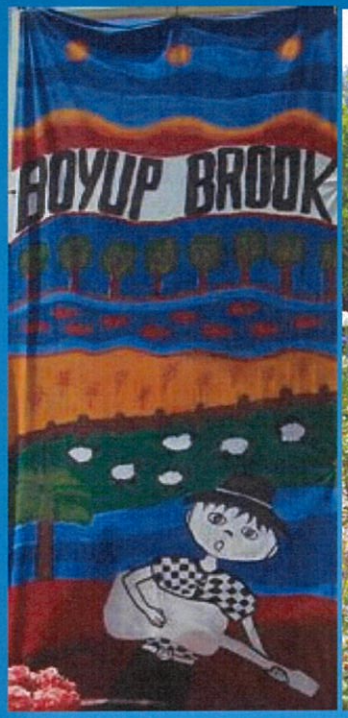
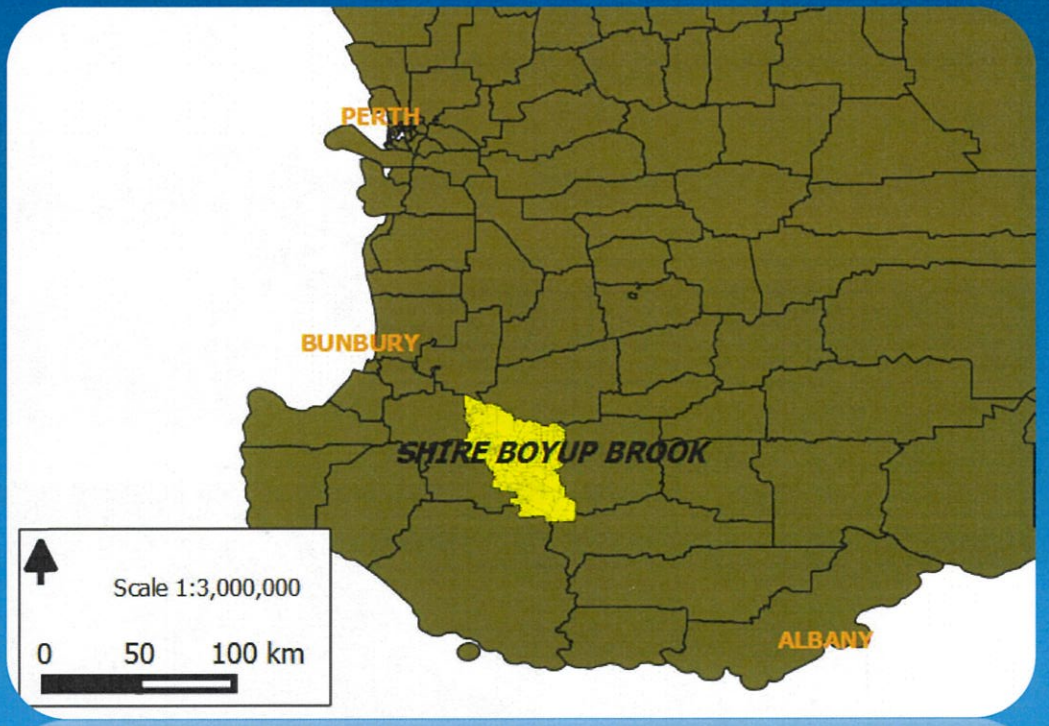
Shire of Boyup Brook - Local Planning Strategy

IMPROVING CERTAINTY IN LAND USE, LAND DEVELOPMENT AND LAND MANAGEMENT

FACILITATING INVESTMENT AND BUSINESS PLANNING

2019 - 2034





SHIRE BOYUP BROOK – AGRICULTURE/NATURE/COMMUNITY

Shire of Boyup Brook – Undulating Rural Lifestyle (S.Chambers)

Shire of Boyup Brook – Natural Assetts – Remnant Vegetation and Blackwood River

Boyup Brook - Families/Farming

Boyup Brook - Feed Produce – Cattle, Sheep, Pigs (G.Aird)

Boyup Brook - Harvesting Grain – Barley, wheet, oats, canola (M & L.Hales)

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Adoption & Endorsement

The Shire of Boyup Brook Local Planning Strategy certified for advertising on the 22nd day of November 2019.

Signed for and on behalf of the Western Australian Planning Commission.

.....
An officer of the Commission duly authorised by the Commission (pursuant to the Planning and Development (Local Planning Schemes) Regulation 2015).

22 Nov 2019
DATE

Local Government Adoption

This Local Planning Strategy is hereby adopted by resolution of the Shire of Boyup Brook;

at the ..... meeting of the Council held on the

..... day of ..... 20.....;
and pursuant to that resolution the Seal of the Municipality was herewith affixed in the presence of

.....
SHIRE PRESIDENT

.....
DATE

Seal

.....
CHIEF EXECUTIVE OFFICER

.....
DATE

WAPC Endorsement

This Local Planning Strategy is hereby endorsed by the WA Planning Commission.

.....
Delegated under S.16 of the *Planning & Development Act 2005*

.....
DATE

President's Message

The last century has witnessed populations around the world move from regional areas to cities seeking opportunities, mainly in employment and education.

The transition has brought issues to both the cities and regional areas. Cities are challenged with congestion and affordability issues and regional areas are struggling to sustain business with loss of social cohesion and economic viability.

As the Cities reach capacity and face reduced liveability, the future trend may be one whereby regional towns become the focus to support growth and to maintain liveability.

Undulating landscapes, the Blackwood River, remnant vegetation and employment opportunities in agriculture are key liveability attributes available in and around the Boyup Brook townsite.

The economist sees the town where production, consumption, distribution and innovation take place (Highways, market places and commuter zones). The environmentalist sees the town as a consumer of resources and a producer of waste and therefore a threat to nature. The socialist sees the town as a location of conflict over the distribution of resources, services and opportunities. Effective planning helps the State and Local Governments make tough decisions about where to stand in protecting the environment, promoting housing and economic growth and advocating for social services.

The Shire of Boyup Brook Local Planning Strategy analyses competing economic, environmental and social agendas to achieve a balance that protects the environment, generates growth and creates a regional town where people want to live and stay.

The Local Planning Strategy proposes to concentrate growth within and directly adjacent to the Boyup Brook townsite. Growth within the Boyup Brook townsite is geared towards supporting smaller lots reflective of the existing urban fabric and long term potential for a sewerage treatment scheme. Growth directly adjacent to the Boyup Brook townsite is geared towards lifestyle lots, reflective of natural elements including steep/undulating topography, granite outcrops, the Blackwood River and remnant vegetation.

The Shire of Boyup Brook Local Planning Strategy provides a framework for assessment and decision-making in relation to proposed scheme amendments, subdivision and development administered under the Shire's Local Planning Scheme 2.

The strategy will become the document driving private sector investment and promoting sustainable development.

Boyup Brook townsite - Heart of the South-West Region WA

My thanks go to the members of the community who played a vital role in providing the input and ideas via workshops and written submissions. Elected members also played a vital role in ensuring the Local Planning Strategy revealed a close alignment with the community's aspirations.

In implementing this Local Planning Strategy and maintaining its relevance through regular reviews, the objectives and actions will be effectively delivered by working in partnership with the community, other Shires, State and Commonwealth Governments, and the private sector.

Cr G Aird
Shire President

1

INTRODUCTION

1. Introduction

Background

This Local Planning Strategy (LPS) applies to the whole of the Shire of Boyup Brook. The Shire of Boyup Brook comprises an area of 2,838km^2 and is located in the South West Region of Western Australia. The Shire's principal centre, Boyup Brook townsite, is located 270 kilometres south of Perth and 119 kilometres south east from the South West's principal regional centre of Bunbury (Figure 1).

The Shire of Boyup Brook adjoins Bridgetown-Greenbushes and Manjimup to the south-west, Donnybrook-Balingup and Collie to the north and West Arthur, Kojonup and Cranbrook to the south-east.

The Shire is predominantly rural with livestock (meat and wool) and cropping being the mainstay of the local farming economy. Local farm industries include: Vineyards, Olives and Orchards; Timber Plantations; Feedlots (Sheep, Cattle and Pigs); Grain Harvesting, storing and wholesaling; and Cottage Industries (machinery manufacturing).

Its natural elements, including large areas of State Forest, undulating landscapes and river systems, are appealing to tourists and persons seeking a rural lifestyle in a naturally enhanced setting.

The climate of the Region is a warm temperate Mediterranean type with distinct seasons characterised by cool, wet winters and warm to hot, dry summers.

Community services including civic, education, sporting, commercial and industry are available in the Boyup Brook townsite, which provides social and economic wellbeing to persons living and working in the region.

Purpose of Local Planning Strategy

Regulation 11(2) of the *'Planning and Development (Local Planning Schemes) Regulations 2015'* states:

> *(1) A local government must prepare a local planning strategy in accordance with this Part for each local planning scheme that is approved for land within the district of the local government.*
>
> *(2) A local planning strategy must —*
>
> *(a) set out the long-term planning directions for the local government; and*
>
> *(b) apply any State or regional planning policy that is relevant to the strategy; and*
>
> *(c) provide the rationale for any zoning or classification of land under the local planning scheme.*

This Local Planning Strategy for the Shire of Boyup Brook has been prepared by the local government pursuant to the requirements of the above mentioned Regulations under the provisions of the *'Planning and Development Act 2005.* This has given due regard to all relevant State and regional planning policies.

Relationship with Planning Framework

The following diagram represents the role of the LPS in the planning framework:

Table 1. Planning Framework

The Local Planning Strategy does not supersede:

- State Planning Polices (SPP);
  - To the extent of any inconsistency, the SPPs prevail; and
- The statutory zoning or provisions of the Scheme;
  - The LPS sets the broad planning direction and informs amendments to the Scheme.

Figure 1. Location – Shire Boyup Brook

Strategy Interpretation & Implementation

The Local Planning Strategy provides a guide to land use planning and development decision making and is to be given due regard in the consideration of all planning proposals.

The Local Planning Strategy consists of broad land use maps and explanatory text that:

- Provides the general land use planning direction for the local government;
- Undertakes a 'Planning Analysis' of the local government area to inform the broad land use planning direction;
- Identifies unresolved land use planning issues (the 'Planning Issues'); and
- Broadly expresses the statutory planning measures (e.g. zoning and development controls) required to address those planning issues (the 'Planning Actions').

Planning Analysis is in the form of a local planning profile, which is categorised into key 'planning topics' such as demography, natural environment, public utilities and transport. Due regard has been given to all relevant State Planning Policies and Regional Planning Policies in undertaking this analysis.

Planning Issues have been derived from the 'Planning Analysis'. These issues represent the key planning concerns that will be resolved via the local government's scheme.

Planning Actions have been expressed broadly, as necessary amendments to the Shire's Scheme, to address the 'Planning Issues', for example through rezoning, special control areas or subdivision/development control provisions. 'Planning Actions' are both 'planning theme' and 'planning investigation' based.

- 'Planning theme' based actions generally address matters that are theme specific and have a local government or district level application; and
- 'Planning investigation' based actions generally apply to growth/development areas and are more land use and locality specific.

'Planning Actions' will primarily be implemented through amendments and/or review of the Scheme, but will also be considered when assessing structure plans, development and subdivision proposals.

The Local Planning Strategy has an operational timeframe of **15 years** from the date of its endorsement by the Western Australian Planning Commission (WAPC). However, it is anticipated that the Local Planning Strategy will be reviewed every 5 years and concurrently with the local government's Scheme review.

The following diagram shows the role of the Local Planning Strategy, and its associated 'Planning Issues' & 'Planning Actions', in the context of the 'Planning Framework:

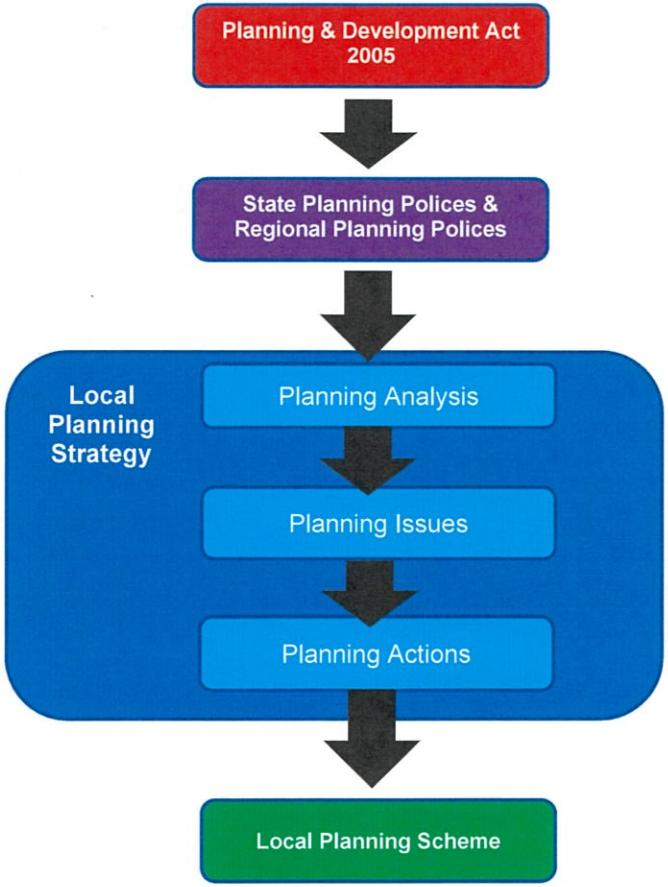


Table 2. Role of Local Planning Strategy

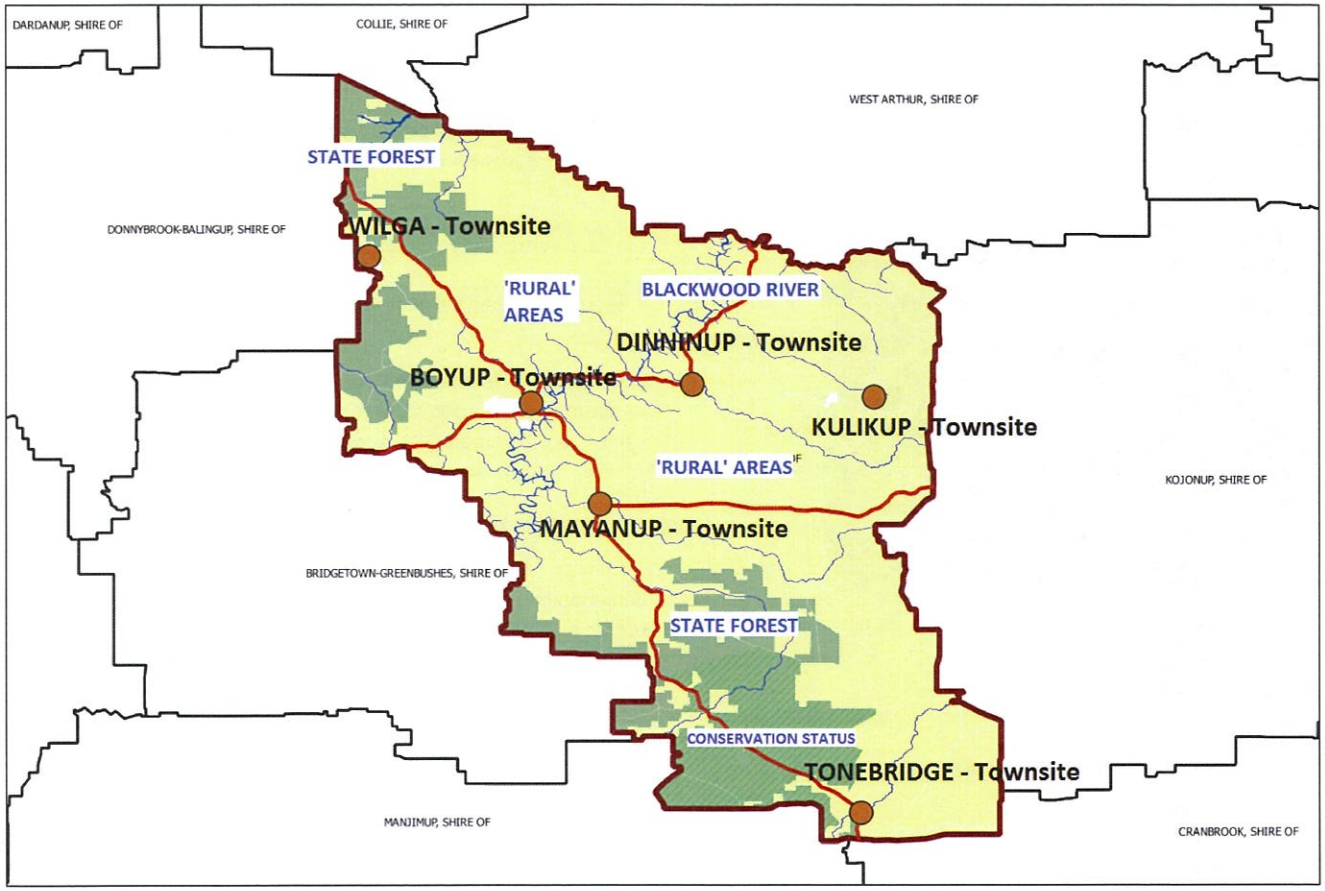


Figure 2. Existing Regional Form and Land Use Context (Shire)

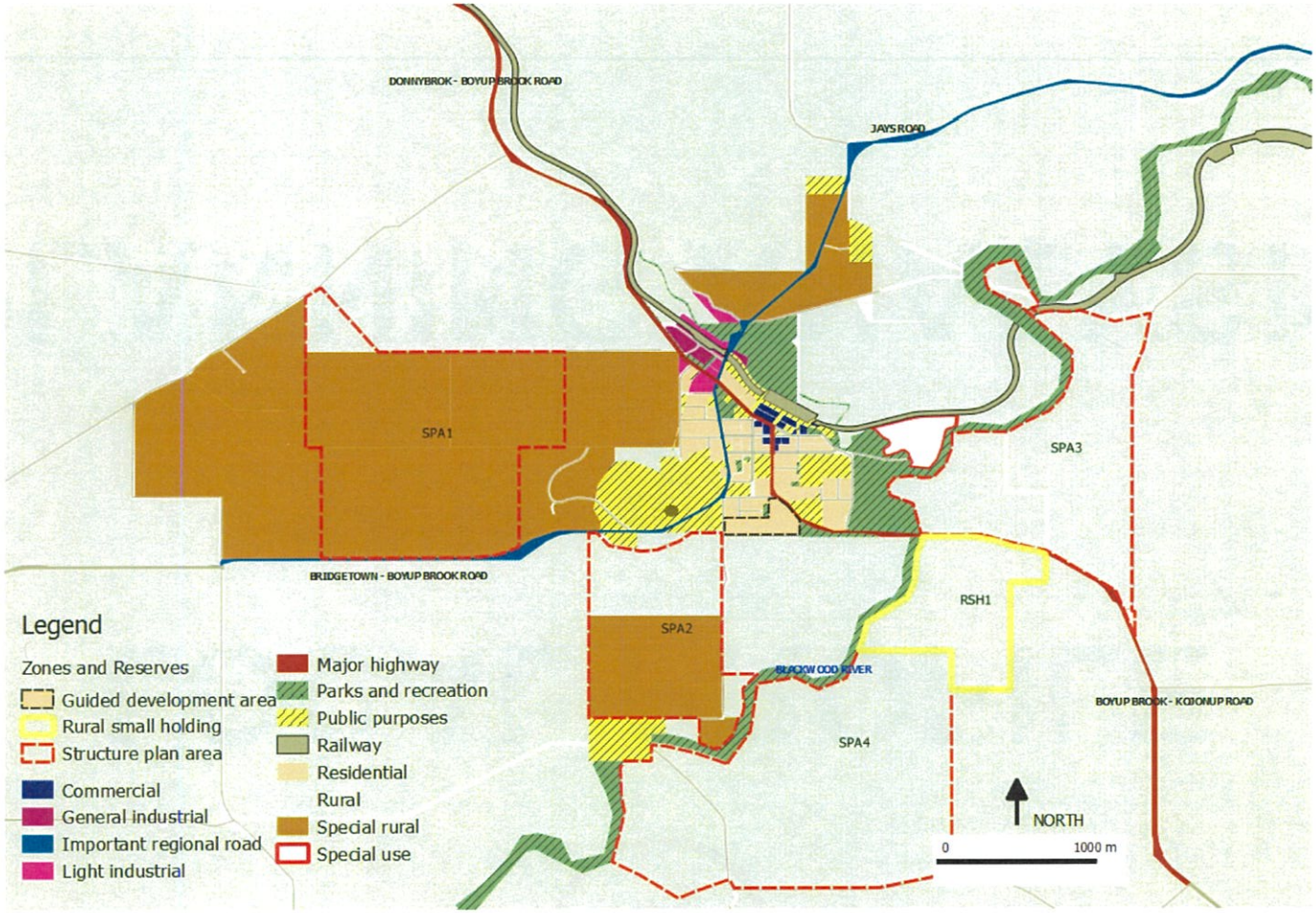


Figure 3. Existing Urban Form and Land Use Context (Boyup Brook)

2

LOCAL PROFILE

&

PLANNING ANALYSIS

2. Local Profile & Planning Analysis

Existing Urban Form & Land Use Context

Demography

Planning Analysis

(ABS Statistics, 2011 and 2016)

Population

1. In the 2016 Australian Bureau of Statistics (ABS) Census, there were 1,701 people living in the Shire of Boyup Brook, 113 more than in 2011 (2016 Census).

2. Of the total population, 50.2% were male and 49.8% were female. Aboriginal and Torres Strait Islander people made up 1.2% of the population (2016 Census).

Age

3. The median age of people was 49 years (increase since 2011), which was higher than a 38 median age for Australia (2016 Census).

4. Children aged 0 - 14 years made up 18.6% of the population (decrease since 2011) and people aged 65 years and over made up 23.9% of the population, which is an increase from 18.8% recorded in 2011 (2016 Census).

Marital Status

5. Of people aged 15 years and over, 56.8% were married (drop since 2011) and 15.6% were either divorced or separated - increase since 2011 (2016 Census).

Education

6. 26.2% of people were attending an educational institution in 2016 (3% increase since 2011). Of these, 36.5% were in primary school, 18.8% in secondary school and 5.4% in a tertiary or technical institution (2016 Census).

Employment

7. The only real change in employment data since 2011 was a medium weekly personal income rise of $100 ($500-$600). Otherwise employment data stayed the same.

8. There were 789 people who reported being in the labour force in the week before Census night in the Shire of Boyup Brook. Of these 55.0% were employed full time, 31.8% were employed part-time and 4.9% were unemployed.

9. The most common occupations in the Shire of Boyup Brook included Managers 37.1%, Labourers 14.2%, Technicians and Trades Workers 10.9%, Professionals 9.6%, and Clerical and Administrative Workers 8.0%.

10. Of the employed people in the Shire of Boyup Brook, 16.5% worked in Sheep Farming. Other major industries of employment included Grain-Sheep or Grain-Beef Cattle Farming 8.8%, Beef Cattle Farming 7.8%, Local Government Administration 4.1% and Supermarket and Grocery Stores 3.3%. (2016 Census).

Industry

11. 35% of the population worked in Sheep, Beef Cattle and Grain Farming. Other major industries of employment included School Education 6.1%, Local Government Administration 3.8%, Supermarket and Grocery Stores 2.9% and Hospitals 2.6% (2011 Census).

12. Of a total 208 businesses, only 28 actually employed people. The average annual wage was $43,000, which is relatively low compared to that of persons living and working in Cities (Western Australia - $57,365) (2011 Census).

13. Total agricultural land holdings amounted to 147,433 hectares in 235 farms. These farms produced $48 million worth of value. (South West Development Commission, 2015).

Dwellings

14. 78.5% of private dwellings were occupied and 21.5% were unoccupied. The unoccupied rate is high compared to Western Australia's rate, which is 11.2% (2016 Census).

15. Of all households, 70.2% were family households, 27.9% were single person households and 1.8% were group households.

16. Over a ten year period (2011-2017), 16 dwellings were approved in the 'Special Rural' zone, 9 dwellings were approved in the 'Rural' zone, two dwellings were approved in the 'Residential' zone and 3 dwellings were approved in the 'Urban' zone (townsites – other than Boyup).

Planning Issues

Community Services

1. There is a lack of housing specifically designed and developed to accommodate an increasing percentage of aged and single person households.

2. Few opportunities are available for further education once high school age is completed. Children leave the region to undertake further education in Bunbury and Perth.

3. Infrastructure at the Boyup Brook townsite sporting precinct is aging and in need of redevelopment. Consideration should be given to seeking funding and co-locating recreation/sporting and community services in the one location.

Accommodation

4. There is limited amount, variety and quality of short term accommodation for tourists and business entrepreneurs. Improvements to existing hotel accommodation and provision of additional self contained units within the Boyup Brook townsite centre and caravan park have the potential to attract tourists to the region.

Housing

5. The housing stock within the Boyup Brook townsite and for some rural properties is aging and in need of redevelopment. The development of a reticulated sewer system, has the potential to entice redevelopment, subdivision and grouped housing development.

Population Projections

Planning Analysis

1. The population change between census periods (2011 – 2016) was marginal. The population grew by 113 persons, which equates to approximately 20 persons per year. This however is an increase on the population growth recorded between 2001 and 2011 (X4).

2. Persons are moving to the region and taking up residence on the fringes of the Boyup Brook townsite, on rural lifestyle properties.

3. The following graph illustrates the number of dwelling approvals between 2011-2017. As indicated the majority of dwellings were approved in rural and Rural Residential zones. There were 40 new dwellings approved in the rural zone and 16 new dwellings approved in the Special Rural zone between 2011 and 2017.

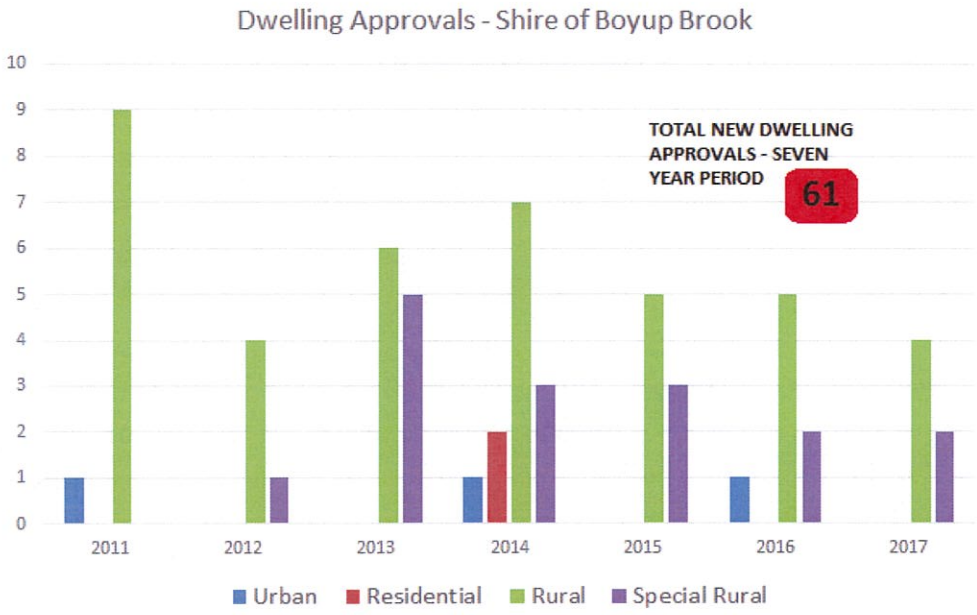


Figure 4. Dwelling Approvals – Shire of Boyup Brook
(Source – Shire of Boyup Brook building approvals record data).

Planning Issues

1. Currently, the majority of housing development has occurred on 'Rural Residential' and 'Rural' zoned land adjoining the Boyup Brook townsite, rather than 'Residential' zoned lots in the heart of the Boyup Brook townsite. This has been mainly due to the lack of available land and subdivision viability associated with the cost of servicing and low return on investment.

2. The average residential lot size is 1200m^2. Lots are not currently serviced with reticulated sewer, meaning consolidation opportunities are limited. Whilst the Water Corporation has identified the Boyup Brook townsite for a sewerage treatment system, this project is unlikely to be funded in the short -term.

3. Within the Boyup Brook townsite, land supply is available for residential development, but has not been developed, due to low demand, housing vacancy and a static population growth.

4. With an increasing adolescent and aged population, demand for services such as medical, aged accommodation and recreation is expected to increase.

Boyup/Tourism/Agriculture/Nature

Employment Projections

Planning Analysis

1. The three occupational groupings expected to experience the strongest in employment growth for the South West Region of Western Australia, are professionals, technicians and trades workers, and managers. Together, these groups are predicted to account for 61.4% of jobs growth in the next four years (2016-2020) (Department of Training and Workforce Development, 2014).

2. The following qualifications are expected to lead future jobs growth: bachelor degree, certificate III or IV and diploma. Those people with no post school qualifications are projected to experience a decline in employment (Department of Training and Workforce Development, 2014).

3. Projected employment by industry for the South West indicates that construction, health care and social assistance, retail trade, education and training and agriculture and forestry will all grow significantly in the next five years (Department of Training and Workforce Development, 2014).

4. Growth in youth demographics and good access to educational institutions means the South West has significant strengths in relation to workforce supply.

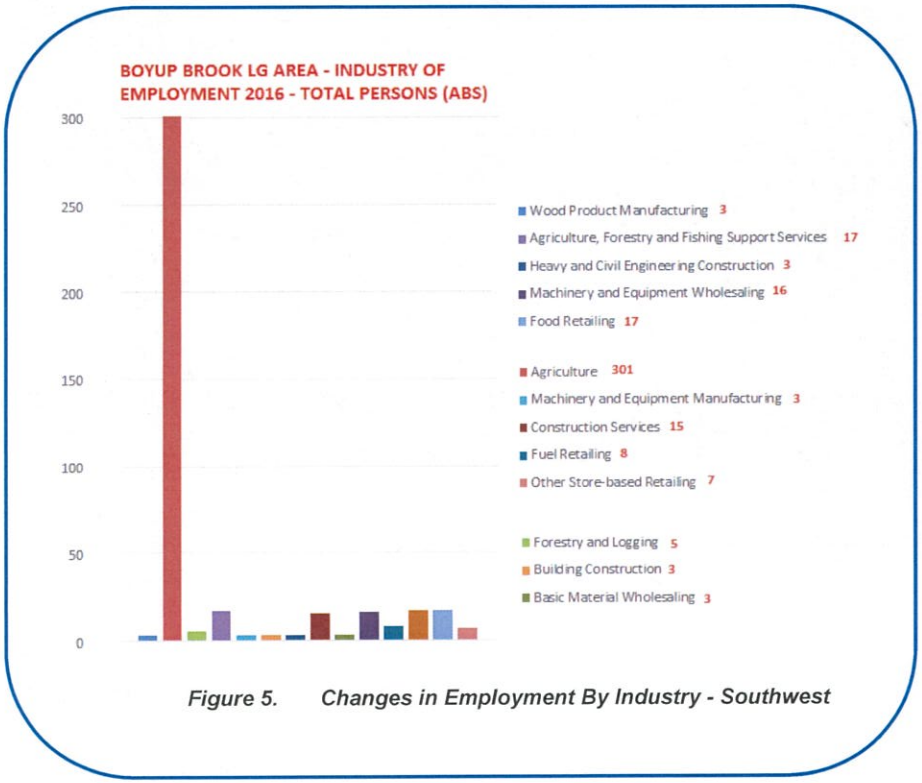


Figure 5. Changes in Employment By Industry - Southwest

Planning Issues

1. In relation to employment, the main planning related issue is a lack of short term accommodation available to a transient workforce and a lack of new and affordable homes to accommodate professionals and young entrepreneurs.

2. Personnel with specialized skills are needed to support an aging population and a more technical and scientific base agriculture industry. Personnel seeking part time work are needed to cater for a shift from full time to part time employment opportunities.

3. The same can be said for holiday accommodation. There's a lack of quality holiday accommodation to support the tourism industry, which has the potential to grow subject to marketing. The Boyup Brook townsite is a beautiful town situated on the Blackwood River and a major tourist route. The town attracts country music lovers to the annual Boyup Brook Country Music Festival.

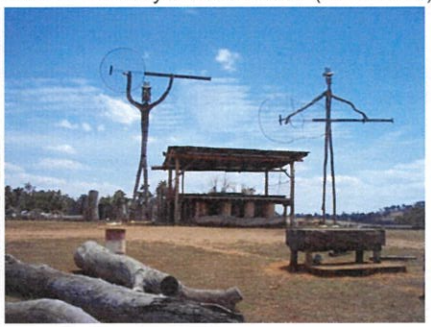
4. The low population growth and commercial catchment makes it difficult to achieve employment growth. Residents in the Shire of Boyup Brook also travel to the neighbouring Bridgetown for business. Considering employment opportunities are limited to mainly agriculture, young people move where a variety of employment opportunities may exist.

Boyup Co-Op (Commercial)

Boyup Farm Supplies (Commercial)

Grain Bulk Handling (Wholesale)

Tourism – Country Music Festival (H. Dickson)



Urban Growth & Settlement

Planning Analysis

Existing Settlement hierarchy.

1. There is one 'Principal Centre' (Boyup Brook townsite) and five small rural settlements (Hamlets) in the Shire (refer to below Table 3).

Table 3. Settlement Hierarchy

Settlement Type	Commercial & Community Services	Infrastructure	Social, Economic and Environmental drivers for growth.
Boyup Brook - The Principal Centre servicing the Shire. (Population – 900)	• IGA Store; • Commercial shops and service outlets; • Hospital and aged care/lodging; • Recreation precinct; • Administration centre; • Telecentre, Museum and Tourist Centre; and • Primary and High Schools	• Reticulated potable water (piped from neighbouring Shire – Bridgetown); • Telecommunications; and • Power Deep sewerage not currently available - in the planning – Water Corporation.	Develop as a social and recreation support centre for the population as it grows. Develop as a service centre supporting a strengthening agriculture industry. Develop as a cultural centre with entertainment and heritage assets. Develop as a lifestyle and tourist destination with enhancements to eco-tourism.
Rural Settlements (Hamlets) • Dininnup • Wilga • Kulikup • Mayanup • Tonebridge (Populations < than 50)	Community Hall(s) Mayanup has an arena for holding horse (camp-draft) eventing. Dininnup holds the annual shire agricultural show.	Innovative on-site water supplies and effluent disposal on an individual site basis. Overhead power.	Infill potential given existing undeveloped small lot entitlements. Otherwise no growth potential given lack of social services (e.g. General Store). Consider downsizing rural settlement areas by amalgamation to expand existing farming entitlements or for natural resource management.

Planning Issues

Boyup Brook - townsite

1. Urban growth and conventional residential densities are constrained by:
   a) Lack of reticulated sewerage;
   b) Low commercial return on subdivision and development;
   c) Natural limitations such as rocky outcrops, steep topography and unsuitable (impermeable) soils.
2. Whilst Boyup Brook continues to have a country vernacular, this could be threatened by increasingly modern building practises and design which does not respond to the landscape. Ongoing need to ensure buildings are sustainable.

Rural Settlements

3. The Shire's rural townsites (Hamlets) are all without social, recreation and commercial services. Occupants travel to the Principal Settlement or surrounding local governments to acquire goods and for recreation, schooling and social interaction.

4. Large areas of land exist within rural settlements that are either vacant or unallocated Crown land which is zoned 'Urban'. This land is surplus to demand and needs to be rationalised to avoid unsustainable urban expansion.

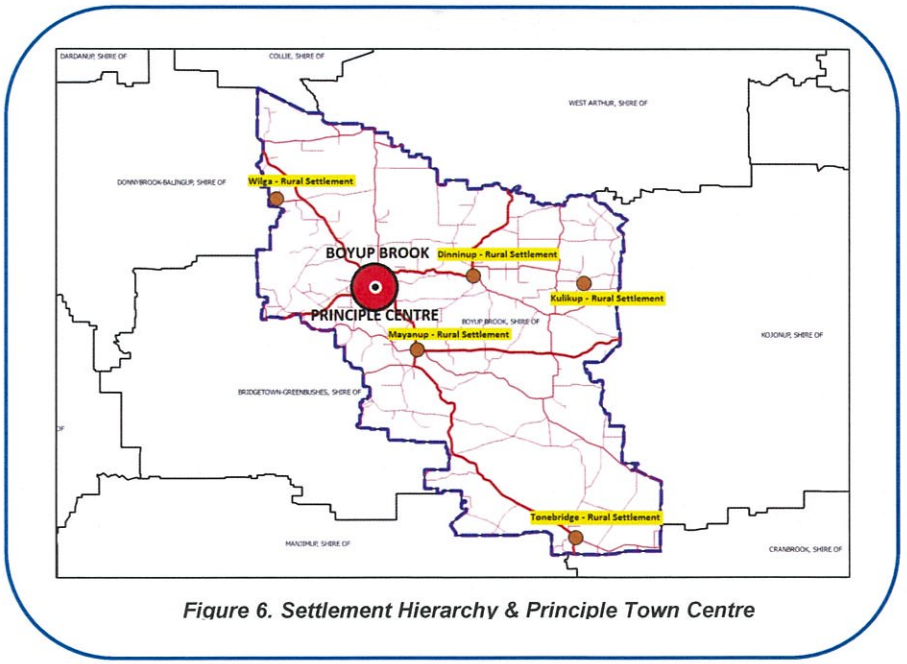


Figure 6. Settlement Hierarchy & Principle Town Centre

Land Demand & Supply Analysis

Planning Analysis

Table 4. Residential & Rural Living Demand/Supply Analysis

Investigation Area	*Investigation Area (ha)*	*Developable Area (ha)*	*Density (R-Code)*	*Lot Size (Min Avg)*	*Estimated Lot Yield*
Boyup Brook 'Residential' zone (Includes 'Guided Development' area)	64.4ha Existing Residential Lots	64.4ha Existing Residential Lots	Density code – as per scheme - R15	Min lot sizes– 1000m^2 Avg lot size – 1200m^2	Current amount of lots – 315 **Total Potential – 966 Lots** (approx)
Boyup Brook 'Special Rural' zone (Includes Structure Plan Areas 1 and 2)	773.8ha	Approx - 633ha (-20%)	Min permitted - 2ha	N/A	Current amount of lots – 122 **Total Potential – 315** (approx.)
Boyup Brook 'Rural Small Lot Holding' zone (Includes Structure Plan Areas 3 and 4)	652ha	Approx - 522ha (-20%)	Min permitted – 4ha	N/A	Current amount of lots – 13 **Total Potential 130** (approx.)
Wilga Settlement 'Urban' zone	274ha				Current amount of lots - 55
Dininnup Settlement 'Urban' zone	15ha				Current amount of lots - 41
Kulikup Settlement 'Urban' zone	143ha				Current amount of lots - 44
Mayanup Settlement 'Urban' zone	3.54ha				Current amount of lots - 24
Tonebridge Settlement 'Urban' zone	37.72ha				Current amount of lots - 23
Residential & Rural Living Total	Current lot supply – **637** Total Potential – **1598** approx Based on Scheme zones and standards, there is the potential for an additional **961** lots to accommodate living in the Shire of Boyup Brook. This estimate does not consider the potential for additional lots via development of sewerage treatment infrastructure – envisaged in the long term. There is land appropriately zoned to accommodate population growth. Land and housing affordability, growth in employment opportunities and a continuation of servicing are essential elements to help stimulate growth.				

Table 5. Commercial Demand/Supply Analysis

Investigation Area	*Investigation Area (ha)*	*Developable Area (ha)*	*Floorspace Estimate (M^2)*
Boyup Brook - townsite			
Commercial	4.6ha	Current supply - 46lots	Based on average 1000m^2/Lot - **Total Potential - as is - 46 Lots**

Table 6. Industry Demand/Supply Analysis

Investigation Area	*Investigation Area (ha)*	*Developable Area (ha)*	*Floorspace Estimate (M^2)*
Boyup Brook - townsite			
Light Industrial	7.7ha	Current supply - 19lots	Based on 4000m^2/Lot - **Total Potential – as is -19 lots**
General Industrial	4.2ha	Current supply -10lots	Based on 4000m^2/Lot – **Total Potential – as is -10 lots**

Planning Issues

1. Increased densities in the Boyup Brook townsite are dependent upon the provision of a reticulated sewerage scheme.
2. Further subdivision of existing 'Residential' land is constrained by the cost of subdivision and the affordable nature of 'Rural Residential' lots, given lesser servicing costs (i.e. on-site water and effluent disposal).
3. The potential for additional commercial and industrial lots is limited due to the use of available land and low commercial incentive to rationalise/subdivide underutilised land.
4. There is a slow uptake of land available (zoned) for 'Special Rural' and land in the remote settlements such as Dininnup and Mayanup.
5. Small lot development as an extension to the existing urban areas is constrained due to steep and undulating topography, the presence of granite rock and the lack of utilities including potable water and a sewerage scheme.
6. Consideration needs to be given to supporting diversity in lot sizes, including 4000m2 and 5000m2 lots as an extension to existing developed areas.

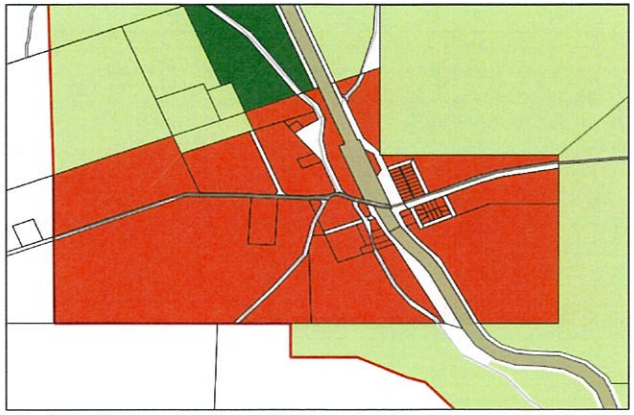


Figure 7. Wilga Settlement – North of Boyup Brook townsite

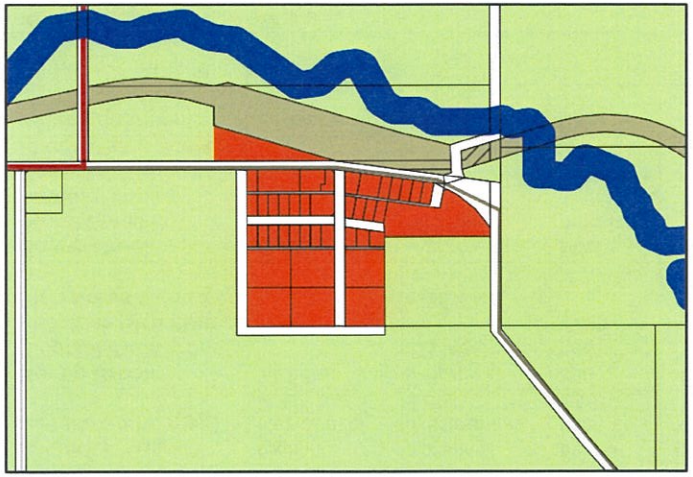
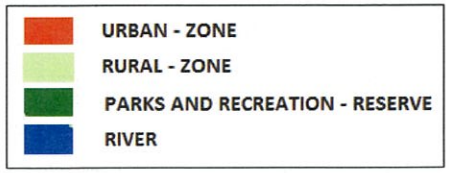


Figure 8. Dinninup Settlement – East of Boyup Brook townsite



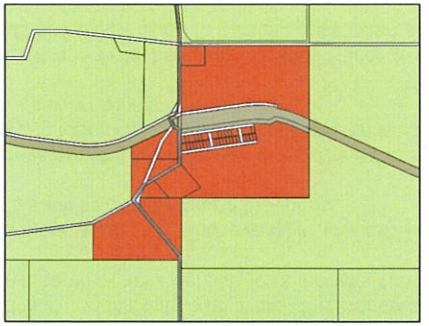


Figure 9. Kulicup Settlement – East of Boyup Brook townsite

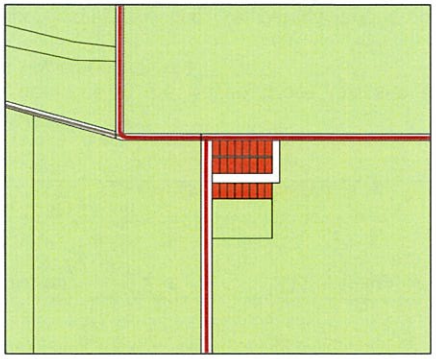


Figure 10. Mayanup Settlement – South of Boyup Brook townsite

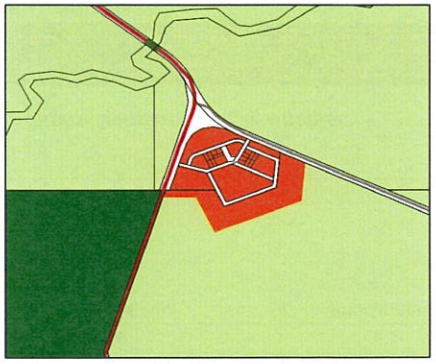


Figure 11. Tonebridge Settlement – South of Boyup Brook townsite

Natural Environment

Planning Analysis

1. Temperatures in the Shire range from a minimum of 4.3°C in winter to more than 30°C during summer (ABS). Annual rainfall is 700mm compared to 1000mm in south coastal regions (WA) and 500mm in inland regions (Katanning and Narrogin) (ABS).

2. Less rainfall predicted by climate change modelling, means increased potential for fire and complications for farming.

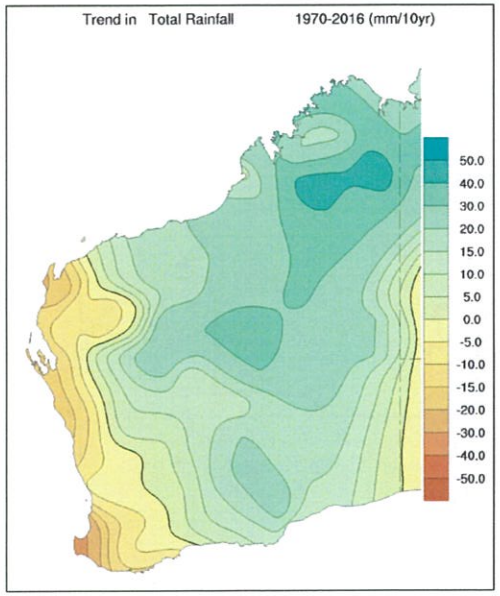


Figure 12. Trend in Total Rainfall *(Bureau of Meteorology)*

3. High value, biodiverse rich systems include:
   - Two dominant river systems passing through the Shire (Blackwood River and Tone River).
   - Large vegetated areas in Crown ownership (State Forest); and
   - Areas identified by the Environmental Protection Act as being Environmentally Sensitive.

4. Species of the region listed in the Environment Protection and Biodiversity Conservation Act 1999 as being threatened include the Carnaby's (Black) Cockatoo and the Western Ring Tailed Possum.

5. The deep and steep sided Blackwood Valley is a landscape character icon with its long valley views and intermix of farming and vegetated areas.

Planning Issues

1. Farming practices including clearing of vegetation, use of chemicals and livestock grazing amid remnant vegetated areas and river systems, has the potential to impact on the environment (biodiversity of life) and the longevity of agricultural practices.

2. Sustainable and environmentally friendly farming management practices such as fencing off remnant vegetation, incorporating suitable vegetated buffers to water courses, capturing and breaking down soil contaminants prior to reaching water courses and planting of trees on escarpments and low areas subject to soil acidification, is lacking in some areas.

3. Intensification of livestock practices (e.g. feedlots for livestock) has the potential to exacerbate climate change.

Blackwood River

Carnaby's Black Cockatoos

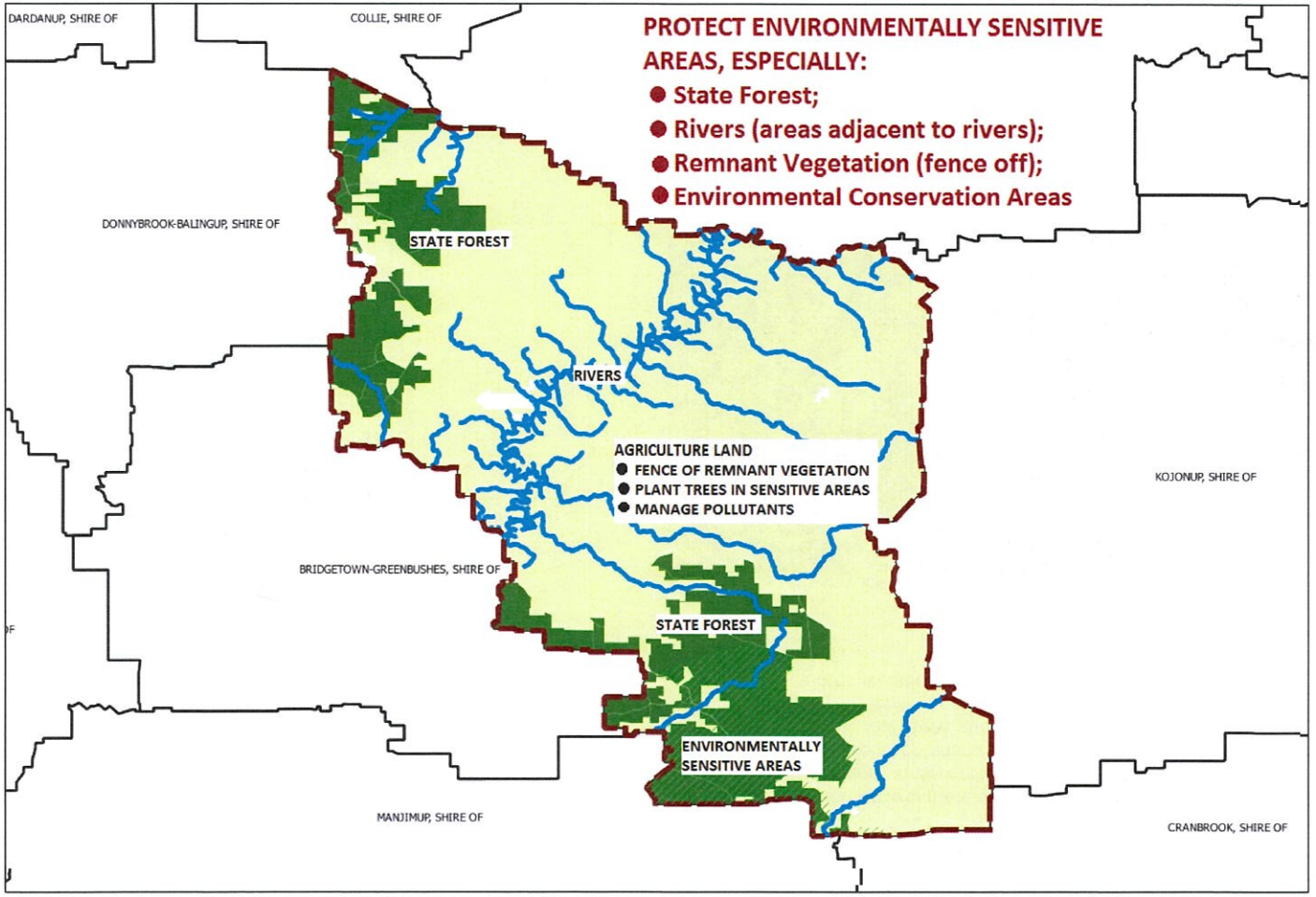


Figure 13. Natural Environment Map

Natural Resources & Land Capability

Planning Analysis

Landscape and Soil

1. The Shire of Boyup Brook is gently undulating with a low, hilly relief, and broad depressions with swamps.

2. Soils are characterised by laterite, gravels and grey sand on upper areas and sandy, yellow soils on slopes and river terraces (Department of Agriculture and Food, 2008).

3. 3-9% of the Shire has moderate, high or extreme salinity (Department of Agriculture and Food, 2008). High risk areas for the future include the Tweed and Scotts Brook catchments (Blackwood Basin Group, 2015).

Water and Riparian Vegetation

4. With the majority of the middle region of the Shire having been cleared and used for agriculture over a long period, waterway salinity levels have become brackish to saline (Planning, 2004).

5. The water quality of river systems passing down through more forested areas improves, where it is diluted by the inflow of fresher side streams (Planning, 2004).

6. Much of the riparian environment is also moderately to severely degraded in the middle to upper Blackwood river system (Planning, 2004).

Biodiversity

7. Significant biodiversity values in need of protection are located within State forest, which offers a moderate or high level of protection opportunity.

8. Some of the remnant vegetation remaining on freehold land has been degrading as a result of factors such as poor management, overgrazing, weed infestation, rising water tables and salinity levels (Planning, 2004).

Agriculture – Capability

9. 50-70% of the Shire of Boyup Brook is capable of growing perennial horticulture. (Department of Agriculture and Food, 2008).

10. The 235 farms in the Shire (147,433 hectares), produced $48million worth of value. (South West Development Commission, 2015).

Planning Issues

Water

1. The high levels of salinity in some waterways adversely affects a wide range of community values and opportunities, including agricultural production, riparian vegetation, visual landscape, community facilities and tourism.

2. Riparian areas act to filter water runoff from the adjacent land uses, as well as playing a recreational and educational role for the community. These areas are under threat from weed infestation and livestock grazing.

3. More information, education, incentives, equity and support is needed as ingredients for a partnership in river and wetland care.

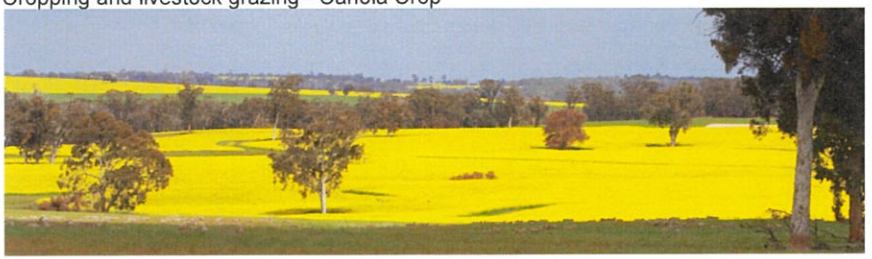
Biodiversity

4. Extraction of natural resources can impact the natural environment, cause land use impact and loss of amenity.

Tree Plantations

Blackwood River

Cropping and livestock grazing - Canola Crop



Agriculture & Food

Planning Analysis

1. Current farming produce includes:
   - Cereals (wheat, barley, canola, lupins and chick peas); Meat (beef, lamb, goat and pig); Perennials (vineyards); and Timber.

2. Farming practices are sound and include:
   - Minimum tillage and grazing - beneficial to maintaining soil structure.
   - Regular crop rotation and avoidance of stubble burning; and
   - Application of gypsum (hydrated calcium sulphate).

3. The majority of the region is at low risk of structure decline and acidification (Department of Agriculture and Food, 2008). The soil conditions are suited to the growing of perennial plants such as grape vines for wine making and fruit trees for food consumption (Department of Agriculture and Food, 2008). Perennial plants are long lived and therefore generally deeper rooted than annuals. Perennial horticulture generally requires irrigating and higher initial capital costs.

4. A large majority of land parcels in the Shire of Boyup Brook are more than 40ha and the vast majority are more than 80ha. Conflict between sensitive land use such as rural living and farming operations is expected to be less where large farm landholdings are in operation. Intensification and diversification within a large landholding can occur inclusive of buffers to sensitive areas. Large land holdings provide greater economic security. With a growing demand for food, greater opportunities are expected for intensive agricultural pursuits such as free range pigs and chickens and perennials.

5. Tree plantations present various economic, environmental and employment opportunities, and agroforestry appears to offer far greater sustainable benefits for the region and the community. Agroforestry is a land use management system in which trees or shrubs are grown around or among crops or pastureland. It combines agriculture and forestry technologies to create more diverse and sustainable land use.

6. Several commercial activities directly associated with the district's primary production are established within the Boyup Brook townsite. These include the Co-operative Bulk Handling grain terminal, machinery dealers, agricultural suppliers, stock agents, livestock transporters and real estate agents. Major distributor roads provide access opportunities for produce to various market outlets.

Planning Issues

1. Trends have shifted over the years from high numbers of livestock and labour opportunities (shearing, crutching, mulesing, drenching) to predominantly cropping with high cost investments in machinery and drop in labour demand. Many of the changes occurring in the rural economy are beyond the scope of the planning system to resolve, including:
   - Commodity price fluctuations;
   - Changing demand;
   - Losing inter-generational continuity of farming families;
   - Economic pressures;
   - Technological advances; and
   - High labour costs.

2. The growing global demand for food may generate a turn-around in the economy with demand for perennial and intensive livestock farming. Irrigation and chemical spraying of perennials and odours produced by intensive livestock generates a need for stringent management practices and setbacks to sensitive land uses.

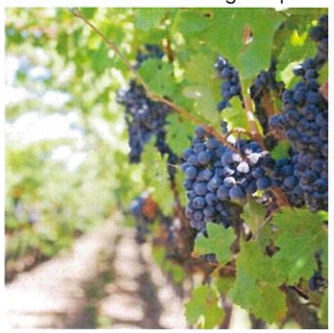
3. Potential for land use conflict between rural lifestyle landholders and neighbouring agricultural land as a result of agricultural practises.

4. The farming community, local government and the general population need to work together to lower the risk of land use conflict, whilst ensuring agriculture prospers. Well managed enterprises minimise the occurrence of land use conflicts. There needs to be sufficient flexibility in the planning system to accommodate the needs of intensified agricultural production. Especially considering there is limited high capability production land in the Shire. (Planning, 2004).

5. Static population growth over the last 20 years has affected the economic and social fabric of the Shire's principal centre and other smaller rural settlements throughout the district (Planning, 2004).

Servicing Agent for Agricultural Machinery

Viticulture – Harvesting Grapes



Public Utilities

Planning Analysis

Sewerage

1. The Boyup Brook townsite and the remainder of the Shire are serviced by on-site effluent disposal and there is no reticulated sewerage network. On-site effluent disposal is controlled by the Shire through delegation from the Department of Health. A large majority of these on-site systems are traditional septic tank and leach drain, some of which may be degraded and or inappropriately located.

2. The Boyup Brook townsite is proposed to receive a Septic Tank Effluent Disposal (STED) scheme (Water Corporation, 2015). STED schemes are designed to take wastewater that has already been partially treated in household septic tanks through a pipeline system to an evaporation and infiltration disposal pond system, removing on-site infiltration through leach drains and achieving a higher standard of treatment overall. Whilst the STED scheme would facilitate increases in urban densities in the Boyup Brook townsite, the system has not been implemented or funded at this time.

Potable Water

3. Potable water is available to the Boyup Brook townsite via an extension to the Bridgetown water supply main. The source of this supply is Millstream Dam located near Balingup. Water from this dam is pumped to Hester, ten kilometres north of Bridgetown, and gravity fed to storage tanks located at the western entrance to the Boyup Brook townsite. Storage tanks and a large dam supplement the Bridgetown supply. The dam has the potential to supply industrial growth with a current capacity of 127,000,000 litres.

Electricity

4. Electricity is generated at the Muja Power Station. The present capacity for the town is 440/240 volts AC 50 cycles. Current capacity is reserved to cover natural load growth.

5. For growth to occur, existing single phase connections and transformers may need to be upgraded to three phase overhead.

Gas

6. Gas is supplied in cylinders by a local distributor.

Rubbish

7. Rubbish is collected in the Boyup Brook townsite once a week and in Dinninup, Wilga and Kulikup every second week. A free kerbside pickup is also provided in the Boyup Brook townsite for recyclable materials on the first Thursday of each month. In addition to the regular rubbish collection, the Council provides a Transfer Station and Recycling Facility situated on the Boyup Brook-Arthur River Road, less than two kilometres from the Boyup Brook townsite.

Planning Issues

1. The Shire of Boyup Brook is the only municipality in the South West which does not have a reticulated sewerage scheme. The lack of satisfactory sewerage infrastructure is a major impediment to residential development and subdivision within the principal centre. The imposition of large lot sizes to facilitate onsite effluent disposal is restricting the development of smaller lots and unit development, which are more affordable and attractive to aged persons.

2. Whilst the Water Corporation has outlined that a STED system for the Boyup Brook townsite is one of its priorities, such a scheme is yet to achieve funding and may not be achieved until the medium to long term.

3. In designing a STED system, consideration needs to be given to any identified future residential and industrial growth areas as a component of the Local Planning Strategy.

4. Potable water is sourced from a neighbouring town and is of a poor quality (poor taste – purified).

This map shows a potential sewer catchment area as indicated by the Water Corporation

Boyup Brook - townsite

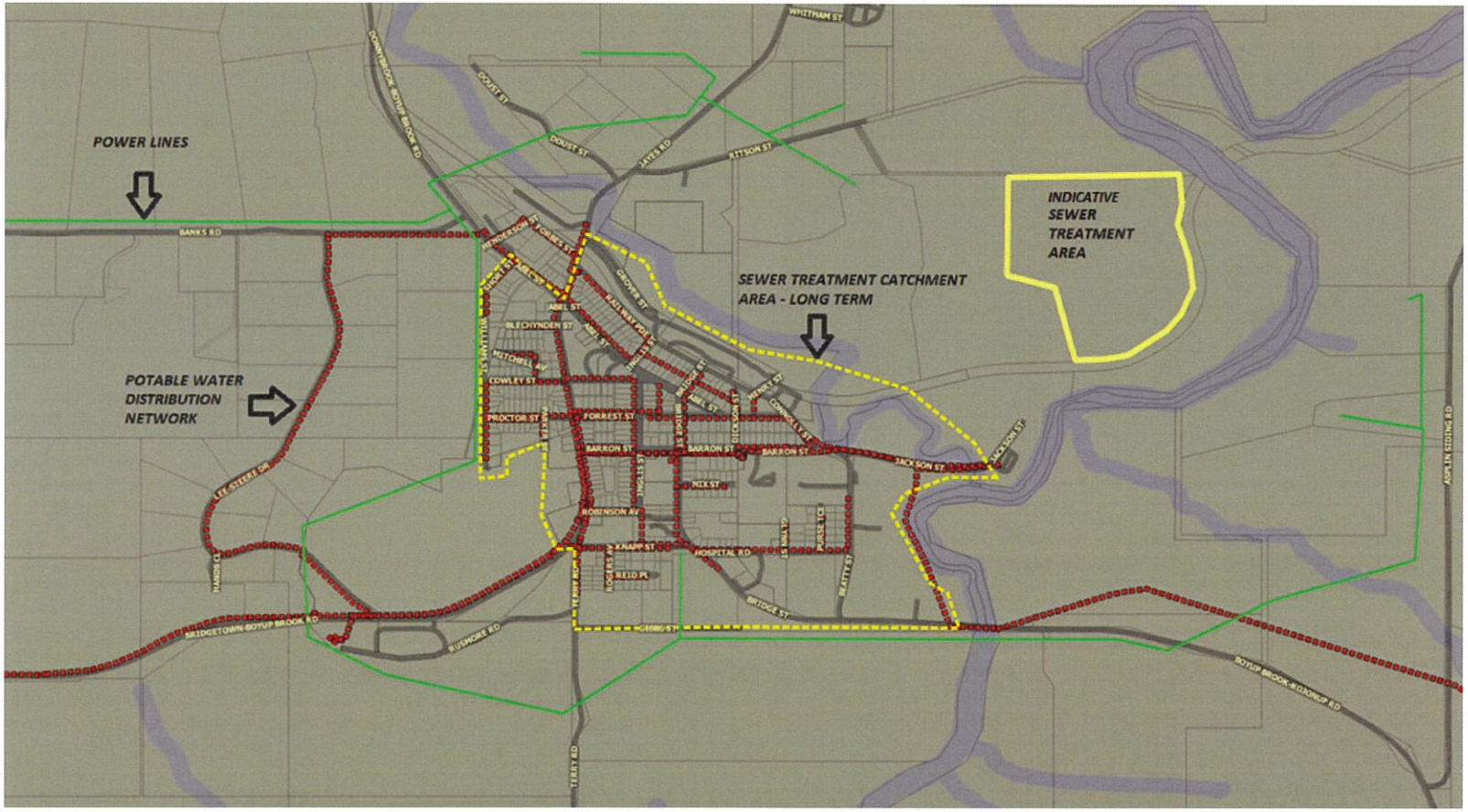


Figure 15. Public Utilities Map – Boyup Brook

Transportation Network

Planning Analysis

Major Roads

1. The Boyup Brook townsite is intersected by the following major roads:

    - Donnybrook to Colie in the north – the Donnybrook Boyup Brook Road;
    - Bridgetown to Manjimup in the west – Bridgetown Boyup Brook Road;
    - From Kojonup in the east – Blackwood Road;
    - From Arthur River in the north east – Boyup Brook Arthur River Road; and
    - From Albany in the southwest – Boyup Brook Cranbrook Road.

Tourists

2. Tourists visit the region when travelling between Perth and Albany. Tourists visiting wineries in the Frankland area use the Boyup Brook townsite as a transit destination.

3. Tourists use roads that follow the Blackwood River, a significant tourist asset in the region.

4. The Boyup Brook - Cranbrook Road and Wingebellup Road form part of an alternative transport route between the Great Southern, South West, and Peel Regions. In addition to through traffic, it services abutting farming properties, private tree plantations and several tourist destinations such as Perup Nature Reserve. The route carries a mix of heavy and light traffic including livestock, timber and tourist vehicles and is a school bus route.

Economy

5. The Boyup Brook - Arthur River Road forms part of an inter-regional link between the South West and Wheatbelt Regions, for the transport of grain, livestock, timber and woodchips.

6. The Boyup Brook North, Bowelling-McAlinden and McAlinden Roads are heavy haulage routes between the Boyup Brook-Arthur River Road and the Donnybrook-Kojonup Road (MO 13) to access the Bunbury Port. Predominately used as a route for the plantation timber industry, averaging 42,500 tonnes (3 year period). The route also carries a mix of heavy and light traffic including livestock, grain, agricultural vehicles and school buses. These roads accommodate heavy haulage and agricultural traffic from the eastern portion of the Shire of Boyup Brook and the western portion of the Shire of West Arthur. Cardiff-McAlinden Road links Collie and Boyup Brook Shires. It provides access to Power House Road, Muja Power Station, Collie Motor Complex and the Muja Coal Mine.

7. Greenbushes – Boyup Brook Road is an east-west access and forms part of a link from the South West Highway to areas around the Shire of Boyup Brook. Used as a heavy haulage route for the timber industry as well as access to private properties both agricultural and otherwise. It is a strategic heavy vehicle arterial road route in the Shire of Boyup Brook for the transportation of plantation timber to the State Roads accessing the port of Bunbury, averaging 33,000 tonnes (3 year period).

Planning Issues

1. Boyup Brook - Arthur River Road alignment is sub-standard for the volume and type of traffic using the road. Several sections of the road require widening and re-alignment to accommodate the passenger vehicle, heavy haulage freight and school bus traffic mix.

2. With increasing volumes of heavy traffic servicing the plantation timber industry and increasing volumes of tourist traffic using the Boyup Brook - Cranbrook Road and Wingebellup Road as part of the Bunbury to Albany route, sections of the road require widening and upgrading to a seven metre sealed road.

3. The Boyup Brook North, Bowelling-McAlinden, Cardiff-McAlinden Road and McAlinden Road pavements and alignments are sub-standard for the volume and type of traffic accessing the route. Several sections of the roads require reconstruction, realignment and widening to a seven metre wide sealed standard to cater for passenger vehicles, heavy freight and school bus traffic mix. Cardiff- McAlinden Road width is currently satisfactory, but failed pavement sections need reconstructing and resealing.

4. The Greenbushes – Boyup Brook Road alignment in places is substandard for the volume and type of traffic using the road. Re-construction, widening and re-alignment of various sections to a uniform two lane sealed standard is required to cater for the passenger vehicle, heavy freight and school bus traffic mix.

5. Lack of available funding for road construction, maintenance and repairs has seen a decline in the standard of the network of state and local roads in recent years.

6. There is mounting community opposition to the increase in heavy haulage transport on the regional roads due to the deteriorating standard of the road network and the perceived threat to the safety of local and tourism traffic.

Heart of South West WA

Industrial transport hub

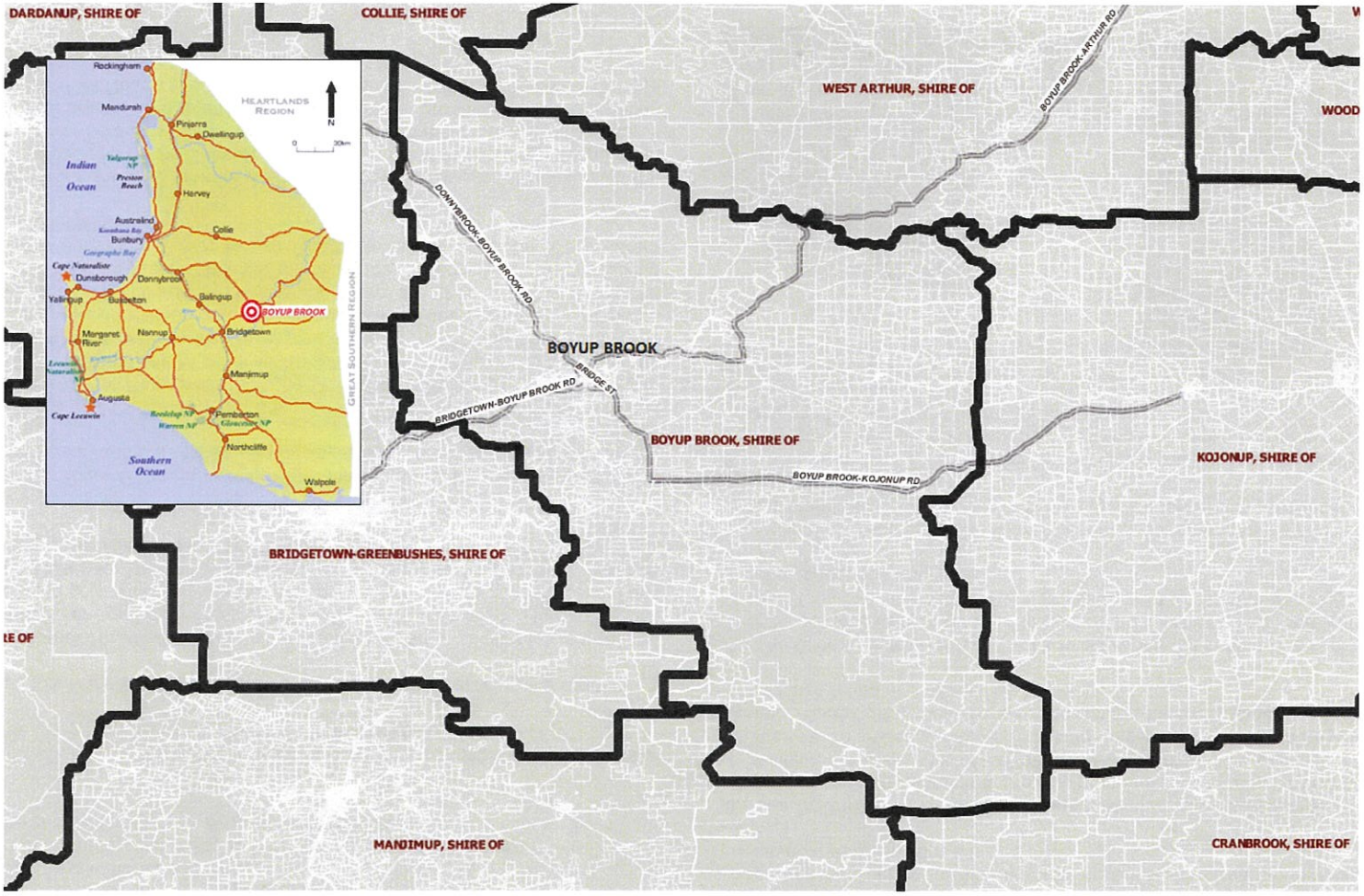


Figure 16. Transportation Network Map

Community Infrastructure

Planning Analysis

1. Community spirit is strong and represented by many groups and facilities including:
   - Sporting
     - Badminton, football, clay target, croquet, golf, hockey, cricket, camp-draft, netball, pony club, swimming, tennis, water polo and bowling.
   - Social
     - Town halls (Principal centre and rural settlements), Community Resource Centre, Country Music, Girl Guides, Country Women's Association, Liberal Party, Lions Club, Mayanup Progress, Boyup P&C, Family Playgroup and Returned Soldiers League.
   - Medical
     - Hospital;
     - Doctors X2;
     - Aged Persons Lodge – 12 person capacity;
     - Red Cross Boyup and Wilga;
     - St John Ambulance
   - Tourism
     - Boyup Brook Tourism Association;
     - Caravan Park – at Flax Mill
   - Economy
     - Upper Blackwood Agriculture Society
   - Environment
     - Blackwood Basin Group
   - Administration Centre for:
     - Transport;
     - Rates;
     - Development and landuse;
     - Community events; and
     - Library.

2. The Shire of Boyup Brook Strategic Community Plan has been developed (2013-2023) and aims to: *'Build a safe and secure community, and grow the population through commercial and employment diversity'.*

3. Key priorities of the Community Plan include:
   - Preserve and sustain the natural environment;
   - Maximise development opportunities and diversify our economic capacity;
   - Build local area employment opportunities;
   - Strengthen service delivery and advocacy, whilst not losing our past identity and history.

Recreation – Principal Centre

Walk Trails

Education – Primary and High Schools

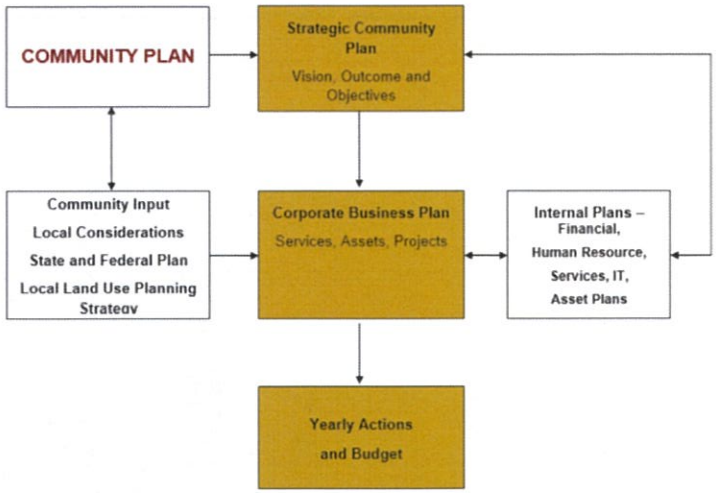


Figure 17. Boyup Brook Community Strategic Plan

Planning Issues

1. Financial revenue streams for the Shire are limited by the ability to source external funding from grant programs and how much the community can sustain in the way of rate increases.

2. Asset Management Planning suggests that the management, replacement and renewal of building and structure assets is catered for with minimal or no funding gap (Brook, Shire Boyup Community Strategic Plan, 2013-2023).

3. Roads and Bridges Asset Management Planning shows a renewal funding gap that is currently beyond financial capacity and unless the financial management approach is changed, the funding gap will not be closed (Brook, Shire Boyup Community Strategic Plan, 2013-2023).

4. Council needs to work hard to secure funding sources to deliver the community's desired outcomes.

5. Additional issues as identified by the shire's, 2013 – 2023 Community Strategic Plan include:
   - The need for additional youth services (sporting) co-located with other community services in the recreation precinct.
   - The need for surveillance measures such as lighting in public areas;
   - Strengthen road safety in town, in the face of increasing heavy haulage;
   - Develop paths linking residential and tourist areas to commercial and recreation areas;
   - Provision of facilities within parkland (sporting, play equipment, passive);
   - Examine the opportunity to expand and enhance refuse sites;
   - Better promote business and tourism opportunities around town (advertising).

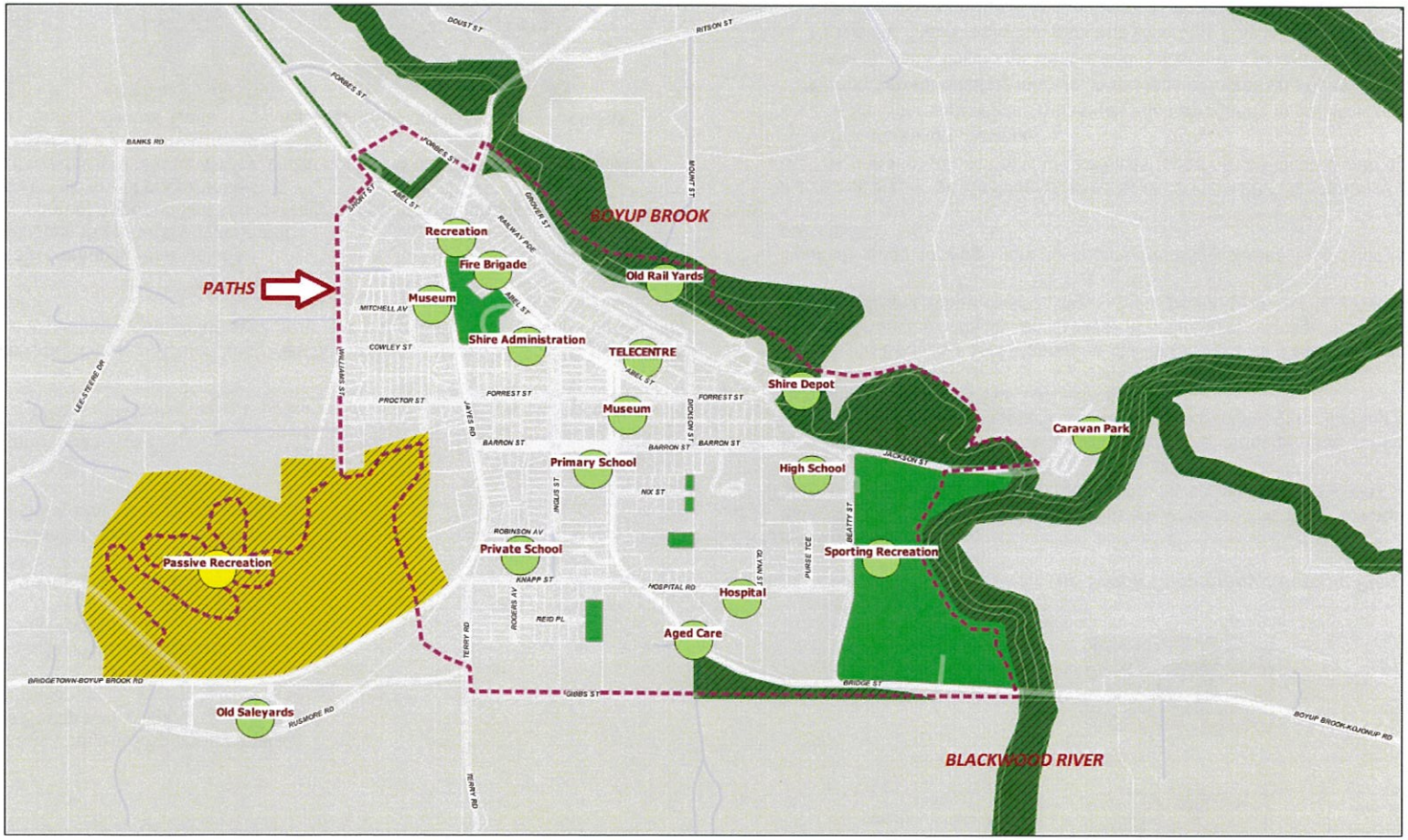


Figure 18. Community Infrastructure Map

Heritage

Planning Analysis

1. Existing historic buildings, industries and meeting places, such as the Boyup Brook town hall, Norlup Homestead and Flaxmill, enrich the characteristics of the region and provide benefits to the economy through tourism and community wellbeing.

2. The Heritage of Western Australia Act 1990 (Government of Western Australia, 1990) requires local governments to identify buildings of cultural heritage significance through a Municipal Inventory.

3. Identifying, grading and documenting places and areas in Local Government Inventories is undertaken in accordance with the 'Criteria for the Assessment of Local Heritage Places and Areas', State Heritage Office, WA (State Heritage Office WA, 2014).

4. Criteria for consideration includes:
   - Aesthetic value – distinctive features;
   - Historic value – associated with important events, special persons and/or particular periods;
   - Research Value – provides evidence of past activity;
   - Social value – community attachment to a place;
   - Rarity – uncommon or endangered aspects;
   - Representativeness – high level of authenticity or commonality within an area;
   - Heritage areas – cohesive between physical form and public realm.

5. The Shire Council has developed a Heritage List of places considered to be worthy of conservation. The heritage list makes reference to:
   - Historical growth:
     - Pre European settlement by Aboriginal tribes;
     - Original exploration of the Upper Blackwood in1834;
     - First settlement in 1861, the result of sandalwood found in the northern portion of the district and trade with China;
     - In 1896 the development of the Upper Blackwood District Road Board for planning roads and townships;
     - A growing population and occupation in livestock for meat and wool and the development of a school, hotel, police station, railway, church and sporting facilities in early 1900's.
     - The development of a hospital in 1923;
     - The most important industry of the day being agriculture with support from a wide range of service, commercial, industrial, civic and recreational services; and
   - Heritage sites with recommendations for management including:
     - 1936 - Boyup Brook Town Hall;
     - 1924 - Post Office;
     - 1909 – Railway Barracks;
     - 1941 – Flax Mill;
     - 1874 – Norlup Homestead (early settlers home);
     - 1845 – Gregory Tree (tree marked by early surveyor).

Planning Issues

1. Throughout the Shire, whilst there are good examples where heritage is preserved, degradation of some heritage places is occurring through:
   - Gradual degeneration of the heritage asset;
   - Poor maintenance;
   - Poor knowledge of the significance of the place, either by the community or by the owner;
   - Poor record of the places being maintained by the relevant authorities or those places not being registered in any manner; and
   - Inadequate funding.

2. The Local Government needs to review its heritage inventory to:
   - Align with the standard criteria developed by the State Heritage Office;
   - Ensure the evaluation of each place is accurate, consistent and up-to-date;
   - Include new places, precincts and areas; and
   - To enforce protection of heritage through scheme and policy provisions.

3. Aboriginal heritage is not recognised by the Shire's Scheme.

Heritage Museum

Sandakan War Memorial

Boyup Town Hall

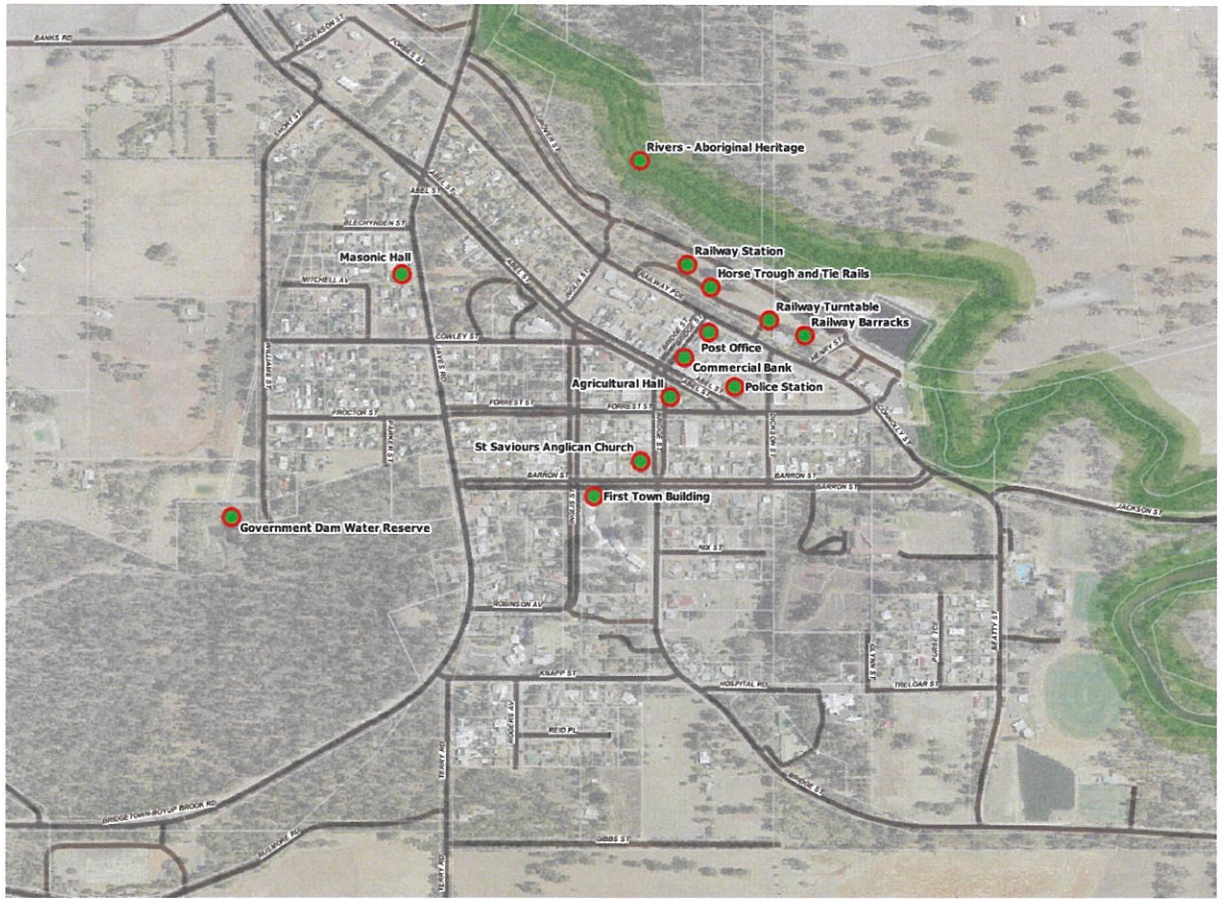


Figure 19. Heritage Map

Landscape and Visual Management

Planning Analysis

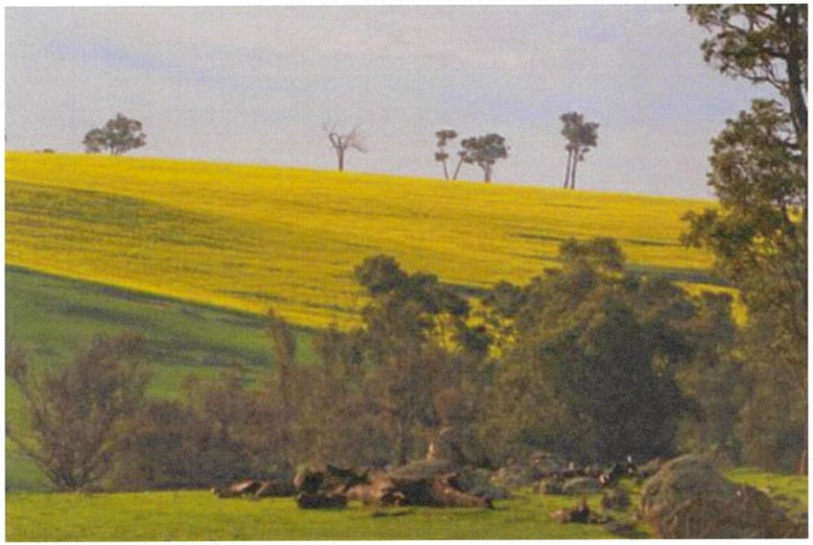
1. The Shire of Boyup Brook is within the Blackwood River catchment area, which is predominantly characterised by cleared agricultural and townsite areas occurring within an undulating landscape and with an expanse of jarrah and marri forest of medium height.

2. The vegetation is represented within state forest areas, tree plantations, roadside reserves, and areas of remnant vegetation on private land. Approximately 40% of the Shire of Boyup Brook remains covered by original native vegetation.

3. The Blackwood River catchment area is predominantly made up of course grained soils (gravel) and granite bedrock.

4. There are a number of areas within the Shire which are vested for the purpose of conservation of flora and fauna. These range in size from significant areas such as the (Perup Nature Reserve/National park), to smaller nature reserves. There are also a number of vested reserves or other lands under the control of the Shire or State Government agencies.

5. Generally, it can be said that the Blackwood River catchment has considerable water supply, recreational, heritage and environmental values.



Landscape – Undulating Farmland

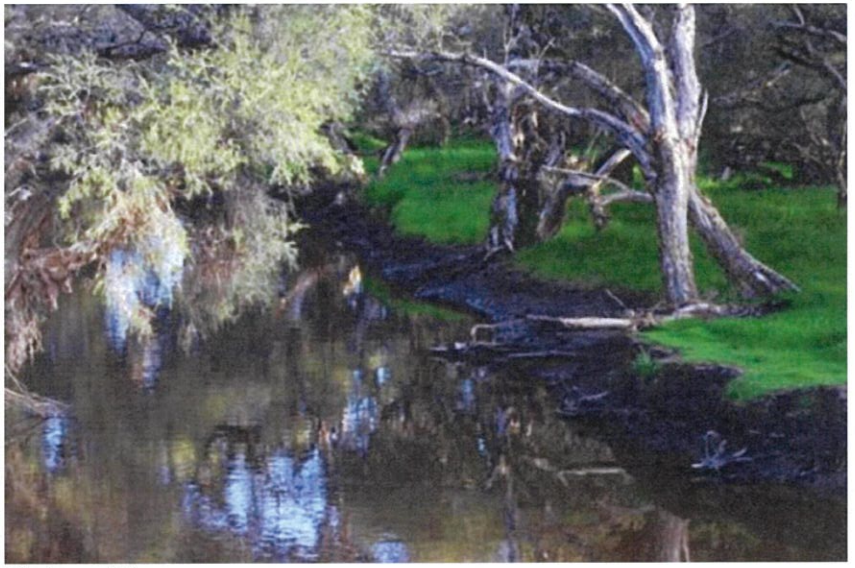
Planning Issues

1. There is an ongoing degradation of landscape through clearing or man-made modification.

2. The developed building stock within townsites is generally old and in need of redevelopment and/or intrinsic design elements.

3. Dryland salinity, wind and water erosion, siltation and eutrophication, remnant vegetation decline, stream degradation and waterlogging have been identified as the key issues of concern in this region.

4. Due to soil structure and low annual rainfall, the potential exists for land to be farmed beyond its productive capacity. The future outlook for agriculture indicates a role for planning in supporting the adoption of improved land management and codes of practice.



Blackwood River

3

STRATEGY OUTCOMES

3. Strategy Outcomes

Vision

The vision of the Boyup Brook Local Planning Strategy is to encourage growth of the Boyup Brook townsite as the primary settlement and to maintain the primacy of agriculture throughout the remainder of the Shire. This will be supported by the continued development of existing Rural Residential areas, and smaller areas identified for Residential Expansion of the Boyup Brook townsite.

Central to the growth of the Boyup Brook townsite is acknowledgement that delivery of public utilities in some locations is a challenge. This is partly due to the landscape (topography and localised granite outcrops) and a lack of government services (deep Sewer). As such, and where appropriate, on-site supply of water and effluent disposal may need to be considered as a mechanism to support development and subdivision.

Key Goals

1. Development of accommodation for aged persons and tourists;
2. Creating a community and recreation hub within the Boyup Brook Townsite;
3. Encouraging infill of existing Residential and Rural Residential areas;
4. Achieving residential and industrial development through limited fronts.

Overall Goals

Environment:

- Protect remnant vegetation to:
  - Create vegetated corridors;
  - Maintain large consolidated vegetated areas;
  - Protect integrity of watercourses;
  - Maintain habitats;
  - Achieve natural buffers and visual enhancement; and
  - Protect integrity of soil (limit erosion).
- Enhance the integrity of the Blackwood River.

Community:

- Maintain and improve community health services – especially recreation and mental health care.
- Co-locate community and recreation assets in the one precinct (Recreation precinct located adjacent to Blackwood River).

Economy:

- Develop Shire owned land to accommodate industrial uses and to ultimately attract business activity and stimulate employment growth.
- Ensure rural industry has the potential to develop and grow.
- Support industrial enterprise lots – live and work on the same lot.

Infrastructure:

- Advocate for development of reticulated sewerage.
- Advocate for improvement to telecommunications - NBN
- Improve recreation facilities and maintain heritage assets.

Development:

- Develop land that is owned by the Shire and/or Crown to enable affordable housing for tourists, aged persons and disadvantaged persons;
- Develop a multi-purpose community/recreation centre.
- Develop a business opportunity centre at the Boyup saleyards.
- Support/encourage continued development and consolidation of existing Rural Residential land uses, and the Residential expansion of the Boyup Brook townsite.

Appealing Streetscape – Town Centre

Boyup Brook – Agriculture industry - (spreading fertiliser & historic grain cleaning plant)

Boyup Brook - Country Music Destination

Boyup Brook townsite – Visitor Tourist Centre

Boyup Brook townsite – Principal Centre – appealing streetscapes

Boyup Brook townsite – Passive Recreation

Boyup Brook townsite –Sporting Infrastructure

Planning Actions

<table>
<tr><th>Planning Issue</th><th>Planning Action</th><th>Planning Justification</th></tr>
<tr><td colspan="3">Principal Settlement Area – Boyup Brook Townsite</td></tr>
<tr><td>1. Urban growth and conventional residential densities are constrained by:
d) Lack of reticulated sewerage;
e) Low commercial return on subdivision and development;
f) Natural limitations such as rocky outcrops, steep topography and unsuitable (impermeable) soils.

2. Whilst Boyup Brook continues to have a country vernacular, this could be threatened by increasingly modern building practises and design which does not respond to the landscape.

3. The ongoing need to ensure building is sustainable.</td><td>1. Ensure a sufficient supply of unencumbered land is available in a variety of locations (as identified in the 'Investigation Areas') to provide opportunity for urban development should demand arise. Identify land within an appropriate 'Development Investigation Area - Special Control Area' of the local planning scheme which limits potential for further subdivision and provides the planning framework to guide landowners/developers as to the requirements pertaining to the intensification of development on the land.

2. Develop a planning policy framework to support the Local Planning Scheme that encourages development that is sympathetic to and contributes to sense of place (through tree planting, sensitive colour palette and design elements on building fascia).

3. Develop a local planning policy framework to support the Local Planning Scheme that encourages sustainable development through design.</td><td>1. Conventional urban growth does not fit within the character of Boyup Brook. It has evolved as a town with lesser servicing and now achieving 'urban' type development is constrained. As such, growth within the existing townsite, except for large parcels, is generally limited and ability to identify a variety of different land supplies is required.

2. The character of Boyup Brook is what attracts residents and tourists alike. This should be protected through the planning framework.

3. Encouraging the use of sustainable design will ensure that buildings are efficient to live in and/or run, are more responsive to local conditions and benefit the household through reduced financial liability in the long term.</td></tr>
<tr><td colspan="3">Rural Townsites</td></tr>
<tr><td>1. The Shire's rural townsites (Hamlets) are all without social, recreation and commercial services. Occupants travel to the Principal Settlement or surrounding local governments to acquire goods and for recreation, schooling and social interaction.

2. Large areas of land exist within rural settlements that are either vacant or unallocated Crown land which is zoned 'Urban'. This land is surplus to demand and needs to be rationalised to avoid unsustainable urban expansion.</td><td>1. Do not support further growth within rural townsites.

2. Consider introducing a 'Rural Townsite' zoning to the local planning scheme and include the following objectives within the scheme:

<table><tr><th>Rural Townsites</th><th>Objectives</th></tr><tr><td>Wilga
Dinninup
Kulikup
Mayanup
Tonebridge</td><td>To provide for a range of land uses that would typically be found in a small country town.
To encourage rationalisation of the 'Rural Townsite' zoning, given the limited growth opportunities in Rural Townsites.
Achieve self-sustaining settlements by requiring self-reliance for on-site water supply, effluent disposal and drainage management.</td></tr></table>
3. Consider the following land use permissibility's within the scheme Table No.1 Zoning Table for the Rural Townsite zone to the following:

a) 'P' uses: Single House; and Home Office.</td><td>1. The minor settlements lack adequate utility services and community facilities to support any future urban expansion.

2. Consistency with the 'Rural Townsite' zone of the Model Provisions contained within the Planning and Development (Local Planning Schemes) Regulations 2015.</td></tr>
</table>

Planning Issue	Planning Action	Planning Justification
	b) 'D' uses: Ancillary Dwelling; Bed and Breakfast; Civic Use; Industry – Cottage; and Rural Pursuit/Hobby Farm. c) 'A' uses: Community Purpose, Garden Centre; and Home Business. 4. Consider including within the scheme, the following clauses for the Rural Townsite zone: a) Further expansion of the Rural Townsite zone is not permitted. b) When considering an application for development approval, the Local Government shall require appropriate arrangements to be undertaken on the lot to achieve a long term sustainable land use activity inclusive of: • The method of collecting and storing potable water on-site; • The method of disposing of solid and liquid wastes generated by the proposed land use and the level of recycling of solid and liquid wastes to be undertaken on the lot; • The design, location and finishes to be applied to buildings and structures on the land where the design, location or finish provides a reduction in the energy demands required to use or maintain that building or structure. 5. Subdivision within the 'Rural Townsite' zone will not be supported.	
Industry		
1. Inadequate industrial land supply for growth in Boyup Brook. 2. Potential for rationalisation of existing industrial land uses is limited due to the low commercial incentive and return to subdividers. 3. There are two industrial zones (Light Industrial and General Industrial) that do not conform to the *Planning and Development (Local Planning Schemes) Regulations 2015.*	1. Investigate the use of Crown Land within and surrounding Boyup Brook for the provision of industrial land uses (e.g. old sale yards). 2. In a new scheme, replace the 'General Industrial' and 'Light Industrial' zones with 'General Industry' and 'Light Industry', and reflect the model objectives for those zones as included within the Model Provisions. 3. Where required, encourage and support structure planning and local development planning for industrial areas. 4. Consider, on merit, the identification of 'Rural Enterprise' land uses within some Rural Residential areas. A 'Rural Enterprise' zone would enable Light Industry land uses with ancillary residential accommodation for those running those businesses. A 'Rural Enterprise' zoning would have to consider separation of land uses, buffers to sensitive land uses, and provision of suitable on-site effluent disposal capability. 5. Ensure areas proposed for industrial uses are subject to appropriate buffers to residential and sensitive land uses.	1. Given the likely low return associated with the development of industrial land, the Shire wishes to investigate whether it has ability to provide land for these uses. 2. The modification of the zoning names and objectives is consistent with the Model Provisions contained within the *Planning and Development (Local Planning Schemes) Regulations 2015.* 3. Ensuring that landowners and developers have an appropriate level of officer support in preparing applications for subdivision or development of industrial land. 4. *State Planning Policy No.2.5 – Rural Planning* makes provision for a Rural Enterprise zone to be utilised for small rural communities, provided they are properly planned, close to settlements, serviced and address any buffer/amenity issues. 5. Suitable separation between industrial and sensitive land uses is required by *State Planning Policy No.4.1 – State Industrial Buffers* and the Environmental Protection Authority's *Guidance*

Planning Issue	Planning Action	Planning Justification
		Statement No.3 – Separation Distances between Industrial and Sensitive Lands Uses.
Commercial/Mixed Use		
1. Inadequate commercial land supply for growth in Boyup Brook. 2. Potential for rationalisation of existing commercial land uses is limited due to the low commercial incentive and return to developers. 3. Attracting commercial growth, given the small population base and static population growth. 4. Improving streetscape outcomes in the Boyup Brook town centre.	1. Consider rezoning land currently zoned as 'Commercial' by Town Planning Scheme No.2 to 'Mixed Use' to reflect the desired use of the land. 2. Introducing suitable provisions to a new Local Planning Scheme which address land use mix and ensure flexibility within a new 'Mixed Use' zone and specify the vertical separation of uses. 3. Investigate acquiring land within rail reserve adjacent to the Boyup Brook town centre, for the expansion of the town centre through rezoning to 'Mixed Use'. 4. Consider incorporating the following provisions for development within the Scheme or a Local Planning Policy to apply to the 'Mixed Use' zone: a) Commercial street frontages built to within 2.5m of the front boundary shall incorporate a veranda or roof overhang to provide pedestrian shelter over the adjacent footpath with a minimum footpath overhang of 3 metres and a minimum height of 3 metres. b) Incorporate landscaping between the parking area and street boundary equal to 5% of the site area of the car park and shade trees at a rate not less than one tree every six bays within the parking area.	1. The 'Mixed Use' zone is consistent with the Model Provisions contained within the *Planning and Development (Local Planning Schemes) Regulations 2015.* Mixed uses reflect the types and variations of uses that are present within the town centre. 2. Acknowledging that whilst desirable, vertical separation of land uses (commercial ground storey/residential first storey) is generally not commercially viable within Boyup Brook (in new developments) but that horizontal separation is more likely to be the outcome. 3. Allowing for the expansion of the town centre in adjacent vacant land. The types of land use in this area (rail reserve) will be driven by demand. 4. By introducing these provisions into the Scheme, or via a Local Planning Policy, key streetscape elements can be maintained and enhanced, whilst also providing a pleasant environment for pedestrians and alfresco dining.
Residential		
1. Limited ability for consolidation due to lack of reticulated sewer. 2. Restriction of further infill within existing town due to the limitations of topography, remnant vegetation and rocky outcrops. 3. Availability of 'Special Rural' zoned land and low/cheap servicing and infrastructure requirements, makes development of 'Residential' zoned land unviable. 4. In some cases, housing stock is dated and dilapidated. Renewal/renovation of housing stock is not occurring as in most cases the cost would be higher than relocating to a vacant lot with a new build.	1. Should a STED (sewerage) system be developed and connected to lots, support an increase in density from R15 to R20 for land identified for residential. This will allow for the consolidation of existing land uses through subdivision, given most of the Boyup Brook townsite contains lots that are in excess of 900m² required for subdivision. 2. Should a STED system not be developed, investigate potential to provide aged/affordable accommodation via group housing with communal on-site effluent disposal schemes. 3. Investigate the provision of larger residential lots (between 2000m² and 5000m²) to create a land product that is more affordable and matches the country vernacular of Boyup Brook. 4. Promote potential for subdivision where land is appropriately zoned and services and infrastructure currently exist or are proposed.	1. If a reticulated sewerage system was to be developed this would enable opportunities for consolidation within the existing townsite. This will lead to better environmental outcomes, provide a greater diversity of housing choice, enable transitional and affordable housing to be provided and provide for aging in place. It would also reduce pressure on the development of un-serviced residential land uses on the fringe of the settlement. 2. Identifying opportunities for aged/affordable accommodation to provide for these housing stock options if a reticulated sewerage system does not become available. 3. The commercial realities of a small rural town can prevent subdivision of fully serviced land.

Planning Issue	Planning Action	Planning Justification
5. There is a lack of aged accommodation and the ability to age in place is restricted by the minimum lot size requirements due to lack of reticulated sewer.	5. Ensure land is protected from inappropriate development and available for consolidation when and if a STED (sewerage) system progresses. 6. Include provisions in the Scheme to improve design, amenity and sustainability outcomes for housing. 7. Investigate the use of Crown land to determine suitability for aged and tourist accommodation, to be driven by the Shire, given the low commercial incentive for these uses to be provided by private landholders.	Accordingly, by providing some larger lot sizes, without compromising the growth of the town, a housing product that can be affordably developed. 4. The greatest efficiency in land use can be achieved with the development of services (e.g. deep sewer). 5. Given the large supply of under-serviced land uses, it is important to ensure that Boyup Brook does not become encircled by these uses which will limit further growth of a fully serviced townsite. 6. It is important that housing stock is sustainable and responds to landscape context and the environment. 7. In exploring the provision of aged/affordable accommodation, the Shire acknowledges that the commercial delivery of these services is in many cases unviable. However, the provision of aged/affordable accommodation to support vulnerable members in the community is essential.
Rural Residential		
1. Existing or committed 'Rural Residential' development areas contain stands of remnant vegetation. 2. 'Rural Residential' is not an efficient use of available land. 3. Rural Residential areas bring potential for land use conflict with surrounding 'Rural' enterprises.	1. When assessing planning proposals for the development of already identified Rural Residential land, development must recognise the landscape significance of remnant vegetation and not compromise its character. 2. Do not support the further expansion of Rural Residential land uses beyond their current zoned extent. 3. Support the consolidation of existing identified Rural Residential areas, through modifications to minimum lot size, as well as comprehensive structure planning and community consultation. 4. Ensure when planning for Rural Residential land uses there is a sufficient separation distance to 'Rural' pursuits. If required, consider the use of buffering mechanisms, as well as notifications on title to ensure agricultural uses are protected and are not unnecessarily required to modify operations.	1. Landscape and remnant vegetation preservation form an essential component of the rural residential landscape. Some areas of vegetation may be subject to Western Australian or Australian Government clearing laws. 2. Further identification of Rural Residential land uses is not supported, as: • There is an existing zoned supply that is anticipated to last beyond the life of this Local Planning Strategy; • The land use can be detrimental to agricultural land supply and sterilise land for this purpose; and • The land use is inefficient in accommodating people and poorly serviced. 3. There are opportunities for consolidation of the existing Rural Residential areas, all of which have minimum lot sizes in excess of 2ha. The minimum lot size for Rural Residential land uses identified

Planning Issue	Planning Action	Planning Justification
		by *State Planning Policy No.2.5* is 1ha. Opportunities for consolidation would have to be carefully examined to determine if relevant land capability, landscape, access and planning outcomes can be achieved. 4. It is important to ensure sufficient separation distances are achieved between agricultural and residential land uses, as outlined in the Department of Health's *Guidelines for Separation of Agricultural and Residential Land Uses*. This ensures that residential land uses introduced into the rural landscape do not subsequently affect neighbouring agricultural land uses.
Rural Small Holdings		
1. Large areas for Rural Small Holdings have been zoned and may be compromised by access issues and the ability to achieve compliance with the *Guidelines for Planning in Bushfire Prone Areas*. 2. Proposals for structure planning have progressed where the proposal does not result in full rationalisation or provision of the district road network.	1. Investigate as to whether options exist to ensure access compliant with the Guidelines for Planning in Bushfire Prone Areas for 'Rural Small Holdings'. 2. Ensure that where proponents do not achieve the highest potential lot yield, that future proposals by neighbouring landowners are not compromised. 3. Do not support the further expansion of Rural Residential land uses beyond their current zoned extent.	1. Any applications will need to comply with the requirements of *State Planning Policy No.3.7* as the application area is identified as bushfire prone. 2. By ensuring proposals do not compromise future subdivision outcomes, this future proofs development of the locality. 3. Further identification of Rural Small Holdings land uses is not supported, as: • There is an existing zoned supply that is anticipated to last beyond the life of this Local Planning Strategy; • The land use can be detrimental to agricultural land supply and sterilise land for this purpose; and • The land use is inefficient in accommodating people and poorly serviced.

<table>
<tr><th>Planning Issue</th><th>Planning Action</th><th>Planning Justification</th></tr>
<tr><td colspan="3">Special Use Sites</td></tr>
<tr><td>1. Lack of available land for innovative and blended land uses.</td><td>1. Consider zoning the below sites as 'Special Use' in the new Local Planning Scheme:
<table><tr><td>Cnr Bridge Street and Hospital Road (Site 1)</td><td>Aged Accommodation and Medical Clinic/Consulting Rooms</td></tr><tr><td>Ritson Street (Site 2)</td><td>Industry – Rural</td></tr><tr><td>Flax Mill</td><td>Agroforestry, Education Establishment, Rural Industry, Market Garden, Poultry Farm, Free Range Piggery and Recreation.</td></tr></table></td><td>1. Provide for a single lot for the development of industrial land uses in close proximity to the town to attract new business/industry.

2. Providing a land supply for a special industry/hub to attract industrial growth to the town.</td></tr>
<tr><td colspan="3">Natural Environment</td></tr>
<tr><td>1. Farming practices, including clearing of vegetation, use of chemicals and livestock grazing amid remnant vegetated areas and river systems, have the potential to impact on the environment (biodiversity of life) and the longevity of agricultural practices.

2. Sustainable and environmentally friendly farming management practices such as fencing off remnant vegetation, incorporating suitable vegetated buffers to water courses, capturing and breaking down soil contaminants prior to reaching water courses and planting of trees on escarpments and low areas subject to soil acidification, are lacking in some areas.

3. Intensification of livestock practices (e.g. feedlots for livestock) has the potential to exacerbate climate change.

4. The high levels of salinity in some waterways adversely affects a wide range of community values and opportunities, including agricultural production, riparian vegetation, visual landscape, community facilities and tourism.

5. Riparian areas are under threat from weed infestation and livestock grazing.</td><td>1. Consider introducing into the new Local Planning Scheme a section dealing with environmental issues and including the following provisions:

"Vegetation
a) The Local Government may require the protection of existing vegetation on a site as a condition of development approval to:
• Protect a vegetation community;
• Prevent land degradation;
• Protect roadside vegetation;
• Maintain local visual amenity and the natural setting;
• Protect habitat, or threatened species;
• Assist to provide vegetated corridors to maintain fauna and flora linkages; or
• Assist in the maintenance of water quality.
Revegetation
a) The Local Government may require revegetation for the purposes of:
• Enhancing a natural setting;
• Protecting a local habitat;
• Assisting to provide vegetated corridors to maintain fauna and flora linkages;
• Assisting in the maintenance of a watercourse; or
• Assisting to protect areas from further degradation stemming from acid sulphate soils.
Rivers
a) Development is not permitted within 30 metres of a water course.
b) Onsite effluent disposal is not permitted within 100 metres of a watercourse or wetland.
c) The following measures are to be undertaken for land containing watercourse:</td><td>1. Introducing measures to protect the environment will benefit the community in the long term.

2. State Planning Policy No.2 – Environment and Natural Resources Policy sets out the planning framework for the consideration of environmental resources, which is then elaborated upon through more detailed state planning policies.

3. It is a goal of the Shire to improve land use and environmental management to ensure resources are protected for future generations.</td></tr>
</table>

Planning Issue	Planning Action	Planning Justification
	• *Fencing of riparian area to keep out livestock, allowing natural regeneration, helping to stabilise river banks and limiting sediment and nutrient entering the waterway;* • *Planting of endemic species;* • *Appropriate buffers to intensive uses; and* • *Management of surface water to stem the transport of pollutants to watercourses.* *d) The Local Government may require:* • *Revegetation with local native species to restore the understorey species.* • *Weed and pest control as weeds may become more prolific in the absence of stock grazing.* • *Formalised stable stock crossings, watering points or troughs.* • *Engineering work at eroded areas to minimise the amount of sediment being washed into the river.* ***Water Sensitive Urban Design Principles*** *('Environment' section)* *a) The Local Government shall require all development to incorporate water sensitive urban design principles and best management practices to:* • *Reduce the rate of discharge and the quantity of stormwater that flows from the land so that post-development flows match pre-development flows;* • *Avoid the export of waterborne pollutants, including nutrients;* • *Recharge groundwater resources;* • *Protect and enhance the ecological values of rivers, creeks and drains; and* • *Retain local water for non-potable use.* ***Acid Sulphate Soils*** *('Environment' section)* *a) To ensure that any potential risk or hazard resulting from the disturbance of acid sulfate soils is controlled, the Local Government may require as a condition of approval, the adoption and implementation of an acid sulfate soil management plan, in consultation with the relevant State Government authority, for any development or land use in the following areas:* • *Where the presence of acid sulfate soils has been confirmed by a preliminary site assessment undertaken in accordance with the Western Australian Planning Commission Acid Sulfate Soils Planning Guidelines;* • *Areas identified as acid sulfate soil areas or acid sulfate soil risk areas on government agency mapping, or from any other reputable source;* • *Areas depicted in vegetation mapping as wetland dependent vegetation such as reeds and paperbarks.* ***State Forest*** *('Environment' section)* *a) In considering an application for development approval to develop premises adjoining a conservation area (State Forest) the Local Government shall consider the impacts of the proposal on the values*	

Planning Issue	Planning Action	Planning Justification
	of the conservation area and may require one or more of the following measures: • *Specific site management through the preparation and implementation of an environmental management plan to address those identified impacts on the conservation area and recommend strategies, processes and practices to minimise any impacts or conflicts;* • *The establishment of an additional setback from the conservation area; or* • *The imposition of a buffer area between the uses to manage the impacts to the satisfaction of the Local Government in consultation with the Conservation Commission of WA and the relevant State Government authority.* ***Land Use Impacts*** *('Environment' section)* *a) Proposals for development surrounding Existing and Proposed Conservation Reserves will demonstrate that the development meets fire hazard and risk standards associated with this category of Conservation Reserves.* *b) Development will not adversely affect the fire management regimes of adjacent landowners.* *c) Conserving nature-based recreation opportunities along the Blackwood River will be encouraged.* *d) Development will comply with the protection and enhancement of the environmental integrity of ecological linkages and their landscape qualities.* ***e)*** *Establishment of indigenous vegetation that complements the values of Regional Environmental Corridors will be supported."*	
Natural Resources		
1. Extraction of natural resources can impact the natural environment, cause land use impact and loss of amenity.	1. Consider introducing into the new Local Planning Scheme the following additional provisions: *"**Extractive Industries*** *a) Notwithstanding any other requirement of the Scheme, all industry – extractive requires the development approval of the Local Government.* *b) When considering an application for an industry – extractive, the Local Government is to have regard to and may impose conditions concerning:* • *Excavation activity is to occur at a suitable distance from a residence, in accordance with Environmental Protection guidelines and the SPP2.5 – Rural Planning;* • *Excavation is to occur at a suitable distance from a watercourse or waterbody;* • *All activities are adequately screened from major vantage points (i.e. from regional and district roads); and* • *The preparation and implementation of an Environmental Management Plan and Pit Closure Rehabilitation Plan to control the operations and closure of the extraction activity and pit area."*	1. *Draft State Planning Policy 2.4 – Basic Raw Materials Policy* provides guidance on the assessment of development applications for extractive industries where required by the *Planning and Development Act 2005* or the *Local Government Act 1995*. 2. Provisions within the new local planning scheme will enable a merit based assessment of the proposals.

Planning Issue	Planning Action	Planning Justification
Agriculture and Rural Land Uses		
1. Trends have shifted over the years from high numbers of livestock and labour opportunities (shearing, crutching, mulesing, drenching) to predominantly cropping with high cost investments in machinery and drop in labour demand. Many of the changes occurring in the rural economy are beyond the scope of the planning system to resolve, including: o Commodity price fluctuations; o Changing demand; o Losing inter-generational continuity of farming families; o Economic pressures; o Technological advances; and o High labour costs. 2. The growing global demand for food may generate a turn-around in the economy with demand for perennial and intensive livestock farming. These uses often generate off-site impacts for sensitive land uses (odour, spray drift, etc). However, given low intensive agricultural levels in the Shire at the moment, this may be a future issue if increased intensity occurs in the agricultural sector. 3. Potential for land use conflict between rural lifestyle landholders and neighbouring agricultural land as a result of agricultural practises and encroaching rural lifestyle development. 4. The planning system is rigid in accommodating the needs of intensified agricultural production.	1. Consider modifying any reference to subdividing rural land within a new Local Planning Scheme to complement Western Australian Planning Commission policy and outline that subdivision within the 'Rural' zone will only be supported by exception in accordance with the requirements of State Planning Policy No.2.5 and Development Control Policy No.3.4. 2. Continue to protect the primacy of agriculture as a key economic and social driver for the Shire of Boyup Brook. 3. Introduce knowledge, incentives, and where necessary, requirements: a) To improve soil conditions; b) To protect vegetation; and c) To enhance water quality. 4. Consider including the following requirements within the new Local Planning Scheme for the 'Rural' zone: a) Agriculture (including viticulture) is to remain the predominant economic land use, within the constraints of protecting remnant vegetation and landscape values. b) Proposals for development will demonstrate compliance with appropriate fire hazard and risk standards. Development is not to adversely affect the fire management regimes or conservation values of adjacent landowners. c) Development in proximity to watercourses will be assessed for suitability in relation to: • flooding; • disturbance to the watercourse; and • protection and enhancement of riparian vegetation. d) A maximum of two Single Houses may be approved on land zoned 'Rural', provided the land is equal to or greater than 20 hectares in size. Modify the Zoning Table to support Group Housing within the 'Rural' zone. However, clarify that the development of a single dwelling does not justify further subdivision of the land. e) The Local Government may grant development approval for Farm Worker's Accommodation to be developed on land zoned 'Rural' subject to the following requirements: • The applicant demonstrating the need for the accommodation based upon the existing approved agricultural use operating on the premises; • Occupation of the accommodation is restricted to a person directly employed by the proprietor/manager of the business or activity carried out on the lot and their immediate family; • In the case of seasonal workers engaged in horticulture, there is no suitable alternative accommodation available (such as a caravan park) in close proximity to the farm; and	1. The applicable planning framework includes: *-State Planning Policy No.2.5 – Rural Planning.* *-Development Control Policy No.3.4 – Subdivision of Rural Land.* 2. Agriculture is the biggest industry within the Shire, accounting for 35 percent of employment and generating $48 million worth of value annually. It should be protected from inappropriate subdivision and development. 3. The improvement of farming practises and the health of the land ensures that it can be sustainably productive and meet the needs of generations to come. 4. The erection of more farm dwellings than necessary is a concern and should be controlled through any new local planning scheme, particularly where is a high vacant housing stock in the agricultural area. 5. Tourism uses ancillary to the main agricultural use of the land are supported, given the likely impact is less than

Planning Issue	Planning Action	Planning Justification
	• The accommodation is clustered around the Single House or other farm buildings on the land to minimise the impacts on adjoining properties and to enable the sharing of infrastructure servicing. f) The Local Government may grant development approval for Chalets or Holiday Accommodation to be developed on land zoned 'Rural' subject to the following requirements: • Despite anything contained in the Zoning Table, Chalets or Holiday Accommodation are not permitted on any lot zoned 'Rural' less than five hectares in area. • Agriculture and rural pursuits shall remain the prime use of the land, with a proposal required to demonstrate that that land is capable of supporting the proposed Chalets or Holiday Accommodation. • The maximum number of units/guest bedrooms shall be limited to 1 per 2ha with a maximum of 10 per farm holding.	
Public Utilities		
1. The Shire of Boyup Brook is the only municipality in the South West which does not have a reticulated sewerage scheme. The lack of satisfactory sewerage infrastructure is a major impediment to residential development and subdivision within the principal centre. The imposition of large lot sizes to facilitate onsite effluent disposal is restricting the development of smaller lots and unit development, which are more affordable and attractive to aged persons. 2. Whilst the Water Corporation has outlined that a STED system for the Boyup Brook townsite is one of its priorities, such a scheme is yet to achieve funding and may not be achieved until the medium to long term. 3. In designing a STED system, consideration needs to be given to any identified future residential and industrial growth areas as a component of the Local Planning Strategy. 4. Potable water is sourced from a neighbouring town and is of a poor quality (poor taste – purified).	1. Consider introducing into the new Local Planning Scheme the following provisions: *"**Sewerage and On-site Effluent Disposal*** *a) Any building or development that is required to dispose of liquid effluent shall:* • *Be connected to the Water Corporation reticulated sewerage system in the Water Corporation's Water Sewerage Operating License Areas unless advised by the Water Corporation that a connection cannot practically be provided; or* • *Provide an on-site effluent disposal system designed and located to minimise nutrient export from the site and be approved by the Local Government and the relevant State Government authority for that purpose, in accordance with the (Draft) Government Sewerage Policy 2016; and* • *Implement a disposal process for chemical or oil substances in accordance with the Environmental Protection Authority guidelines.* *b) The Local Government may permit a variation to these requirements where it can be demonstrated that the proposed effluent disposal system, design and location will not cause adverse environmental or health impacts. The Local Government may seek the advice of the relevant State Government authorities prior to making that determination."* 2. When considering the establishment of utilities as a component of subdivision and development, consider alternatives as a means to reduce costs and to ultimately enable development to occur. Developments should be encouraged to incorporate measures to capture and store enough potable water for domestic use.	1. The applicable planning framework includes: *-Draft Government Sewerage Policy.* *-Draft Country Sewerage Policy.* *-Development Control Policy No.1.1 – Subdivision of Land – General Principles.* 2. Where there is an ability and it is supported within the planning framework, on-site service provision (particularly water and on-site effluent disposal) should be seriously considered to encourage growth. 3. The inclusion of mandatory water capture and storage provisions within a new local planning scheme would be key outcome to improving sustainability of development through reducing reticulated water use. 4. Necessary community infrastructure to facilitate development within the Boyup Brook townsite should be delivered in a timely manner to encourage development.

Planning Issue	Planning Action	Planning Justification
	3. Investigate whether provisions should be included within the local planning scheme that require a mandatory on-site water capture and storage. 4. Should a STED scheme not be provided for the Boyup Brook townsite, explore on-site effluent disposal options for new urban development in accordance with the requirements of the *Draft Country Sewerage Policy* and *Draft Government Sewerage Policy*. 5. Provide and/or facilitate infrastructure in a timely manner that has regard for development needs of the Boyup Brook townsite. Infrastructure such as: a) Storm-water drainage infrastructure; b) Sewer treatment plant; c) Pedestrian paths; and d) Recreation facilities (passive and active).	
Transportation		
1. Boyup Brook - Arthur River Road alignment is sub-standard for the volume and type of traffic using the road. Several sections of the road require widening and re-alignment to accommodate the passenger vehicle, heavy haulage freight and school bus traffic mix. 2. With increasing volumes of heavy traffic servicing the plantation timber industry and increasing volumes of tourist traffic using the Boyup Brook - Cranbrook Road and Wingebellup Road as part of the Bunbury to Albany route, sections of the road require widening and upgrading to a seven metre sealed road. 3. The Boyup Brook North, Bowelling-McAlinden, Cardiff-McAlinden Road and McAlinden Road pavements and alignments are sub-standard for the volume and type of traffic accessing the route. Several sections of the roads require reconstruction, realignment and widening to a seven metre wide sealed standard to cater for passenger vehicles, heavy freight and school bus traffic mix. Cardiff-McAlinden Road width is currently satisfactory, but failed pavement sections need reconstructing and resealing. 4. The Greenbushes – Boyup Brook Road alignment in places is substandard for the volume and type of traffic using the road. Re-construction, widening and re-alignment of various sections to a uniform two lane sealed standard is required to cater for the	1. Ensure, where possible, the Shire imposes conditions on development to contribute to the upgrade of adjacent roads. 2. Ensure, where possible, the Shire requests the Commission to impose conditions on subdivision to contribute to the upgrade of adjacent roads. 3. Advocate for additional funding to upgrade regional road linkages to improve safety and/or for State Government agencies to fund upgrading of its road network. 4. Advocate/plan for a pedestrian access link over the Blackwood River on Boyup Brook-Kojonup Road. 5. Enhance and encourage the further development of nature base walk and mountain-bike trails in and around the Boyup Brook townsite.	1. The applicable planning framework includes: *-Development Control Policy 1.7 – General Road Planning* *-State Planning Policy No.5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning* & draft *State Planning Policy No.5.4.* 2. Where development or subdivision is resulting in an increased use of a road, which requires upgrading, there is a direct nexus and as such contributions should be sought where reasonable. 3. If the Shire sees fit, it can request contribution to the adjoining road network through the subdivision process where it is properly justified. 4. There are deficiencies in the road network which could be improved, but do not form part of the Shire's road network. 5. The provision of a pedestrian/cycling link over the bridge would remove a safety hazard. The bridge is narrow and has a speed limit of 80km per hour. Due to the steep approach to the bridge, the ability for freight vehicles to reduce speed and avoid collision is reduced. This would also enable greater pedestrian access to the other side of the river. 6. To encourage tourism and passive recreation around the Boyup Brook townsite.

Planning Issue	Planning Action	Planning Justification
passenger vehicle, heavy freight and school bus traffic mix. 5. Lack of available funding for road construction, maintenance and repairs has seen a decline in the standard of the network of state and local roads in recent years. 6. There is mounting community opposition to the increase in heavy haulage transport on the regional roads due to the deteriorating standard of the road network and the perceived threat to the safety of local and tourism traffic. 7. A reliance on the use of the motor vehicle for small trips. 8. A lack of local knowledge and/or ability to utilise/enter the natural environment.		
Community Infrastructure		
1. Financial revenue streams for the Shire are limited by the ability to source external funding from grant programs and how much the community can sustain in the way of rate increases. 2. Asset Management Planning suggests that the management, replacement and renewal of building and structure assets is catered for with minimal or no funding gap (Brook, Shire Boyup Community Strategic Plan, 2013-2023). 3. Roads and Bridges Asset Management Planning shows a renewal funding gap that is currently beyond financial capacity and unless the financial management approach is changed, the funding gap will not be closed (Brook, Shire Boyup Community Strategic Plan, 2013-2023). 4. Additional issues as identified by the Shire's, 2013 – 2023 Community Strategic Plan include: o The need for additional youth services (sporting) co-located with other community services in the recreation precinct. o The need for surveillance measures such as lighting in public areas; o Strengthen road safety in town, in the face of increasing heavy haulage;	1. Introduce provisions into the new Local Planning Scheme, consistent with *State Planning Policy No.3.6* and the *Planning and Development (Local Planning Schemes) Regulations 2015* to require developer contributions to community facilities and infrastructure. 2. Seek to prepare developer contribution plan/s and allocate development contribution areas or private developer agreements (if appropriate) throughout the Shire through the local planning scheme for the funding of community infrastructure items. 3. Appropriately seek contributions from developers/subdividers to standard infrastructure, such as the development of pathways and lighting if and where required. 4. Encourage, where possible, consolidation of land uses on the existing road network, such that the renewal cost is then able to be borne by additional ratepayers.	1. In compliance with *State Planning Policy No.3.6 – Development Contributions for Infrastructure*. A draft revision to this policy is currently being advertised. 2. If desired, the Shire is able to seek development contributions through the subdivision and development processes. The Shire needs to determine whether subdivision and development would be discouraged by a development contribution plan. 3. Any development contribution plan needs to demonstrate the need for the infrastructure in the community. 4. The Shire has the ability to seek contributions to infrastructure, such as footpaths, from adjoining subdivision and development, where the nexus is properly justified, which is a principal upheld within the State planning framework.

Planning Issue	Planning Action	Planning Justification
○ Develop paths linking residential and tourist areas to commercial and recreation areas; ○ Provision of facilities within parkland (sporting, play equipment, passive); ○ Examine the opportunity to expand and enhance refuse sites; ○ Better promote business and tourism opportunities around town (advertising).		
Heritage		
1. Property owners reluctant to maintain heritage buildings in need of repair compounded with low funding opportunities means heritage buildings and heritage character areas are at risk of becoming unsightly, left vacant and falling out of flavour. 2. The Local Government needs to review its heritage inventory to: ○ Align with the standard criteria developed by the State Heritage Office; ○ Ensure the evaluation of each place is accurate, consistent and up-to-date; ○ Include new places, precincts and areas; and ○ To enforce protection of heritage through scheme and policy provisions. Note: The Heritage Council's Heritage Grants Program assists private owners of State Registered places to undertake urgent conservation works or develop Conservation Management Plans. It allows for grants of up to $100,000 through a competitive application process. Owners are required to match funds to the projects. For more info, visit stateheritage.wa.gov.au 3. Aboriginal heritage is not recognised by the Shire's Scheme.	1. The Shire needs to clarify and promote to the community, opportunities and mechanisms to achieve grant funding. 2. Prepare a suitable Heritage List in accordance with the *Deemed Provisions for Local Planning Schemes,* contained in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and encourage the landowner or occupier of a heritage asset to enter into heritage agreements. 3. Recognise aboriginal heritage via Local Planning Policy. 4. Land owners need to be encouraged to conserve the significance of heritage places through; a) Entry into the State Register of Heritage Places to provide maximum encouragement to the owner to conserve the significance of the place; b) Conserving the significance of a heritage place through photographic evidence and recognition with a plaque, place name, or reflection in urban or architectural design; c) Detailed assessment of impacts when considering a development application. 5. The Local Government needs to review its heritage inventory to: a) Align with the standard criteria developed by the State Heritage Office; b) Ensure the evaluation of each place is accurate, consistent and up-to-date, c) Include new places, precincts and areas; and d) To enforce protection of heritage through scheme and policy provisions.	1. To ensure heritage within the Shire is protected for generations to come. 2. To comply with the requirements of relevant legislation, including, but not limited to: *-Heritage Act 2018*; *-Aboriginal Heritage Act 1972* (new act currently being drafted); *-Planning and Development (Local Planning Schemes) Regulations 2015.* 3. Local Planning Policy can ensure consideration is given to legislation and procedures relating to aboriginal heritage. 4. Making sure the Shire has the most up-to-date information in relation to heritage when considering applications.
Landscape and Visual Management		
1. There is an ongoing degradation of landscape through clearing or man-made modification. 2. Aging housing and commercial stock is degraded. The buildings are old and in need of some repairs or	1. Consider including provisions with any new local planning scheme which establish a 'Special Control Area – Landscape Amenity' which seeks to maintain or enhance the conservation or land values of: a) The Blackwood River and other tributaries; b) State Forest and other areas of remnant vegetation;	1. *State Planning Strategy* highlights that significant landscapes should be identified and protected. 2. *State Planning Policy No.2 – Environment and Natural Resources Policy* elaborates on this,

Planning Issue	Planning Action	Planning Justification
intrinsic design elements such as alfresco awning areas.	c) Flood prone land; d) Tourist travel route corridors; e) Building fascia's within the commercial precinct of the principal centre; f) Street and road side verges. 2. Consider including provisions within the new local planning scheme or developing a local planning policy which identifies design elements of value within the town centre and requiring those elements to be incorporated within any new buildings/extensions. 3. Encourage upkeep of buildings within the town centre to maintain visual amenity. 4. Consider including provisions within the new local planning scheme or developing a local planning policy to protect remnant trees and require further planting, throughout Boyup Boyup, especially for industrial areas, areas adjacent to the Blackwood River, road verge areas and at main entrances to the Boyup Brook townsite.	outlining that decision making should identify and protect landscapes, and consider the need for careful design and whether development applications require a visual impact assessment. 3. The manual for *Visual Landscape Planning in Western Australia* provides the framework for visual landscape evaluation and visual impact assessment, followed by guidelines for location, siting and design.
Hazard Management		
Flood 1. Ensuring all development is protected from the Blackwood River floodway. 2. Need to clearly identify and have regard to flood prone land. Fire 3. Need to manage subdivision and development considerate of risk to property and life due to bushfire prone vegetation. Refer to key considerations for bushfire management.	1. Consider introducing into the new Local Planning Scheme the following provisions: *"**Flood Special Control Area** ('Environment' section)* *a) A Flood-Special Control Area with appropriate development control standards to restrict development from the Blackwood River floodroot and only allow development in the flood fringe subject to specific development control requirements to the satisfaction of the Department Water Environment and Regulation.* *b) In areas subject to periodic inundation or flooding, all development shall be undertaken to:* • *Not disrupt the natural drainage system;* • *Ensure that developments do not modify and increase the flood levels that would be experienced within the catchment;* • *Limit the potential for damage to buildings caused by flooding and/or inundation by ensuring minimum height levels for the building and its immediate environs are achieved; and* • *Maintain the natural ecological and drainage function of the area to store and convey stormwater and floodwater within the watercourse, drainage system or floodplain.* *c) Where in the opinion of Local Government a development is to be sited on land that has the potential to be inundated or flooded, the Local Government shall require:* • *In defined areas as set out in a Local Planning Policy, all habitable buildings to be constructed with a minimum finished floor level height; and/or* • *The subsoil adjacent to the proposed development to be effectively drained; and/or*	1. Protection of property from flood is paramount. *State Planning Policy No.2.9 – Water Resources* outlines that flood paths and areas should be identified and it should be ensured that no development is in a flood path that could carry increased risk to life or property. Where it is proposed to build in these areas, this should be properly managed through a Special Control Area. 2. *State Planning Policy No.3.7 – Planning in Bushfire Prone Areas* requires enforcement and its requirements relating to development are written into the Shire's town planning scheme through Part 10A, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015.* When commenting or making recommendation on other types of planning proposals, this issue should be considered and assessed against the relevant requirements if the land is identified as bushfire prone.

Planning Issue	Planning Action	Planning Justification
	• *The surface of the ground beneath the building to be regraded or filled and provided with adequate drainage outlets to prevent the accumulation of water beneath the building; and/or* • *The surface of the ground beneath the building to be covered with an approved damp-resistant material (moisture barrier).* d) *The Local Government may grant development approval for development, where it is satisfied the applicant has:* • *Addressed the need to maintain an adequate floodway in all cases;* • *Provided adequate justification for the proposed siting of the building;* • *Established an exceptional need for the proposed building based on an existing activity undertaken on the property; and* • *Provided written acknowledgement that the owner accepts that the building and its contents may be subject to periodic flooding and/or inundation.* 2. Enforce the requirements of *State Planning Policy No.3.7 – Planning in Bushfire Prone Areas* and the associated *Guidelines for Planning in Bushfire Prone Areas.*	
Land Use Conflict Management		
1. Need to consider land-use impacts of State Forest and Environmentally Sensitive Areas on neighbouring agriculture production and vice versa. 2. Proposals for development surrounding State Forest need to demonstrate that the development meets fire hazard and risk standards.	1. Consider introducing into the new Local Planning Scheme the following provisions: *"**State Forest** ('Environment' section)* a) *In considering an application for development approval to develop premises adjoining a conservation area (State Forest or otherwise) the Local Government shall consider the impacts of the proposal on the values of the conservation area and may require one or more of the following measures:* • *Specific site management through the preparation and implementation of an environmental management plan to address those identified impacts on the conservation area and recommend strategies, processes and practices to minimise any impacts or conflicts;* • *The establishment of an additional setback from the conservation area; or* • *The imposition of a buffer area between the uses to manage the impacts to the satisfaction of the Local Government in consultation with the relevant State Government authority.* ***Land Use Impacts** ('Environment' section)* a) *Proposals for development surrounding Existing and Proposed Conservation Reserves will demonstrate that the development meets fire hazard and risk standards associated with this category of Conservation Reserves.* b) *Development will not adversely affect the fire management regimes of adjacent landowners.*	1. To ensure that development risk is managed adjoining a conservation area, and to ensure that, in-turn, development does not impact a conservation area negatively.

Planning Issue	Planning Action	Planning Justification
	c) *Conserving nature-based recreation opportunities along the Blackwood River will be encouraged.* d) *Development will comply with the protection and enhancement of the environmental integrity of ecological linkages and their landscape qualities.* e) *Establishment of indigenous vegetation that complements the values of Regional Environmental Corridors will be supported."*	

Investigation Areas

The majority of housing development has occurred in rural and Rural Residential areas on the fringe of the Boyup Brook townsite. Over a ten year period (2011-2017), 16 dwellings were approved in the 'Special Rural' zone, 9 dwellings were approved in the 'Rural' zone, two dwellings were approved in the 'Residential' zone and 3 dwellings were approved in townsites – other than Boyup Brook ('Urban' zone). This trend is expected to continue with persons moving to the region for a change from urban to rural lifestyle living.

There is a need to attract more housing development in the Boyup Brook townsite and including a diversity of lot sizes (4000m2 – 5000m2) as an extension to the existing developed areas (e.g. Gibbs Street).

Because there is no available reticulated sewer, the Shire's Scheme restricts development to one dwelling for every 666m2 (R15), meaning marginal potential for subdivision or infill development and ultimately accommodation for aged persons. This may change in the long term with the development of a sewer scheme that enables subdivision or group housing.

Various parcels of land exist in and around the Boyup Brook townsite, with the opportunity for residential and rural lifestyle structure planning, subdivision and development. The rural lifestyle areas are within easy reach of services in the Boyup Brook townsite and retain a natural appeal and in some instances, an outlook over the Blackwood River. The residential precincts offer opportunities for affordable housing (Shire owned land) and grouped housing for aged persons and tourists.

This local Planning Strategy recommends **23** different investigation areas for future growth/change.

The types of land uses earmarked for the investigation areas include Special Sites (mixture of uses), Residential, Industrial, Rural Residential (including industrial enterprise and infill), Infill of existing urban areas and recreation/conservation.

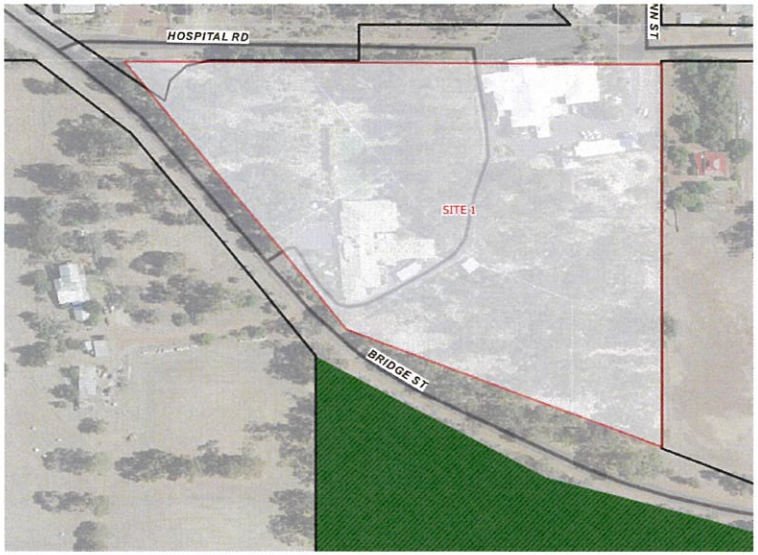
The investigation areas are concentrated in and around the Boyup Brook townsite to create a consolidated sense of place and to better utilise existing services.

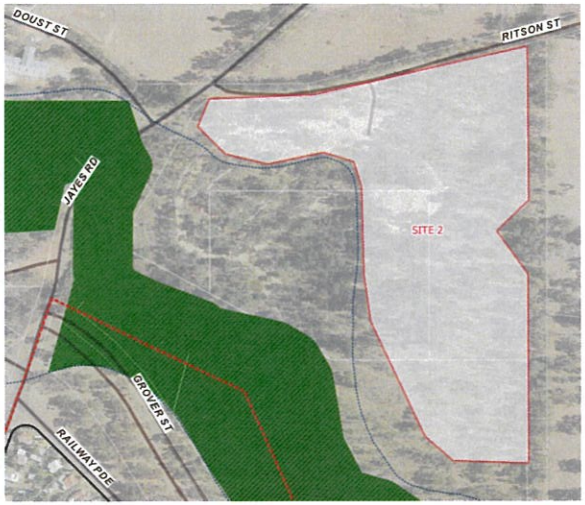
Various constraints have been considered, including:

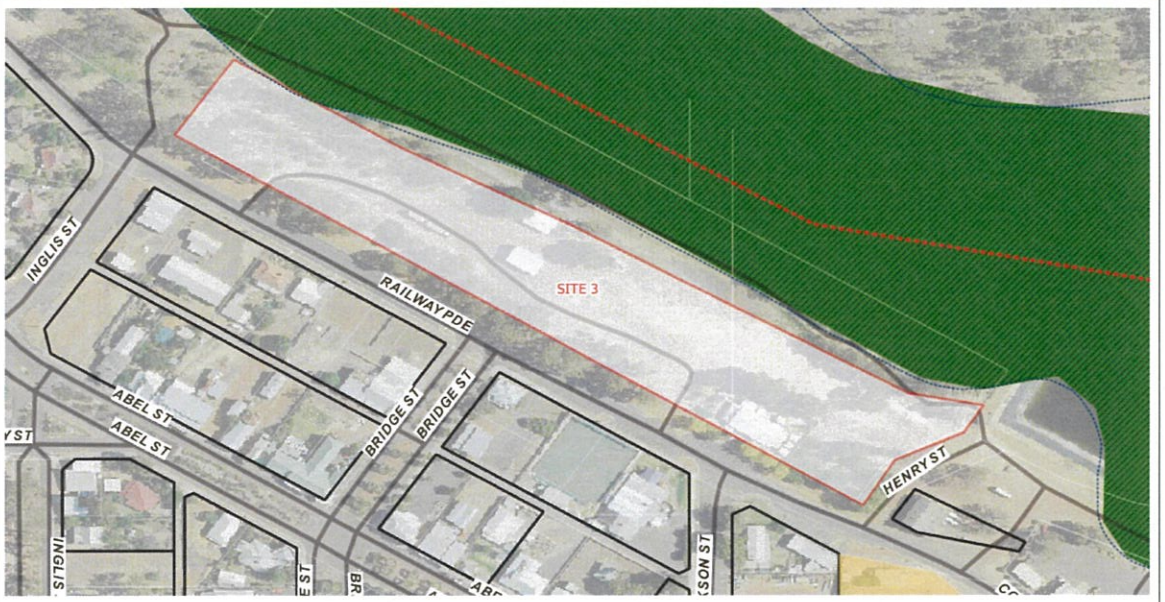
- Flooding of the Blackwood River and 'Boyup Brook';
- Moderate to Extreme bushfire hazards;
- Steep Topographies;
- Access to utilities including potable water and a sewer scheme.

Measures to overcome constraints include:

- Development is undertaken in accordance with the Australian Standards 3959 – Construction of Buildings in Bushfire Prone Areas.
- Setbacks to flood prone areas;
- Clearing of vegetation to achieve a BAL–29 or below rating where appropriate.
- Maintain fuel loads at two tonnes per hectare;
- Development as an extension to existing developed areas.

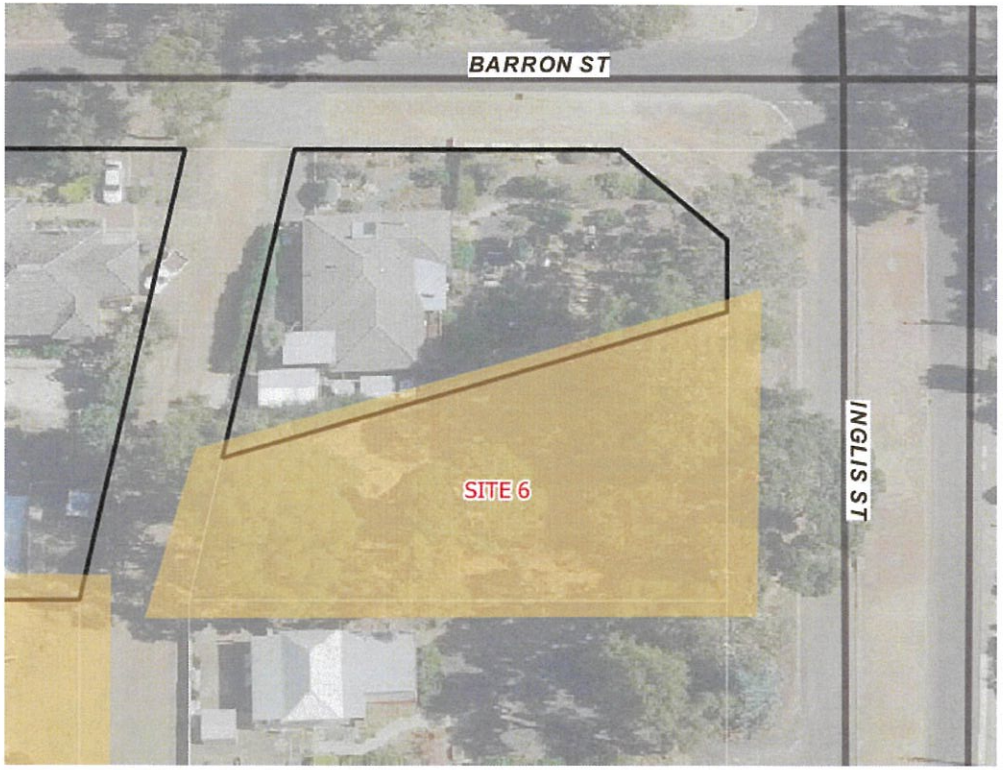
Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 1 – Cnr Bridge Street and Hospital Road **Property/ies:** • 50 Bridge Street, Boyup Brook - Lot 371 on Plan No 191230 (Reserve 43226). • 58 Bridge Street, Boyup Brook - Lot 347 on Plan No 175823; • 70 Bridge Street, Boyup Brook - Lot 367 on Plan No 185691; • 12 Hospital Road, Boyup Brook - Lot 187 on Plan No 159594 (Reserve 18008). **Land Area:** 4.03ha **Developable Area (Estimated):** 3ha	**Proposed Land Use:** Aged Persons Accommodation **Current Scheme Designation:** 'Public Use' reserve **Proposed Scheme Designation:** 'Special Use' zone **Structure Planning Required:** Yes **Lot Size/Density:** R30 **Estimated Lot Yield:** Group Housing x 30 **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. This includes an Emergency Evacuation Plan, given Aged Person Accommodation is a vulnerable land use. 2. Creating a sense of place that's appealing, private, safe, hygienic and sustainable; 3. Achieving affordable accommodation for aged persons; 4. Co-locating with medical facilities being a lodging house and hospital; 5. Providing suitable car parking, private recreation, solar/passive design, access and streetscape design. 6. Managing effluent disposal.	

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 2 – Ritson Street **Property/ies:** • 16 Ritson Street, Boyup Brook – Lot 20 on Plan No.130010 (Reserve 11497); • 42 Ritson Street, Boyup Brook – Lot 125 on Plan No.130066 (Reserve 11497). **Land Area:** 10.5ha **Developable Area (Estimated):** 8ha	**Proposed Land Use:** Industrial **Current Scheme Designation:** 'Parks and Recreation' reserve **Proposed Scheme Designation:** Rezone to 'General Industry' zone through separate scheme amendment. **Structure Planning Required:** No **Lot Size/Density:** One single lot to accommodate development of an industry (e.g. plant nursery or timber processing). **Estimated Lot Yield:** N/A **Planning Matters to be Addressed:** 1. Development to be in accordance with Bushfire Attack Level Assessment. Achieve <29kw/m2 and if a vulnerable or high risk land use is proposed, comply with the necessary requirements of SPP3.7. 2. Consider risks associated with the adjacent Boyup Brook e.g. flooding and management of pollutants.	

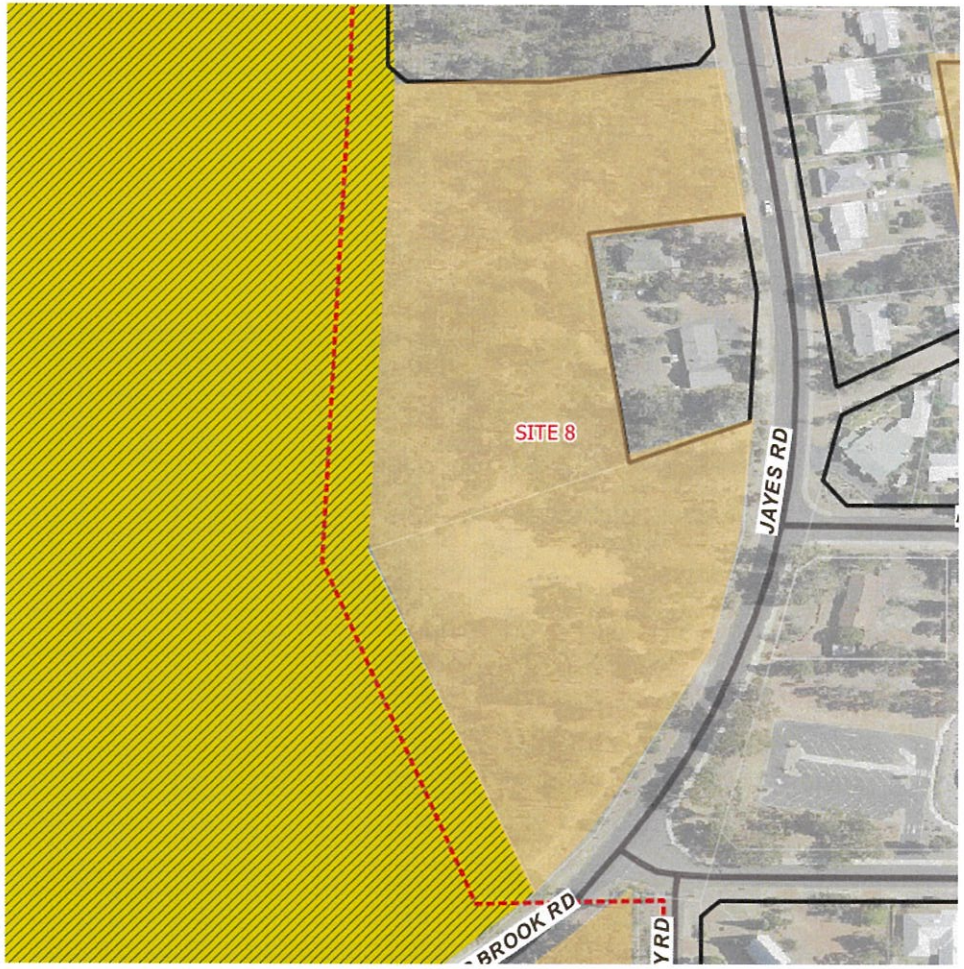
Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 3 – Railway Parade **Property/ies:** • 1 Henry Street, Boyup Brook – Lot 391 on Plan No.37264 (Reserve 23055); • Lot 169 on Plan No.3190 (Reserve 23055). **Land Area:** 6ha **Developable Area (Estimated):** 4ha	**Proposed Land Use:** Mixed Use (Commercial and Holiday Accommodation/Caravan Park) **Current Scheme Designation:** 'Railway' reserve **Proposed Scheme Designation:** Consider leasing, alternatively rezone to the 'Special Use' zone. **Structure Planning Required:** Yes **Lot Size/Density:** N/A **Estimated Lot Yield:** N/A **Planning Matters to be Addressed:** 1. Boundaries reduced as recommended by BHL assessment. Develop in accordance with SPP3.7. Develop a BMP which includes an evacuation procedure; 2. Locate development adjacent to Railway Parade and away from extreme bushfire hazard and the Boyup Brook (creek) - 1:100yr flood level. 3. Alternative effluent treatment system required due creek nearby.	

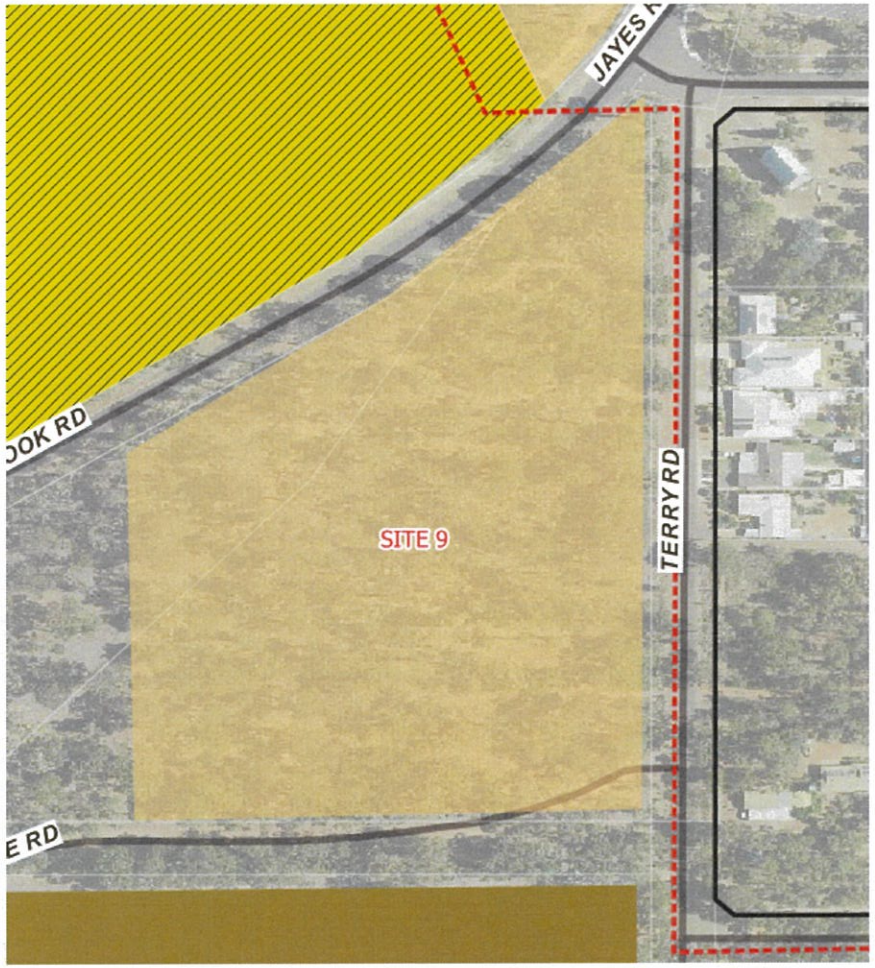
Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 4 – Forrest Street **Property/ies:** • 60 Forrest Street, Boyup Brook – Lot 1 on Plan 37264. **Land Area:** 3785m² **Developable Area (Estimated):** 3785m²	**Proposed Land Use:** Residential (Aged Persons Accommodation) **Current Scheme Designation:** 'Parks and Recreation' reserve **Proposed Scheme Designation:** Rezone from 'Parks and Recreation' reserve to 'Residential' with a density coding of R30, subject to a sewer scheme becoming available. **Structure Planning Required:** No **Lot Size/Density:** NR30 **Estimated Lot Yield:** • 5 lots at R15; • 12 lots at R30. **Planning Matters to be Addressed:** 1. Boundaries reduced as recommended by BHL assessment. Develop in accordance with SPP3.7. Develop a BMP which includes an evacuation procedure; 2. Development in accordance with the Residential Design Codes.	

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 5 – Beatty S Street **Property/ies:** • 77 Beatty Street, Boyup Brook – Lot 193 on Plan No.82555 (Reserve 24895); • 77 Beatty Street, Boyup Brook – Lot 194 on Plan No.82555 (Reserve 24895). **Land Area:** 4.5ha **Developable Area (Estimated):** 3ha	**Proposed Land Use:** Residential **Current Scheme Designation:** 'Public Purposes – School Site' reserve **Proposed Scheme Designation:** 'Residential' with density coding to be determined by sewer scheme provision. **Structure Planning Required:** Yes **Lot Size/Density:** R15/R20 **Estimated Lot Yield:** 1. 30 lots at R15; 2. 60 lots at R20. **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 2. If land is required for educational uses. 3. Consider linking adjacent roads, including Nix, Beatty, Glynn and Purse. 4. Clearing of established trees. 5. Connection to a sewer scheme or capability for on-site effluent disposal.	

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 6 – Inglis Street **Property/ies:** • 31 Inglis Street, Boyup Brook – Lot 274 on Plan No.162670 (Reserve 23853). **Land Area:** 1157m² **Developable Area (Estimated):** 1157m²	**Proposed Land Use:** Residential **Current Scheme Designation:** 'Parks and Recreation' reserve **Proposed Scheme Designation:** 'Residential' with a density coding of 'R15' **Structure Planning Required:** No **Lot Size/Density:** R15 **Estimated Lot Yield:** 2 lots at R15; **Planning Matters to be Addressed:** 1. Whether battle-axe subdivision or rear laneway subdivision would be the more appropriate outcome. 2. Capability for on-site effluent disposal.	

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 7 – Jayes Road **Property/ies:** • Lot 296 on Plan No.31644 (Reserve 26782). **Land Area:** 3747m² **Developable Area (Estimated):** 3747m²	**Proposed Land Use:** Residential **Current Scheme Designation:** 'Parks and Recreation' reserve **Proposed Scheme Designation:** 'Residential' with a density coding of 'R15' **Structure Planning Required:** No **Lot Size/Density:** R15 **Estimated Lot Yield:** 5 lots at R15; **Planning Matters to be Addressed:** 1. Upgrading of the access leg, which has a width of 10m; 2. Stormwater management 3. Privacy; 4. Clearing of established trees; 5. Informal rear access to existing housing fronting Jayes Road.	

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 8 – Jayes Road **Property/ies:** • Lot 13505 on Plan No.219475 (Reserve 16199); • 101 Jayes Road, Boyup Brook – Lot 368 on Plan No.187843 (Reserve 24878) **Land Area:** 3ha **Developable Area (Estimated):** 2ha	**Proposed Land Use:** Residential **Current Scheme Designation:** 'Public Purposes – Water Supply' and 'Public Purposes – Water and Parkland' reserves **Proposed Scheme Designation:** 'Residential' **Structure Planning Required:** Yes **Lot Size/Density:** R15 **Estimated Lot Yield:** 20 lots at R15 **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 2. Ability to clear/retain remnant vegetation. 3. Consider developing a road between the site and neighbouring Reserve. 4. Land capability for development and on-site effluent disposal.	

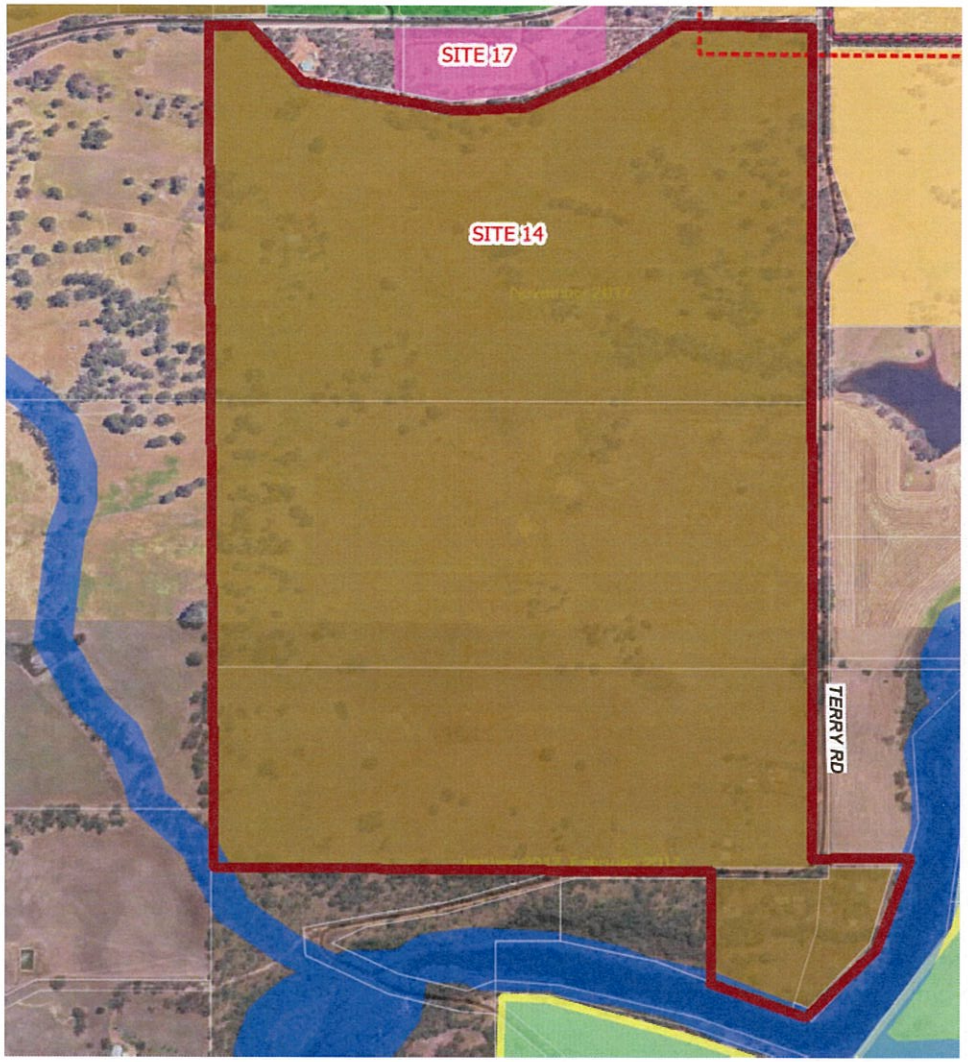
Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 9 – Jayes and Terry Roads **Property/ies:** • Unallocated Crown Land • Lot 13506 on Plan No.219475 (Reserve 16199) **Land Area:** 4ha **Developable Area (Estimated):** 3ha	**Proposed Land Use:** Residential (and consider low density tourist accommodation. **Current Scheme Designation:** 'Public Purposes – Water Supply' reserve **Proposed Scheme Designation:** 'Residential' **Structure Planning Required:** Yes **Lot Size/Density:** R15 **Estimated Lot Yield:** 30 lots at R15 **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 2. Ability to clear/retain remnant vegetation. 3. Consider developing a road between the site and neighbouring Reserve. 4. Relationship with Site 18 and potential for 'Light Industry' land uses on that site. 5. Land capability for development and on-site effluent disposal.	

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 10 – Bridge and Gibbs Streets **Property/ies:** • 95 Bridge Street, Boyup Brook – Lot 186 on Plan No.82555 • Lot 2 on Plan No.32193 • Lot 1 on Plan No.32193 **Land Area: 95**ha **Developable Area (Estimated):** 90ha	**Proposed Land Use:** Residential **Current Scheme Designation:** 'Residential' **Proposed Scheme Designation:** 'Residential' with requirement for a Structure Plan. This will carry forward the existing Guided Development Plan, but allow for a new plan to be developed, should landowners wish to pursue this. **Structure Planning Required:** Yes (identify as 'Special Control Area – Structure Plan'). **Lot Size/Density:** R15 **Estimated Lot Yield:** 80 lots at R15 **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 2. Ability to clear/retain remnant vegetation. 3. Development in accordance with Residential Design Codes, including provision of Public Open Space. 4. Consider Liveable Neighbourhoods for lot, road and POS design. 5. Land capability for development and on-site effluent disposal.	

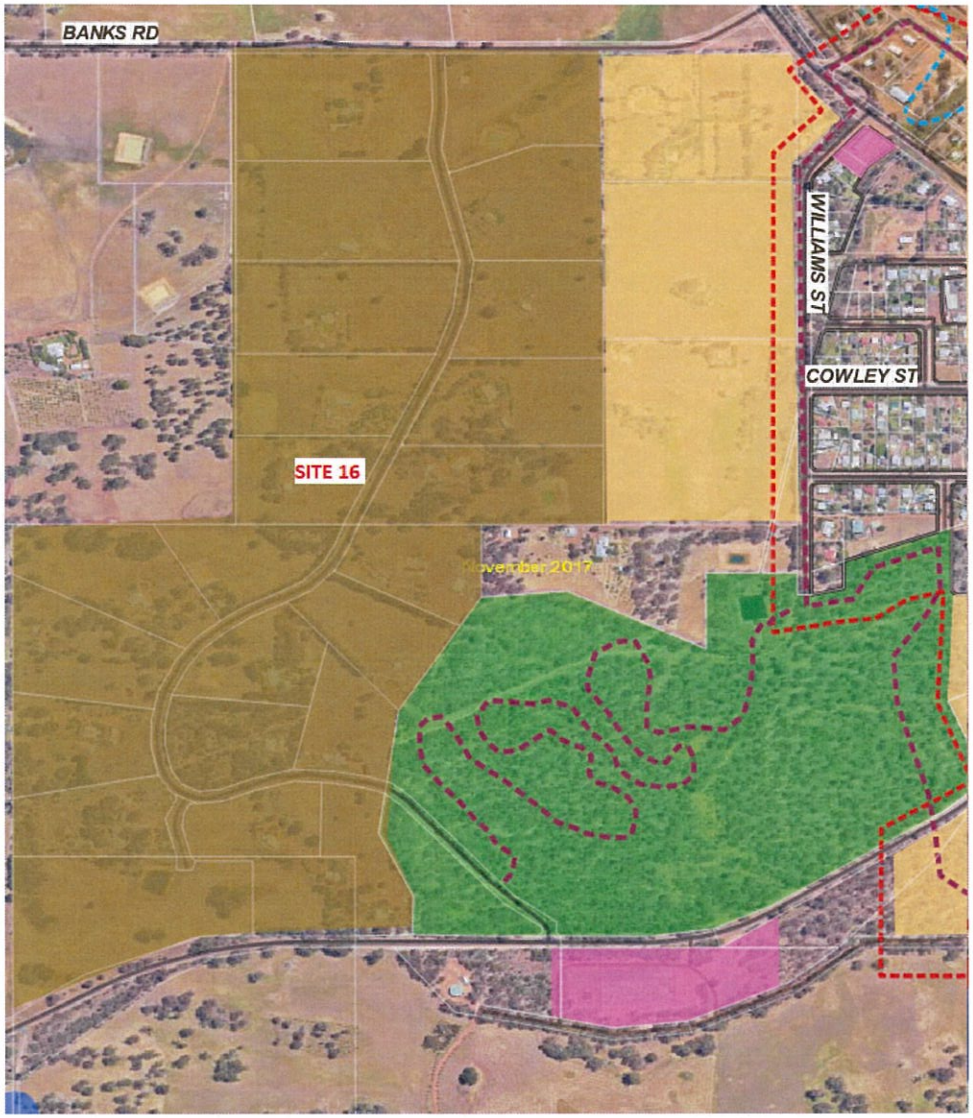
Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 11 – William and Short Streets **Property/ies:** • 1 Short Street, Boyup Brook – Lot 333 on Plan No.170162 • Lot 23 on Plan 21943 • Lot 24 on Plan 21943 • 264 Banks Road, Boyup Brook - Lot 25 on Plan No.21943 **Land Area:** 27ha **Developable Area (Estimated):** 22.8ha	**Proposed Land Use:** Residential **Current Scheme Designation:** 'Special Rural' **Proposed Scheme Designation:** Rezone to 'Residential' through a separate scheme amendment. **Structure Planning Required:** Yes (identify as 'Special Control Area – Structure Plan'). This area will only be supported for the development of approximately 50 residential lots that directly abut the existing urban development of the Boyup Brook townsite, with any further development to require detailed justification, demonstration of demand and be supported by an amendment to the Local Planning Strategy. **Lot Size/Density:** R15 or consider supporting larger lot sizes with on-site effluent disposal, subject to soil capability and compliance with Government sewerage policies. **Estimated Lot Yield:** To be determined based upon land capability, capacity for on-site effluent disposal and servicing. **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 2. Development in accordance with Residential Design Codes, including provision of Public Open Space – consider locating POS adjacent to creek – south east corner. 3. Land capability for development and on-site effluent disposal.	

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 12 – Gibbs Street **Property/ies:** • 52 Gibbs Street, Boyup Brook – Lot 710 on Plan No.100794 **Land Area:** 64.5ha **Developable Area (Estimated):** 50ha	**Proposed Land Use:** Residential **Current Scheme Designation:** 'Rural' **Proposed Scheme Designation:** Rezone portion to 'Residential' **Structure Planning Required:** Yes (identify as 'Special Control Area – Structure Plan'). This area will only be supported for the development of approximately 50 residential lots that directly abut the existing urban development of the Boyup Brook townsite, with any further development to require detailed justification, demonstration of demand and be supported by an amendment to the Local Planning Strategy. **Lot Size/Density:** R15 or consider supporting 2000m² to 5000m² lot sizes with on-site effluent disposal, subject to soil capability and compliance with Government sewerage policies. **Estimated Lot Yield:** To be determined based upon land capability, capacity for on-site effluent disposal and servicing. **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 2. Development in accordance with Residential Design Codes, including provision of Public Open Space – consider locating POS adjacent to creek – south east corner. 3. Land capability for development and on-site effluent disposal.	

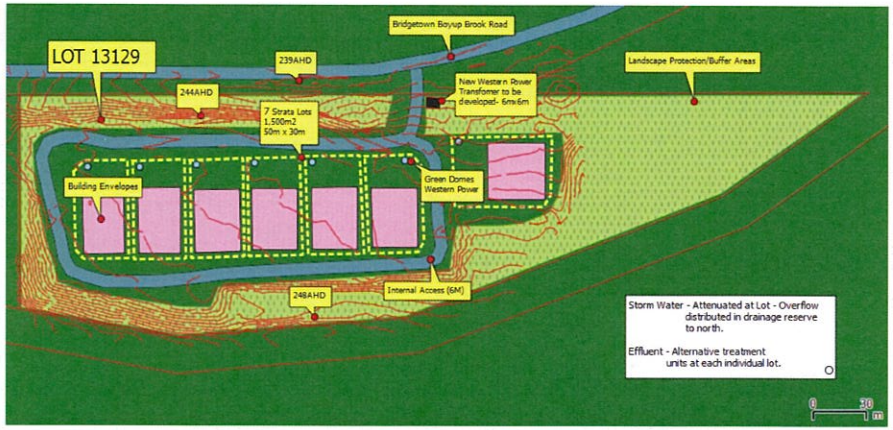
Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 13 – Banks Road **Property/ies:** • Lot 28 on Plan No.68179 **Land Area:** 16ha **Developable Area (Estimated):** 16ha	**Proposed Land Use:** Rural Residential **Current Scheme Designation:** 'Rural' with Structure Plan Area Designation **Proposed Scheme Designation:** Rezone to 'Rural Residential' through separate scheme amendment. **Structure Planning Required:** Yes (identify as 'Special Control Area – Structure Plan'). **Lot Size/Density:** 1ha to 4ha lots **Estimated Lot Yield:** 15 lots at 1ha **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 2. Land capability for development and on-site effluent disposal. 3. Vegetation protection. 4. Infrastructure contributions (Abels Road and Banks Road).	

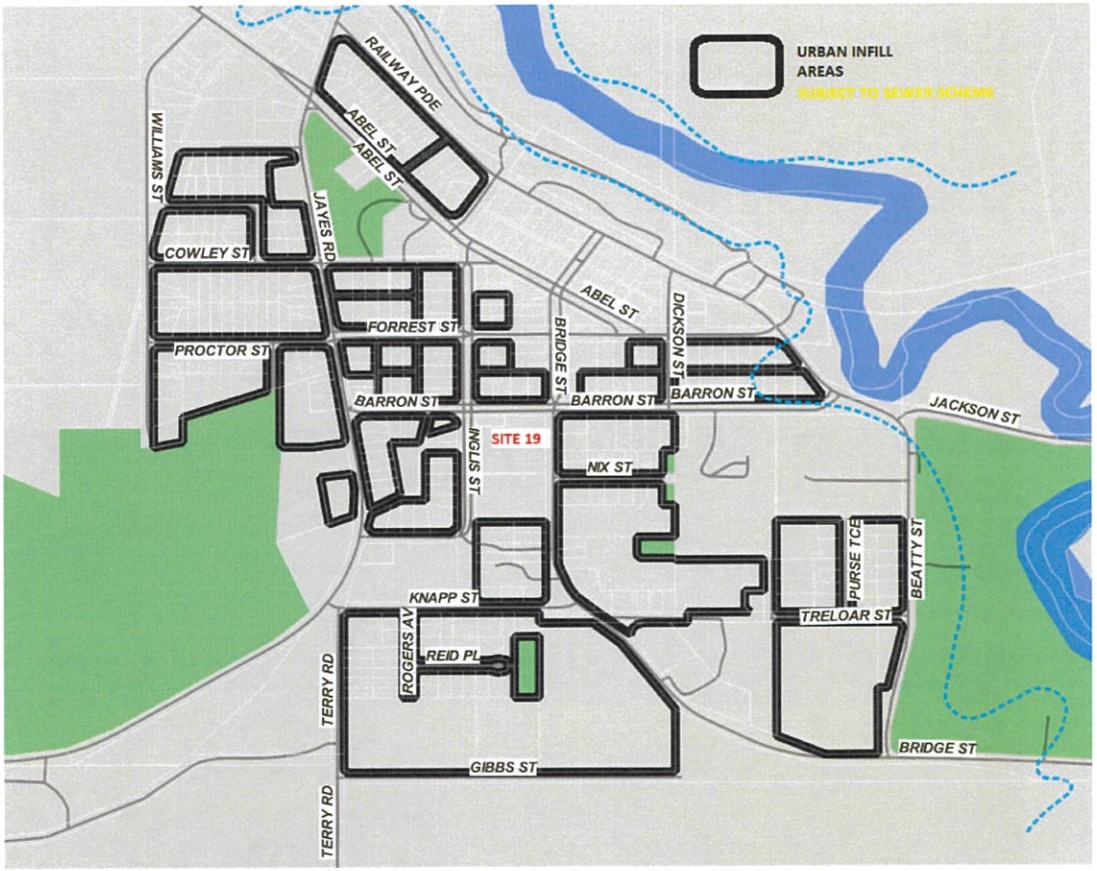
Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 14 – Rusmore Road **Property/ies:** • 81 Rusmore Road, Boyup Brook – Lot 800 on Plan No.101976 • 840 Terry Road, Boyup Brook – Lot 2 on Plan No.67815 • 842 Terry Road, Boyup Brook – Lot 1 on Plan No.67815 • 855 Terry Road, Boyup Brook – Lot 695 on Plan No.251136 • Lot 711 on Plan No.100789 **Land Area:** 166ha **Developable Area (Estimated):** 166ha	**Proposed Land Use:** Rural Residential (with possible Rural Enterprise development on 81 Rusmore Road, Boyup Brook) **Current Scheme Designation:** 'Rural' and 'Special Rural' with Structure Plan Area Designation. **Proposed Scheme Designation:** 'Rural Residential' or 'Rural Enterprise' **Structure Planning Required:** Yes (identify as 'Special Control Area – Structure Plan', with consideration given to Rural Enterprise development on 81 Rusmore Road, Boyup Brook). **Lot Size/Density:** 1ha **Estimated Lot Yield:** 140 lots at 1ha **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 2. Land capability for development and on-site effluent disposal. 3. Buffers for any proposed industrial development and appropriate setbacks. 4. Vegetation protection.	

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 15 – Bridgetown-Boyup Brook and Banks Road **Property/ies:** • 68 Banks Road, Boyup Brook – Lot 735 on Plan No.100788 • 2609 Bridgetown-Boyup Brook Road, Boyup Brook – Lot 721 on Plan No.100786 • Lot 720 on Plan No.100787 **Land Area:** 168ha **Developable Area (Estimated):** 100ha approx.	**Proposed Land Use:** Rural Residential **Current Scheme Designation:** 'Special Rural' with 2ha minimum lot size. **Proposed Scheme Designation:** 'Rural Residential', but suggest that the minimum lot size is decreased to 1ha. **Structure Planning Required:** Yes (identify as 'Special Control Area – Structure Plan'). **Lot Size/Density:** 1ha **Estimated Lot Yield:** 120 lots at 1ha. **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 2. Land capability for development and on-site effluent disposal. 3. Vegetation protection. 4. Suitable setbacks to, and landscape management, of the creeklines.	

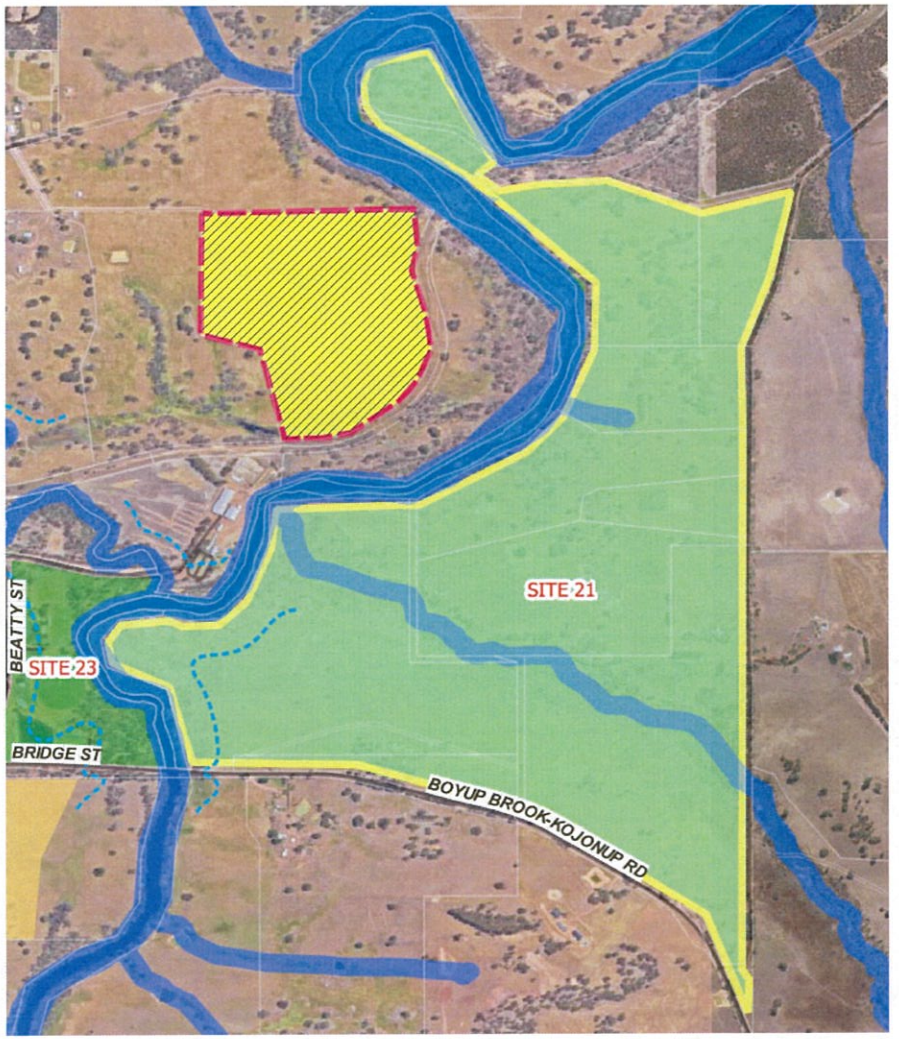
Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 16 – Rural Residential Consolidation Investigation Area **Property/ies:** • Various – Lee-Steere Drive **Land Area:** 85ha **Developable Area (Estimated):** 30 additional Lots	**Proposed Land Use:** Rural Residential **Current Scheme Designation:** 'Special Rural' with varying minimum lot sizes. **Proposed Scheme Designation:** 'Rural Residential', but examine a reduction in the minimum lot size of existing developed areas, subject to structure planning. **Structure Planning Required:** Yes (identify as 'Special Control Area – Structure Plan'). **Lot Size/Density:** 1ha **Estimated Lot Yield:** 30 lots at 1ha **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 2. Land capability for development and on-site effluent disposal. 3. Vegetation protection. 4. Suitable setbacks to, and landscape management, of the creeklines.	

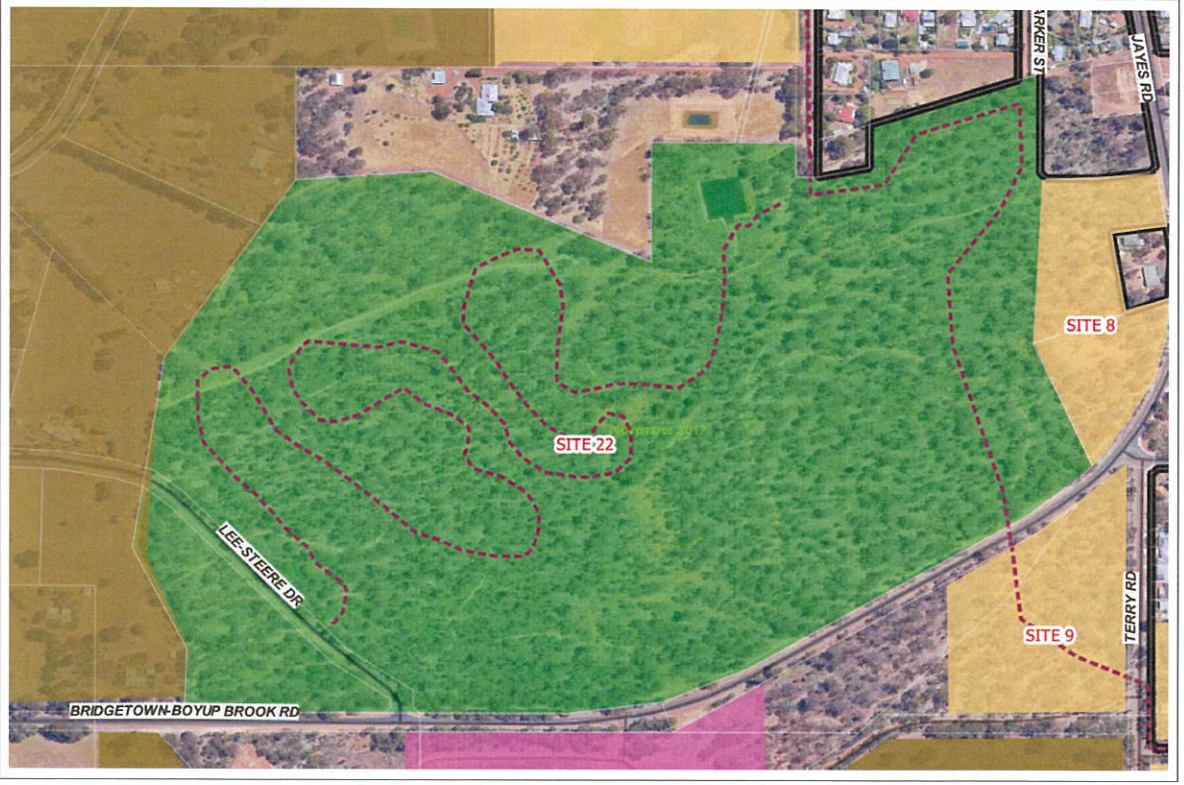
Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 17 – Abel and Short Streets **Property/ies:** • 19 Abel Street, Boyup Brook – Lot 5 on Plan No.23060 • 6 Short Street, Boyup Brook – Lot 4 on Plan No.23060 **Land Area:** 3693m² **Developable Area (Estimated):** 3693m²	**Proposed Land Use:** Light Industrial **Current Scheme Designation:** 'Residential' **Proposed Scheme Designation:** Rezone to 'Light Industry' through separate scheme amendment. The land is currently being utilised for this use. **Local Development Planning Required:** No **Lot Size/Density:** N/A **Estimated Lot Yield:** 3 lots at 1000m² **Planning Matters to be Addressed:** 1. Ensuring that neighbouring residential land uses are not impacted by light industry land uses. 2. Suitable setbacks to, and management of, the adjacent creekline.	

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 18 – Abel and Short Streets **Property/ies:** • Lot 13129 on Plan No.181086 (Reserve 33552) • Lot 13506 on Plan No.219475 (Reserve 16199) **Land Area:** 6.5ha **Developable Area (Estimated):** Subject to Structure Planning	**Proposed Land Use:** Light Industry **Current Scheme Designation:** 'Rural' and reserved for Public Purpose (Water Parkland) **Proposed Scheme Designation:** Rezone to 'Light Industry' through separate scheme amendment. **Structure Planning Required:** Yes (identify as 'Special Control Area – Structure Plan'). **Lot Size/Density:** N/A **Estimated Lot Yield:** Subject to Structure Planning **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 2. Management of stormwater and effluent. 3. Suitable access. 4. Setbacks to boundaries to achieve suitable buffers to sensitive land uses. The vision is the development of industrial uses operating to provide services and employment opportunities to the Shire of Boyup Brook (e.g. plumber, builder and mechanic). It is proposed that the industrial uses will operate independently of each other and contribute to the development and maintenance of infrastructure such as access, drainage and landscaping under a strata management plan and authority.	 

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 19 – Boyup Brook Townsite Infill **Property/ies:** • Various **Land Area:** Approximately 64ha **Developable Area (Estimated):** Approximately 26ha	**Proposed Land Use:** Residential **Current Scheme Designation:** 'Residential' **Proposed Scheme Designation:** Change density coding from R15 to R15/20, but should occur only when the prospect of a sewer scheme becomes likely. **Structure Planning Required:** Only on large vacant land parcels, which should be identified as 'Special Control Area – Structure Plan'. **Lot Size/Density:** R15/20 **Estimated Lot Yield:** Unknown **Planning Matters to be Addressed:** 1. Capability/likelihood of a sewer scheme being established in the townsite. 2. Advocating to ensure the any proposed sewer scheme has additional capacity to accommodate infill development. 3. Ensuring suitable scheme provisions exist to identify that infill development at a higher density will only be supported where a connection to a sewer scheme is to be connected. 4. If on-site effluent disposal is proposed, ability of the land to comply with Government sewerage policies and suitable scheme provisions to guide this. 5. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 6. Stormwater and drainage management, particularly in response to sloping terrain and poorly draining soils. 7. Suitable access to lots.	

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 20 – Stanton, Terry and Fern Valley Roads **Property/ies:** • 63 Fern Valley Road, Boyup Brook – Lot 913 on Plan No.103309 • 133 Fern Valley Road, Boyup Brook – Lot 798 on Plan No.251166 • 147 Fern Valley Road, Boyup Brook – Lot 696 on Plan No.251166 • 652 Terry Road, Boyup Brook – Lot 589 on Plan No.100797 • Lot 6 on Plan No.96448 • Lot 10 on Plan No.33494 • Lot 223 on Plan No.251175 • Lot 1777 on Plan No.125980 • Lot 6116 on Plan No.81971 • Lot 7876 on Plan No.81971 **Land Area:** Approximately 434ha **Developable Area (Estimated):** Approximately 320ha	**Proposed Land Use:** Rural Small Holdings **Current Scheme Designation:** 'Rural' **Proposed Scheme Designation:** Rezone to 'Rural Small Holdings' zone through separate scheme amendment. **Structure Planning Required:** Yes (identify as 'Special Control Area – Structure Plan'). **Lot Size/Density:** 4ha to 7ha **Estimated Lot Yield:** 80 lots at 4ha or 45 lots at 7ha **Planning Matters to be Addressed:** 1. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 2. Flood protection. 3. Land capability for development and on-site effluent. 4. Internal access/road pattern. 5. Lot design. 6. Infrastructure contributions (Terry Road and extension/intersection of Fern Valley Road and Boyup Brook-Kojonup Road). 7. Protection of remnant vegetation.	

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 21 – Asplin Siding Road **Property/ies:** • 836 Asplin Siding Road, Boyup Brook – Lot 5 on Plan No.92880 • 856 Asplin Siding Road, Boyup Brook – Lot 4 on Plan No.21336 • 896 Asplin Siding Road, Boyup Brook – Lot 2 on Plan No.21336 • 922 Asplin Siding Road, Boyup Brook – Lot 6664 on Plan No.82425 • 1 Boyup Brook-Kojonup Road, Boyup Brook – Lot 6 on Plan No.55383 • 57 Boyup Brook-Kojonup Road, Boyup Brook – Lot 7 on Plan No.55383 • Lot 3 on Plan No.21336 • Lot 4176 on Plan No.133474 **Land Area:** Approximately 250ha **Developable Area (Estimated):** Approximately 180ha	**Proposed Land Use:** Rural Small Holdings **Current Scheme Designation:** 'Rural' **Proposed Scheme Designation:** Rezone to 'Rural Small Holdings' zone through separate scheme amendment. **Structure Planning Required:** Yes **Lot Size/Density:** 4ha to 7ha **Estimated Lot Yield:** 45 lots at 4ha or 25 lots at 7ha **Planning Matters to be Addressed:** 5. Development and subdivision in accordance with Australian Standard 3959-2009 and State Planning Policy No.3.7 – Planning in Bushfire Prone Areas. 6. Flood protection. 7. Land capability for development and on-site effluent. 8. Internal access/road pattern. 9. Lot design. 10. Infrastructure contributions (Asplin Siding Road). 11. Protection of remnant vegetation.	

Investigation Area	*Investigation Area Requirements*	*Site Map*
Site 22 – Bridgetown-Boyup Brook Road **Property/ies:** • Lot 13505 on Plan No.219475 (Reserve 16199) **Land Area:** Approximately 46ha **Developable Area (Estimated):** N/A	**Proposed Land Use:** Parks and Recreation **Current Scheme Designation:** 'Public Purposes – Water and Parkland' **Proposed Scheme Designation:** Modify reservation from 'Public Purposes' to 'Parks and Recreation' reserve to allow passive recreation outcomes. **Structure Planning Required:** No **Lot Size/Density:** N/A **Estimated Lot Yield:** N/A **Planning Matters to be Addressed:** 1. Bushfire management. 2. Internal access. 3. Walking and mountain bike trails. 4. Fauna and Flora survey. 5. Protection of environmentally sensitive area.	

Investigation Area

Site 23 – Bridgetown-Boyup Brook Road

Property/ies:

- Lot 360 on Plan No.75065 (Reserve 1454)

Proposal:

This strategy proposes the development of recreation and community facilities and investment for the recreation precinct adjacent to the Blackwood River – refer to adjacent plan. Design planning and subsequent investment will transform the currently underutilised area into a regional sports and recreational precinct and community focal area.

It will encourage greater participation in indoor and outdoor activities and provide a much-needed space for community groups to help each other to learn, grow and overcome social and health problems.

The key deliverables from the project will be a multipurpose indoor sporting and community facility with premium facilities for an array of activities including basketball, cricket, netball, squash, volleyball administration, club rooms, meeting places, toilets, parking and access.

There is no premium indoor sport and community facility currently in the locality and this facility will fill this gap. Community infrastructure is currently spread, and this facility will co-locate community activities to make them feasible and sustainable.

Additional deliverables will include upgrades such as dual use paths, drainage, landscaping, shelters, signage, viewing platforms, new turf, additional sporting attributes such as golf and re-location of some existing facilities such as tennis.

The development is a key component to complement existing facilities, which include:

1. 2 x hockey pitches;
2. Football and cricket pitch;
3. Tennis courts;
4. Swimming pool; and
5. Incidentals.

Shared use by sports clubs and the community will ensure high usage rates year-round and facilitate synergies between clubs and the community. High quality facilities with an emphasis on sustainable design and the creation of comfortable associated outdoor spaces will enhance the quality of outdoor sports for a range of activities including cricket, basketball, netball, hockey and other.

The precinct will provide a greater range of passive and active recreation opportunities through improved recreation infrastructure provision integrated with a systematically planned environment. This will result in a healthier community including improved intergenerational social interaction and disabled access.

Site Map

Conceptual indoor sporting/community venue

Conceptual Viewing Platforms

4

STRATEGY MAPS

4. Strategy Maps

RURAL STRATEGY – SHIRE OF BOYUP BROOK

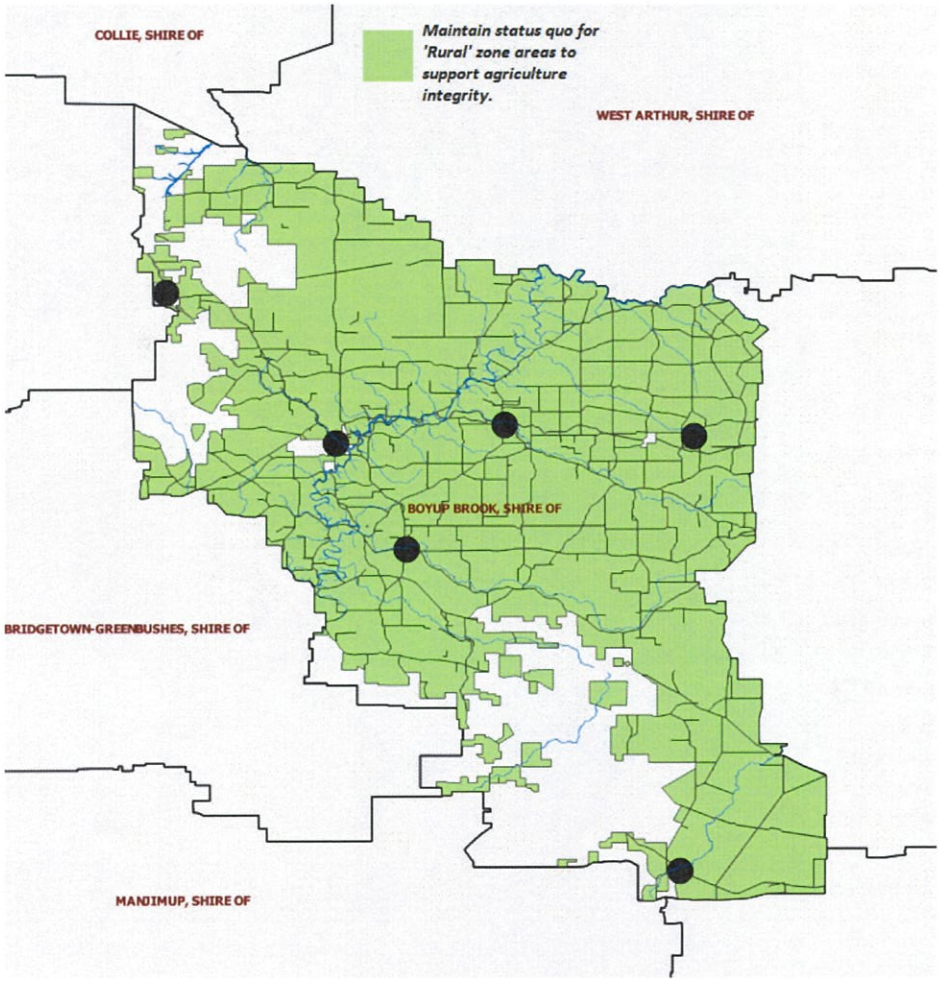


Figure 20. Rural Strategy

URBAN STRATEGY – BOYUP BROOK TOWNSITE

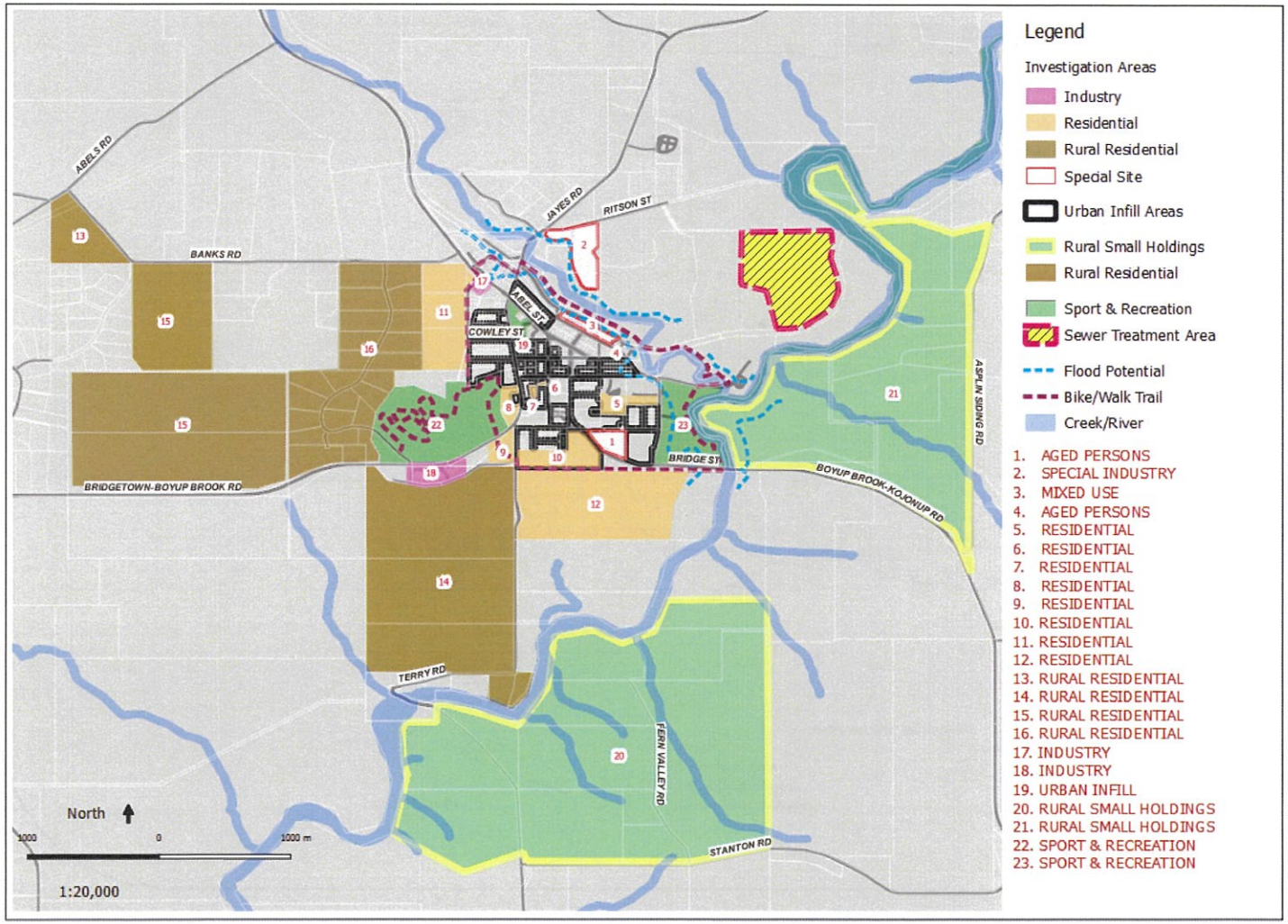


Figure 21. Strategy Map – Growth Areas

5. References

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FEES AND CHARGES FOR BOYUP BROOK MEDICAL SERVICES					
SERVICE	CURRENT FEE	MEDICARE REBATE	GAP	PROPOSED FEE	GAP
Concession card holders and children under the age of 16 are bulk billed					
Consultations – short MBS item 3	42.00	17.50	24.50	45.00	27.50
Consultations – standard MBS item 23	77.00	38.20	38.80	80.00	41.80
Consultations – long MBS item 36	119.50	73.95	45.55	125.00	51.05
Consultations – extra long MBS item 44	167.00	108.85	58.15	175.00	66.15
Administration fee – missed appointments *IS THIS BEING CHARGED?	85.00	-	85.00	85.00	85.00
Reports for third parties *CHARGED **TO** THIRD PARTY*	319.00 p/hr	N/A		600.00 p/hr	N/A
Employment medical *CHARGED **TO** EMPLOYER*	166.00	-	166.00	170.00	170.00
Repeat prescription fee – private patients *IF PATIENT SEE'S DR FOR A 5 MINUTE CONSULT FOR REPEAT THIS CAN BE BULK BILLED SO NO OUT OF POCKET FOR THE PATIENT. IT IS THE LAW THAT THE PATIENT IS SEEN BY THE DOCTOR FOR MOST REPEATS INCLUDING BUT NOT LIMITED TO OPIOIDS, ANTIBIOTICS (CHANGE IN LAW MAY & JUNE 20*	10.00	-	10.00		
Repeat prescription fee – bulk billed patients *IF PATIENT SEE'S DR FOR A 5 MINUTE CONSULT FOR REPEAT THIS CAN BE BULK BILLED SO NO OUT OF POCKET FOR THE PATIENT. IT IS THE LAW THAT THE PATIENT IS SEEN BY THE DOCTOR FOR MOST REPEATS INCLUDING BUT NOT LIMITED TO OPIOIDS, ANTIBIOTICS (CHANGE IN LAW MAY & JUNE 20*	5.00	-	5.00		
Repeat referral fee without seeing Doctor *SHOULDN'T BE OCCURING, DOCTOR MUST SEE PATIENT FOR REFERRAL	10.00	-	10.00		
NOT ON FEES AND CHARGES					
File copy for third party	157.50	-	N/A	160.00	N/A
Transport medical – eg F endorsement, commercial licence *YOU CANNOT CLAIM THIS THROUGH MEDICARE*		-		140.00	140.00
Procedures – To be charged as per the Medicare Scheduled fee (Rural Health West sheet attached as an example) plus consumables which are to be charged on a table basis eg					
Level 1 - $10.00					
Level 2 - $15.00					
Level 3 - $20.00					
Level 4 - $25.00 etc					
Note – consumables cannot be claimed through Medicare					
The MBS indexation factor for 1 July 2020 is 1.5 per cent					

Attachment 9.3.3
Council Agenda
18 June 2020

Report to the CEO on risks associated with the continued use of the truck wash down point – Old sale yards

Background information

The old sale yards are located on the peripheral of town at Lot 13129 on the Boyup Brook-Bridgetown Rd. The sale yards are no longer used, however the truck wash down bay is utilized by a local contractor to wash down his stock crates.

In 2015, the area was subject to some upgrades and permission to completed these was requested from the Department of Environmental Regulation (DER). Advice from DER was that additional approvals were not required however, the Shire was reminded of their statutory obligations under the *Environmental Protection Act 1986,* and other statutory instruments.

Relevant legislation

While there are obvious benefits for routine cleaning and wash down of stock trucks in a controlled location, there is currently no regulatory requirement in Western Australia.

The main legislation and standards that must be complied with where a wash down facility is provided include.

- *Environmental Protection Act, 1986*
- *Biosecurity and Agriculture Management Act 2007* and under Part IV of the EP Act.
- *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.*
- *Occupational Safety and Health Act 1984*
- Australian Standard AS/NZS 3500.2:2003 Plumbing and Drainage.
- Australian Code of Practice for the Selling of Livestock
- DoW Water Quality Protection note 39.

Site design

The site wash down facilities are currently connected to an evaporative pond system that was established as part of the sale yards. No additional work has been completed on the ponds to increase capacity in capture the increased volume of water. The pond capacity as at 2015 was estimated to be 120 000l

The manure contaminated truck wash effluent is captured and treated through a simple system which combines;

- a static screen to remove large solids,
- a sedimentation basin and
- an evaporation pond.

Using this basic treatment method effluent does not reach a water quality suitable to be discharged into the environment.

The sludges and solids contain weed seed contaminants, oil and grease as possible environmental pollutants. Sludge and solids are generally cleaned out at shire's expense and placed in a pit or stockpiled for later disposal at earth fill refuse tips.

Possible Impacts/risks

There is evidence that there may be the following environmental and safety risks as a result of the current use:

- Organic matter increases the growth of weeds which isn't not being managed
- Attraction of flies and vermin due to sludge stock piling, this will become worse in summer
- Visual amenity – close to main road
- Odour nuisance
- Possible contamination of ground water – inadequately treated water running into culverts
- Risk to children as the area isn't fully fenced

Recommendations

It is recommended that the wash down point at the sale yards cease being used, in that it is my view that the current facility exposes the local government to ligation based on the following observations:

- There have been no upgrades to the platform access, steps and walkways used to access the stock crates for wash down are currently non-compliant. (Report dated Sept 2012)
- Possible contamination of surrounding environment – discharge water quality not monitored or assessed for compliance
- Inadequate ability to safely stockpile the sludge once removed from the screening pond
- No evidence that a risk assessment has ever been undertaken to determine the environmental impacts as per the DER letter dated 13 Feb 2015.
- No evidence of compliance with Department of Water guidelines for the construction and operation of wastewater lagoons.
- No evidence that the property is appropriately licensed.

It is also recommended the site be reported to the DER as a contaminated site as per the *Contaminated Sites Act 2003*, using form 1. Any decommissioning must be undertaken following the Guidelines for the assessment and remediation of ground water contamination.

Angela Hales

Environmental Health Officer

June 2020

Rylington Park Transitional Committee
Thursday, 14 May 2020

Minutes

Meeting opened: 5pm

1. **Present:**
   Cr Richard Walker – Shire President
   Cr Helen O'Connell
   Matthew Chambers
   Peter Reid
   Chris Smith – CEO
   Marc Deas – Manager
   Erlanda Deas – Manager

2. **Apologies:**
   Richard Turner

3. **Agricultural Consultant**
   A written report from Ashley Herbert, Agrarian Management was tabled. (attached)

4. **Farm Report**
   Marc Deas, Manager provided a written (attached) and verbal farm report which was discussed by the committee.
   - 4.1 Upcoming work load
   - 4.2 Concerns regarding upcoming Shearing School and Covid-19 regulations – working with Shire staff to comply
   - 4.3 Electrical appliances need to be tested and tagged
   - 4.4 'Road Map to non-mulesing' document tabled. (author M Deas, attached) Discussion on Rylington Park implementing 100% non-mulesing program, commencing this year. Research cost of practising full animal welfare package.
   - 4.5 Rock picking possible fund raiser for Sporting Association Group.
   - 4.6 Fencing
   - 4.7 Spraying

5. **Rylington Park Charter**
   Chris provided a suggestion for the Rylington Park Charter. (attached)
   Geoff Lodge, previous Shire President will be contacted for information to be included in the Charter. Mr Lodge was the Shire President when Rylington Park was gifted to the Shire.

6. **Confined Feeding / Sale of Wool**
   - 6.1 Peter Reid questioned the current confined feeding situation. Marc proved details.
   - 6.2 Discussion on the current wool price. Marc provided details.
     Wool will be offered with a reserve price.

Meeting closed: 6.25pm

KPTC 14.5.20

Ashley Herbert
Agrarian
Management

Indicative enterprise gross margins

Comparing two scenarios and the effect of arable proportion of the property.

Cropping 40% of cleared area

	Barley	Canola	Oats	All Crop	Sheep	Farm	Wastage
Area	**85**	**85**	**29**	**200**	**283**	**483**	**18**
Yield	4.5	2.2	4.0		(15 dse/ha)		
Price ($/t FIS)	290	550	250				
Income	**1,077**	**1,077**	**951**	**1,059**		**1,091**	
Fertiliser	195	195	195	195			
Lime	11	11	11	11			
Chemicals	120	120	120	120			
Fuel & Oil	5	5	5	5			
Repairs & Maintenance	5	5	5	5			
Contract Expenses	196	229	196	210			
Seed & Treatments	35	75	35	52			
Casual Wages	0	0	0	0			
Crop Insurance	8	8	8	8			
Freight Grain & Fertiliser	11	11	11	11			
Total costs	**586**	**659**	**586**	**617**	**440**	**513**	
Margin	**491**	**419**	**366**	**442**	**675**	**578**	
					($50/dse)		
				Farm margin		**$279,642**	

Production system

1. Typically Crop + Sheep (or to a lesser extent cattle)
2. 25-60% of cleared area cropped depending on:
    a. Prevailing economics
    b. Motivation and expertise of the farmer
    c. Soil types and topography of the property
3. Key synergy for the sheep enterprise is the summer/ autumn carrying capacity from the crop stubbles.
4. While the feed value of stubbles may not extend through summer the cropping paddocks are used to carry sheep when pastures have effectively been exhausted. Stubble provides cover and protection to the soil.

5. The ability to carry sheep through the autumn is the main rate limiting step to winter stocking rate.

Stocking rate and the margin per dse are the primary drives of sheep profitability.

Potential for cropping

Rylington Park	Ha	% Cleared
Cleared area	501	100%
Arable area	375	75%
YIYO Crop 50% of arable area	188	37%
YIYO Crop 80% of arable area	300	60%

1. A conservative approach to long term cropping is to set the annual crop to 50% of the arable area.
2. A realistic and achievable upper limit to a long term crop programme is 80% of arable area. This provides the capacity for some rotation with pasture for weed control.

3. However, with the current fencing there is a significant range in the arability of individual paddocks (which is quite typical).

4. When a paddock is cropped the unseeded cleared portion is referred to as wastage.

	Area (ha)			
Arable range	Grazable	Arable	Wastage	% Cleared area
90-100%	197	187	11	5%
85-100%	288	265	23	8%

YIYO Crop area if only cropping paddocks:

90-100% arable	94ha – 150 ha	Cleared area taken up by crop 99 ha – 158 ha
85-100% arable	132 – 212 ha	Cleared area taken up by crop 143 ha- 230 ha

Cropping 30% of cleared area.

	Barley	Canola	Oats	All Crop	Sheep	Farm	Wastage
Area	**57**	**57**	**36**	**150**	**343**	**493**	**8**
Yield	4.5	2.2	4.0		(15 dse/ha)		
Price ($/t FIS)	290	550	250				
Income	**1,077**	**1,077**	**951**	**1,059**		**1,094**	
Fertiliser	195	195	195	195			
Lime	11	11	11	11			
Chemicals	120	120	120	120			
Fuel & Oil	5	5	5	5			
Repairs & Maintenance	5	5	5	5			
Contract Expenses	196	229	196	210			
Seed & Treatments	35	75	35	52			
Casual Wages	0	0	0	0			
Crop Insurance	8	8	8	8			
Freight Grain & Fertiliser	11	11	11	11			
Total costs	**586**	**659**	**586**	**617**	**440**	**493**	
Margin	**491**	**419**	**366**	**442**	**675**	**602**	
					($50/dse)		
				Farm margin		**$296,846**	

KPIC 14.5.20 Farm Report

Report from Rylington Park

Sheep:

- Feeding grain and hay
- Will start confinement feeding some mobs
- Preg scanned ewes:

	Singles	Twins	Dry	Total
Mated to white Suffolk rams	279	195	24	498
Mated to merino rams	1239	616	119	1974
Total	**1518**	**811**	**143**	**2472**

- 1396 green 2019 lambs shorn – 24 wool bales to be sold
- Vaccinated and drenched 970 green ewe hoggets
- Sold last 20 green XB lambs at Katanning auction @ $86.45 per head
- Sold 23 lighter dry ewes at Katanning auction @ $78.61 per head
- Sold 122 dry ewes to WAMMCO @ $135.31 per head
- Sold 486 green tag merino wethers @ $110 per head – went to NSW
- Sold 33 bales wool for $46 390.53 (after all costs)

Schools:

- Cancelled 2 shearing schools due to pandemic
- Planning to have improver shearing school middle June – will be shearing Richard Forbes' wethers

Cropping:

- Clean paddocks for cropping
- Spread super on pasture paddocks
- Pasture seeding done
- Sporting precinct will put crop in from around 18 May

Trials:

- CSBP
- Summit Fertilizer
- Boyup Brook Farm Supplies pasture trial
- Ag Dept oat NVT
- Southern Dirt summer weed survey

General:

- Repairs done to 5-in-1 bin Pedericks Engineering
- Reefinator work on paddock 33 done
- Ashley Herbert visited the farm to formulate a strategic review of Rylington Park
- Had 52mm of rain in the last 10 days

RPTC 14.5.20

Roadmap to non-mulesing

Breeding objectives: stop mulesing by breeding sheep with low wrinkle score, low dags & low susceptibility to internal parasites.

Selection strategy: Mark lambs with excessive wrinkle (score 3+), stain & scouring with management tag.
Management tag in sheep presenting with dags, stain & flystrike.
Select rams with low ASBV's for wrinkle, dags & fecal worm egg count where possible. Consider Sheep Genetics website as a tool to find rams.

Management strategy: to control fly strike.
Selection of sheep.
Shorter -3 week joining.
Speak to crutchers & adjust rate on unmulesed sheep.
Possibly crutch weaners before shearing- depending on shearing schools.
Very good worm control & worm egg counts.
Click on weaners & young sheep in spring.
Make use of information available-
Fly Boss- score sheets for fleece rot & wrinkle to assess susceptibility
Worm Boss
Merinoselect
AWEX
AWI tools & information, among others:
https://www.wool.com/globalassets/wool/sheep/welfare/breech-flystrike/breeding-for-breech-strike-resistance/planning-for-a-non-mulesed-merino-enterprise.pdf

We already have long stapled sheep with fairly plain bodies.

RPTC 14.5.20

Charter.

PLAQUE ON TOURIST CENTRE BUILDING

RYLINGTON PARK FARM

RYLINGTON PARK WAS GIFTED TO THE SHIRE IN 1985 BY MR ERIC FARLEIGH

MR FARLEIGH'S WISH WAS THE FARM WAS TO BE USED BY THE SHIRE FOR THE BENEFIT OF THE COMMUNITY AND FOR RESEARCH

THE RYLINGTON PARK CHARTER HANGS IN THE COUNCIL CHAMBERS

FRAMED CHARTER DOCUMENT TO HANG IN COUNCIL CHAMBERS

CHARTER

UNTIL 2020 RYLINGTON PARK WAS LEASED TO THE RYLINGTON PARK MANAGEMENT INC. THE FUNDS AND ASSETS CREATED DURING THIS PERIOD HAVE BEEN TRANSFERRED TO THE SHIRE ON SET TERMS

FUNDS GENERATED TO BE USED FOR:

- MAJOR COMMUNITY PROJECTS
- SHEARING AND WOOL HANDLING SCHOOLS SPONSORED BY AWI
- AGRICULTURAL SCHOLARSHIPS OFFERED TO BOYUP BROOK HIGH SCHOOL STUDENTS
- OWNER CLASSER COURSE FOR LOCALS
- SUPPORT FOR BOYUP BROOK PLAY GROUP
- MAXIMISE LOCAL PURCHASING

This summary would be embellished and elaborated in a gushing flowing Charter document

Attachment 12.1

Department of
Primary Industries and Regional Development

GOVERNMENT OF WESTERN AUSTRALIA

2019/20

STATE OF WESTERN AUSTRALIA

-and-

SHIRE OF BOYUP BROOK

ABN: 95 583 688 034

GRANT AGREEMENT

Boyup Brook Visitor Tower

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THIS AGREEMENT made the _____day of _____20_____.

BETWEEN:

THE STATE OF WESTERN AUSTRALIA via the Department of Primary Industries and Regional Development, acting through both the Director General, of 140 William Street, Perth WA 6000 and the South West Development Commission established under Part 2 of the Regional Development Commissions Act 1993 (as described in the Schedule) ("State")

-and-

SHIRE OF BOYUP BROOK

("Grantee")

RECITALS

A. The State is making and the Grantee is accepting a grant of money to develop a business case for the Boyup Brook Visitor Tower project.

B. The Grant is made subject to terms, conditions and warranties set out in this Agreement

OPERATIVE PART

1. DEFINITIONS AND INTERPRETATION

In this Agreement, unless repugnant to the context:

Agreement means this agreement, including its recitals and any schedules or annexures (if any).

Acquittal Report means the report described as such in the Schedule.

Acquittal Reporting Date means the date when the Acquittal Report must be given to the State, as per the Schedule.

Application means the original grant application.

Approved Budget means the budget approved by the State and attached to this Agreement as attachment A.

Approved Purpose means the purpose or purposes set out in item 2 of Schedule 1.

Auditor means the Auditor General or a person who is independent of, and not related in any way to, the Grantee and is a member of CPA Australia, the Institute of Public Accountants in Australia or the Institute of Chartered Accountants in Australia.

Auditor General means the Auditor General for the State of Western Australia.

Business Day means a day other than a Saturday, Sunday or public holiday in Western Australia.

Commencement Date means the execution date of this Agreement.

Date for Project Completion means the date by which the Recipient must complete the Project as set out in this Agreement.

Dispose includes transfer, agree to transfer, lease, agree to lease or otherwise part with possession.

End Date means the date when this Agreement ends.

Event of Default means an event of default described in clause 9.1.

Grant means the grant described in clause in the Schedule.

Insolvency Event means the happening of any of the following events:

(a) An order is made, or an application is made to a court for an order, that a body corporate be wound up; or

(b) Except to reconstruct or amalgamate while solvent, a body corporate:

  (i) is wound up or dissolved; or

  (ii) resolves to wind itself up or otherwise dissolve itself, or gives notice of intention to do so; or

  (iii) enters into, or resolves to enter into, any form of formal or informal arrangement for the benefit of all or any class of its creditors, including a scheme of arrangement, deed of company arrangement, compromise or composition with, or assignment for the benefit of, all or any class of its creditors; or

(c) a liquidator or provisional liquidator is appointed (whether or not under an order), or an application is made to a court for an order, or a meeting is convened or a resolution is passed, to make such an appointment, in respect of a body corporate; or

(d) a receiver, manager, receiver and manager, trustee, administrator, controller (as defined in section 9 of the *Corporations Act 2001* (Cth) or similar officer is appointed, or an application is made to a court for an order, or a meeting is convened, or a resolution is passed, to make such an appointment, in respect of a body corporate; or

(e) any step is taken to enforce security over, or a distress, attachment, execution or other similar process is levied, enforced or served out against any asset or undertaking of a body corporate; or

(f) the process of any court or authority is invoked against a body corporate, or any asset or undertaking of a body corporate, to enforce any judgement or order for the payment of money or the recovery of any property; or

(g) a body corporate:

  (i) takes any step to obtain protection, or is granted protection, from its creditors under any applicable legislation; or

  (ii) stops or suspends payment of all, or a class of, its debts; or

  (iii) is or is taken by any applicable legislation to be, or states that it is, or makes a statement from which it may reasonably deduced that it is:

(A) insolvent or unable to pay its debts when they fall due; or

(B) the subject of an event described in section 459C(2)(b) or section 585 of the *Corporations Act 2001* (Cth); or

(iv) is taken to have failed to comply with a statutory demand as a result of the operation of section 459F(1) of the *Corporations Act 2001* (Cth); or

(v) ceases, or threatens to cease, to carry on all or a material part of its business; or

(h) a person becomes an insolvent under administration as defined in section 9 of the Corporations Act 2001 (Cth) or action is taken which could result in that event;

(i) a person dies, ceases to be of full legal capacity or otherwise become incapable of managing its own affairs for any reason; or

(j) anything analogous or having a substantially similar effect to any of the events specified above happens under the law of any applicable jurisdiction.

Law means all applicable present and future laws including:

(a) all acts, ordinances, regulations by-laws, orders, awards and proclamations of the State of Western Australia or the Commonwealth;
(b) Authorisations;
(c) rules and principles of the common law or equity;
(d) standards, codes, policies and guidelines; and
(e) the ASX listing rules.

Leveraged Funding is the additional cash funding obtained for the Project from other sources.

Obligation means obligation under this Agreement.

Party means each of the State or the Grantee as the context requires and **Parties** means both of them.

Project means the initiative or activities funded for the Purpose described in the Schedule.

Property means the property purchased with the Grant. Such property may, or may not, be described in the Schedule.

Purpose means the purpose of carrying out the Project.

Region means the region, as defined in the Regional Development Commissions Act 1993.

Special Conditions means any conditions specified as such in the Schedule.

Warranty means any express or implied warranty.

INTERPRETATION

In this Agreement, unless the context otherwise requires:

(a) the singular includes the plural and vice versa;

(b) a reference to any thing is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them but nothing herein is taken to mean that part performance of an obligation amounts to full performance thereof;

(c) a reference to a gender includes other genders;

(d) a reference to a person includes a public body, a company and an incorporated or unincorporated association or body of persons and also includes a reference to the person's executors, administrators, successors, substitutes (including, but not limited to, a person taking by novation) and permitted assigns;

(e) if the Grantee consists of a partnership or joint venture, then:

(i) an obligation imposed on the Grantee under this Agreement binds each person who comprises the Grantee jointly and severally;

(ii) each person who comprises the Grantee is deemed to agree to do all things necessary to enable the obligations imposed on the Grantee under this Agreement to be undertaken;

(iii) the act of one person who comprises the Grantee binds the other persons who comprise the Grantee; and

(iv) an Event of Default by one person who comprises the Grantee constitutes an Event of Default by the Grantee;

(f) an agreement, representation or warranty on the part of, or in favour of, 2 or more persons binds, or is for the benefit of, them jointly and severally;

(g) a reference to this Agreement or another instrument includes all variations and replacements of either of them despite any change of, or any change in the identity of, the State or the Grantee;

(h) a reference to a clause, schedule, attachment or appendix is a reference to a clause in, or a schedule, attachment or appendix to, this Agreement;

(i) headings are included for convenience and do not affect the interpretation of this Agreement;

(j) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;

(k) no rule of interpretation is to be applied to disadvantage the State or the Grantee on the basis that it was responsible for preparing this Agreement;

(l) if a word or phrase is defined, other grammatical forms of that word or phrase have a corresponding meaning;

(m) if the word "including" or "includes" is used, the words "without limitation" are taken to immediately follow;

(n) a reference to writing includes all means of representing or reproducing words in visible form including by electronic means such as facsimile transmission;

(o) a reference to a liability includes all obligations to pay money and all other losses, costs and expenses of any kind;

(p) a reference to a month is to a calendar month and a reference to a year is to a calendar year;

(q) where the time for performing an obligation or exercising a right is expressed by reference to a period of one or more months before or after a specified date (the reference date) that time period will be determined by calculating the number of months specified from the reference date, with the period expiring on the date which is the equivalent date to the reference date, or if there is no such date in the final month, the last day of that final month.

(r) if a date stipulated for payment or for doing an act is not a Business Day, the payment must be made, or the act must be done, on the next Business Day; and

(s) a reference to a monetary amount means that amount in Australian currency.

2. GRANT

(a) The State shall make a grant of $ 10,000 (ex GST) to the Grantee in accordance with this Agreement including the Schedule.

3. OBLIGATIONS OF GRANTEE

3.1 Use of Grant Payment

(a) The Grantee will use the Grant Funds solely for the Approved Purpose in accordance with the Application and Approved Budget and expend such funds by the Date for Project Completion.

(b) The Grantee will carry out all their responsibilities for the Project and fulfil its Obligations to a high standard in a competent, diligent, satisfactory and professional manner. In carrying out the Project, the Grantee must comply with and meet all milestones as outlined in the Schedule including completing the Project by the Date for Project Completion.

(c) Any interest earned on the Grant must be used for the purposes of the Project, or returned to the State.

(d) Payment of the Grant to the Grantee shall be subject to:

(i) the financial and in-kind contributions being provided by the Grantee and/or others as specified in the Schedule;

(ii) milestones and reporting requirements under the Schedule having been met;

(iii) the reporting requirements under the Schedule having been met;
(iv) any Special Conditions having been met; and
(v) the Grantee not being, in the opinion of the State, in breach of any of the term and conditions.

(e) Where the Grantee purchases equipment with the Grant, such equipment must not be disposed of within three (3) years of the End Date without the written consent of the State.

(f) The Grantee must keep the Property in good, clean, tidy and secure order, state, repair and condition.

3.2 No Changes

The Grantee must not make any changes to the Project or any agreed budget (including the Project Budget) without the prior written consent of the State, which consent may be withheld in the State's absolute discretion.

3.3 No Endorsement

The Grantee agrees that nothing in this Agreement constitutes an endorsement by the State of any goods or services provided by the Grantee.

3.4 Acknowledgement of the State

(a) The Grantee will provide the State with public recognition on all literature and promotional material for the Project, in the format approved of by the State.

(b) Use of the State Government of Western Australia logo must first be authorised by the State.

(c) The Grantee will liaise with the State in advance of any promotional event relating to the grant-aided project (e.g. official opening or similar) to ensure adequate time for appropriate representation to be arranged. Similarly, any request for a representative of the State to formally participate in the event must be approved by the State in a timely manner prior to the event.

3.5 Access to Information

(a) If the State requires from the Grantee information or documentation relating in any way to this Agreement, the Grant, or the Property, the Grantee must promptly oblige. All information and documentation so provided hereunder must be accurate, complete, up-to-date and in no way misleading or deceptive.

(b) In this clause 3.5 "information" includes explanation or clarification.

(c) This clause survives the termination of this Agreement.

3.6 Accounts and Reporting

The Grantee must keep accurate, complete and up-to-date written records of all expenditure made, income received (including other grants) and liabilities incurred (including loans incurred) in respect of this Agreement or the Property. Such records must be made available to the State upon request.

(a) If the Grant (excluding GST) exceeds $50,000:

(i) within twelve (12) weeks of the End Date the Grantee must provide to the State a financial statement of income and expenditure for the Project, signed by the Chief Executive Officer of the Grantee or equivalent and certified by an Auditor and include details of how the Grant was expended. The relevant audit must be completed to Australian Auditing Standards.

(ii) within twelve (12) weeks of the End Date the Grantee must provide to the State an acquittal report as per the Schedule, signed by the Chief Executive Officer of the Grantee or equivalent showing how and to what extent the Grant was spent and the extent to which outcomes were achieved.

(b) If the Grant (excluding GST) is $50,000 or less:

(i) within twelve (12) weeks of the End Date, the Grantee must provide to the State an acquittal report as per the Schedule, signed by the Chief Executive Officer of the Grantee or equivalent showing how and to what extent the Grant was spent and the extent to which outcomes were achieved.

(ii) The State reserves the right to request an audited financial statement for the Project to be certified by an Auditor appointed by the State, costs to be borne by the Grantee

(c) The Grantee acknowledges that submitting the Acquittal Report, referred to in the Schedule does not mean "acceptance" by the State of the said Acquittal Report. The State reserves its right to evaluate the Acquittal Report to determine whether or not it is satisfied with the contents reported therein.

(d) This clause survives the termination of this Agreement.

3.7 Special Conditions of Grant

The Grantee agrees to be bound by and comply with the Special Conditions.

3.8 Warranties

(a) The Grantee warrants that there is no legal or other impediment preventing it from entering into or performing this Agreement. Without limitation to the previous sentence, the Grantee warrants that its constituent documents allow it to enter into and perform this Agreement.

(b) The Grantee warrants that every statement or representation made or given by or on behalf of it (in connection with this Agreement, the Grant or the Property) is true and correct in all material respects.

(c) Every Warranty made under or by virtue of this Agreement is repeated regularly during the period of this Agreement.

3.9 Negation of Employment, Partnership and Agency

(a) The Grantee must not represent itself, and must ensure that its employees, contractors, sub-contractors or agents do not represent

themselves, as being an employee, partner or agent of the State e or as otherwise able to bind or represent the State.

(b) The Grantee will not by virtue of this Agreement be or for any purpose be deemed to be, an employee, partner, or agent of the State, or have any power or authority to bind or represent the State.

4. REPAYMENT AND RETENTION OF GRANT FUNDS

The Grantee must repay to the State within forty (40) Business Days any and all part/s of the Grant that the State has paid which are not used in accordance with this Agreement or that remain unspent at the End Date unless there has been prior written agreement between the parties stating otherwise.

5. LIMITATION OF LIABILITY

(a) The State does not accept any responsibility or liability for the success or otherwise of the Approved Purpose or the Project and is not liable for any losses which may be suffered by the Grantee in undertaking the Approved Purpose or the Project.

(b) If the Grant (and any interest which accrues on the Grant) is insufficient for the Grantee to properly fulfil all of its Obligations, then the Grantee must still fulfil its Obligations at its own cost.

6. INSURANCE AND INDEMNITY

(a) The Grantee shall take out and maintain throughout the term of the Agreement adequate insurance to provide cover for the Project undertaken by the Grantee, including Public Liability and Workers' Compensation insurances.

If requested by the State, the Grantee must provide any of the following:

(i) a written statement of the applicable insurance cover held by the Grantee; or

(ii) a copy of any policy of insurance, a Certificate of Currency, and receipts for premiums in connection with any policy of insurance.

The State reserves the right to have any insurable risk assessed and to obtain expert advice in relation to adequacy of the Grantee's insurance cover by an insurance advisor of the State's choice. The Grantee must provide any information requested by the State's insurance advisor for the purpose of the assessment and must comply with any recommendation and advice received by the State in respect to the assessment.

(b) The Grantee shall at all times indemnify, hold harmless and defend the State, its Ministers, officers, employees and agents from and against any loss, including legal costs and expenses or liability incurred against the State, its Minister, officers, employees and agents arising from any claim, suit, demand, action or proceeding by any person or body against the State, its Minister, officers, employees and agents arising from or in connection with:

(i) any breach by the Grantee of an obligation under this Agreement;

(ii) any act or omission of the Grantee or its employees, contractors (at any tier), officers or agents in connection with this Agreement or a matter contemplated by it;

(iii) any breach of a State or Commonwealth law relevant to the Agreement by the Grantee or its employees, contractors (at any tier), officers or agents; or

(iv) the Project.

(c) The indemnity in this clause survives expiration or termination of this Agreement.

7. FREEDOM OF INFORMATION ACT 1992 AND FINANCIAL MANAGEMENT ACT 2006

(a) The Grantee acknowledges and agrees that this Agreement and information regarding it is subject to the *Freedom of Information Act 1992* and that the State may publicly disclose information in relation to this Agreement, including its terms and the details of the Grantee. This could result in requests for more detail to be released publicly.

(b) The parties acknowledge and agree that, despite any provision of this Agreement to the contrary, the powers and responsibilities of the Auditor General under the *Financial Management Act 2006* are not limited or affected by this Agreement.

(c) The Grantee must allow the Auditor General, or an authorised representative, to have access to and examine the Grantee's records, documents and information concerning this Agreement.

8. NOTICES

Any direction, requirement, request, consent, notification, notice or other communication that may or must be given under this Agreement to be valid and effective:

(a) must be in writing;

(b) may be given by an authorised officer of the Party giving notice;

(c) must be:

(i) hand delivered or sent by prepaid post to the address of the Party receiving the notice as set out in the Schedule; or

(ii) sent by facsimile to the facsimile number of the Party receiving the notice as set out in the Schedule; or

(iii) transmitted by email to the email address of the Party receiving the notice as set out in the Schedule

(d) subject to paragraph (e), is taken to be received:

(i) in the case of hand delivery, on the date of delivery;

(ii) in the case of post, on the third Business Day after posting; and

(iii) in the case of facsimile, on the date of transmission; and

(iv) in the case of email, at the time of transmission

(e) if received after 5.00 pm or on a day other than a Business Day, is taken to be received on the next Business Day.

9. DEFAULT AND TERMINATION

9.1 Event of Default by the Grantee

An Event of Default occurs if:

(a) an Insolvency Event occurs in respect of the Grantee or a person is appointed under legislation to investigate or manage any part of the affairs of the Grantee (except to the extent the right to terminate is stayed by sections 415D, 434J or 451E of the Corporations Act (C'th);

(b) the Grantee ceases to carry on business in Western Australia;

(c) the Grantee repudiates this Agreement

(d) (subject to paragraph (c) above) the Grantee breaches any of its obligations under this Agreement which continues without remedy for ten (10) business days after notice in writing has been served on the Grantee by the State;

(e) the Grantee fails to submit an Acquittal Report by the Acquittal Reporting Date; or

(f) the State is of the opinion that the Grantee is unwilling or will be unable to comply with its obligations under this Agreement.

9.2 Effect of Event of Default

If an Event of Default occurs, the State may do one, some or all of the following:

(a) terminate the Agreement by providing a further ten (10) Business Days notice in writing to the Grantee of the Event of Default; or

(b) suspend payment of the Grant until the Event of Default is remedied; and

(c) request that the Grantee reimburse the State within forty (40) Business Days for any Grant that were not used exclusively for the Project in accordance with the Application, Approved Budget and this Agreement, in which case the Grantee must immediately comply.

9.3 Recommencement of Grant Funds Payment

The State may, in its absolute discretion, recommence payment of the Grant Funds if and when the Grantee has rectified the Event of Default.

9.4 Acquittal

(a) Unless earlier terminated, this Agreement will terminate upon submission and acceptance of the Acquittal Report.

(b) Should the Grantee be unable to properly use the Grant in accordance with this Agreement, the Grantee will advise the State as soon as it becomes aware of this and the State may require that any

unused portion of Grant be returned within forty (40) Business Days. The Grantee must then comply with any such requirement.

10. GOODS AND SERVICES TAX (GST)

(a) For the purposes of this Agreement:

(i) "GST" means the goods and services tax applicable to any taxable supplies as determined by the GST Act; and

(ii) "GST Act" means *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* and includes all associated legislation and regulations;

(iii) the terms "supply", "tax invoice", "taxable supply" and "value" have the same meanings as in the GST Act.

(b) If the supply of anything under this Agreement is a taxable supply under the GST Act, the Grant shall be exclusive of GST.

(c) The obligation of the State to pay the GST on any supply by the Grantee under this Agreement is conditional upon the prior issue by the Grantee to the State of a tax invoice, which complies with the GST Act. This provision applies notwithstanding any law to the contrary.

(d) The State through its internal process may raise a recipient-created tax invoice (RCTI) for the Grant amount identified in this Schedule. The terms of the RCTI are governed by the following:

(i) The Grantee warrants that it has an Australian Business Number.

(ii) The Grantee will immediately notify the State in writing of any change to the Grantee's registration.

(iii) The State warrants that it is registered for GST.

(iv) If any supply is made by the Grantee after the date of this Agreement in connection with the Grant, the State may issue a RCTI in respect of the supply and the Grantee will not issue a tax invoice in respect of that supply.

(v) The Grantee and the State may agree that the provisions of the agreement to use recipient-created tax invoices will not apply in respect of a particular supply, in which case the Recipient will issue a tax invoice in respect of that supply.

(vi) The State or the Grantee may terminate agreement to use RCTIs at any time by giving written notice to the other Party.

Unregistered grant applicants must provide a tax invoice for the amount of the grant inclusive of all project costs.

In this Agreement the terms "supply", "registered", "tax invoice", "recipient-created tax invoice" and "GST" have the same meaning as in the GST Act and "GST Act" means the *A New Tax System (Goods and Services Tax) Act 1999*.

11. WAIVER

(a) No right under this Agreement shall be deemed to be waived except by notice in writing signed by both Parties.

(b) A waiver by either Party will not prejudice that party's rights in relation to any further breach of this Agreement by the other party.

(c) Any failure to enforce this Agreement, or any forbearance, delay or indulgence granted by one party to the other Party, will not be construed as a waiver of any rights.

12. NO ONGOING COMMITMENT

(a) The State makes no commitment to funding the Project except to the extent specified in this Agreement.

(a) The Grantee acknowledges that it will be responsible for any ongoing costs as a result of the Project and that the State will not be obliged to provide additional funds.

13. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the Parties and supersedes all communications, negotiations, arrangements and agreements, whether oral or written, between the Parties with respect to the subject matter of this Agreement.

14. ASSIGNMENT

(a) This Agreement is personal to the Grantee and may not be assigned or novated by the Grantee without the State's consent, which may be withheld at the State's discretion. The State may assign or transfer its rights and obligations under this Agreement as it sees fit.

(b) For the purposes of this clause 14, the Grantee shall be deemed to have assigned or transferred this Agreement if any act, matter or thing is done or occurs, the effect of which is, in the opinion of the State, to transfer, directly or indirectly, the management or control of the Grantee.

15. VARIATION

(a) Any modification, amendment or other variation to this Agreement must be made in writing and agreed to by both Parties. This includes, but is by no means limited to, variations to timelines, milestones, significant changes to the Approved Budget and funding partners and all aspects of the Project as detailed in this Agreement.

(b) Any extensions and/or variations are to be requested and approved in writing prior to the completion date.

16. INTELLECTUAL PROPERTY

All Intellectual property resulting from the Project shall be the property of the Grantee. Unless otherwise specified in the Schedule and subject to any confidentiality obligations, the Grantee must hereby grant the State a non-exclusive, unrestricted, royalty-free and perpetual licence to use, copy, distribute, reproduce and publish any reports (and/or variations of the

reports) and any such reports in respect, or on account of the Project or this Agreement, in any medium, throughout the world.

17. GOVERNING LAW

This Agreement is governed by the laws of the State of Western Australia. The State and the Grantee irrevocably submit to the non-exclusive jurisdiction of the courts of Western Australia.

18. ACCESS TO LAND

If the Project is being undertaken on land (whether freehold or Crown land) that is not owned, leased or managed by the Grantee, the Grantee must obtain and have in place the written consent of the person owning or leasing that land to undertake the Project on that land.

19. AGREEMENT BETWEEN THE GRANTEE AND A THIRD PARTY

If the Grantee enters into an agreement with any other party relating in any way to either or both of this Agreement and the Grant (Third Party Agreement), including a Third Party Agreement with a party to deliver or fulfil any of the Grantee's Obligations or to provide services to the Grantee to assist or enable it to fulfil its Obligations, the Grantee must ensure that the other party:

(a) has obligations in the Third Party Agreement which, if properly fulfilled, will ensure that the Grantee properly fulfils its corresponding Obligations and to the extent necessary to ensure that the other party has these obligations, the Recipient must ensure that the Third Party Agreement mirrors the terms of this Agreement; and

(b) agrees to the Grantee providing the State with any documents that the other party provides to the Grantee and to the State attending any meetings it has with the Grantee if the State wishes to obtain copies of such documents or attend such meetings.

20. STATE MAY ACT

If the Grantee fails or refuses to perform an obligation under its part under this Agreement or otherwise breaches this Agreement, the State itself may do all that is necessary to ensure the fulfilment of that obligation, or the rectification of the breach (as the case may be), and the cost to the State in doing so shall be a debt payable to the State by the Grantee on demand.

21. TERM OF AGREEMENT

All clauses apply from the date of this Agreement's execution to the later of when the Grantee lawfully (and in accordance with this Agreement) disposes of the Property to a third party or the time the Grantee has properly complied with its Obligations. The previous sentence is subject to those provisions of this Agreement that expressly or impliedly survive expiration of this Agreement.

22. CONTACT PERSONS

For the purpose of clause 8 if a Party has to notify the other Party under this Agreement, the proper addressees shall be as follows:

The State

Name:	Ashley Clements
Job Title:	Director, Infrastructure and Lands
Phone:	0439 926 664
Facsimile:	N/A
Email:	Ashley.Clements@swdc.wa.gov.au
Postal Address:	PO Box 2000 BUNBURY WA 6231
Street Address:	Level 9, 61 Victoria Street BUNBURY WA 6230

The Grantee

Name:	Chris Smith
Job Title:	Chief Executive Officer
Phone:	0421 060 433
Facsimile:	N/A
Email:	ceo@boyupbrook.wa.gov.au
Postal Address:	PO Box 2 Boyup Brook WA 6244
Street Address:	55 Abel Street Boyup Brook WA 6244

23. SCHEDULE

All provisions expressed or implied in the Schedule are provisions of this Agreement and must be complied with in accordance with their expressed and implied terms.

24. TRUSTS

If the Grantee is a trustee of a trust (**Trust**):

(a) the Grantee enters into and is bound by this Agreement both in its personal capacity and in its capacity as trustee of the Trust; and

(b) the Grantee represents and warrants to the State that, in respect of the Trust:

(i) it is the sole trustee of the Trust;

(ii) it is a validly appointed trustee of the trust and no action is proposed to remove it as trustee of the Trust;

(iii) there has not been any contravention of or non-compliance with any of the terms of the trust deed constituting the Trust;

(iv) it has a right of indemnity out of the assets of the Trust for all liabilities incurred by it under this Agreement and the assets of the Trust are sufficient to satisfy that right; and

(v) this Agreement does not conflict with the operation or terms of the Trust or the trust deed;

(vi) it has full and valid power and authority under the Trust to enter into this Agreement and to carry out the transactions contemplated by this Agreement (including all proper authorisations and consents);

(vii) it enters into this Agreement and the transactions evidenced by it for the proper administration of the Trust and for the benefit of all of the beneficiaries of the Trust; and

(viii) it will not, without the State's consent (not to be unreasonably withheld or delayed), resign, allow the appointment of a substitute or additional trustee, terminate the trust or vary the terms of the Trust or resettle the Trust.

SCHEDULE

1. Name of Regional Development Commission:

South West Development Commission

2. Purpose

To develop a business case for the Boyup Brook Visitor Tower project that would be suitable for use in a funding application to the WA State Government.

3. Detailed Description of Project

3.1 *Approved Project Description*:

As preparatory measure for COVID 19 recovery, funding is provided to assist the Grantee in the development of a business case for the nominated shovel-ready project.

The Grantee will undertake the development of a business case using the provided template for the Boyup Brook Visitor Tower project. The resulting Business Case should be suitable for use in a funding application to the WA State Government should the opportunity arise.

The Boyup Brook Visitor Tower project proposes the construction of a 23m viewing tower for visitors and fire control/identification.

3.2. *Approved Project Outcomes/Outputs*:

Outcomes of funding include:

1. Submitted concept brief to the SWDC for approval prior to commencing business case
2. Completed business case to the satisfaction of the SWDC.

3.3. *Project Timeframe*

The Grantee agrees to commence the Project within six (6) months after execution of this Agreement and to acquit the Project within twelve (12) weeks after the Date for Project Completion noted in the table below.

Main Activities / Milestone	**Milestone Date**	**Milestone Payment (GST exc)**
Execution of this agreement	June 2020	$10,000
Submitted concept brief	July 2020	
Date for Project Completion (business	September 2020	

Main Activities / Milestone	Milestone Date	Milestone Payment (GST exc)
case submitted to SWDC and accepted)		
Acquittal Report Submitted	December 2020	
Total:		**$ 10,000 (GST Exc)**

3.4. *Project Budget*

The Grant will be expended in accordance with the Approved Budget, below

Item of Expenditure	Budget ($)	Source of Funds
Business case development	**15,000**	**South West Development Commission ($10,000)**
		Shire of Boyup Brook ($5,000)
Total Budget	**15,000**	

4. Manner in which the Grant is to be Paid

After this Agreement has been executed by both Parties, the State will authorise the payment of the Grant to the Grantee in the manner described in this Schedule.

The Grant will be made available as a conditional grant specifically for the delivery of the Project outlined in this Schedule.

The Grantee will forward an invoice to the State for the amount of the Grant outlined in this Schedule. The payment will be processed by the State and the payment to the Grantee will then be electronically transferred to:

Account Name	Shire of Boyup Brook Municipal Account
BSB	066503
Account Number	00000018

5. Special Conditions of Grant

N/A

5.1. Leveraged Funding

(a) The Grantee shall secure the Leveraged Funding as follows:

Source of Leveraged Funding	Amount ($)
N/A	

(b) Despite anything expressed or implied to the contrary in this Agreement, before the Grantee is entitled to any payment under this Agreement, it has to prove to the State that it has secured the Leveraged Funding, which is to be applied to the Project. For any shortfall in that Leveraged Funding which the Grantee must secure, the State may reduce the amount it is to pay the Grantee under this Agreement by the amount of such shortfall.

(c) The Grantee must apply the Leveraged Funding to the Project.

5.2. Disability Access and Inclusion Plan

If this Agreement involves the supply of services to the public, then the Grantee will:

(a) to the extent practicable, implement the State 'Disability Access and Inclusion Plan' prepared under the Disability Services Act 1993; and

(b) complete the questions relating to the Grantee's implementation of the State 'Disability Access and Inclusion Plan' in the planning or delivery of the program, project or event. These questions are set out below and need to be completed as part of your Acquittal Report.

DAIP OUTCOME:	**ACTIVITIES**
All people have the same opportunities to access services and events.	❑ Yes ❑ No
All people have the same opportunities to access buildings and other facilities.	❑ Yes ❑ No
All people receive information in a format that will enable them to access information readily.	❑ Yes ❑ No
All people receive the same level and quality of service.	❑ Yes ❑ No
All people have the same opportunities to make complaints.	❑ Yes ❑ No
All people have the same opportunities to participate in any public consultation.	❑ Yes ❑ No

5.3. Local Products and Services

The Grantee agrees to use products and services from the South West for the Project wherever reasonably practicable using an open and competitive process to the satisfaction of the State.

5.4.
Where the Grantee purchases, constructs or renovates real estate (including building, land and associated infrastructure) with the Grant, the Grantee may not dispose of or encumber the Property (within 5 years) without the State's prior written consent which may be given conditionally. Any condition if imposed by the State hereby becomes a term of this Agreement and consequently must be complied with.

5.5.
If subsequent to the signing of this Agreement the Grantee under another agreement becomes entitled to receive a rebate for other financial assistance or headworks for which the Grant has been approved and paid, the Grantee agrees to refund to the State the amount of the rebate or the amount of financial assistance provided under that other agreement.

5.6.
Following on from item 5.5 above, in the event that the Grant has not been paid prior to the Grantee becoming eligible to receive a rebate or other financial assistance, the Grantee agrees that the Grant will be reduced by the amount of the rebate or other financial assistance received, or to be received, by the Grantee.

EXECUTION OF THIS AGREEMENT

EXECUTED *by the Parties as an Agreement.*

SIGNED *for and on behalf of the* ***STATE OF WESTERN AUSTRALIA*** *by Ashley Clements of the* ***DPIRD*** *in the presence of:*)

_____

_____
Signature of State witness

_____
Full name and position of State witness

SIGNED *by the Chief Executive Officer of the South West Development Commission in the presence of:*)

_____

_____
Signature of witness

_____
Full name and position of witness

Signed for and on behalf of the Shire of Boyup Brook

The Common Seal of the Shire of Boyup Brook was hereto duly affixed in the presence of:

Director

Signature

Chris Smith

Print full name of Authorised Person

Chief Executive Officer

Print the position of the Authorised Person