

# Agenda

ORDINARY COUNCIL MEETING  
being held on  
25 March 2021  
commencing at 5.00pm

SHIRE OF BOYUP BROOK CHAMBERS  
ABEL STREET BOYUP BROOK

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**1. ACKNOWLEDGMENT OF COUNTRY – Presiding Member**

*We acknowledge and pay our respects to the traditional custodians of the land on which we meet and work.*

**2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED**

PRESENT:	Shire President	Richard F Walker
	Deputy Shire President	Helen C O’Connell
	Councillor	Sarah E G Alexander
		Steele Alexander
		Philippe Kaltenrieder
		Darren E King
		Kevin J Moir
		Adrian Price
	Chief Executive Officer	Dale Putland
	Manager of Works & Services	Wayne Butler
	Executive Assistant	Maria Lane

LEAVE OF ABSENCE:

APOLOGIES:

MEMBERS OF PUBLIC:

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**3.1 Mr Muncey**

**Question**

What has the Shire provided to the Country Music Club in relation to donations and in-kind requests over the last 15 years?

**Response**

A letter was posted out to Mr E Muncey on 4 March 2021 which reads as follows:-

*“Please find attached (please refer to attachment 3.1) a breakdown of financial assistance to the Boyup Brook Country Music Club from the 1<sup>st</sup> July 2011 to 30 June 2020.*

*We have been unable to provide the full 15 years however, we hope the information provided will satisfy your concerns. If not, we ask you to make an application under the Freedom of Information Act 1992 which can be made through the shire website [www.boyupbrook.wa.gov.au](http://www.boyupbrook.wa.gov.au) or by emailing to [shire@boyupbrook.wa.gov.au](mailto:shire@boyupbrook.wa.gov.au)*

*Applications for documents which are non-personal in nature require a \$30 application fee to be paid when the application is lodged. Other charges may also be imposed to cover the administration costs associated with locating documents within the scope of your request.”*

You can ask the Shire for an estimate of charges when lodging an application. If the charges are likely to exceed the application fee we must give you an estimate of charges and ask whether you want to proceed with the application. You must notify the Shire (within 30 days) of your intention to proceed. In some instances, the Shire may request an advance deposit. The fees, charges, deposits, and possible reductions are set by the FOI Act and Regulations are listed in full in the FOI Statement.

For further information regarding Freedom of Information visit [www.foi.wa.gov.au](http://www.foi.wa.gov.au)

**4. PUBLIC QUESTION TIME**

In accordance with Reg. 7(4)(a) of the Local Government (Administration) Regulations 1996, members of the public in attendance at the meeting may stand, state aloud their name and address, and ask a question in relation to any matter over which the Shire of Boyup Brook has jurisdiction or involvement.

A person wishing to ask a question, must complete a question form which is available at the Administration Office and the Shire's website. The completed form must include your name and address and contain no more than three (3) questions. If your question requires research or cannot be answered at the meeting, it will be taken on notice and you will receive a written response and a summary of your question (and any responses provided) will be printed in the minutes of the meeting.

**5. PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS**

**6. DISCLOSURE OF INTEREST**

Members should fill in Disclosure of Interest forms for items in which they have a financial proximity interest and forward these to the Presiding Member before the meeting commences. Section 5.60A: "a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person."

Section 5.60B: "a person has a proximity interest in a matter if the matter concerns – a proposed change to a planning scheme affecting land that adjoins the person's land; or a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land."

Regulation 34C (Impartiality): "interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association."

Name	Item No	Interest	Nature
Cr A Price	10.4.3	Impartiality	Have attended some meetings and provided some guidance to Precious Waste. I am not a member of the group.

**7. CONFIRMATION OF MINUTES**

**7.1 Ordinary Council Minutes – 25 February 2021**

**OFFICER RECOMMENDATION – ITEM 7.1**

**That the minutes of the Ordinary Council Meeting held on Thursday 25 February 2021 be confirmed as an accurate record.**

**8. PRESIDENTIAL COMMUNICATIONS**

**9. COUNCILLOR QUESTIONS ON NOTICE**

Nil

**10.1 MANAGER WORKS AND SERVICES**

Nil

**10.2 FINANCE**

**10.2.1 List of Accounts Paid in February 2021**

<b>Location:</b>	<i>Not applicable</i>
<b>Applicant:</b>	<i>Not applicable</i>
<b>File:</b>	<i>FM/1/002</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>15/03/2021</i>
<b>Author:</b>	<i>Carolyn Mallett –Senior Finance Officer</i>
<b>Authorising Officer:</b>	<i>Dale Putland – CEO</i>
<b>Attachments:</b>	<i>Yes – List of Accounts Paid in February</i>

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**SUMMARY**

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in February 2021 are presented to Council.

**BACKGROUND**

This report presents accounts/invoices received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 28 February 2021.

**COMMENT**

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 28 February 2021.

**CONSULTATION**

Nil

**STATUTORY OBLIGATIONS**

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.*

**POLICY IMPLICATIONS**

Council's *Authority to Make Payments Policy* has application.

**BUDGET/FINANCIAL IMPLICATIONS**

Account payments accorded with a detailed 2020-21 Annual Budget

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – Item 10.2.1**

That at its March 2021 ordinary meeting Council receive as presented the list of accounts paid in February 2021, totalling \$513,200.89 from Municipal account, \$51,976.15 from Police Licensing account and \$6.27 from Boyup Brook Early Learning Centre account, as represented by:

<b>Municipal Cheques</b>	<b>20481 - 20489</b>	<b>\$ 35,770.04</b>
<b>Municipal Electronic Payments</b>	<b>EFT10403 – EFT10550</b>	<b>\$254,201.13</b>
<b>Municipal Direct Payments</b>		<b>\$223,229.72</b>
<b>Police Licensing Payments</b>		<b>\$ 51,976.15</b>
<b>BBELC Payments</b>		<b>\$ 6.27</b>



**Deferred**

Item 10.2.2 to be deferred and brought back to the Ordinary Council meeting on 22 April 2021.

**10.2.2 28 February 2021 Statement of Financial Activity**

**10.3 PLANNING**

Nil

**10.4 CHIEF EXECUTIVE OFFICER**

**10.4.1 CSRFF Grant Application and Budget Allocation**

<b>Location:</b>	N/A
<b>Applicant:</b>	N/A
<b>File:</b>	FM/25/070
<b>Disclosure of Officer Interest:</b>	Nil
<b>Author:</b>	Joanna Kaye (Research and Development Coordinator)
<b>Authorizing Officer:</b>	Dale Putland (Chief Executive Officer)
<b>Attachments:</b>	No

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**SUMMARY**

The purpose of this report is for Council to:

1. Approve the submission of the Community Sport and Recreation Facilities Fund (CSRFF) application for the \$120,464 + GST project for the Boyup Brook Recreational Oval Lighting Upgrade, to install two additional light towers to bring the whole oval up to semi-professional match practice 100 lux, standard; and,
2. Make allocation of \$40,155 in the 21/22 Budget as the one third project contribution.

**BACKGROUND**

The purpose of the CSRFF program is to provide financial assistance to community groups and local governments to develop basic infrastructure for sport and recreation. The program aims to maintain or increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities.

The maximum grant offered for standard grant applications is one third of the total estimated project cost (excluding GST). The Boyup Brook Football Club is meeting 16

March 2021 and will provide a letter confirming a one third contribution to this grant application.

**COMMENT**

Currently, the oval does not have any lighting. Council have invested \$127,665 into Stage 1 of the oval lights project to light half of the oval (\$107,665 LRCI Phase 1 and \$20,000 municipal funds) and this will be completed by June 2021. This project, Stage 2, will provide the remaining two lighting towers, lighting to the whole of the oval to a high standard and enhance the use of the oval during the evening for both sporting and nonsporting events.

The project will increase physical activity as good lighting is important to all levels of recreational sport. Increasing the standard of lighting will extend training opportunities and enable all clubs to train in the cool of the evenings and after work. This project will specially provide extra training opportunities for both the football and cricket clubs. The oval is also used for incidental recreation such as walking, and this project will provide a well-lit, safe recreational environment for passive use for the Boyup Brook community.

The grant application due 31 March 2021 requires written confirmation of financial commitments from all sources including copies of council minutes showing support for the project and confirmation of funds in the 21/22 budget.

**CONSULTATION**

Troy Jones Regional Manager – Peel/South West Department of Local Government, Sport and Cultural Industries

Boyup Brook Football Club

**STATUTORY OBLIGATIONS** - Nil

**POLICY IMPLICATIONS** - Nil

**BUDGET/FINANCIAL IMPLICATIONS**

The allocation of \$40,155 (ex GST) in the 21/22 Budget for the Boyup Brook Recreational Oval Lighting Upgrade.

**STRATEGIC IMPLICATIONS**

This project supports the Boyup Brook Public Health Plan (currently in draft)

Relevant excerpt from the Adopted Boyup Brook Strategic Community Plan 2017 - 2027.

**Social: Sense of Community**

**Our Vision:**

Our place will be a safe, caring and secure community. Our place will be an active and vibrant community.

We will have access to services and facilities that meet our requirements.

Our objectives and priorities are built from our outcomes.

OUTCOMES	OBJECTIVES	PRIORITIES
Sustainable community	Ensure a safe, secure community with access to services and facilities as needed.	<ul style="list-style-type: none"><li>+ Continue to work on retaining a Police Station in Boyup Brook.</li><li>+ Continue to encourage initiatives that provide employment opportunities.</li><li>+ Continue to provide and advocate for quality medical and ancillary services in Boyup Brook</li><li>+ Continue to advocate for the retention of schools from K to year 10 in Boyup Brook.</li><li>+ Continue to support development which provides diversity and opportunity for accommodation.</li></ul>
	Promote community participation, interactions and connections	<ul style="list-style-type: none"><li>+ Continue to support Community groups and clubs</li><li>+ Partner with key stakeholders on community needs driven projects.</li></ul>

**SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
Nil.
- **Economic**  
Enhanced lighting on the oval will facilitate use of this space for both sporting and non-sporting events, potentially bringing additional visitors to Boyup Brook.
- **Social**  
Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION - ITEM 10.4.1**

That Council resolve to:

1. Approve the submission of the Community Sport and Recreation Facilities Fund (CSRFF) application for the \$120,464 (ex GST) project for the Boyup Brook Recreational Oval Lighting Upgrade, to install two additional light towers to bring the whole oval up to semi-professional match practice standard 100 lux.
2. Make allocation of \$40,155 in the 21/22 Budget as the one third project contribution.

**10.4.2 Special Rural Properties – Gross Rental Value (GRV) method as a basis for a rate application**

<b>Location:</b>	<i>Shire of Boyup Brook</i>
<b>Applicant:</b>	<i>N/A</i>
<b>File:</b>	<i>FM/48/002</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>25 March 2021</i>
<b>Author:</b>	<i>A. Nicoll, Town Planner</i>
<b>Authorizing Officer:</b>	<i>Dale Putland, Chief Executive Officer</i>
<b>Attachments:</b>	<i>1. Schedule of Submissions 2. Submissions</i>

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**SUMMARY**

Special Rural zone properties in the Shire of Boyup Brook are currently rated using the 'Unimproved Value' (UV) method.

The Shire consulted with landholders of Special Rural zone properties, on the notion of applying the 'Gross Rental Value' (GRV) method as a basis for a rate application.

The majority of submissions were opposed to changing from the UV to GRV rating method. Key concerns included:

1. Under the GRV rating method, rates would increase;
2. Under the GRV rating method, special rural properties would pay higher rates than those within the township yet receive less services & amenities; and
3. The timing of the proposed change may-be insensitive, particularly in light of the post COVID19 pandemic and related economic impacts.

It is recommended that Council resolve, not to change the rating method applied to special rural zone properties in light of the COVID19 pandemic and related economic implications.

**BACKGROUND**

In March 2020, Council resolved to consult with Special Rural zone properties, on the notion of applying the 'Gross Rental Value' (GRV) method as a basis for applying rates.

At the close of advertising, the Shire received:

1. Seven letters of objection;
2. An objection pro-forma letter, signed by landholders (40 participants); and
3. One letter of support.

**COMMENT**

The Local Government Act 1995 requires the application of:

1. The Unimproved Value (UV) rating method for land predominantly used for agriculture purposes; and
2. The Gross Rental Value (GRV) rating method for land predominantly used for non-agriculture purposes.

In accordance with the Local Government Act, the Shire consulted with Special Rural zone landholders on applying the GRV rating method. It was understood that special rural zone properties are predominantly used for non-agriculture purposes.

Special Rural zone properties range in size from 1-2ha and restrictions apply on the type of activities that can be conducted due to the potential for land-use-conflict.

Other municipalities in Western Australia (Shire of Manjimup, the Shire of Augusta/Margaret River and the Shire of Denmark), have resolved to apply the GRV rating method to Special Rural zone properties on the basis that they are generally used for non-agricultural purposes.

In consulting with Special Rural zone landholders, objectionable comments were received on the idea of applying the GRV rating method. Objectionable comments included:

1. Under the GRV rating method, rates may go up;
2. Rates should be proportionate to services and amenities;
3. Less services and amenities are available to special rural zone properties comparative to townsite properties; and
4. The timing of the proposed change may-be insensitive, particularly in light of the post COVID19 pandemic and related economic impacts.

The Shire notes that rates will likely increase under the GRV rating method and that the timing of the proposal may-be insensitive in light of the COVID pandemic.

The Shire notes the comments alleging that services are disproportionate between properties in special rural areas versus properties in the townsite.

The below list of services are generally available to all properties located within the Shire;

- Infrastructure and property services, including local roads, bridges, footpaths, drainage, waste collection and management;
- Provision of recreation facilities, such as parks, sports fields, swimming pool, sport centre, halls, camping ground and caravan park;
- Health services such as water and food inspection, toilet facilities, noise control and animal control;
- Community services, such as child-care, aged care and accommodation, community care and welfare services;
- Building services, including inspections, licensing, certification and enforcement;

- Planning and development approval;
- Administration of facilities, such as a cemetery and parking facilities;
- Cultural facilities and services, such as the library, art gallery and museum;
- Vehicle & Firearms Licensing Service;
- Motor Vehicle Licensing;
- Library;
- Fire and Rescue Service;
- Boyup Brook Community Resource Centre.

Due to financial difficulties, as experienced by some people as a result of the COVID pandemic, it is recommended that Council resolve not to introduce the GRV rating method for special rural zone properties for the interim.

As an alternative, the Council has the option to introduce the GRV rate method and to phase in a rate in the dollar over a period of four (4) years to therefore avoid possible significant increases/decreases in property rates.

### **STATUTORY OBLIGATIONS**

#### Local Government Act 1995

#### 6.28. Basis of rates

*(1) The Minister is to —*

- (a) determine the method of valuation of land to be used by a local government as the basis for a rate; and*
- (b) publish a notice of the determination in the Government Gazette.*

*(2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be —*

- (a) where the land is used predominantly for rural purposes, the unimproved value of the land; and*
- (b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.*

### **POLICY IMPLICATIONS**

Council's Rating Strategy does not recognize that the valuation method of Special Rural UV properties would be different from Rural UV properties.

### **CONSULTATION**

Special rural zone landholders were notified on the idea of applying the GRV rating method.

### **BUDGET/FINANCIAL IMPLICATIONS**

This report may have significance for the 2021-22 rating period.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION – ITEM 10.4.2**

**That Council:**

**Resolve not to introduce the GRV rating method for special rural zone properties due to:**

- a.) Widespread opposition to the change in rating expressed by the affected community and**
- b.) Financial difficulty that may be afforded to some special rural landholders, the result of the COVID pandemic.**

#### 10.4.3 Precious Waste Facility

<b>Location:</b>	N/A
<b>Applicant:</b>	N/A
<b>File:</b>	
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	March 2020
<b>Author:</b>	Dale Putland Chief Executive Officer
<b>Authorising Officer:</b>	Dale Putland – Chief Executive Officer
<b>Attachments:</b>	Attachment 1 – Letter from Precious Waste Attachment 2 – Proposed Site Plan Attachment 3 – Boyup Brook Community Waste Action Group information sheet

#### **SUMMARY**

Precious Waste Boyup Brook Inc have written to the Shire seeking permission to fence off and use an area at the Shire’s waste transfer station to collect, store and recycle e-waste and other materials to divert these wastes from landfill.

This report recommends that Council approves the application and authorise the CEO to enter into a license agreement with Precious Waste Boyup Brook Inc to allow them to fence and use the land for this purpose subject to meeting the Shire’s conditions.

#### **BACKGROUND**

Precious Waste Boyup Brook Inc. (the group) is a community based group who have recently formed to promote and participate in waste minimisation and reuse activities.

Precious Waste Boyup Brook are seeking permission from the Shire to use a disused area of the Shire’s waste transfer station to collect, store and recycle e-waste and other recyclables to divert this waste from landfill.

The group proposes to install a perimeter fence on two sides of their area and locate a second hand sea container to store and sort materials. They propose to use and install a standalone power system using donated second hand solar panels to provide lighting and recharging of battery powered hand tools.

#### **COMMENT**

The proposal has potential to divert potentially toxic waste from the Shire’s landfill while promoting waste recycling in Boyup Brook at little cost to the Shire.

This also provides an opportunity to reshape the entrance to the Shire’s transfer station and allow the Lions Club Cash for Containers, Precious Waste and the transfer station operations to operate independently and with separate access points.

This will also provide for a public parking space to be created outside of the operational areas within the transfer station.



To facilitate this operation, it is proposed that the Shire enter into a license agreement with Precious Waste Boyup Brook Inc for use of the area subject to meeting the Shire's conditions.

**CONSULTATION**

Precious Waste Boyup Brook

Boyup Brook Lions Club.

Councillors via a site visit.

**STATUTORY OBLIGATIONS**

The Shire is obliged to ensure that all activities within the transfer station licensed area are conducted in accordance with its licence conditions with DWER. These conditions can be incorporated into its licence conditions with Precious Waste Boyup Brook Inc.

**POLICY IMPLICATIONS**

Nil

**BUDGET/FINANCIAL IMPLICATIONS**

Cost of constructing the fence and repositioning of the current transfer station gates and recycled shire depot gates is expected to be approximately \$7500.

**STRATEGIC IMPLICATIONS**

N/A

**SUSTAINABILITY IMPLICATIONS**

Meets the Shire's objectives to minimise the amount of waste directed to Landfill

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 10.4.3**

**That Council approves the application and authorise the CEO to enter into a license agreement with Precious Waste Boyup Brook Inc to allow them to fence and use the land for this purpose subject to meeting the Shire's conditions.**

#### 10.4.4 Ward Boundary Review

<b>Location:</b>	<i>N/A</i>
<b>Applicant:</b>	<i>N/A</i>
<b>File:</b>	<i>GO/11/001</i>
<b>Disclosure of Interest:</b>	<i>Nil</i>
<b>Date:</b>	<i>March 2020</i>
<b>Author:</b>	<i>Dale Putland Chief Executive Officer</i>
<b>Authorising Officer:</b>	<i>Dale Putland – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Discussion Paper Schedule of Submissions</i>

#### **SUMMARY**

To finalize the current review of the Shire of Boyup Brook ward boundaries and Councillor representation conducted under Schedule 2.2 of the Local Government Act 1995.

Advise the Local Government Advisory Board that Council has considered submissions made during the consultation on its proposed ward review and has resolved to adopt Option 5 as detailed in Council's Review of Ward Boundaries and Representation Discussion Paper, retaining the current number of Wards, being the Benjinup Ward, Dinninup Ward, Scotts Brook Ward and Boyup Brook Ward and retaining the current representation with 9 Councillors based on the following considerations

- Each of the wards is based on a locality within the Shire, are centred around activity centres and nodes that share a common community of interest.
- Each of the wards are centred on localities that share common physical and topographical features.
- Each of the wards share common demographic factors and trends.
- Each of the wards contain communities that share common economic factors.
- The ratio of Councillors to Electors in the various wards will be within the thresholds set by the boards with the lowest deviation ratio of the options considered.

#### **BACKGROUND**

Local Governments with ward representation are required to carry out review of:

- Ward boundaries; and
- The officers of councillor for each ward

From time to time, but so that not more than eight years elapse between successive reviews.

The purpose of the review is to evaluate the current arrangements and consider other options to find the system of representation that best reflects the characteristics of the district and its people.

Any of the following may be considered:

- Creating new wards in a district already divided into wards;
- Changing the boundaries of a ward;
- Abolishing any or all of the wards into which a district is divided;
- Changing the name of a district or ward;
- Changing the number of offices of councillors on a council; and
- Specificity or changing the number of offices of councillors for a ward.

The Local Government Advisory Board (the Board) encourages Councils to complete their reviews so that any changes can take place within the eight-year period. It is appropriate for Councils to undertake reviews on a more frequent basis when the district is outside the required +/-10% deviation factor.

Council had been requested almost yearly by the Local Government Advisory Board since 2011 to undertake a review of the wards due to the inequity between elector ratios between wards. Council did conduct a review in 2017, which although was “received” by the Local Government Advisory Board, was deficient in some areas and the Shire now requires another review given that all wards except the Benjinup ward are outside the required +/- 10% deviation.

In carrying out the review, the Council must develop options and assess those options against the following five factors:

- Community of interest
- Physical and topographical features
- Demographic
- Economic Factors
- The ratio of Councillors to electors in the various wards

The board considers that the ratio of Councillors to Electors is the most significant of the above factors. It is expected that Councils will have similar ratios of Electors to Councillors across the wards of its district. To that end, only under very exceptional circumstance will the Board consider deviations to this ratio greater than plus or minus 10%.

The Shire of Boyup Brook comprises of Nine Elected Members, and is divided into four wards; Boyup Brook, Benjinup, Dinninup, and Scotts Brook ward.

The Boyup Brook ward currently has three elected members and the other wards each have two elected members.

Wards	Number of Electors	Number of Elected Members	Elected Member / Elected Ratio	Ratio Deviation %
Boyup Brook	504	3	168	-25.48%
Benjinup	248	2	124	7.39%
Dinninup	236	2	118	11.87%
Scotts Brook	217	2	108	18.96%
<b>Shire</b>	<b>1205</b>	<b>9</b>	<b>134</b>	

Table 1: Shire of Boyup Brook elector to Elected Member ratios – situation as at 30 September 2020.

It can be easily seen in the above table that there is currently an in-balance in ward representation, with the Boyup Brook ward being underrepresented and the Dinninup and Scotts Brooks ward being overrepresented.

The review process (as explained in the Boards guide on How to conduct a review of Ward and Representation) involves a number of steps:

- Council must first resolve to undertake a review of its ward's representation (i.e. purpose of this report)
- Before conducting / determining the review, a council is to give local public notice that a review is to be carried out. The notice must also advise that submissions may be made to the Council by a date at least 42 days (six weeks) from the date of the first public notice.
- The purpose of the public notice is to inform the community that the Council intends to conduct a review – it is not to try to “sell” the Councils preferred option. A range of alternatives to the current ward structure will be developed so that all options can be considered. Whilst Council may have a preferred option, the public notice must not limit the possible responses and suggestions from the community.
- In addition to giving public notice, Council may undertake other initiatives to promote community discussion including public meetings, media articles, sending information to ratepayers or progress association
- A discussion or information paper will be prepared to outline the various options and explain the five factors against which the options will be assessed. The availability of the discussion paper will be included in the public notice. Maps clearly showing the current ward boundaries and possible options are essential.
- Council must consider all submissions it receives and record this in the minutes of its meeting.
- All options must be assessed against the following five factors –
  - Community of interest
  - Physical and topographical features
  - Demographic trends
  - Economic factors
  - The ratio of Councillors to Electors in the various wards.
- In reaching a Council decision, it needs to be clear from the consideration of submissions and the assessment of options against the factors why an option has been chosen as the best option for the district.

- Council cannot propose to maintain the status quo given the current elector deviation numbers. The changes that Council does make is required to be made by an absolute majority, and the resolutions of Council must propose that making of an order under S2.2(1), S2.3(3) and / or S2.18(3) and schedule 2.2 of the Local Government Act 1995.
- Once Council has completed its review, it must provide a written report about the review to the board. The report must outline the processes and outcome of the review and include any recommendations for change.
- The board will consider the review report submitted by Council and assesses it against the requirements of the Local Government Act. If the Board determines that some part of a review does not meet the requirements of the Act, then Council may be requested to undertake another review (or part of a review) that does meet the requirements.
- The Board makes recommendations to the Minister, who has the final decision and may accept or reject the Boards Recommendations.
- If the minister accepts the Board's recommendations, then several other processes follow. Changes to wards and representation are subject to an order to be signed by the Governor and then publish in the Government Gazette. The order will include the date of implementation of changes, which may be the date of gazettal or the next ordinary Election Day, and any resulting elections arising from the changes. Where there are changes to boundaries, the order will also include a new technical description of the ward boundaries (prepared by Landgate, at Council's expense).
- If a boundary change affects electors, then the WA Electoral Commission will prepare new rolls for those affected wards.

The proposed project plan / timetable, that was developed to assist in the management of the required process for the review was as follows:

November 26, 2020	Council Meeting – Council decision to undertake a Ward Review.
December 10, 2020	Public notice period commences inviting submission – 6-week minimum statutory advertising.
January 28, 2021	Public Notice period finishes – Officers finalise accessing public submissions and prepare report and recommendation
February 11, 2021	Council meeting – Council to resolve preferred Ward representation option for forwarding to the Local Government Advisory Board.

#### **COMMENT**

The Shire received a very low number of submissions (seven submissions) on the proposed ward review. Submissions were varied, with no clear direction from the community in respect to a preferred ward structure or number of Councillors.

A summary of submissions is included in the table below:

Submission No	Number of Wards	Number of Councillors	Preferred Option
1	None	5	1
2	4	Less than 7	2
3	4	5	2
4	None	7	1
5	None	9	1
6	4	9	5
7	None or 4	No comment	1 or 3B
8	4	9 or 10	5 or retain current boundaries and add one councillor

A full copy of the submissions is included in the attachments.

All of the options presented in the discussion paper would allow the Shire to maintain adequate Councillor representation and provide balanced representation across the Shire.

However, as noted in the discussion paper and several of the submissions, the Shire of Boyup Brook comprises of several localities who share a common community of interest that is not necessarily shared across the Shire. Several submissions noted that the communities of interest in the outer wards differs strongly from that within the town of Boyup Brook.

It is also noted in several submissions that the current number of Councillors has served the Shire well in the past and can be expected to do so in the future. There was no strong consensus in the submissions to reduce the number of Councillors below the current levels.

This report recommends that Council resolves to adopt Option 5 in the recommendation report, retaining the current ward system and number of Councillors, with an adjustment in the ward boundaries to transfer 20 electors from the locality of Boyup Brook to the Benjinup Ward and transfer an additional 32 electors from the locality of Boyup Brook Ward to the Scotts Brook Ward to allow equal representation across all wards in the Shire.

**CONSULTATION**

Elected Members via two Councillor workshops  
Department of Local Government  
Local Government Advisory Board  
Western Australian Electoral Commission  
Ward Review Discussion Paper was advertised widely across the Shire

**STATUTORY OBLIGATIONS**

Local Government act 1995

- Section 2.2 – district may be divided into wards
- Section 2.3 – name of districts and wards
- Section 2.18 – fixing and changing the numbers of councillors
- Schedule 2.2 – provisions about names, wards and representation.

**POLICY IMPLICATIONS**

Nil

**BUDGET/FINANCIAL IMPLICATIONS**

Adoption of Option 5 will require realignment of the current ward boundaries to ensure that electors are transferred into their new wards. This will require some staff and / or consultant time to undertake the work. While not costed, it is not anticipated that this will require a substantial amount of time.

Ratepayers who are to be transferred will need to be advised of the transfer prior to the change, which can be undertaken using current shire resources.

**STRATEGIC IMPLICATIONS**

Adopting the recommended change will not alter the current number of wards or Councillors; however, will result in transfer of some electors to different wards.

**SUSTAINABILITY IMPLICATIONS**

N/A

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION – ITEM 10.4.4**

That Council advise the Local Government Advisory Board that Council has considered submissions made during the consultation on its proposed ward review and has resolved to adopt Option 5 as detailed in Council's Review of Ward Boundaries and Representation Discussion Paper, retaining the current number of Wards, being the Benjinup Ward, Dinninup Ward, Scotts Brook Ward and Boyup Brook Ward and retaining the current representation with 9 Councillors based on the following considerations

- Each of the wards is based on a locality within the Shire, are centred around activity centres and nodes that share a common community of interest.
- Each of the wards are centred on localities that share common physical and topographical features.
- Each of the wards share common demographic factors and trends
- Each of the wards contain communities that share common economic factors.
- The ratio of Councillors to Electors in the various wards will be within the thresholds set by the boards with the lowest deviation ratio of the options considered.



#### 10.4.5 LRCI Phase 2 Project Approval

<b>Location:</b>	N/A
<b>Applicant:</b>	N/A
<b>File:</b>	LRCI
<b>Disclosure of Officer Interest:</b>	N/A
<b>Author:</b>	Joanna Kaye (Research and Development Coordinator)
<b>Authorizing Officer:</b>	Dale Putland (Chief Executive Officer)
<b>Attachments:</b>	LRCI Phase 2 Potential Project Budget

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#### **SUMMARY**

The purpose of this report is for Council to approve the recommended Local Roads and Community Infrastructure (LRCI) Grant projects and allocate the funds required in the next budget.

#### **BACKGROUND**

On 22 May 2020 the Australian Government announced a new \$500 million Local Roads and Community Infrastructure Program (LRCI Program).

Through the 2020–21 Budget, the Australian Government announced a \$1 billion extension of the LRCI Program, following strong community and local government support.

This program supports local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

Funding Allocations for both Phase 1 and 2 were determined by formula and consider road length and population.

The Phase 2 allocation of \$351,364 Funding Agreement was signed at the end of last year and Council is now required to submit a Project Nomination form with LRCI Funding Required.

#### **COMMENT**

These projects need to be completed by 30 December 2021. The recommended project nominations for the Funding Body are:

Name [Council, State]		Shire of Boyup Brook WA			
#	Project Name	Project Description / Problem Being Addressed	Infrastructure Type	Total Project Cost	LRCI Phase 2 Funding Required *
	[Project location or street address: Work category]	[Please align project description to project work categories on Page 3 where possible]	[Please select one item]	[\$]	[\$]
				Funding required should not exceed allocation	
1	Flax Mill Community Facilities Improvements  112 Jackson Street, Boyup Brook 6244	Maintenance and improvements to the Flax Mill Community Facility that will deliver improved accessibility, visual amenity and safety including building improvements, public viewing area lighting and the camp kitchen upgrade.	Community	108,900	108,900
2	Boyup Brook Swimming Pool Upgrade  Beatty Street, Boyup Brook 6244	Works to upgrade Boyup Brook Swimming Pool Precinct that will deliver inclusive access, improved safety with a chlorine safety system, increased visual amenity, energy efficiency upgrade, additional shade and a publicly accessible gym.	Community	227,464	227,464
3	Lesser Hall Improvements	Improvement to the Lesser Hall community facility, upgrade flooring for safety and visual amenity.	Community	15,000	15,000
	<b>Total</b>	-	-	<b>351,364</b>	<b>351,364</b>

Please see attachment Potential LRCI Phase 2 Project Budget for full project component breakdown.

### **CONSULTATION**

Project Managers

**STATUTORY OBLIGATIONS** - Nil.

**POLICY IMPLICATIONS** - Nil

### **BUDGET/FINANCIAL IMPLICATIONS**

That the recommended amounts are allocated to the LRCI Phase 2 projects once the funding has been received.

## STRATEGIC IMPLICATIONS

Relevant excerpt from the Adopted Boyup Brook Strategic Community Plan 2017 - 2027.

### Social: Sense of Community

#### Our Vision:

Our place will be a safe, caring and secure community. Our place will be an active and vibrant community.

We will have access to services and facilities that meet our requirements.

Our objectives and priorities are built from our outcomes.

OUTCOMES	OBJECTIVES	PRIORITIES
Sustainable community	Ensure a safe, secure community with access to services and facilities as needed.	<ul style="list-style-type: none"> <li>Continue to work on retaining a Police Station in Boyup Brook.</li> <li>Continue to encourage initiatives that provide employment opportunities.</li> <li>Continue to provide and advocate for quality medical and ancillary services in Boyup Brook</li> <li>Continue to advocate for the retention of schools from K to year 10 in Boyup Brook.</li> <li>Continue to support development which provides diversity and opportunity for accommodation.</li> </ul>
	Promote community participation, interactions and connections	<ul style="list-style-type: none"> <li>Continue to support Community groups and clubs</li> <li>Partner with key stakeholders on community needs driven projects.</li> </ul>

### Economic Development: Maximise Business and Employment Opportunities

#### Our Vision:

Our economy will thrive through diversified business and employment opportunities, taking advantage of our local comparative advantages.

We will endeavour to attract industrial and commercial opportunities for our growing community.

We will actively support our local businesses.

Our objectives and priorities are built from our outcomes.

OUTCOMES	OBJECTIVES	PRIORITIES
Economic Growth	Support new and existing businesses.	<ul style="list-style-type: none"> <li>Encourage new businesses through information, incentives and land-use provision.</li> <li>Support existing businesses through advocating for a sewerage scheme, tailored parking controls and other initiatives</li> </ul>
Increased Visitors and Residents	Develop tourism industry	<ul style="list-style-type: none"> <li>Support initiatives for events, fairs, arts, and the like designed to attract visitors to the Shire .</li> <li>Collaborate with others on developing short stay accommodation initiatives.</li> </ul>

**SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
Nil.
- **Economic**  
Nil.
- **Social**  
Nil

**VOTING REQUIREMENTS**

Absolute majority

**OFFICER RECOMMENDATION - ITEM 10.4.5**

Council authorises the CEO to propose allocation of \$351,364 Local Roads and Community Infrastructure Funds Phase 2 funds to the following projects:

1. Flax Mill Community Facilities Improvements - \$108,900
2. Boyup Brook Swimming Pool Upgrade - \$227,464
3. Lesser Hall Improvements - \$15,000

**10.4.6 Subdivision Application (WAPC Ref 160486) – Lots 12372 and 12416 Cootayerup Road Chowerup**

<b>Location:</b>	<i>Lots 12372 and 12416 Cootayerup Road Chowerup</i>
<b>Applicant:</b>	<i>Department of Biodiversity, Conservation and Attractions</i>
<b>File:</b>	<i>WAPC 160486</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>25 March 2021</i>
<b>Author:</b>	<i>Town Planner – Adrian Nicoll</i>
<b>Authorizing Officer:</b>	<i>Chief Executive Officer (Dale Putland)</i>
<b>Attachments:</b>	<i>Deposited Plan of Subdivision</i>

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**SUMMARY**

Council is requested to agree to advise the Western Australian Planning Commission (WAPC) to support the proposed 'Rural' Lots 12372 and 12416 Cootayerup Road Chowerup, subdivision (2 lots into 3 lots), subject to conditions.

**BACKGROUND**

The WAPC received an application to modify lot boundaries and lot sizes and to create an additional Lot pertaining to existing Lots 12372 and 12416 Cootayerup Road Chowerup.

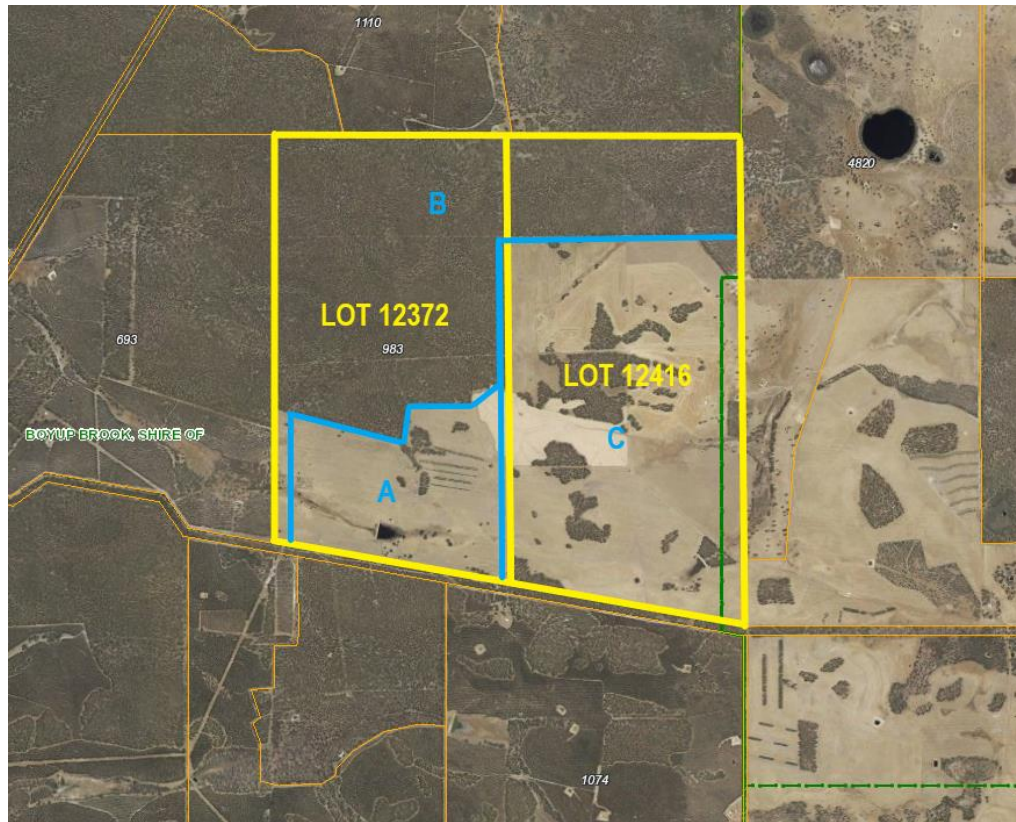
The WAPC forwarded the application to the Shire of Boyup Brook requesting information, comment or recommended conditions.

**COMMENT**

The subject Lots are located approximately 50km south east of the Boyup Brook Townsite and are currently used for extensive farming practices (livestock grazing and cropping).

Subdivision is proposed to allow for the protection of about 411ha of bushland which exists on the northern portions of the existing Lots 12372 and 12416 Cootayerup Road Chowerup.

The subdivision proposes to reconfigure the existing two lots into three lots as shown in the below figure. The proposed Lot B (bushland block) would be connected to the Cootayerup Road via a 16m wide access leg.



The Department of Biodiversity, Conservation and Attractions intend to buy and manage the proposed Lot B to protect the environmental assets (bushland).

Lot 12372 is 461ha in area and Lot 12416 is 506ha in area. The new lot sizes equate to:

- Lot A – 159ha;
- Lot B – 411ha; and
- Lot C – 397ha.

It is recommended that the Shire Council agree to advise the Western Australian Planning Commission to support the proposed subdivision as it will achieve a positive environmental outcome and is not expected to impact on farming practices.

It is recommended that the Shire Council agree to advise the Western Australian Planning Commission to impose the following conditions of subdivision approval:

Condition 1. A boundary fence being constructed to restrict stock access from proposed Lots 60 and 61 to proposed Lot 62.

Condition 2. Suitable arrangements being made with the local government for the provision of vehicular crossover to service the proposed Lot 62 shown on the approved plan of subdivision.

**CONSULTATION**

N/A

**STATUTORY OBLIGATIONS**

Pursuant to clause 5.2.1 of the Shire of Boyup Brook *Local Planning Scheme No. 2* the following is outlined in respect to subdivision:

*In considering applications for subdivision, rezoning and planning consent in the Rural zone, Council shall have regard to:*

- a) the need to protect the agricultural practices of the Rural zone in light of its importance to the District's economy;*
- b) the need to protect the area from uses which will reduce the amount of land available for agriculture;*
- c) the need to preserve the rural character and rural appearance of the area;*
- d) where rural land is being subdivided for closer development, the proposal should be supported with evidence outlining the land's suitability and capability for further development.*

The proposed subdivision does not inherently change or impact on existing land uses or the rural character of the area.

**POLICY IMPLICATIONS**

The Development Control Policy 3.4 - Rural Subdivision, outlines the requirements for rural subdivision within Western Australia.

The policy guides the subdivision of rural land to achieve the key objectives of State Planning Policy 2.5: Rural Planning, which includes, to protect and sustainably manage environmental, landscape and water resource assets.

Subdivision of the rural land, in the form proposed, is in accordance with the Western Australian Planning Commissions *Development Control Policy 3.4 Subdivision of Rural Land*, which seeks to protect environmental assets.

**BUDGET/FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION – ITEM 10.4.6**

That Council

Agree to advise the Western Australian Planning Commission to support the proposal to subdivide Lots 12372 and 12416 Cootayerup Road Chowerup, for the following reason and with the following conditions.

**Reason for support**

1. The subdivision is in accordance with the State's *Development Control Policy 3.4 Subdivision of Rural Land*, which seeks to protect environmental assets.

**Conditions**

1. A boundary fence being constructed to restrict stock access from proposed Lots 60 and 61 to proposed Lot 62.
2. Suitable arrangements being made with the local government for the provision of vehicular crossover to service the proposed Lot 62 shown on the approved plan of subdivision.



**10.4.7 Development Application (Chalet – Short Stay Holiday Accommodation) – Lot 105 Donnybrook - Boyup Brook Road**

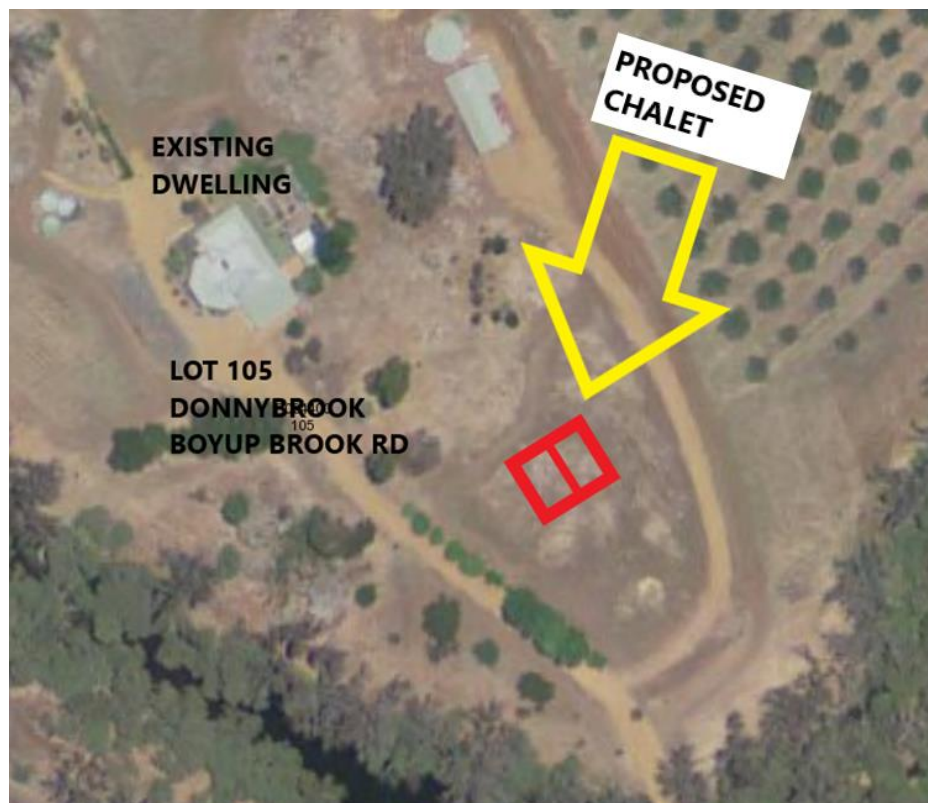
<b>Location:</b>	<i>Lot 105 Donnybrook - Boyup Brook Road.</i>
<b>Applicant:</b>	<i>T Porstmann and C Rodriguez</i>
<b>File:</b>	<i>A4515</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>25 March 2021</i>
<b>Author:</b>	<i>Town Planner (Adrian Nicoll)</i>
<b>Authorizing Officer:</b>	<i>Chief Executive Officer (Dale Putland)</i>
<b>Attachments:</b>	<i>Nil</i>

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**SUMMARY**

The Shire received an application seeking approval to develop one 'Chalet' for the purpose of accommodating persons for short periods of time.

The location of the proposed 'Chalet' is Lot 105 Donnybrook - Boyup Brook Road.



The application includes the development of a car-parking area, effluent disposal unit and tanks for domestic drinking water and firefighting purposes.

Council is requested to agree to approve the development of the 'Chalet', which is proposed to be located on a 'Rural' zone property and which complies with statutory and policy standards.

### **BACKGROUND**

The Shire received an application to develop a Chalet at Lot 105 Donnybrook Boyup Brook Road.

On receipt of the application, it was confirmed that:

1. In accordance with the Shire's *Local Planning Scheme No.2*, a 'Chalet' may be considered for approval at a property zoned 'Rural';
2. In accordance with the Shire's 'Farm Chalets' Policy (P.06), one chalet may be considered for every 2 hectares;
3. 'Conventional' onsite effluent disposal systems should be located at least 100m from a watercourse. The distance between the 'Boyup Brook' and a proposed effluent disposal system is 45m. Shire officers advised the applicant that an 'alternative treatment system' (removes nutrients) may be necessary due to the proposed location less than 100m from the 'Boyup Brook'.
4. The proposed building envelope is located within a bushfire prone area. Due to risks associated with bushfire, Shire officers requested that the applicant submit an emergency evacuation procedure plan identifying procedures for evacuation in the event of a bushfire. Subsequently, an evacuation plan was submitted to identify:
  - Important emergency contacts;
  - Necessary emergency equipment; and
  - Evacuation procedure.
5. The applicant was also advised that a Bushfire Attack Level Assessment would need to be submitted as part of a Building Permit application (following planning approval). This will determine the appropriate construction standard of the chalet – for protection against bushfire.

### **COMMENT**

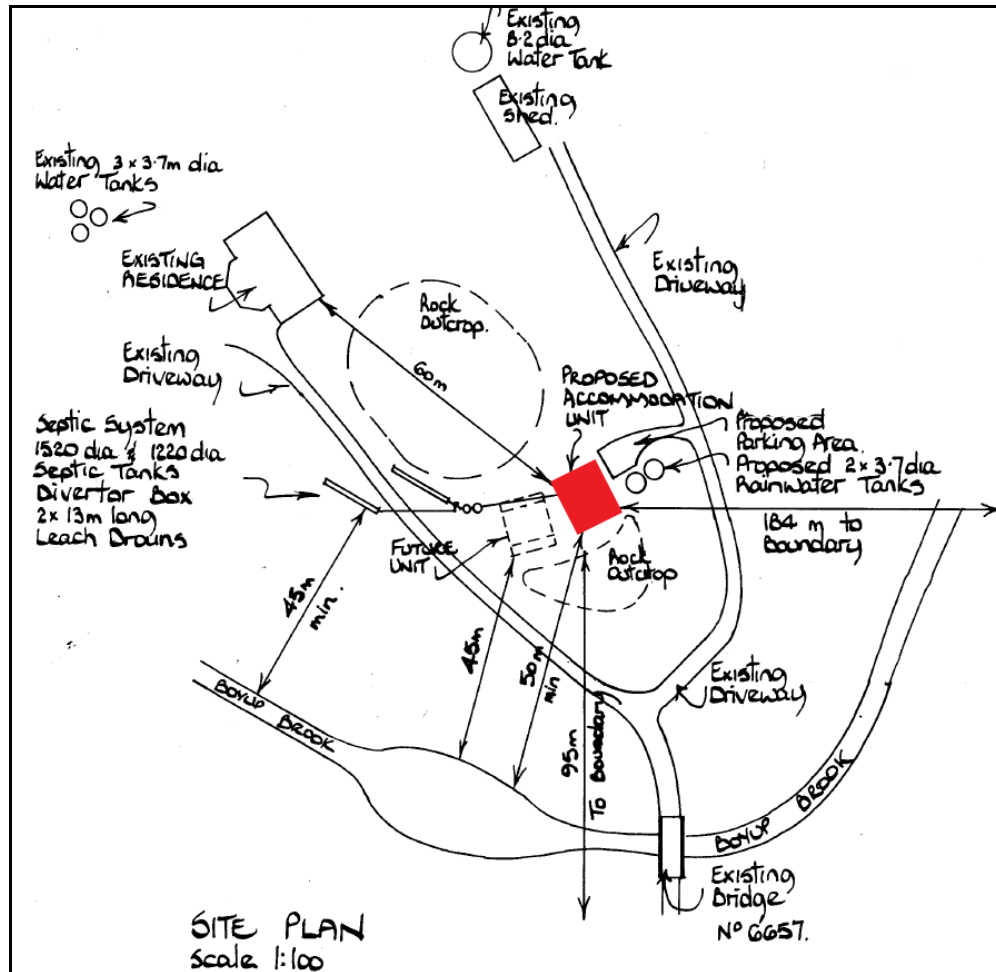
The subject property is located 5.5km north of the Boyup townsite and adjacent to the Boyup 'Brook' (river). The subject property is approximately 13ha in land area, is located in a Bushfire Prone area and is zoned 'Rural'.

The property is currently developed with a single house, sheds and orchard.

The application for consideration involves development of:

- A Chalet;
- An effluent disposal system;
- A car parking area; and
- 2 X Tanks for the supply of water.

The following plan indicates the location of the proposed developments.



The Chalet consists of a single bedroom, a living area, a kitchen, amenities and verandas.

One of the water tanks can be utilised for firefighting purposes.

The car-parking area is suitably sized and positioned close to the chalet.

The effluent disposal requires a permit approved by the Shire's Environmental Health officer in accordance with Department of Health standards. At the application stage for the permit, the Local Government and Department of Health may need to be consulted to determine if the systems' nutrient removal capacity will meet their requirements.

An Emergency Evacuation Procedure plan has been submitted as a guide in the event of an emergency evacuation, primarily in that of a bushfire. In the event of an emergency evacuation situation, it is proposed that the owners of the property will contact the tenants of the unit either via phone or in person, alerting them of the emergency situation. Tenants of the unit are to evacuate the chalet and gather at the Muster Point located on the shed driveway. Evacuation will occur in vehicles, via two escape options, depending on location of hazard, either:

- Down the driveway, over the bridge and out to Donnybrook Road, or
- By following the Owners North, carefully driving through paddocks until reaching Glenview Road and continuing either Left towards Donnybrook Road or Right towards Boyup Brook North Rd.

The following equipment will be provided in the chalet to deal with emergency occurrences:

- Evacuation Layout and Important Contact Information clearly and prominently displayed behind the front door;
- First Aid Kit and Snake Kit;
- Fire extinguisher at entrance of Unit;
- Fire extinguishing unit located at the shed full with 800 litre capacity;
- 10,000l of water available in water tank behind the Unit.

Should Council decide to approve the Chalet, it is recommended that the following conditions are included in an approval notice:

- The owner/manager of the Chalet is to provide guests (on arrival) with an Emergency Evacuation Procedure plan, which indicates (as a minimum):
  - Emergency contacts (e.g. DFES, Police);
  - Location of safety equipment;
  - Location of muster point; and
  - Directions for safe (leave early) access/egress.
- The 'Chalet' shall be used for short stay accommodation only and shall not be occupied by the same person or persons for more than 3 months in any 12 month period.
- A sufficient amount of water for drinking, domestic and firefighting purposes, is to be made available at all times to the satisfaction of the Shire.
- The car parking area is to be developed and maintained to a gravel standard, to the satisfaction of the Shire.

#### **CONSULTATION**

N/A

### **STATUTORY OBLIGATIONS**

A 'Chalet' is identified in the Shire's *Local Planning Scheme No.2* as a use which Council, in exercising the discretionary powers available to it, may approve at a property zoned 'Rural'.

The Shire's *Local Planning Scheme No.2* defines 'Chalet' to mean:

*"chalet" means an individual self-contained unit usually comprising cooking facilities, ensuite, living area and one or more bedrooms designed to accommodate short-stay guests, forming part of a tourism facility and where occupation by any person is limited to a maximum of three months in any 12-month period.*

### **POLICY IMPLICATIONS**

The proposed building area is located within a bushfire prone area and is therefore subject to the Commissions State Planning Policy 3.7, which seeks to reduce the impact of bushfire on people and infrastructure.

At the Building Permit stage in the development process, a Bushfire Attack Level assessment is to be undertaken to determine the construction standard of the dwelling. The construction standard helps to protect property and life against embers and heat in the instance of a bushfire.

Additionally, an evacuation plan is to be implemented to facilitate the early evacuation of residents.

The application complies with the Shire's 'Farm Chalets' Policy, which requires the following:

- A minimum of two (2) ha per chalet;
- Two car parking spaces being provided for each chalet and constructed to a gravel pavement finish and properly drained;
- A minimum of eighty thousand (80 000) litres of potable water per chalet;
- Bushfire safety precautions.

### **BUDGET/FINANCIAL IMPLICATIONS**

Nil

### **VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION – ITEM 10.4.7**

**That Council**

Grants Development Approval for a 'Chalet' at Lot 105 Donnybrook Boyup Brook Road, subject to the following notice, which outlines development conditions and advice notes.

***Planning and Development Act 2005***

**Shire of Boyup Brook**

**NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL**

Location: Lot 105 Donnybrook Boyup Brook Road, Boyup Brook

Description of proposed development:

**Chalet (short term accommodation)**

The application for development is approved subject to the following conditions.

Conditions:

1. Prior to occupancy of use, unless varied by a condition of approval or a minor amendment to the satisfaction of the Shire of Boyup Brook, all development shall occur in accordance with the approved plans.
2. The owner/manager of the Chalet is to provide guests (on arrival) with an Emergency Evacuation Plan, which indicates (as a minimum):
  - a) Emergency contacts (e.g. DFES, Police);
  - b) Location of safety equipment;
  - c) Location of muster point; and
  - d) Directions for safe (leave early) access/egress.
3. The 'Chalet' shall be used for short stay accommodation only and shall not be occupied by the same person or persons for more than 3 months in any 12 month period.
4. A sufficient amount of water for drinking, domestic and firefighting purposes, is to be made available at all times to the satisfaction of the Shire.
5. The car parking area is to be developed and maintained to a gravel standard, to the satisfaction of the Shire.

6. The operator or manager of the Chalet shall maintain a register and receipt book containing details of all people who stay on the premises throughout the year, to the satisfaction of the Shire of Boyup Brook.
7. Stormwater being managed to the satisfaction of the Shire of Boyup Brook.
8. A minimum 20 metre low fuel zone is to be maintained around the development site to the satisfaction of the Shire of Boyup Brook.

Date of determination: 25 March 2021

- Note 1: The proposed effluent disposal system requires a permit prior to development. The Local Government may determine that the systems' nutrient removal capacity needs upgrading depending on filtration capability.
- Note 2: Sign(s) shall not be erected on the lot without the prior approval of the Shire of Boyup Brook.
- Note 3: If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- Note 4: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- Note 5: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

Signed:

Dated:

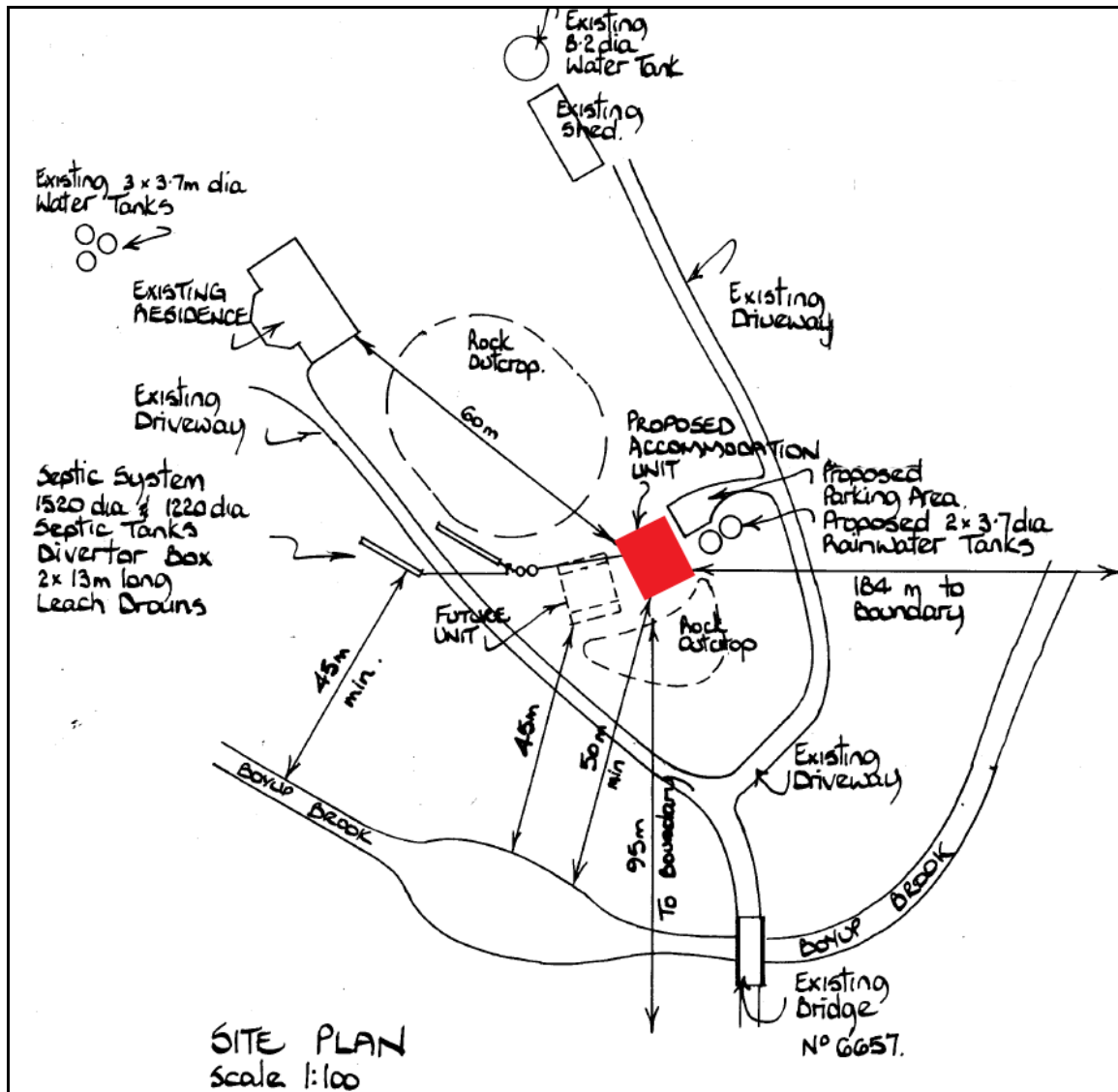
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for and on behalf of the Shire of Boyup Brook.

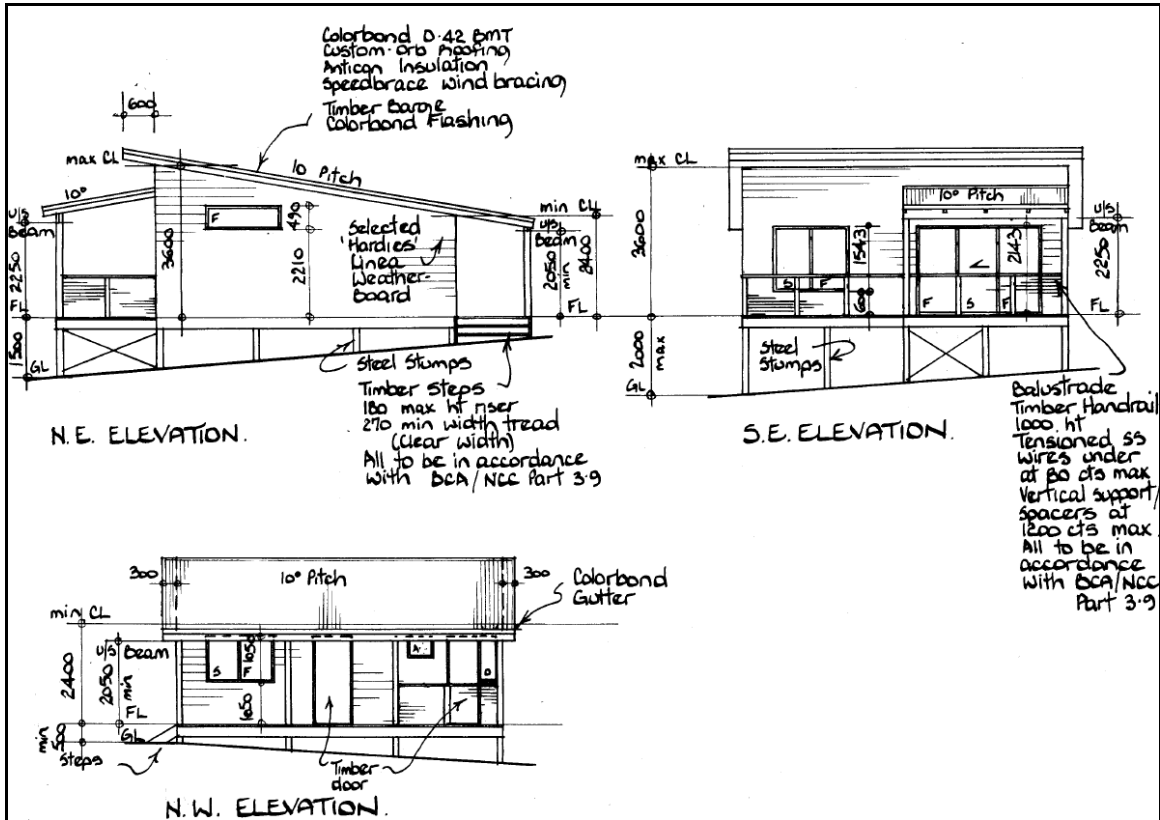
## APPROVED PLANS

### Site Plan

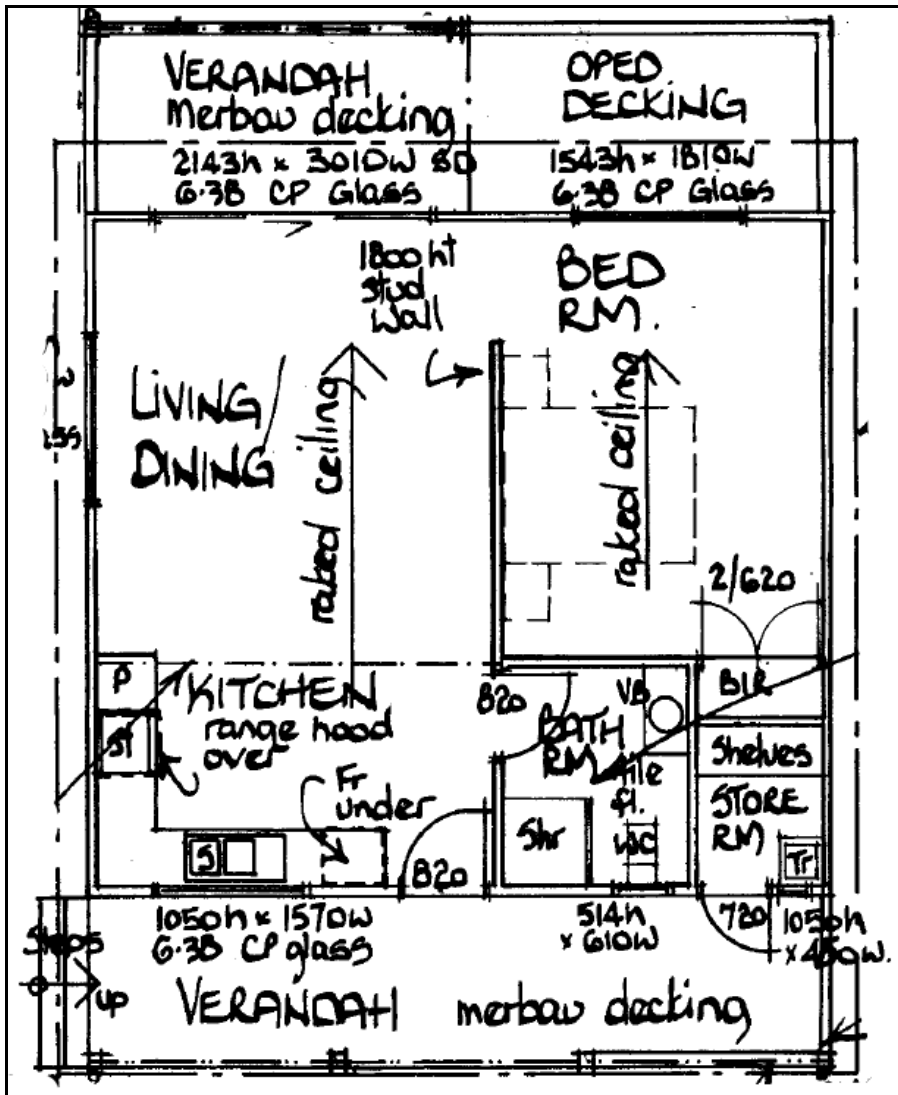




## Elevation Plan



Floor Plan



## EMERGENCY EVACUATION PROCEDURES

These procedures provide guidance in the event of an emergency evacuation primarily in that of a bushfire, however inclusive of other emergencies such as local fire, explosion, medical emergency, rescues, and natural disasters.

### Emergency Procedure

In the event of an emergency, the Owners of the property will alert and/or obtain updates from relevant organisations. Tenants will also have a list of important numbers and websites in order to contact these and obtain information in a timely manner.

### Important Contacts

Natural Disasters: [emergency.wa.gov.au](https://www.emergency.wa.gov.au)

For police, fire, and ambulance emergencies: 000

Boyup Brook Police Station: 9762 1666

Poisons: 13 11 26

Boyup Brook Soldiers Memorial Hospital: 9765 0222

Trees on Roads: 0448 833 102

Thomas Porstmann: 0438 294 019

Cristina Rodriguez: 0413 370 907

### Emergency Equipment

Equipment required in/near the Unit for Emergency purposes as follows:

- Evacuation Layout and Important Contact Information clearly and prominently displayed behind the front door
- First Aid Kit and Snake Kit
- Fire extinguisher at entrance of Unit
- Fire extinguishing unit located at the shed full with 800 litre capacity
- 10,000l of water available in water tank behind the Unit

### Evacuation Procedure

In the event of an emergency evacuation situation, the Owners of the property will contact the Tenants of the unit either via phone or in person, alerting them of the emergency situation.

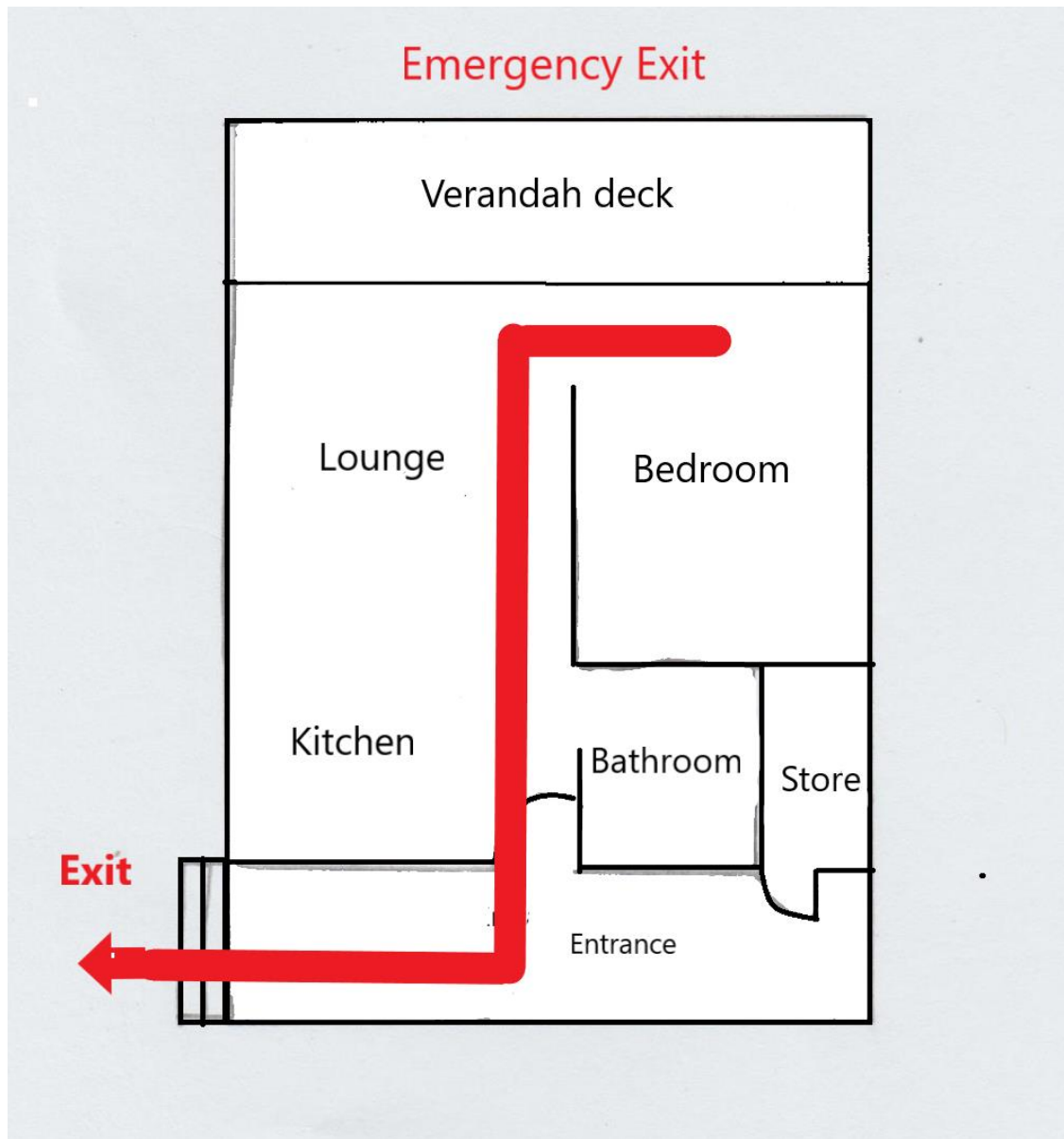
Tenants of the unit are to evacuate the Unit and gather at the Muster Point located on the shed driveway; which is behind the Unit and the highest point of the property.

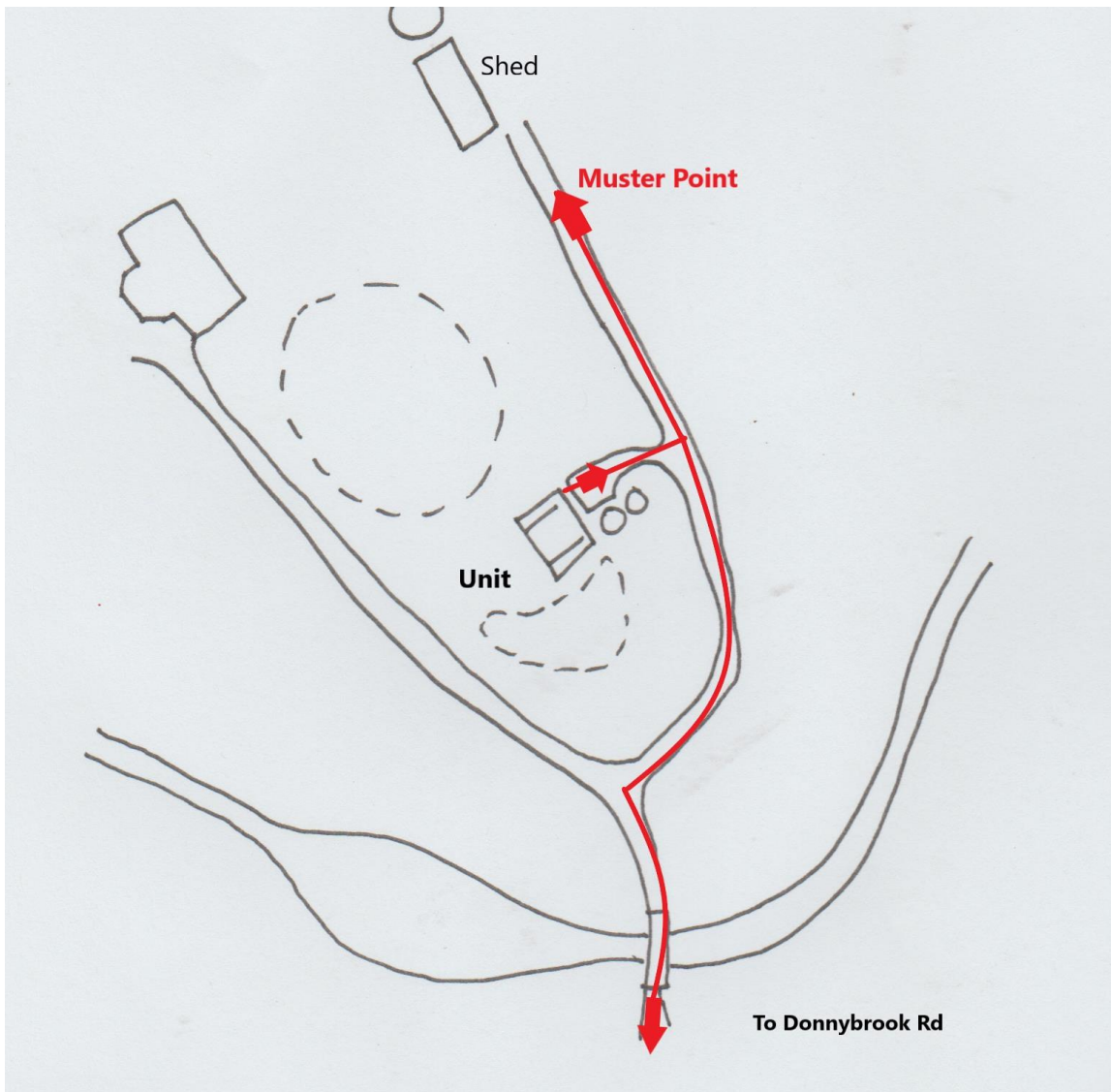
Evacuation will occur in vehicles, via two escape options, depending on location of hazard, either:

- a) down the driveway, over the bridge and out to Donnybrook Road, or
- b) by following the Owners North, carefully driving through paddocks until reaching Glenview Road and continuing either Left towards Donnybrook Road or Right towards Boyup Brook North Rd.

### Review of Emergency Plan

Due March 2022 or earlier in the event of updates and additions to current infrastructure at 6657 Donnybrook Rd Boyup Brook.





## 11 COMMITTEE MINUTES

### 11.1 Rylington Park Transitional Committee

#### OFFICER RECOMMENDATION - Item 11.1

That the unconfirmed minutes of the Rylington Park Transitional Committee Meeting held on Wednesday 24 February 2021 be received by Council.

## 12 MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

## 13 URGENT BUSINESS BY APPROVAL OF THE PRESIDENT OR A MAJORITY OF COUNCILLORS PRESENT

### 13.1 Annual Compliance Audit Return 2020

<b>Location:</b>	<i>Shire of Boyup Brook</i>
<b>Applicant:</b>	<i>Shire of Boyup Brook</i>
<b>File:</b>	<i>FM/9/004</i>
<b>Disclosure of Officer Interest:</b>	<i>Nil</i>
<b>Date:</b>	<i>15 March 2021</i>
<b>Author:</b>	<i>Dale Putland – Chief Executive Officer</i>
<b>Authorizing Officer:</b>	<i>Dale Putland – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Yes: Shire of Boyup Brook Compliance Audit Return 2020 Report</i>

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#### SUMMARY

The purpose of this report is for the Audit and Finance Committee to review the 2020 compliance audit return (CAR), as attached and in the form approved by the Minister, and to report to Council the findings of that review.

#### BACKGROUND

Section 14 of the *Local Government (Audit) Regulations 1996* (the Regulations), requires local governments to carry out a compliance audit for the period 1<sup>st</sup> January to 31<sup>st</sup> December in each year (refer attached). Section 13 of the Regulations outlines the sections of the Act & Regulations that are subject to audit. Further, Section 14 requires

local government audit committees to review the CAR prepared by the local government and report the findings to Council.

The Department of Local Government Sport Cultural Industries provided the electronic compliance form, approved by the Minister, for completion and presentation to Council for adoption. An important objective of the CAR process is to assist the shire with developing and enhancing its internal control processes.

#### **COMMENT**

The Chief Executive Officer in conjunction with the Senior Finance Officer and the Executive Assistance have undertaken the review of the Compliance Audit Return and the findings are attached.

#### **CONSULTATION**

The Shire President, Administration, Corporate Services and Works and Services staff.

#### **STATUTORY OBLIGATIONS**

*Local Government (Audit) Regulations 1996* - Sections 13, 14 and 15 as attached.

#### **POLICY IMPLICATIONS** - Nil

#### **BUDGET/FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

There are no Strategic implications relating to the Compliance Return.

#### **SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
There are no known significant environmental issues.
- **Economic**  
There are no known significant economic issues.
- **Social**  
There are no known significant social issues.

#### **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION - Item 13.1**

1. Council note that the Audit and Finance Committee has reviewed the 2020 Compliance Audit Return and has noted non-compliance or partial non-compliance matters identified by the Chief Executive Officer.
2. Council adopts the 2020 Annual Compliance Return, and that the Shire President and CEO certify the return for submission to the Executive Director (Department of Local Government Sport and Cultural Industries) by 31 March 2021.

**14 CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS**

Nil

**15 CLOSURE OF MEETING**

There being no further business the Shire President, Cr Walker thanked all for attending and declared the meeting closed at ....