Shire of BODDINGTON
Flowing with Natural Beauty

Minutes

Special Council Meeting

Wednesday, 11 November 2026
At 4.00pm

Council Chambers, 39 Bannister Road, Boddington

A vibrant and connected community with excellent lifestyle and employment opportunities in a beautiful natural environment.

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1. DECLARATION OF OPENING

The Shire President, Cr Eugene Smalberger, declared the meeting open at 4.00pm.

I would like to begin by acknowledging the Wilman People as the Traditional Custodians of the land we are meeting on today, and pay respect to Elders past and present, as well as the continuation of cultural, spiritual, and educational practices of Aboriginal people.

Councillors, to ensure clarity and effective communication during this Council Meeting, I kindly remind you to switch on your microphones when called upon to speak. This meeting will be recorded.

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

2.1 Attendance

Cr Eugene Smalberger	Shire President
Cr Paul Carrotts	Deputy President
Cr Ian Macpherson	Councillor
Cr Johan van Heerden	Councillor
Cr Paul Kessler	Councillor
Cr Andrew Ryley	Councillor
Ms. Rachael Wright	Chief Executive Officer
Mrs. Nola Lloyd	Acting Executive Manager Corporate Services
Mr. James Wickens	Executive Manager Development and Community Services
Mr. Duncan Gemmill	Executive Manager Infrastructure Services
Mrs. Grace Dwyer	Executive Assistant (Minutes)
Visitors	8 (3 from 4.03pm)

2.2 Apologies

Cr Hans Prandl	Councillor

2.3 Leave of Absence

Nil

3. DISCLOSURES OF INTEREST

Nil

4. PUBLIC QUESTION TIME

Nil

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

6. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

7. RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES

Nil

8. REPORTS OF OFFICERS AND COMMITTEES

8.1 CHIEF EXECUTIVE OFFICER

8.1.1 Residential Aged Care Facility: Funding Feasibility and Due Diligence

File Reference:	3.000591
Applicant:	Nil
Previous Item:	OCM | 105/26
Author:	Chief Executive Officer
Disclosure of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachments:	8.1.1A Confidential Briefing to Council (Confidential Attachment) 8.1.1B Reserve 55155 and Lot 28, (67) Hotham Avenue

Summary

This report requests Council to endorse in principle the exploration of various funding pathways and feasibility for a 40-bed Residential Aged Care Facility (RACF) within the town of Boddington, and to authorise the Chief Executive Officer to undertake due diligence on a preferred aged care provider.

Background

Boddington is located within the Peel region, one of the fastest-growing and fastest-ageing regions in Western Australia, beyond the reach of the metropolitan aged care market. Currently, Boddington residents who need residential aged care must leave the Boddington district. The State Government's own analysis, released in May 2026, identifies a shortfall of 1,600 to 2,700 residential aged care beds across Western Australia by 2030, with existing facilities at around 98 per cent occupancy.

Two adjoining portions of land were identified as a suitable location to establish a RACF being Reserve 55155 and Lot 28 (67) Hotham Avenue, Boddington as shown on Attachment 8.1.1B.

Lot 28 Hotham Avenue is held in Freehold ownership by the Shire, however Reserve 55155 is Crown land held under a management order. Planning advice has confirmed that these two portions of land need to be amalgamated due to zoning restrictions. The Shire has therefore applied to the Department of Planning, Lands and Heritage (DPLH) to purchase the Crown land reserve for a nominal rate, in order to amalgamate it with its adjoining lot for RACF purposes, which is currently in progress.

Over several years the Shire has undertaken various expressions of interest processes to incentivise registered providers to develop and operate a facility on the proposed site. In August 2026 the preferred provider (as listed in confidential attachment 8.1.1A) confirmed it was willing to partner with the Shire on this project, subject to feasibility, relevant processes and legislative requirements.

The provider has proposed to build a 40-bed facility, through a related entity, and operate it, through another related entity, under that entity's existing Commonwealth registration. The provider is proposing to contribute a significant amount of funding towards the project but requires a large upfront contribution to be repaid by the provider over an agreed timeframe. The Shire cannot fund this upfront amount from its own resources or by borrowing against its rate base, so the proposal depends on exploring external funding opportunities.

Comment

The State does not currently have an interest-free loan program for local governments, and no

State agency currently lends to private companies. What the State does routinely is provide grants, principally through Royalties for Regions, which has historically co-funded regional aged care facilities. State money must flow to the Shire and not directly to the provider. There are multiple funding pathways that Shire Officers wish to explore with Council's consent, detailed below:

Funding approach	Detail
Option A - State grant (preferred option)	A Royalties for Regions capital grant to the Shire of up to $15 million, sought through the Peel Development Commission for the 2027-28 State Budget, with the State's decision expected around May 2027. The Shire would then lend the grant funds to the provider, interest free for five years (or otherwise agreed term), and reinvest the repaid funds into initiatives in its adopted Housing Strategy.
Option B - Mining companies or other industry providers	Local industry providers would be approached to explore whether they would lend directly to the provider or contribute to a Boddington Future Fund that Council has already endorsed. Any commitment could reduce the State's contribution.
Option C - Loan finance	Three funding options have been considered. Option A is the preferred State grant pathway, under which the Shire would lend the grant funds to the provider interest free and reinvest the repaid funds. Option B is alternative external funding, including contributions from mining companies and/or the Commonwealth. Option C proposes the Shire borrowing funds from Treasury with Royalties for Regions covering only the interest component, as outlined in the earlier confidential briefing to Council (confidential attachment 8.1.1A). Further analysis undertaken since the briefing indicates that Option C would place significant pressure on the Shire's debt service cover ratio and financial capacity and would deliver no key worker housing. For these reasons, Option C is no longer recommended and is listed for comparative purposes only.
Commonwealth	The project would be positioned for a future round of the Growing Regions Program, noting that project eligibility depends on the round, and the provider would be asked to lodge an Aged Care Capital Assistance Program application or give written advice on why the project is ineligible.

The current up-front contribution estimate for the project is approximately $13.25 million, being half of the $26.5 million estimated construction cost. That estimate is indicative and has not been independently verified. Any grant funding applications listed above will take about six to twelve months to prepare and conclude, and planning processes are expected to take a similar timeframe, with this delay likely to cause cost escalation. If they are framed at exactly $13.25 million, any cost increase, overrun or contingency arising in that time may leave a funding gap. The provider has now agreed in writing to bear any cost overruns that take the project above a $30 million capital cost.

It is therefore proposed that the Shire explore funding of up to $15 million, which is $13.25 million plus up to $1.75 million, or about 6.6 per cent of the estimated construction cost, as headroom for contingency, cost overruns and cost increases. It is not a commitment to seek, accept or lend that amount.

Further to the funding feasibility models, the Shire wishes to simultaneously undertake due diligence on the preferred provider. Shire officers understand that the provider is an accredited, expanding operator with no sanction or adverse suitability finding in any jurisdiction. However, capacity and financial structure should be verified as the Shire would be lending funds and leasing its land to this entity. Due diligence is therefore proposed before any further commitment is considered, and it would cover:

- Which group entity would borrow, hold the lease and the facility, and what guarantees and security would stand behind a loan;
- The audited financial position and gearing of the relevant group entities (as listed in confidential attachment 8.1.1A), and evidence of the group's proposed capital contribution;
- Independent review of refundable accommodation deposit and occupancy projections, and evidence of the internal resources available for repayment at Year 5 or alternative agreed timeframe;
- The group's capacity to deliver its first greenfield regional build, tested against its existing construction references and other reference checks; and
- Dated extracts from the Provider Register, Star Ratings, ASIC searches etc., none of which has yet been completed.

The proposed timeline for Stage 1 of the project is as follows:

Step	**Indicative timing**
Council considers this report	11 November 2026
Due diligence commissioned; grant submission lodged for the 2027-28 State Budget	November/December 2026
Approaches to mining companies; other grant/advocacy options explored; ACCAP position documented	Late 2026/early 2027
Due diligence findings complete	February/March 2027
State Budget decision on grant funding proposal	May 2027
Further report to Council to include preferred funding pathway, funding secured, due diligence findings, draft s.3.59 business plan, if it is recommended that the project proceed	June/July 2027

Any funding applications applied for need to be consistent with how the project would eventually be structured, so Council needs to be aware of it and therefore any funding applications will detail the following proposed structure:

- The Shire would purchase the Crown land (nominal/discounted fee), amalgamate it with its adjoining freehold lot and grant a ground lease (likely 99 years) to a group entity of the provider, under which that entity would build and own the improvements for the lease term. The Shire would remain the owner of the land and lessor.
- Funding would be secured, advanced in stages against progress certified by the contract administrator and repaid to the Shire in a single payment at the end of an agreed term (anticipated to be Year 5).
- On repayment, the funds would be “recycled” and held in a reserve and applied to items identified in the Housing Strategy supporting the facility, or another purpose agreed by the State.

Consultation

Preliminary discussions have been held with the provider, the Peel Development Commission, DPIRD, and the DPLH. Local mining providers have yet to be consulted. Early community consultation was undertaken in previous years with the community providing feedback that this project is of the highest importance in terms of Boddington's existing projects.

If the project is found to be feasible, the next Council report will present the draft business plan under section 3.59 of the Local Government Act 1995 for Council's consideration before it is advertised for community feedback. The community will then have the opportunity to make submissions on the business plan advertised for a minimum of six weeks.

Strategic Implications

Aspiration	People
Outcome 3	An inclusive and supportive community
Objective 3.2	Address the needs of seniors
Action 3.2.1	Progress partnership and funding options to provide a residential aged care facility (nursing home) in Boddington and provide the community with triennial updates on progress.

Legislative Implications

- Aged Care Act 2024. Only a provider registered with the Aged Care Quality and Safety Commission may deliver Commonwealth-funded residential care.
- Local Government Act 1995, section 3.59 - Before it enters into a major land transaction, or a land transaction preparatory to one, a local government must prepare a business plan, give Statewide public notice inviting submissions over at least six weeks, and, after considering the submissions, decide by absolute majority whether to proceed.

Policy Implications

Council Policy – Disposition of Property

Financial Implications

The only cost to the Shire at this stage is the preparation of the grant applications, feasibility study for the project, and the due diligence on the provider, estimated to be $80,000. The aged care project has been allocated $50,000 with the additional $30,000 to be able to be absorbed into the General Consultancy operating budget.

Economic Implications

- The project aims to bring a significant RACF to Boddington, with approximately half of the construction funded by the provider's own private capital, with the provider also taking on the daily functions of the facility.
- Construction and the ongoing operation of a 40-bed facility are expected to create jobs and work for local suppliers and contractors.
- Workforce shortage is the principal constraint on growth nominated by the provider's founder. However, it is understood that the provider generally purchases or builds worker housing.

Social Implications

- Residents who need residential aged care currently leave the district. A local RACF

would allow them to remain near family, friends and community, and would extend the Shire's existing aged accommodation precinct to a continuum of care.

- The Peel region is one of the fastest-growing and fastest-ageing regions in Western Australia, and existing facilities across the State operate at around 98 per cent occupancy.
- The nominal-value transfer, the interest-free lending of grant funds to the provider and the decision to deal with a single provider may attract community concern. The Shire will ensure it undertakes its own community engagement process once feasibility is clarified, as well as mandatory consultation through sections 3.58 and 3.59 of the Act.
- Shire borrowing is not recommended, as the repayments would significantly reduce the Shire's financial capacity and could affect the services it provides to the whole community.
- The provider is reported to have sponsored local events at other Shires and to seek a long-term presence in the communities it serves.

Environmental and Climate Change Implications

Nil

Risk Considerations

Risk Statement and Consequence	External funding may not be secured, leaving about $80,000 of preparatory expenditure at risk. The provider is not bound during exploration and its capacity is unverified. The Crown land portion is not yet owned in freehold.
Risk Rating (prior to treatment or control)	Moderate.
Principal Risk Theme	Financial and Compliance
Risk Action Plan (controls or treatment proposed)	Seek State grant funding of up to $15 million and pursue alternative funding in parallel. Complete due diligence and obtain the provider's written confirmation of continued engagement. Progress the DPLH land acquisition.

Officer Recommendation and Council Decision

COUNCIL RESOLUTION: 118/26

Moved: Cr I Macpherson **Seconded:** Cr P Kessler

That Council by absolute majority:

1. **Endorses in principle the exploration of contribution funding models and feasibility for a 40-bed residential aged care facility at Boddington;**

2. **Authorises the Chief Executive Officer to explore and apply for external funding for the project, based on a funding requirement of a maximum of $15 million to allow for contingency, cost overruns and cost increases during the exploration period;**

3. **Authorises the Chief Executive Officer to undertake all applicable due diligence on the preferred provider and relevant entities, as listed in confidential attachment 8.1.1A;**

4. **Requests that the Chief Executive Officer present a further report to Council, on receipt of the outcome of the funding approaches and the due diligence, outlining the preferred funding pathway, the funding secured or available, the due diligence findings, and a recommendation on whether the venture is feasible; and**

5. **Notes that this report does not authorise the Shire to enter into any agreement to acquire or dispose of an interest in land, develop land, lend or borrow money, or grant exclusivity to any provider.**

CARRIED BY ABSOLUTE MAJORITY

Vote: **6-0**

For: Cr E Smalberger, Cr P Carrotts, Cr J Van Heerden, Cr A Ryley, Cr P Kessler, Cr I Macpherson

Against: Nil

Locality Plan showing Reserve 55155 and adjoining Shire freehold land



8.1.2 Proposed Café Lease

File Reference:	3.0046
Applicant:	Ms Louise Kaspar
Previous Item:	Nil
Author:	Governance Coordinator
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Attachments:	8.1.2A CONFIDENTIAL “The Snack Shack” – Lease Proposal

Summary

Council is requested to endorse the application from Ms Louise Kaspar and to consider entering into a lease for part of Reserve 17428, 12 Wuraming Avenue Boddington for a period of up to five years inclusive of options.

Background

The Shire has traditionally leased a café located within the Boddington Library and Visitor Centre building at Hotham Park, 12 Wuraming Avenue, Boddington.

In April 2026, the previous operator of the café at the Hotham Park precinct provided notice that the business would cease trading, with the existing lease for the café premises expiring on 12 June 2026.

To identify a new operator, an Expression of Interest (EOI) process was initiated by the Shire in May 2026. The EOI sought details of the proposed use, staffing, relevant experience, fit-out requirements and financial consideration. While the site previously operated as a café, the invitation also welcomed alternative uses that would support community needs and complement the precinct and local tourism sector. Three applications were received. However, none of the applicants proceeded with their application further. The premises have remained vacant since June 2026.

In October 2026, a proposal for the premises was subsequently received from Ms Louise Kaspar (the Applicant) for the operation of “The Snack Shack”, a small café and takeaway food outlet at Hotham Park (see Attachment 8.1.2A).

The proposal outlined a family-focused, tuck-shop style café intended to complement the recreational use of Hotham Park and operate in conjunction with the Applicant's existing Boddington hospitality business.

Comment

The proposal demonstrates a considered approach to the operation of the café premises and is focused on providing an additional food and beverage offering for families, residents and visitors using Hotham Park.

In particular, the proposal includes:

- A family-focused café and takeaway model.
- Affordable grab-and-go food, drinks and refreshments.
- Proposed operating hours of Wednesday to Sunday, 9.00am to 4.00pm, including public holidays, school holidays and special events.
- Use of existing casual Boddington hospitality staff, with the potential to employ additional local staff as the business grows.

- Opportunities to expand the offering in the future to include picnic and barbecue packs, children's parties and basic cooking activities.

The proposed menu includes simple takeaway meals and snacks such as toasties, sandwiches, wraps, burgers, pies and hot chips, together with hot and cold drinks, ice creams, fruit cups and confectionery. The Applicant intends to provide affordable refreshments that can be enjoyed at the park or taken away.

The Applicant met with Shire officers on 30 October 2026 to present the concept and discuss the vision for the premises which included branding concepts featuring a distinctive and vibrant colour palette. Officers acknowledged the uniqueness of the proposed branding but advised that the business should visually integrate with the broader community building, including the Library, Visitor Centre and Shire facilities. The Applicant was receptive to this feedback and committed to working collaboratively with the Shire so that the final branding, signage and presentation complement the surrounding uses and create a cohesive experience across the building.

The Applicant has indicated a willingness to assist the Shire with activation of the precinct and with tourism. In discussions with officers, the Applicant expressed interest in assisting with tourism merchandise and souvenirs, providing tourism information to visitors, and offering convenience items and possible vending services. This would support the Shire's tourism function and its caravan park, and the Applicant's willingness to assist was very well received.

The Applicant has confirmed the following:

- Aspirations for future activities, including picnic and barbecue packs, children's birthday parties, basic cooking lessons, family games, and seating for children and adults.
- Use of existing casual staff initially, with potential to recruit additional local staff as the business grows, and to use existing suppliers, including local businesses.
- Using existing equipment, with additional items supplied by the Applicant.
- An intention to open before the Christmas holiday period.
- Potential benefits for activity within the park, Library and Visitor Centre, including during events.

The final operating model and site arrangements remain subject to Shire assessment and relevant approvals, and the Applicant's commitment to addressing food safety, public health, accessibility, insurance, cleaning and waste management requirements. Signage, waste storage and cleaning are proposed as lessee responsibilities, with final arrangements to be settled through assessment and lease negotiations.

The proposal offers an opportunity to return a vacant community asset to productive use, support local business and improve the availability of refreshments for park users.

The Applicant requested an initial 12-month lease with options to renew. The indicative terms below are proposed by officers for negotiation and have not been confirmed as accepted by the Applicant. The lease is proposed to be offered on the following basis:

Property:	Portion of 12 Wuraming Avenue, Boddington (Lot 155 on Deposited Plan 91442, Reserve 17428, Certificate of Crown Land Title Volume 3020 Folio 947), including use of the café area, verandah and shared common areas.
Commencement Date:	On execution of the lease by all parties

Term:	1 year plus 4 x 1-year optional further terms (total tenure of 5 years)
Expiry Date:	One year after the Commencement Date, or the day before the fifth anniversary if all Further Terms are exercised
Rent:	Year 1 (Term): $14,300 per annum (plus GST), payable in monthly instalments of $1,191.66 (plus GST). This amount is inclusive of electricity use, calculated at $25 per week, and water use. Year 2 (First Further Term): $15,600 per annum (plus GST), payable in monthly instalments of $1,300 (plus GST). Years 3 – 5 (Second to Fourth Further Terms): the rent for the previous 12 months, reviewed by CPI (Perth – all groups) at the start of each Further Term.
Utilities:	Electricity and water are included in the rent for the full term of the lease, including all Further Terms. Gas is charged separately.
Tenant Responsibilities:	Waste collection costs; equipment maintenance and repairs; professional cleaning and maintenance of rangehood and exhaust systems; and gas consumption, which will be separately metered and on-charged.
Permitted Use:	Café, tourism and related activities
Option to Renew:	Tenant options to extend after the first year through four separate one-year option periods (1 + 1 + 1 + 1 years), subject to compliance with lease obligations.
Special Conditions:	3 months' rent free to assist with establishment costs, customer base and fit-out. The lease is subject to Ministerial approval as required for Crown land.
Security Bond:	A refundable security bond equivalent to approximately three months' rent is proposed to be held by the Shire.

The rent is proposed to include electricity and water costs. Although the electricity supply to the café is separately metered, it does not clearly distinguish between consumption by the café and usage in shared areas, including the Visitor Centre and other common amenities. Water is also proposed to be included, as the premises share water services with the Library and Visitor Centre. As the café's kitchen operates primarily on gas, which will be charged separately, electricity and water usage are expected to be minimal in comparison. Including these services in the rent avoids potential disputes over shared consumption and ensures consistent operation of communal services such as air conditioning and lighting, which are essential for maintaining visitor comfort and overall presentation standards.

Consultation

An initial EOI was advertised in the Boddington News, the Shire website and Facebook pages. A sponsored advertisement through Facebook was also used, to target a greater audience.

The Applicant submitted The Snack Shack proposal dated 26 October 2026 and met with Shire officers on 30 October 2026.

The proposed disposition of property is to be advertised in accordance with the requirements

of section 3.58 of the Local Government Act 1995.

Strategic Implications

Aspiration	Prosperity
Outcome 11	An attractive destination for day trips and short stay visitors
Objective 11.2	Facilitate high-quality visitor experiences

Legislative Implications

Section 3.58 of the Local Government Act 1995 – Disposition of Property

(2) Except as stated in this section, a local government can only dispose of property to –
a) the highest bidder at public auction; or
b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

a) it gives local public notice of the proposed disposition —
    ii. describing the property concerned; and
    iii. giving details of the proposed disposition; and
    iv. inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
b) it considers any submissions made to it before the date specified in the notice and, if the decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

Commercial Tenancy (Retail Shops) Agreements Act 1985: the lease cannot stipulate opening or closing hours and must offer a term of no less than five years including options. The proposed structure of one year plus four one-year Further Terms provides a total tenure of five years. The Applicant's proposed trading hours are intended arrangements rather than lease conditions.

Land Administration Act 1997: the lease is subject to Ministerial approval as required for Crown land, and the disposition will proceed in accordance with the Local Government Act 1995 and Crown land administration processes.

Policy Implications

Council Policy – Leasing

Financial Implications

Under the proposed lease, rent for the first 12 months (the Term) will be $14,300 per annum plus GST, payable in monthly instalments of $1,191.66 plus GST, to assist with establishment costs. This amount is inclusive of electricity and water. Gas will be charged separately to the Applicant.

A three-month rent-free period is also proposed at the start of the Term, to assist with business establishment costs and fit-out. If adopted, this would reduce the rent received in the first 12 months by $3,575 plus GST, to $10,725 plus GST. If Council does not support the rent-free period, the full $14,300 plus GST would apply.

If the Applicant exercises the first Further Term, rent for the second year will increase to $15,600 per annum plus GST, payable in monthly instalments of $1,300 plus GST. Over the first two years, the Shire would receive $29,900 plus GST in rent, or $26,325 plus GST if the three-month rent-free period is applied.

For the Second, Third and Fourth Further Terms (if exercised), rent will be the rent for the previous 12 months, reviewed by CPI (Perth – all groups) at the start of each Further Term. The final amounts will therefore depend on CPI at the time of each review.

A refundable security bond of approximately three months' rent is proposed to be held by the Shire.

The proposed rent reflects Council's objective of encouraging activation of the premises rather than maximising commercial return. An updated independent market valuation of the premises is being obtained and is not expected to differ significantly from the previous assessment. The valuation will be used to state the market value of the disposition in the public notice required under section 3.58(4) of the Local Government Act 1995.

Economic Implications

Reactivating the café premises is likely to increase activity within Hotham Park and the wider town centre and would allow an existing local hospitality business to expand. The outlet would draw on the Applicant's existing hospitality knowledge, staff and local suppliers, with potential for additional local employment if demand supports growth. Convenient refreshments and possible future offerings, such as picnic packs, could encourage visitors to spend more time in the precinct.

The café is directly linked to the services provided to visitors, and the quality of that service influences repeat visitation to Boddington and its reputation as a destination. The proposal is considered to complement the Visitor Centre and may strengthen the precinct's profile.

The Applicant has indicated a willingness to assist the Shire with activation of the precinct and with tourism. This includes the potential to offer tourism merchandise and souvenirs, provide tourist information to visitors, stock convenience items and possibly offer vending services, supporting the Shire's tourism function and its caravan park. These opportunities require further negotiation and agreement.

Social Implications

The café provides an important space for community gathering, interaction, and connection.

The proposal also offers opportunities to strengthen connections between the Library, Visitor Centre and surrounding public spaces through coordinated branding, marketing and visitor experiences, creating a more integrated and cohesive community precinct.

Environmental and Climate Change Implications

Nil

Risk Considerations

Risk Statement and Consequence	The key risks that arise include insurance and liability issues in relation to the lease terms.

	No significant additional risks are noted in relation to the use of the facility as this is consistent with the previous Lessee.
Risk Rating (prior to treatment or control)	Moderate
Principal Risk Theme	Reputational, Financial
Risk Action Plan (controls or treatment proposed)	Permission from the Department of Planning, Lands and Heritage will be sought in relation to the lease. Relevant Certificates of Currency will be obtained from the Lessee prior to commencement. The lease will require professional cleaning and certification of the rangehood and exhaust system at least every six months and upon vacating, with evidence provided to the Shire, to reduce the risk of Council inheriting cleaning and maintenance liabilities.

Officer Recommendation and Council Decision

COUNCIL RESOLUTION: 119/26

Moved: Cr P Carrotts **Seconded:** Cr J Van Heerden

That Council:

1. **Endorses the application from Ms Louise Kaspar to lease a portion of Reserve 17428, 12 Wuraming Avenue, Boddington.**

2. **Approves the proposed lease for Ms Louise Kaspar trading as "The Snack Shack" for an initial term of one year, with four further one year options, at an initial rental of $1,191.66 per month plus GST, inclusive of electricity and water, with rental for the further terms to be determined in accordance with the terms outlined in this report, subject to:**

    a. **advertising in accordance with section 3.58 of the Local Government Act 1995; and**
    b. **Ministerial consent.**

3. **Authorises the Chief Executive Officer to execute the lease where no adverse submissions are received during the public notice period, advertised in accordance with 2(a) above, and Ministerial consent has been obtained.**

4. **Authorises the Chief Executive Officer to negotiate and approve minor variations to the lease terms that do not materially alter the terms approved by Council.**

CARRIED: **6-0**

For: Cr E Smalberger, Cr P Carrotts, Cr J Van Heerden, Cr A Ryley, Cr P Kessler, Cr I Macpherson

Against: Nil

9. CLOSURE OF MEETING

With there being no further business, the Shire President, Cr Eugene Smalberger declared the meeting closed at 4.05pm.