Country Music Club of Boyup Brook WA Inc. (CMCBB). Several temporary camping areas are established throughout Boyup Brook during the event, many within walking distance of the Music Park.

The Flax Mill Overflow Paddock, located adjacent to the Boyup Brook Caravan Park, is one of the larger temporary camping areas used during the Muster. Other camping locations include the Boyup Brook District High School, Football Club, Hockey Club, Pistol Club, St Mary's Primary School, Tennis Club and Dinninup Showgrounds.

Camping across these locations is supported by local community organisations, with camping revenue providing fundraising opportunities for the participating groups.

The Boyup Brook Caravan Park and Flax Mill Overflow Paddock are Shire-owned properties. The Caravan Park is managed under an agreement with the Campervan and Motorhome Club of Australia (CMCA), which also currently manages bookings for the Flax Mill Overflow Paddock.

During the Muster period, this has historically resulted in the Overflow Paddock being booked through CMCA, while most of the other Muster camping is coordinated through CMCBB. The proposed arrangements for the 2027 Muster seek to consolidate the marketing, booking and management of the Overflow Paddock with the broader Muster camping arrangements.

Report Detail

The Boyup Brook Caravan Park is managed by the Campervan and Motorhome Club of Australia (CMCA) under an agreement with the Shire, with CMCA also previously managing bookings for the Flax Mill Overflow Paddock. The CMCA management arrangement does not include the provision of a Custodian for the Overflow Paddock during the Muster, resulting in Shire employees undertaking several of the on-site operational activities. During previous Muster periods, this separate booking arrangement has caused some confusion for patrons, as most other Muster camping is marketed and coordinated through the Country Music Club of Boyup Brook WA Inc. (CMCBB).

Under the current revenue sharing arrangement, the Shire receives 73% of gross camping revenue from the Overflow Paddock, with CMCA retaining 27%. While this provides revenue to the Shire, the Shire also incurs significant direct and indirect costs in preparing and operating the Overflow Paddock during the Muster.

These costs and operational requirements include employee wages, including weekend penalty rates; site preparation and bay marking; assisting campers to locate their sites; water carting for dust suppression; fire response resources; ablution hire and demobilisation; plumbing and electrical connections; cleaning; rubbish services; and septic waste disposal. Considerable employee time is also required in the lead up to and during the Muster to coordinate these activities.

During the 2026 Muster, 62 sites were booked at the Flax Mill Overflow Paddock, representing 99 camping nights and generating approximately \$2,970 in gross booking revenue. Under the current revenue-sharing arrangement, the Shire's 73% share was approximately \$2,168.

By comparison, the cost of ablution hire and demobilisation alone for the 2026 Muster was approximately \$7,100. This does not include the additional employee, contractor and operational costs associated with preparing and managing the camping area.

Accordingly, the revenue received by the Shire did not offset the costs associated with providing and managing the Overflow Paddock.

CMCBB has proposed taking responsibility (on behalf of the Shire) for the marketing, bookings, ticketing and management of camping at the Flax Mill Overflow Paddock for the 2027 Muster. CMCBB has indicated a proposed financial contribution to the Shire of approximately \$800, with the final contribution to be negotiated as part of the agreement.

The proposed arrangement would provide a single point of coordination for Muster camping, reduce the Shire's direct operational involvement and associated costs, and provide additional fundraising opportunities for participating local community organisations.

Under the proposed model, camping revenue would support the participating community organisations, with CMCB B retaining an agreed commission for its role in coordinating and managing the camping arrangements.

A formal arrangement between the Shire and CMCB B (potentially via an exchange of letters) would define the respective responsibilities of the parties, including the period of access and use of the Overflow Paddock; site preparation and reinstatement; bookings and camper management; ablutions and waste services; emergency and fire management arrangements; responsibility for contractors and volunteers; damage to Shire property; and applicable statutory and operational requirements.

The arrangement would also require CMCB B to maintain appropriate public liability and other relevant insurance and include appropriate indemnity provisions to manage the Shire's exposure arising from the operation of the camping area.

The proposed arrangement provides an opportunity to reduce the financial and operational burden on the Shire while supporting CMCB B and participating community organisations in the delivery of the 40th anniversary Boyup Brook Country Music Muster in 2027.

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.
	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Facilitate access to camping opportunities for locals and tourists to attend various music, art and cultural events. 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.

Other Strategic Links

Nil

Statutory Environment

Nil

Sustainability and Risk Consideration

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

The proposed arrangement is expected to reduce the Shire's direct costs associated with managing Muster camping at the Flax Mill Overflow Paddock while retaining a financial contribution to the Shire. The arrangement will also provide fundraising opportunities for participating local community organisations and support visitation associated with the 2027 Muster.

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

The proposed arrangement supports the delivery of a significant community event and provides opportunities for local community organisations to participate in and financially benefit from the provision of camping associated with the Muster.

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 proposed arrangement transfers responsibility for managing Muster camping at the Overflow Paddock to CMCBB. Risks include public liability, site management, emergency and fire management, damage to Shire property and uncertainty regarding the respective responsibilities of the parties. These risks will be mitigated through a written agreement clearly defining responsibilities, appropriate insurance requirements and operational arrangements.

Consultation

- Country Music Club of Boyup Brook WA Inc.
- Campervan and Motorhome Club of Australia.

Resource Implications

Financial

The proposed arrangement is expected to reduce the Shire's direct expenditure associated with operating the Overflow Paddock during the Muster. CMCBB has indicated a proposed financial contribution to the Shire of approximately \$800, with the final amount and allocation of costs to be negotiated as part of the agreement.

Workforce

The proposed arrangement is expected to reduce the level of Shire employee involvement required to prepare and manage the Overflow Paddock during the Muster period.

End

10.4 Chief Executive Officer

10.4.1 St Mary's Christmas Play – Facility Fee Waiver and Use of Council Chambers	
File Ref:	Hire Agreements/Shire Facility Hire
Previous Items:	Nil
Applicant:	St Mary's Catholic School, Boyup Brook
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	10.4.1A Waiver request 10.4.1B Facility Hire Form

Moved: Cr. Moore

Seconded: Cr. Hack

Council Decision CM 26/09/196

That Council:

- 1. Approves the use of the Council Chambers by St Mary's Catholic School for rehearsals and the St Mary's Christmas Play, including the performance on 9 December 2026, subject to the final rehearsal dates being confirmed with the Executive Manager Corporate Services.**
- 2. Declines the request from St Mary's Catholic School to waive the applicable facility hire fees.**
- 3. Requires St Mary's Catholic School to pay the applicable not-for-profit hire fees, totalling \$278.50, together with the applicable refundable bond, and comply with the Shire's standard facility hire conditions, including responsibility for cleaning and damages to the facility.**

CARRIED 4/2

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

Against: Cr Matthews, Cr King

Summary

St Mary's Catholic School has requested that Council waive the hire fees associated with its annual Christmas Play and approve the use of the Council Chambers in addition to the Town Hall. While the event is free to attend and provides a community benefit, it is recommended that Council decline the request to waive the applicable hire fees.

The Shire already provides discounted hire charge for not-for-profit organisations and spends approximately \$50,000 each year to ensure the Town Hall and Council Chambers remain safe, functional and available for community use.

Council must also consider the ongoing uncertainty around the Forest Products Commission rates income, which is no longer being paid to the Shire, and the resulting pressure on the Shire's revenue base.

Background

St Mary's Catholic School submitted a written request on 27 August 2026 seeking a waiver of venue hire fees for its annual Christmas Play. The performance is scheduled for 9 December 2026, with rehearsals to be held beforehand.

The school advises that the event is not conducted for profit and that no admission fee will be charges. The event celebrates the achievements of students, farewells Year 6 students and their families, and is open to families and members of the wider community. School families will also prepare and donate Christmas hampers to the St Vincent de Paul Society for presentation during the evening.

The submitted Facility Hire Form requests the Town Hall and Council Chambers. The form records rehearsals on 3 and 7 December 2026, while the covering letter identifies 4 and 7 December 2026. This discrepancy can be resolved administratively when the booking is finalised.

Report Detail

The Shire's adopted 2026-2027 Fees and Charges prescribe a fee of \$175 for the use of the Boyup Brook Hall by a not-for-profit community group for a stage show or similar event. The adopted fee for use of the Council Chambers by a not-for-profit community group is \$103.50. The total fee proposed to be waived is therefore \$278.50. Rehearsal use of the Hall is listed as free.

The Council Chambers are requested as an additional area to support the delivery of the play. The adopted Fees and Charges provide that hire of the Council Chambers is subject to the Chief Executive Officer's approval. As this request is being presented to Council together with the proposed fee waiver, the recommendation expressly approves use of both the Town Hall and Council Chambers.

The event is free to attend, is organised by the school on a not-for-profit basis, encourages community participation and includes a charitable contribution to a local welfare organisation. These factors are acknowledged and support approval of the facility booking. However, the community benefit of the event does not remove the ongoing cost to the Shire of owning, maintaining and making these facilities available for use.

The Shire spends approximately \$50,000 each year to keep the Town Hall and Council Chambers safe, functional and available for community use. Individual bookings also incur electricity and water costs. While these may be minimal for one event, they add up across all facility use over the year and contribute to the Shire's overall operating costs. Waiving hire fees shifts more of these costs to the broader ratepayer base.

The adopted Fees and Charges already recognise the contribution made by not-for-profit organisations by applying reduced hire charges. The combined fee of \$278.50 is therefore already a subsidised contribution towards the cost of providing the facilities. Applying the adopted fee consistently is considered a reasonable balance between supporting community activities and maintaining the financial sustainability of Shire facilities.

Council must also have regard to the ongoing uncertainty surrounding rates revenue previously received from the Forest Products Commission. That rates income is no longer being paid to the Shire but to the WA Treasurer. That rates income is no longer being paid to the Shire, reducing a source of revenue that had previously contributed to the Shire's capacity to fund services and maintain community assets. In this environment, discretionary fee waivers should be considered carefully to avoid placing additional pressure on remaining ratepayers and other revenue sources.

Council is recommended to approve the use of the Council Chambers but decline the request to waive the hire fees. The applicable not-for-profit hire fees and refundable bond should be paid, with all normal booking and facility conditions to apply.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Promote community participation, interactions and connections.
	Key Imperatives	Social and Community
	Outcome	Promote quality education, health, childcare, aged care and youth services.
	Objective	Develop and maintain partnerships with schools and police.

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995:

- s6.16 – Provides for a local government to impose fees and charges when adopting its annual budget or during the financial year.
- s6.12(1)(b) – Allows a local government to waive or grant concessions in relation to an amount of money. Under section 6.12(2), an absolute majority is required to exercise this power.

Sustainability and Risk Consideration

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

The event is unlikely to have a material economic impact, although attendance may generate minor incidental local activity. Requiring payment of the adopted discounted fees provides a contribution towards the approximately \$50,000 annual cost of keeping the facilities available for community use and reduces the amount that must otherwise be met from general revenue. This is particularly relevant given the ongoing uncertainty surrounding Forest Products Commission rates income, which is no longer being paid to the Shire.

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

The event provides an inclusive opportunity for students, families and community members to gather and celebrate locally. It strengthens the relationship between the Shire and a local school, promotes community participation and supports a charitable activity benefiting people in need.

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 event is a routine community facility use. Applying the adopted fees consistently reduces financial and precedent risk, particularly while the Shire faces pressure on its revenue base.

Consultation

Nil

Resource Implications

Financial

The adopted 2026-2027 hire charge is \$175 for the Town Hall and \$103.50 for the Council Chambers for not-for-profit community groups, totalling \$278.50. These charges reflect the 50% discount already provided to not-for-profit organisations. Rehearsal use of the Hall is free under the adopted Fees and Charges.

The Shire spends approximately \$50,000 each year to keep these facilities usable, safe and available to the community. Bookings also incur power and water costs, although small for an individual event, these costs add up over the year.

The uncertainty surrounding rates income previously received from Forest Products Commission, which is no longer being paid to the Shire but to the WA Treasury, places further pressure on the Shire's revenue base. Declining the waiver.

Workforce

Nil

End

10.4.2 Boyup Brook District Pioneers Museum – Request to Waive Refuse and Power Charges

File Ref:	A906
Previous Items:	Nil
Applicant:	Boyup Brook District Pioneers Museum Inc.
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	10.4.2A Waiver request

Moved: Cr. Inglis**Seconded: Cr. Hack****Council Decision CM 26/09/197****That Council:**

- 1. Declines the request from the Boyup Brook District Pioneers Museum Inc. to waive the refuse collection and electricity charges payable by the Museum under its lease agreement with the Shire.**
- 2. Advises the Boyup Brook District Pioneers Museum Inc. that the applicable refuse collection and electricity costs will continue to be invoiced in accordance with the lease agreement.**

CARRIED 6/0**For: Cr O'Connell, Cr King, Cr Matthews, Cr Hack, Cr Inglis, Cr Moore****Against: Nil****Summary**

The Boyup Brook District Pioneers Museum Inc. has requested that Council consider waiving the Museum's refuse collection and electricity costs. The Museum acknowledges that these costs are its responsibility under the lease agreement and advises that the combined cost was almost \$2,500 in 2025-2026. Administration recommends that the request be declined so that the lease is administered consistently, and the Shire does not assume an ongoing, unbudgeted operating cost on behalf of the lessee.

Background

The Shire leases the Museum premises at 25 Cailles Street, Boyup Brook, to the Boyup Brook District Pioneers Museum Inc. The lease commenced on 1 July 2025 for a term of 21 years and expires on 30 June 2036. The permitted purpose is a museum and associated uses, with rent set at \$1 per annum.

Clause 4.1(b) of the lease requires the Museum, as lessee, to pay punctually to the Shire, or another person directed by the Shire, any consumption charge or cost, statutory impost or other obligation incurred or payable by reason of the Museum's use and occupation of the premises. This provision applies to the electricity and refuse collection costs associated with the Museum's occupation.

In correspondence dated 30 August 2026, the Museum acknowledged this lease obligation but asked Council to consider its financial circumstances. The Museum advised that its entry income for 2025-2026 was \$1,895 and that, following an increase in entry charges, it expects entry income of approximately \$4,000 in 2026-2027. It estimates annual insurance costs of approximately \$1,400, general maintenance costs of between \$3,500 and \$4,000, and combined refuse and electricity costs of almost \$2,500, producing an anticipated operating shortfall of approximately \$3,500.

The Museum also advised that its wood raffles have raised more than \$2,000 annually, although the future of this fundraising activity is uncertain due to the age and capacity of the volunteers undertaking the work. It further advised that a recent donation of \$75,000 is restricted to the repair of the Kulikup School, external signage and establishment of the flax model display and is therefore not available for ordinary operating costs.

Report Detail

The Museum makes an important contribution to preserving and presenting the history of Boyup Brook and provides a visitor attraction operated entirely by volunteers. Its financial and volunteer capacity concerns are recognised, as is the value of the work undertaken by the organisation.

Notwithstanding this contribution, the requested charges are ordinary costs arising from the Museum's use and occupation of the leased premises. Clause 4.1(b) expressly allocates consumption charges and other occupation related costs to the Museum. In contrast, clause 4.3 of the lease provides that the Shire will pay rates and taxes relating to the land and the cost of preparing the lease. The lease therefore distinguishes between the Shire's property ownership cost and the Museum's operational consumption costs.

The Shire has previously paid these accounts without recovering the costs from the Museum. Clause 30(1) provides that a failure or delay by the Shire in exercising a right, power or privilege under the lease does not operate as a waiver of that right, power or privilege. The previous non-recovery of these charges therefore does not amend the lease or prevent the Shire from applying clause 4.1(b) for current and future charges. Waiving the costs would also create an expectation that comparable utility and service charges may be waived for other community organisations occupying Shire property. Requests of this nature should be considered consistently, transparently and mindful of the cumulative cost to ratepayers.

Should Council wish to financially support the Museum in future, it would be preferable for that support to be considered through the annual budget or an established community funding process, where it can be assessed against other priorities and clearly disclosed.

For these reasons, Administration recommends that Council decline the request and advise the Museum that refuse collection and electricity charges will continue to be invoiced in accordance with the lease.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Promote community participation, interactions and connections.
	Key Imperatives	Social and Community
	Outcome	Promote quality education, health, childcare, aged care and youth services.
	Objective	Develop and maintain partnerships with schools and police.

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995, section 6.12(1)(b), permits a local government to waive or grant concessions in relation to an amount of money owed to the local government. Council therefore has discretion to consider the request. However, the officer recommendation is that the discretion is not exercised in this instance.

Sustainability and Risk Consideration

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

The Museum contributes to the local visitor economy by preserving and displaying local history and providing an attraction for residents and visitors. Declining the waiver may place additional pressure on the Museum's operating budget. However, the amount requested represents an ongoing cost that would otherwise be met from Shire funds. Applying the lease terms supports transparent and sustainable financial management.

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

The Museum provides cultural, educational and social value and depends heavily on volunteers. The organisation has advised that increasing costs and an ageing volunteer base may affect its future operations.

The recommendation does not diminish the Museum's importance but maintains the agreed allocation of operating costs.

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	Declining the request may result in reputational concerns or financial pressure for the Museum. Waiving the charges would create financial and precedent risks by transferring an ongoing contractual cost to the Shire and may lead to similar requests from other community lessees. These risks can be managed through clear communication and continued assistance to identify alternative funding opportunities.

Consultation

- Executive Manager Governance and Community Services.

Resource Implications

Financial

The combined refuse collection and electricity cost for the Museum was reported by the applicant as almost \$2,500 in 2025-2026. Declining the request will allow the Shire to recover these costs in accordance with clause 4.1(b) of the lease.

Approving the request would result in the Shire absorbing an ongoing and potentially increasing cost that is contractually allocated to the Museum and for which no specific budget allocation has been identified.

Workforce

Nil

End

10.4.3 Appointment of community representatives to the Independent Living Unit Development Committee	
File Ref:	Community Development/Aged Accommodation
Previous Items:	Council Res CM 26/06/142
Applicant:	Various
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	10.4.3A CONFIDENTIAL Expression of Interests 10.4.3B CONFIDENTIAL Assessment Matrix 10.4.3C Terms of Reference

Moved: Cr. Inglis**Seconded: Cr. Moore****Council Decision CM 26/09/198****That Council:**

- 1. Appoints Leanne Lisser, Susy Diaz and Rhonda Parker as the three community representatives on the Independent Living Unit Development Committee under s5.10(1)(a) of the *Local Government Act 1995*.**
- 2. Appoints the community representatives identified in point 1. above for a term of two years in accordance with clause 7 of the Committee Terms of Reference, subject to membership ceasing earlier under s5.11 of the *Local Government Act 1995* or the Committee Terms of Reference.**

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

Summary

Council is requested to appoint three community representatives to the Independent Living Unit Development Committee. Eight applications were assessed against the eligibility requirements stated in the Shire's public expression of interest notice and the strategic objectives and responsibilities contained in the adopted Terms of Reference.

Leanne Lisser, Susy Diaz and Rhonda Parker OAM collectively provide direct independent living and financial knowledge, practical experience in retirement village and aged persons accommodation settings, an understanding of safe and accessible amenities, and extensive community leadership and local connections.

Background

Council resolved (Ordinary Council Meeting 25 June 2026) to establish the Independent Living Unit Development Committee under section 5.8 of the *Local Government Act 1995* and adopt the Terms of Reference. Council appointed the Shire President as Chair and Cr Inglis, Cr King and Cr Moore as the Council representatives.

The Committee provides strategic advice and recommendations to Council regarding the planning, development and delivery of the Independent Living Unit Development Project. It is advisory only and has no delegated authority. Under the adopted Terms of Reference, the Chief Executive Officer is a non-voting member and provides executive support, while relevant officers, consultants and subject matter experts may attend by invitation.

Expressions of interest were advertised from 30 June 2026, seeking three community representatives. Applicants were asked to demonstrate Shire residency and a strong community connection, an interest in housing options for older residents, an ability to work collaboratively and maintain confidentiality, and relevant experience, knowledge or community involvement.

Report Detail

Eight applications were received by the advertised closing time. Each application was assessed against the eligibility requirements and the Committee's adopted Terms of Reference. A weighted assessment matrix was prepared using the criteria below. The weightings give greatest emphasis to experience and knowledge relevant to the strategic work of the Committee.

Assessment Criteria

Criterion	Weight	How the criterion was applied	Basis
Residency and community connection	15%	Evidence of Shire residency and the strength or duration of the applicant's connection with the community.	EOI eligibility
Interest or insight in older-person housing	20%	Demonstrated interest or lived insight relevant to housing options, healthy ageing and ageing in place.	EOI eligibility
Relevant knowledge and experience	30%	Housing, independent living, aged care, finance, development, funding, compliance, project delivery or closely related knowledge.	EOI and TOR
Community, governance and strategic contribution	20%	Committee leadership, local government, strategic planning, stakeholder engagement and capacity to provide a community perspective.	EOI and TOR

Criterion	Weight	How the criterion was applied	Basis
Collaboration and confidentiality	10%	Evidence of collaborative conduct, stakeholder engagement and ability to maintain confidentiality when required.	EOI eligibility
Completeness of expression of interest	5%	A statement of interest, relevant experience or community involvement, and contact details.	EOI application requirements

(The public EOI notice supplied the eligibility and application requirements. The adopted Terms of Reference supplied the Committee's strategic purpose, objectives, role and scope. The weightings were developed as an administrative assessment tool to support a consistent comparison; Council did not separately adopt them.).

The detailed assessment matrix records the individual scores, rankings, assessment comments and application material.

The Terms of Reference require community representatives who can collectively contribute to the Committee's strategic purpose. The Administration considered the overall composition of the three available positions, including direct independent living knowledge, practical experience within aged accommodation settings, accessibility considerations, committee capability and long-standing community representation.

Leanne Lisser, Susy Diaz and Rhonda Parker OAM are recommended as the preferred committee composition and are listed in order of preference. The three applicants provide complementary rather than duplicated perspectives, technical and financial experience relevant to independent living, practical retirement village and aged person accommodation experience, including safe and accessible amenities, and extensive community leadership, committee and local representation.

Their appointment would complete the membership specified by clause 6 of the Terms of Reference. Council retains discretion to appoint any eligible applicants and may give different weight to individual merit or the overall balance of the committee.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

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

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995:

- Section 5.8 permits a local government, by absolute majority, to establish committees of three or more persons to assist Council. The Committee has already been established by Council.
- Section 5.9 permits a committee to comprise council members and other persons. Section 5.10(1)(a) requires committee members to be appointed by the local government and specifies that an absolute majority is required.
- Section 5.11 governs tenure and provides that membership may cease before the two-year term stated in the Terms of Reference, including at the next ordinary election day.
- Section 5.23(4)(b) permits a meeting, or part of a meeting, to be closed to members of the public where the matter concerns the personal affairs of any person. This provides the basis for Council to consider the detailed applications and assessment matrix as a confidential attachment.

Privacy and Responsible Information Sharing Act 2024:

The Shire, as a local government, is subject to the privacy obligation that commenced on 1 July 2026. The Information Privacy Principles regulate the handling of personal information. Information Privacy Principle 2 generally limits use and disclosure to the primary purpose for which information was collected, unless an authorised exception applies, and requires the proposed handling to be fair and reasonable.

Sustainability and Risk Consideration

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

The appointments have no immediate material economic impact. The Committee's work may support future investment in local housing, create opportunities for local contractors and services, and help retain older residents within Boyup Brook.

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

The Committee will provide community input into accommodation options that enable older residents to remain close to family, friends and established support networks. A balanced community membership will improve consideration of accessibility, ageing in place, affordability and the practical needs of future residents. The appointments will also strengthen community participation in the project's planning and development.

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
Low	The main risks are perceived bias in the selection process, inadequate committee capability, actual or perceived conflicts of interest, inappropriate disclosure of personal information, and a lack of clarity between strategic governance and operational project delivery.

Consultation

- The Shire publicly invited expressions of interest from 30 June 2026, with applications closing at 5:00pm on 9 September 2026. The opportunity was promoted through the Shire's website. All submitted material available has been assessed against the same criteria.
- Executive Manager Corporate Services.
- Executive Manager Governance and Community Services.

Resource Implications

Financial

Nil

Workforce

Nil

End

10.4.4 Administration Office, Medical Centre and Depot Christmas – New Year Closure

File Ref:	A2008
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number:	Nil

Moved: Cr. King Seconded: Cr. Inglis

Council Decision CM 26/09/199

That Council:

- 1. Endorses the following arrangements for the 2026/27 Christmas and New Year period:**
 - a) the Shire Administration Office and the Medical Centre closing from Thursday 24 December 2026, with Wednesday 23 December 2026 being the final operational day, and reopening to the public on Monday 4 January 2027.**
 - b) the Works Depot ceasing normal operations from Thursday 24 December 2026, with Wednesday 23 December 2026 being the final operational day, and operating with a minimum skeleton crew during the closure period, excluding public holidays, and resuming normal operations on Monday 11 January 2027.**
- 2. Request that the closure arrangements and relevant emergency contact details be advertised to the community through the Shire's communication channels.**

CARRIED 6/0

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

Summary

Council endorsement is requested for the annual closure of the Shire Administration Office, Medical Centre and the reduced operation of the Works Depot over the 2026/27 Christmas and New Year period.

The proposed arrangements are consistent with the basic principle of Policy C2, which supports an annual Christmas and New Year closure while requiring essential operational coverage to be maintained.

Background

Policy C2 – Annual Closure of the Shire of Boyup Brook Administration Office, Medical Centre and Depot confirms Council's support for the annual closure of the Administration Office, Medical Centre and Depot over the Christmas and New Year period.

The policy recognises that this is traditionally a period of reduced demand for Shire services. It also requires minimum staffing arrangements to be maintained at the Depot during the closure period, excluding public holidays.

Council endorsement is sought to confirm the specific closure and reopening dates for the 2026/27 period.

Report Detail

It is proposed that Wednesday 23 December 2026 be the final operational day for the administration Office and the Work Depot before the Christmas and New Year closure arrangements commence.

The Administration Office and Medical Centre will be closed from Thursday 24 December 2026 and will reopen to the public on Monday 4 January 2027.

The Works Depot will cease normal operations from Thursday 24 December 2026. A minimum skeleton crew of two employees will be maintained on applicable working days during the closure period to respond to urgent operational matters, public safety issues, and other essential services requirements. Normal depot operations will resume on Monday 11 January 2027.

Employees who are not required to work during the closure period will be required to apply for an appropriate form of leave. In accordance with Policy C2, this may include annual leave, accumulated rostered days off or approved executive time off.

While the proposed dates reflect the Shire's operational requirements for the 2026-27 period, the arrangements remain consistent with the policy's underlying principles of:

- Providing an annual Christmas and New Year closure;
- Appropriately managing employee leave;
- Maintaining minimum operational coverage; and
- Providing advance notice to the community.

The closure will be communicated to the community in advance, together with relevant emergency contact details and information about any services operating under modified arrangements.

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

Nil

Sustainability and Risk Consideration

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

The temporary closure is not expected to have a material economic impact. Advance notice will allow residents and businesses to complete necessary transactions or enquiries before the closure period. Essential operational matters will continue to be managed by the Depot's skeleton crew.

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

The closure will temporarily limit access to administrative services. This impact will be managed through advance public notice, the publication of emergency contact details and the continuation of essential operational services.

Policy Implications

Policy C2 – *Annual Closure of the Shire of Boyup Brook Administrative Office and Depot* applies.

The proposed arrangements comply with the basic principles of the policy by providing for:

- the annual closure of the Administration Office, Medical Centre and Depot over the Christmas and New Year period;
- a minimum crew of two Depot employees during the closure period, excluding public holidays;
- employees to apply for an appropriate form of leave; and
- advance notification of the closure to the community.

In accordance with Policy C2, notices will be published in the October and November editions of the local Gazette and displayed at the Community Resource Centre and the Shire Administration Office.

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
Low	The principal risks are reduced access to Shire services and a reduced capacity to respond to urgent operational matters. These risks will be managed through advance notification, minimum Depot staffing and appropriate emergency and on-call arrangements.

Consultation

Internal consultation will be undertaken with relevant managers and employees to confirm leave, staffing, on-call, and operational arrangements.

The community will be advised of the closure through the notification arrangements prescribed by Policy C2 and the Shire's communication channels.

Resource Implications

Financial

The closure arrangements can be accommodated within the adopted 2026/27 Budget.

Any employee costs associated with skeleton staffing, on-call arrangements or emergency work will be managed within the relevant operational budgets and applicable employment arrangements.

Workforce

Employees who are not rostered to provide essential or emergency coverage will be required to apply for leave in accordance with Policy C2. The Chief Executive Officer will coordinate staffing arrangements to maintain the required minimum Depot coverage and ensure an orderly resumption of Administration Office and Depot operations.

End

10.4.5 Homeschool Sports Carnival – Request to Waive Oval Hire Fees	
File Ref:	Hire Agreements/Shire Facility Hire
Previous Items:	Nil
Applicant:	Boyup Brook Homeschool Sports Carnival Group
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority (Amended from Absolute)
Attachment Number:	10.4.5A Waiver request

Moved: Cr. Inglis**Seconded: Cr. Hack****Council Decision CM 26/09/200**

That Council declines the request from the Boyup Brook Homeschooling Sports Carnival Group to waive facility hire fees totalling \$191 for the use of the hockey oval on 12 and 19 October and the football oval on 28 October 2026.

CARRIED 5/1**For: Cr O'Connell, Cr King, Cr Hack, Cr Inglis, Cr Moore****Against: Cr Matthews****Summary**

Council is requested to consider waiving \$191 in oval hire fees for training sessions and the Boyup Brook Homeschool Sports Carnival during October 2026.

While the event provides community and recreational benefits, the applicable fees already incorporate a 50% discount for not-for-profit organisation. It is therefore recommended that Council not approve the waiver.

Background

The Boyup Brook Homeschool Sports Carnival Group has requested the waiver of hire fees for:

Facility	Date	Fee
Hockey oval	12 October 2026	\$50
Hockey oval	19 October 2026	\$50
Football oval	28 October 2026	\$91
Total		\$191

This will be the third year the group has organised the event. Approximately 80 children attended in 2025, with close to 100 children anticipated 2026. The carnival is intended to provide homeschooled children from Boyup Brook and surrounding areas with an opportunity to participate in competitive sporting events.

Report Detail

The Homeschool Sports Carnival is a community based, not-for-profit event that promotes physical activity, participation, sportsmanship and interaction between homeschooled children and their families.

The applicant has advised that no general admission fee is charged. However, a participation fee of \$17.50 is charged for each registered child, with the proceeds used to purchase medals, ribbons and sporting equipment.

Council's adopted facility hire fees already provide a 50% discount for not-for-profit organisation. This discount was included when the fees and charges specifically to assist community and not-for-profit groups with the cost of accessing Shire facilities.

The Shire's sporting facilities cost ratepayers approximately \$129,000 each year to maintain and provide. The discounted hire fees make a modest contribution towards these costs and assist in ensuring that some of the cost is met by facility users rather than being borne entirely by ratepayers.

The Shire also no longer receives the rates revenue previously received from the Forest Products Commission. This reduction in revenue places additional pressure on the Shire's ability to maintain community facilities and services being made available.

Waiving a fee that has already been discounted by 50% may also create an expectation that other community and not-for-profit groups will receive full fee waivers. This could reduce the effectiveness of Council's adopted Schedule of Fees and Charges and result in additional facility costs being transferred to ratepayers.

While the community benefits from the event are/ acknowledged, the existing not-for-profit discount provides reasonable assistance. It is therefore recommended that Council decline the waiver request and require payment of the discounted hire fees totalling \$191.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Promote community participation, interactions and connections.
	Key Imperatives	Social and Community
	Outcome	Promote quality education, health, childcare, aged care and youth services.
	Objective	Develop and maintain partnerships with schools and police.

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995:

- s6.16 – Provides for a local government to impose fees and charges when adopting its annual budget or during the financial year.
- s6.12(1)(b) – Allows a local government to waive or grant concessions in relation to an amount of money. Under section 6.12(2), an absolute majority is required to exercise this power.

Sustainability and Risk Consideration

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

The event may provide a benefit to local businesses through expenditure by participating families and visitors. Requiring payment of the discounted hire fees will provide a modest contribution toward the cost of maintaining the facilities.

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

The carnival provides homeschooled children and families with an opportunity to participate in organised sport and build community connections. The existing 50% not-for-profit- discount supports access to the facilities while maintaining an equitable contribution from users.

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	Approving a full waiver may establish an expectation among other not-for-profit organisations that adopted hire fees will routinely be waived. Declining the request supports consistent application of the adopted fees and charges.

Consultation

Nil

Resource Implications

Financial

Declining the waiver will retain hire revenue of \$191 as a contribution towards the approximate \$120,000 annual cost incurred by ratepayers to maintain and provide the sporting facilities.

The applicable hire charges already reflect a 50% discount for not-for-profit organisations. The Shire's capacity to absorb further fee waivers is also affected by the loss of rates revenue previously received from the Forest Products Commission.

Although the amount requested is relatively small, consistent collection of adopted fees is important to the equitable and financially sustainable management of Shire facilities.

Workforce

Nil

End

10.4.6 Medical Services Governance Committee Community Appointments	
File Ref:	Committees/Medical Services Governance
Previous Items:	Nil
Applicant:	Various
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	10.4.6A CONFIDENTIAL Expression of Interests 10.4.6B CONFIDENTIAL Assessment Matrix 10.4.6C Terms of Reference

Moved: Cr. King**Seconded: Cr. Moore****Council Decision CM 26/09/201****That Council:**

- 1. Notes that three Expressions of Interest were received for the two community representatives' positions on the Medical Services Governance Committee.**
- 2. Appoints Kathryn Westphal and Richard Creek as community representatives on the Medical Services Governance Committee in accordance with section 5.10 of the *Local Government Act 1995* and the adopted Terms of Reference.**

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

Summary

Council is requested to appoint two community representatives to the Medical Services Governance Committee. Three applications were received and assessed against the eligibility criteria published in the Shire website and the strategic purpose, functions and membership requirements contained in the adopted Terms of Reference. Kathryn Westphal and Richard Creek are recommended because they provide complementary health-care sector and long-standing community perspectives for the two community representative positions.

Background

Council established (Ordinary Council Meeting 25 June 2026) the Committee under section 5.8 of the *Local Government Act 1995*, adopted the Terms of Reference, appointed the Shire President and two Councillors, authorised a public Expression of Interest process for community members and required a subsequent report recommending the appointment of two community representatives. Council also

determined that voting rights would be limited to the Shire President, two Councillors and two community representative.

The Terms of Reference establish a strategic governance role for the Committee and distinguish that role from the day-to-day operation of the Medical Centre. Significant proposals to commence, discontinue or materially change a medical service affecting the community are to be considered by the Committee, with a recommendation made to Council.

Report Detail

The Website notice stated that community representatives would provide a community perspective on medical service delivery, contribute to strategic planning and governance discussions, support the ongoing sustainability of the of the medical centre and work collaboratively with Councillors, medical practitioners and Shire officers.

The published eligibility criteria required applicants to be residents of the Shire with a strong community connection, have an interest in accessible and sustainable local healthcare, and be able to work collaboratively and maintain confidentiality where required. Applicants were also asked to outline relevant experience, knowledge or community involvement.

The assessment considered how each applicants' experience would support the Committee's adopted strategic governance functions, including sustainability, services accessibility, community healthcare needs, significant service changes and collaboration between Council, the community and medical practitioners.

Assessment area	Finding	Outcome
Residence and community connection	Applicants are all long-term residence within the Shire. The third demonstrated a strong local professional and business connection.	All meet this criterion.
Accessible and sustainable healthcare	All three applicants demonstrated a genuine interest in the continuity, accessibility and sustainability of local medical services.	All meet this criterion.
Collaboration and confidentiality	The applicants addressed both collaboration and confidentiality.	All meet this criterion.
Alignment with the Terms of Reference	The applications offered three perspectives: local-government governance and medical centre management; allied health and local healthcare delivery; and long-standing community experience focused on continuity of medical services.	All relevant; strengths differ.
Overall assessment	All applicants met, the minimum published criteria. For the two community positions, the allied health and long-standing resident combination provides the strongest complementary community	Kathryn Westphal and Richard

	representation, while elected members and Administration provide governance capability.	Creek preferred.
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One applicant satisfies the published eligibility criteria and offers substantial local government governance and medical centre management experience. This is relevant to the Committee. However, the assessment placed greater weight on ensuring that the two community positions provide distinct healthcare sector and resident perspectives, noting that elected members sit on the Committee and Administration provides governance support.

Kathryn Westphal demonstrated a strong connection to Boyup Brook through her work as a local pharmacist and pharmacy owner. Her application provides direct knowledge of community pharmacy, medication management, rural healthcare access and local health needs, and addresses collaboration, confidentiality and conflict of interest management. Her current, community facing healthcare experience is considered particularly relevant to service accessibility. Coordination and sustainability.

Richard Creek demonstrates long standing Shire residence, a strong community connection and a clear interest in continuity and access to local medical services. His appointment identifies practical concerns affecting residents, including doctor availability, travel barriers, emergency access, hospital functionality and the economic effects of service loss. While his application provides less evidence of formal governance or healthcare sector experience, his 47 years living and working in the Shire provides a strong and distinct community perspective.

The recommendation is based on the purpose of the advertised positions and the complementary contribution of the preferred applicants. Kathryn Westphal provides current healthcare sector knowledge and regular contact with residents and health providers, while Richard Creek provides a longstanding resident perspective focused on continuity, access and community impact. This combination is considered the best fit for the two community representative positions under the Terms of Reference.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	Promote community participation, interactions and connections.
	Key Imperatives	Social and Community
	Outcome	Promote quality education, health, childcare, aged care and youth services.
	Objective	Develop and maintain partnerships with schools and police.

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995:

- Section 5.8 permits a local government, by absolute majority, to establish committees of three or more persons to assist Council. The Committee has already been established by Council.
- Section 5.9 permits a committee to comprise council members and other persons. Section 5.10(1)(a) requires committee members to be appointed by the local government and specifies that an absolute majority is required.
- Section 5.11 governs tenure and provides that membership may cease before the two-year term stated in the Terms of Reference, including at the next ordinary election day.
- Section 5.23(4)(b) permits a meeting, or part of a meeting, to be closed to members of the public where the matter concerns the personal affairs of any person.

Privacy and Responsible Information Sharing Act 2024:

The Shire, as a local government, is subject to the privacy obligation that commenced on 1 July 2026. The Information Privacy Principles regulate the handling of personal information. Information Privacy Principle 2 generally limits use and disclosure to the primary purpose for which information was collected, unless an authorised exception applies, and requires the proposed handling to be fair and reasonable.

Sustainability and Risk Consideration

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

Sustainable local medical services support workforce attraction and retention and reduce the need for residents to travel to other towns for routine care. They also help retain local spending that may otherwise occur outside of the town.

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

Community participation in the Committee will strengthen consideration of local needs and access barriers. The applicants offer both a health provider perspective and a long-standing resident perspective. This will assist the Committee to consider how medical service decisions affect residents, particularly people who have limited capacity to travel.

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
Low	The principal risk is appointing a person without confirming all published eligibility requirements, which has been confirmed for both applicants.

Consultation

The two community positions were publicly advertised on the Shire website. Three submissions were received. No further community consultation is proposed.

Resource Implications

Financial

Nil

Workforce

Nil

End

10.5 Operational Services

Nil

11. Minutes of Committees

11.1 Local Emergency Management Committee Meeting Minutes, 18 August 2026

Moved: Cr. King

Seconded: Cr. Matthews

Council Decision CM 26/09/202

That Council receives the unconfirmed minutes of the Local Emergency Management Committee Meeting held on 18 August 2026.

CARRIED 6/0

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

Against: Nil

11.2 South West Country Zone Meeting Minutes, 21 August 2026

Moved: Cr. King

Seconded: Cr. Moore

Council Decision CM 26/09/203

That Council receives the unconfirmed minutes of the South West Country Zone Meeting held on 21 August 2026.

CARRIED 6/0

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

Against: Nil

12. Motions of which previous notice has been given

Nil

13. Late Items / Urgent Business Matters

Nil

14. Confidential Items of Business

14.1 Proceed behind closed doors

Moved: Cr. King

Seconded: Cr. Inglis

Council Decision CM 26/09/204

That Council in accordance with Clause 15.10 of the Local Law No.1 - Standing Orders proceed behind closed doors as per Section 5.23(4) of the *Local Government Act 1995*, to consider Agenda item 14.1.1, the time being 7:10pm.

CARRIED 6/0

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

Against: Nil

14.1.1 CONFIDENTIAL URGENT BUSINESS - Temporary Engagement of General Practitioner Locum

File Ref:	Finance/Budget Review 2026/27
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Sarah Alexander – Practice Manager
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	Nil

Note: Item 14.1.1 (Council Resolution CM 26/09/205) was considered behind closed doors pursuant to section 5.23(2)(b) of the *Local Government Act 1995*, as the matter related to the employment of a senior employee. The confidential report and supporting information are not publicly available pursuant to regulation 14(2) of the *Local Government (Administration) Regulations 1996*.

CONFIDENTIALITY:

This item is recommended to be considered behind closed doors in accordance with section 5.23(4)(b) of the *Local Government Act 1995*, as it contains information relating to the personal affairs of an individual.

This report will remain confidential.

14.2 Proceed with the meeting in public
Moved: Cr. Moore
Seconded: Cr. King
Council Decision CM 26/09/206
That Council:
1. Proceed with the meeting in public, the time being 7:13pm.
CARRIED 6/0
For: Cr O'Connell, Cr King, Cr Matthews, Cr Hack, Cr Inglis, Cr Moore
Against: Nil

The Presiding Members to summarise the outcome of the Council decision in relation to Confidential Item 14.1.1, while maintaining the required confidentiality.

15. Closure

There being no further business the meeting closed at 7:13pm.

Presiding Member

Date