



Ordinary Council Meeting

Minutes

23 April 2019

Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the Minutes will be confirmed subject to any amendments made by the Council.

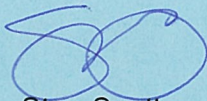
The "Confirmed" Minutes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Council Meeting are put together as a separate attachment to these Minutes with the exception of Confidential Items.

Confidential Items or attachments that are confidential are compiled as separate Confidential Minuted Agenda Items.

Unconfirmed Minutes

These minutes were approved for distribution on 24 April 2019.



Stan Scott
CHIEF EXECUTIVE OFFICER

Confirmed Minutes

These minutes were confirmed at a meeting held on 28 May 2019.

Signed: 

Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.

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ATTACHMENTS *with separate index follows Item 16.*

Shire of Toodyay

ORDINARY COUNCIL MEETING – 23 APRIL 2019

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4.06pm.

The Shire President advised those present that all mobile phones and recording devices be switched off and advised that the recording of any part of the meeting was not allowed.

The Shire President advised those present the location of the exit doors in case of an emergency.

2. RECORDS OF ATTENDANCE

Members

Cr B Rayner	Shire President
Cr T Chitty	Deputy Shire President
Cr B Bell	
Cr J Dow	
Cr P Greenway	<i>arrived at 4.22pm</i>
Cr B Manning	
Cr E Twine	
Cr R Welburn	

Staff

Mr S Scott	Chief Executive Officer
Ms A Bell	Manager Community Development
Mr R Koch	CESM
Mr K Nieuwoudt	Manager Planning & Development
Mr S Patterson	Manager Works and Services
Mrs T Phillips	Manager People and Projects
Mrs N Rodger	Acting Manager Corporate Services
Mrs M Rebane	Executive Assistant

Visitors

M Sinclair-Jones	B Keens	K Ferguson
G Appleby	M Leggett	J Little
P Robinson	K Wilson	L Graham
R Madacsi		

2.1 APOLOGIES

Nil

2.2 APPROVED LEAVE OF ABSENCE

Nil

2.3 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Manning requested that he be granted Approved Leave of Absence from 1 June 2019 to 19 June 2019 inclusive.

MOTION/COUNCIL RESOLUTION NO. 93/04/19

MOVED Cr Manning

That the Application for Leave of Absence by Cr Manning from 1 June 2019 to 19 June 2019 inclusive be granted.

MOTION CARRIED 7/0

3. DISCLOSURE OF INTERESTS

The Chief Executive Officer advised that a disclosure of interest in the form of a written notice had been received prior to the commencement of the meeting as follows:

Cr Dow declared an Impartiality Interest, pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 in Agenda Item 9.5.1 Lozanda Heights Easements. The extent of Cr Dow's Impartiality Interest is her brother-in-law owns land that backs onto this easement.

4. PUBLIC QUESTIONS

4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary Meeting of Council held on 26 March 2019, the following questions were taken on notice.

A Henshaw

Summary of Question One

Earlier this month the action of the Shire vs. L Burke resulted in \$100 fine and a spent conviction. How much did it cost the Shire of Toodyay to conduct this action?

Mrs L Burke was prosecuted for continued failure to observe the health requirements of the Aquatic Facilities legislation. This has been an ongoing matter for an extended period and the only way to deal with it is by prosecution after all other efforts to achieve compliance had failed. While we work with businesses to help them achieve compliance we cannot ignore deliberate continued blatant non-compliance that puts community health at risk.

While the magistrate in this case was very lenient the last minute guilty plea by Mrs Burke should ensure that there are less problems with future compliance.

The legal costs in this matter were \$11,211 plus GST.

M Sinclair-Jones

Summary of Question Seven

In the meantime, the two people against whom the finding of the content was made, decided upon what action would be made? That is, when the finding of misconduct was made and the two parties against whom the finding was made decided not to take any further action, was the Council informed of that decision (that the President and the CEO decided that no further action be taken of their misconduct)?

The CEO advised the Deputy Shire President when she made her finding that the CEO had not been afforded procedural fairness or natural justice. The finding had been communicated to the complainant before the CEO had been informed and been given the opportunity to respond. If after a proper process had been completed any action would be required to be undertaken under the terms of the CEO's contract. The Deputy President did not have the authority to direct the CEO to apologise. If after this process an apology had been required it would have been forthcoming. When the matter was finally considered by Council, Council determined that it did not have a role to play. Interestingly, when the matter was considered by Council the CEO was absent due to a death in the family. A proper decision would have been to defer the matter to the next ordinary meeting.

In relation to the Shire President he was also not afforded procedural fairness or natural justice. The president has the additional legislative protection of having authority to speak on behalf of the Local Government, and has the capacity to delegate authority to the CEO. In this case the article was written by the CEO and cleared by the president.

The Deputy Shire President indicated in her reply to your other questions that training in the application of the Code of Conduct is also presently needed.

Notwithstanding the foregoing there was no finding that there was any derogatory statement in relation to the Toodyay Herald.

It is notable that in the Local Government Legislation Amendment Bill 2019 before the Parliament includes provision for a new Model Code of Conduct which will replace the current outdated Code.

4.2 PUBLIC QUESTION TIME

L Graham, on behalf of the Toodyay Progress Association

Summary of Question One

What was the cost of the unfunded concessions decided on at the adoption of the current 2018/2019 Annual Budget?

The Shire President took the question on notice.

Summary of Question Two

What was the effect of those costs on the budget surplus?

The Shire President took the question on notice.

Summary of Question Three

How were those concessions costed prior to their adoption and implementation?

The Shire President took the question on notice.

Summary of Question Four

2,000 residents and ratepayers in the Shire of Toodyay signed a petition calling for no rate increases for one year and yet the overall increase in rates for 2018/2019 was \$186,931. The budget review now shows a budget surplus of \$188,873, which is more than the increase in rates so I ask will the Council now agree that there was no justification for the rate increases adopted and if not, why not?

The Shire President took the question on notice.

Summary of Question Five

Will the Council guarantee that the sporting complex development will not result in rate increases over and above those envisaged in the adopted long-term financial plan (LTFP)? If not, why not?

The Shire President responded as follows:

There should not be any further increases other than what is stipulated in the adopted long-term financial plan.

The CEO responded as follows:

This Council cannot make a determination on behalf of future Councils. There are new Council elections in October 2019 and that Council can make a determination in respect to future budgets as to whether they might increase rates or not increase rates.

Summary of Question Six

Is this Council able to guarantee that the work to be done will not mean an increase of rates other than those in the LTFP?

The Shire President responded as follows:

I believe the long-term financial plan is sound and that is the way it is going to be.

Summary of Question Seven

The April edition of the Shire of Toodyay Community Newsletter addressed the Auditor General's report on record keeping by stating "*There was a concern across all local governments at the quality of digital records including the scheduled disposal of digital records. Toodyay's new record keeping facility at the Toodyay Junction was recognised as an exemplar of good practice. The Shire has tendered to a new enterprise software system which will help address most of the issues raised.*" Which part of the Auditor General's report recognises the Toodyay Junction facility as an "exemplar of good practice" as claimed?

The CEO responded as follows:

I don't believe the Auditor General used those words exactly, but it was identified as a good practice example. It was certainly recognised as a worthwhile development.

Summary of Question Eight

When most of the issues raised were business area roles and responsibilities, management of sensitive records, social media, refresher training and job specific training, how does the new enterprise computer software "help address most of the issues raised" as claimed in the Shire newsletter?

The Shire President responded as follows:

The record keeping software will allow for flagging of records and up-to-date recording of policies and procedures. It will be a lot better.

Summary of Question Nine

Did the Shire of Toodyay comment to the Auditor General that "it is a challenge for smaller size local governments to find a balance between cost and benefit in relation to records management controls? This local government felt that the findings confirmed they had achieved the right balance? Did the Shire of Toodyay make that comment?

The Shire President responded as follows:

I am not sure what was said specifically to the Auditor General so the question will be taken on notice.

Summary of Question Ten

Was the Shire of Toodyay Community Newsletter thoroughly checked in accordance with undertakings given at previous Council Meetings?

The CEO responded as follows:

It was checked several times. I cannot guarantee thoroughly because afterwards a few mistakes were noticed and then amended.

Summary of Question Eleven

Who approved the newsletter?

The Shire President responded as follows:

The CEO did.

Summary of Question Twelve

What action is the Council going to take to acquit its lawful responsibilities under Section 2.7 of the Act, to govern affairs of the shire and be responsible for shire functions in regard to matters raised by the Auditor General?

The Shire President responded as follows:

We are upgrading our systems and procedures.

The CEO responded as follows:

In respect to the specific question that referred to our local government in the Auditor General's report, our local government will be preparing a response for the "significant matters" contained in the report. The Shire of Toodyay had one set of "significant matters." The other matters were not identified as being significant. We will be responding to the Auditor General to rectify the significant matters raised.

Summary of Question Thirteen

The Auditor General found that Record Keeping Plans were approved but lacked supporting policies and procedures. Will the Council take any action regarding that?

The Shire President responded as follows:

We will be updating procedures as a matter of process.

The CEO responded as follows:

The Auditor General made a finding that the implementation of our Record Keeping Plan is poor. This was the significant driver for Council choosing to embark on the new enterprise software upgrade because Council had the same concerns. Some gaps are as a result of computer systems not being fit for purpose which is why we've been going to market to identify a better system. We have entered into contracts and they will be implemented over the next few months.

Summary of Question Fourteen

Will the Council take no additional actions as a consequence of the Auditor General report?

The Shire President responded as follows:

The software system will address the matters contained in the Auditor General report.

The Shire President ruled that in accordance with Standing Order 4.6 that Council could consider business for adoption by exception. The Shire President advised that the CEO had collated the Council Meeting Running Sheets and the items to be considered were as follows:

- 5.1 Ordinary Council Meeting 26 March 2019;**
- 5.2 Special Meeting of Council held on 26 March 2019;**
- 5.4.1 Ordinary Meeting of Council held on 26 March 2019;**
- 5.4.2 Special Meeting of Council held on 26 March 2019;**
- 9.1.1 Toodyay DHS Wilderness Adventure Program;**
- 9.1.2 Proposed Water Tank Mural;**
- 9.2.1 Lot 312 Telegraph Road, Toodyay - Proposed Demolition;**
- 9.4.1 List of Payments – March 2019;**
- 9.4.2 Monthly Financial Statements – March 2019;**
- 9.5.1 Lozanda Heights Easements;**
- 9.5.3 Elected Member Resignation and Election Process**

Cr Greenway entered Council Chambers at 4.22pm.

Cr Dow declared an Impartiality Interest, pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 in Agenda Item 9.5.1 Lozanda Heights Easements. The extent of Cr Dow's Impartiality Interest is her brother-in-law owns land that backs onto this easement.

Cr Dow moved a motion as follows:

That Council adopt the Officer's Recommendations contained in the following reports:

- 5.1 Ordinary Council Meeting 26 March 2019;**
- 5.2 Special Meeting of Council held on 26 March 2019;**
- 5.4.1 Ordinary Meeting of Council held on 26 March 2019;**
- 5.4.2 Special Meeting of Council held on 26 March 2019;**
- 9.1.1 Toodyay DHS Wilderness Adventure Program;**
- 9.1.2 Proposed Water Tank Mural;**
- 9.2.1 Lot 312 Telegraph Road, Toodyay - Proposed Demolition;**
- 9.4.1 List of Payments – March 2019;**
- 9.4.2 Monthly Financial Statements – March 2019;**
- 9.5.1 Lozanda Heights Easements;**
- 9.5.3 Elected Member Resignation and Election Process**

by "exception resolution" in accordance with Standing Order 4.6.

In accordance with Standing Order 4.6 the Shire President sought clarification as to whether any member wished to make a statement or move a motion other than the Officer's Recommendation.

In accordance with Standing Order 4.6 the Shire President declared the motion carried without debate and without taking a vote.

The Shire President ruled that the motion was carried and in accordance with Standing Order 4.6 the Officer's Recommendation be recorded as the

Council's resolution in the minutes as a unanimous decision of the Council.

MOTION/ADOPTION BY EXCEPTION COUNCIL RESOLUTION NO. 94/04/19

MOVED Cr Dow

That Council adopt the Officer's Recommendation contained in the following reports:

- 5.1 Ordinary Council Meeting 26 March 2019;
 - 5.2 Special Meeting of Council held on 26 March 2019;
 - 5.4.1 Ordinary Meeting of Council held on 26 March 2019;
 - 5.4.2 Special Meeting of Council held on 26 March 2019;
 - 9.1.1 Toodyay DHS Wilderness Adventure Program;
 - 9.1.2 Proposed Water Tank Mural;
 - 9.2.1 Lot 312 Telegraph Road, Toodyay - Proposed Demolition;
 - 9.4.1 List of Payments – March 2019;
 - 9.4.2 Monthly Financial Statements – March 2019;
 - 9.5.1 Lozanda Heights Easements;
 - 9.5.3 Elected Member Resignation and Election Process
- by "exception resolution" in accordance with Standing Order 4.6.

MOTION CARRIED 8/0

5. CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council held on 26 March 2019

**OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION
COUNCIL RESOLUTION NO. 94/04/19**

MOVED Cr Dow

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 26 March 2019 be confirmed.

MOTION CARRIED 8/0

5.2 Special Meeting of Council held on 26 March 2019

**OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION
COUNCIL RESOLUTION NO. 94/04/19**

MOVED Cr Dow

That the Unconfirmed Minutes of the Special Meeting of Council held on 26 March 2019 be confirmed.

MOTION CARRIED 8/0

5.3 Agenda Briefing held on 16 April 2019

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 95/04/19

MOVED Cr Chitty

That the Notes of the Agenda Briefing held on 16 April 2019 be received.

MOTION CARRIED 7/1

5.4 Confidential Items

5.4.1 Ordinary Meeting of Council held on 26 March 2019

OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION COUNCIL RESOLUTION NO. 94/04/19

MOVED Cr Dow

That the Unconfirmed Confidential Minuted Item containing Item 14.1 Coondle-Nunile Fire Station Tender from the Ordinary Council Meeting on 26 March 2019 be confirmed.

MOTION CARRIED 8/0

5.4.2 Special Meeting of Council held on 26 March 2019

OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION COUNCIL RESOLUTION NO. 94/04/19

MOVED Cr Dow

That the Unconfirmed Confidential Minuted Item containing Item 6.1 Further Contract – CEO from the Special Council Meeting held on 26 March 2019 be confirmed.

MOTION CARRIED 8/0

6. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

6.1 PETITIONS

Nil

6.2 DEPUTATIONS

Nil

6.3 PRESENTATIONS

Nil

6.4 SUBMISSIONS

Mr P Robinson addressed Council regarding Agenda Item 9.1.3 Toodyay Tidy Towns Mural Project – Charcoal Lane.

The Shire President requested that the written submission from Mr G Warburton that had been emailed to Councillors prior to the Council Meeting be recorded in the minutes as being a submission. (*Refer to the attachments to these minutes*).

7. BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)

Nil.

8. ANNOUNCEMENTS BY THE PRESIDING MEMBER (without discussion)

The Shire President may make an announcement in accordance with the Shire of Toodyay Standing Orders Local Law 2008 (Section 4.3).

9. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS

9.1 COMMUNITY DEVELOPMENT

9.1.1 Toodyay DHS Wilderness Adventure Program

Date of Report:	27 March 2019
Name of Applicant / Proponent/s:	Toodyay DHS Chaplain – Doug McGhee
File Reference:	YOU 1
Author:	A Bell – Manager Community Development
Responsible Officer:	S Scott – Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Executive
Attachments:	1. Proposal on “Footprints” Wilderness Adventure Program
Voting Requirements:	Simple Majority

PURPOSE OF THE REPORT

To consider sponsorship funding for this proposed “Footprints” Wilderness Adventure Program from the Toodyay DHS.

BACKGROUND

An email along with the project proposal (Attachment 1) was received by the Shire of Toodyay on 26 March 2019. As the amount exceeds the

Chief Executive Officer's delegated authority for sponsorship, Council would need to decide on whether to support this proposal or not.

CONSULTATION IMPLICATIONS

As per advice from Mr Doug McGhee – Toodyay DHA Chaplain, he has had previous conversation with the Shire President late last year on this proposal.

The “dream” of this proposal was also shared with the Manager of Community Development in 2018, by Mr Doug McGhee.

STRATEGIC IMPLICATIONS

Vision

We are a vibrant rural community that respects our environment, celebrates our past and embraces a sustainable future.

Purpose

Local Government and community working together to obtain the best possible social, economic and environmental outcomes for the people of Toodyay.

Shire of Toodyay Corporate Business Plan

S6 Children and Youth

Services for children and Youth. Engage with youth organisations, including Toodyay High School, community organisations and local businesses (and develop a youth program implementation thereafter).

Toodyay Youth Strategy 2018

Although not specifically identified in the strategy to support this type of activity – this would sit under Leisure, Recreation and Social Life.

POLICY IMPLICATIONS

There are no adverse policy implications envisaged from this report.

FINANCIAL IMPLICATIONS

There are funds in Youth Engagement – GL 113227. Budget for 18/19 \$7,000.00 with approximately \$1650.00 spent at the time of writing this report.

LEGAL AND STATUTORY IMPLICATIONS

There are no adverse legal nor statutory implications envisaged from this report.

RISK IMPLICATIONS (including DAIP)

There are no adverse risk implications envisaged from this report.

SOCIAL IMPLICATIONS

This an opportunity for the Shire of Toodyay to show support for young people in the community.

ENVIRONMENTAL IMPLICATIONS

There are no adverse environmental implications envisaged from this report.

OFFICER COMMENT / DETAILS

A great proposal for the young people in Toodyay.

**OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION COUNCIL
RESOLUTION NO. 94/04/19**

MOVED Cr Dow

That Council support this proposal and approve sponsorship of \$2,000.00 to the Toodyay DHS for their "Footprints" Wilderness Adventure Program.

MOTION CARRIED 8/0

9.1.2 Proposed Water Tank Mural

Date of Report:	27 March 2019
Name of Applicant / Proponent/s:	Local Artist/Resident – Jess via email to Cr Chitty
File Reference:	ART 1
Author:	A Bell – Manager Community Development
Responsible Officer:	A Bell – Manager Community Development
Previously Before Council:	12 February 2019 Strategic Council Forum
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Executive
Attachments:	<ol style="list-style-type: none"> 1. Photos of water tank site and aerial view of site; and 2. Artwork Brief EOI for the Tidy Town Mural.
Voting Requirements:	Simple Majority

PURPOSE OF THE REPORT

To consider budget allocation for this water tank mural (1st of a possible future tourism project for water tanks in the Shire – further report to be prepared for Council on possible tourism project – further research underway).

BACKGROUND

At the Strategic Council Forum – 12 February 2019 this proposal was put forward to Council for guidance on the proposed mural.

In order to commence this first water tank mural funds would need to be set aside in budget for:

- Roadside clearing and access to site (safer access).
- Mural process and painting

CONSULTATION IMPLICATIONS

In speaking with the previous Manager of Planning and Development (Mr Graeme Bissett) no planning approval would be necessary as can be approved as public works. The site is shire reserve land.

The proposal would need to be referred to surrounding properties – Council Policy M.2 Level D – Neighbouring Properties Comment (21 days).

As with the Tidy Town Mural a full Artists Brief (see **Attachment 2**) was completed which covers all aspects for the project – budget, what items the Artist needs to provide, what the Shire will provide. Safety matters to be undertaken. Insurance cover. And final ownership of the mural.

These matters should also apply to any future murals.

The Manager of Community Development did meet in person with Jess (15/3/2019) to explain and update her on the Shire process and some safety concerns for this proposal. Jess will be kept informed on the progress of this proposal.

STRATEGIC IMPLICATIONS

Vision

We are a vibrant rural community that respects our environment, celebrates our past and embraces a sustainable future.

Purpose

Local Government and community working together to obtain the best possible social, economic and environmental outcomes for the people of Toodyay.

Shire of Toodyay Corporate Business Plan

S9 Heritage, Culture and Public Art

Activities to support the preservation and development of Toodyay's heritage, culture and art in order to enrich community identity, develop community cohesion and improve visitor's experience to the Shire.

Toodyay Tourism Strategy 2018-2021

6. Progress the development and promotion of infrastructure, events and experiences within the Heritage tourism experiences (arts & culture).

The region is well positioned to be recognised as WA's regional leader of arts, culture and heritage in the Wheatbelt and the development and promotion of the industry will promote a mature and sophisticated region that will support an increase in visitation.

POLICY IMPLICATIONS

There are no adverse policy implications envisaged from this report.

FINANCIAL IMPLICATIONS

Funds would need to be included in 2019/2020 Budget – approx. costings for safety matters and painting of Mural \$8,000.

For Councillors information the Tidy Town Mural had funds of \$13,700.00 – GL 102202 to complete the project.

LEGAL AND STATUTORY IMPLICATIONS

There are no adverse legal nor statutory implications envisaged from this report.

RISK IMPLICATIONS (including DAIP)

There were two risks noted from a site visit on January 22nd 2019.

Blind corner on Folewood Road and the access to and from the site, should visitors wish to stop to take photos.

Calculations received from the site visit:

Current sight distance is 50m with the speed limit being 110 KPM. A car travelling at 70 KPM around the bend/corner only allows for 2 second reaction

time. For safer access to and from site it is proposed to clear 151mtrs down the road.

SOCIAL IMPLICATIONS

This an opportunity for the Shire of Toodyay to partner with local artists and build on a possible tourism idea for water tanks in the Shire.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

OFFICER COMMENT / DETAILS

A wonderful artistic project with links to a further tourism drive. Currently there are 4 other tank sites being looked at which link in with our wildflower season roads which link to reserves where tourist go to view the flowers. Further details are being gathered with a further report to Council to come.

At this point in time it is proposed that this first tank be completed, with the other tank murals to be undertaken in the next few years and via budget process.

Council does need to consider whether they wish to engage/commission the Artist to complete this first tank mural, or put a call out to a wider artist audience as Officers did for the Tidy Town Mural.

OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION COUNCIL RESOLUTION NO. 94/04/19

MOVED Cr Dow

That Council:

1. Endorse, in principle, a budget allocation of \$8,000 in the 2019/2020 for the process/painting of this mural, and the works involved in making this site safer – access and roadside clearing.
2. Invite proposals from artists for a mural in this location.

MOTION CARRIED 8/0

Cr Greenway moved a procedural motion as follows:

That in accordance with Shire of Toodyay Standing Order 4.2 (2) the order of business of the meeting be altered to allow Agenda Item 14.1 Recruitment Process and Options for appointment of new CEO be heard as the next item of business; and

That Council move behind closed doors in accordance with Standing Order 5.2(2) order for confidential business to be discussed.

Clarification was sought.

The motion was put.

PROCEDURAL MOTION/COUNCIL RESOLUTION NO. 96/04/19

MOVED Cr Greenway

That in accordance with Shire of Toodyay Standing Order 4.2(2) the order of business of the meeting be altered to allow Agenda Item 14.1 Recruitment Process and Options for appointment of new CEO be heard as the next item of business.

That Council move behind closed doors in accordance with Standing Order 5.2(2) order for confidential business to be discussed.

MOTION CARRIED 5/2

The meeting was closed to the public in accordance with Section 5.23 (2) (a) and (c) of the *Local Government Act 1995*.

All members of the public departed the Council Chambers at 4.32pm.

The CEO departed Council Chambers at 4.32pm.

14.1 Recruitment Process and Options for appointment of new CEO

OFFICER COMMENT / DETAILS

Based on the workshop and Council's preference to reflect on options before commencing any recruitment process, the recommendation is as follows:

OFFICER'S RECOMMENDATION

That Council:

1. Receive the four (4) quotes from the recruitment agencies only and;
2. Defer any decision with regard to the appointment of an agency.

Cr Twine moved the Officer's Recommendation.

Cr Greenway seconded the motion.

Clarification was sought.

The motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 97/04/19

MOVED Cr Twine

SECONDED Cr Greenway

That Council:

1. Receive the four (4) quotes from the recruitment agencies only and;
2. Defer any decision with regard to the appointment of an agency.

MOTION CARRIED 8/0

MOTION/COUNCIL RESOLUTION NO. 98/04/19

MOVED Cr Dow

That Council move from behind closed doors.

MOTION CARRIED 8/0

The Council Chambers were re-opened at 4.35pm.

Members of the public returned to Council Chambers.

The CEO returned to Council Chambers at 4.35pm.

The Shire President read aloud Resolution No. 97/04/19 for the benefit of the public gallery.

9.1.3 Toodyay Tidy Towns Mural Project – Charcoal Lane

Date of Report:	27 March 2019
Name of Applicant / Proponent/s:	Shire of Toodyay
File Reference:	COM 25
Author:	D Andrijich – Community Development Coordinator
Responsible Officer:	A Bell – Manager Community Development
Previously Before Council:	13/09/2016 Forum 27/09/2016 OCM 9.3.2. Res No 153/09/16 27/06/2017 OCM 9.1.1 Res No 94/06/17 12/09/2017 Forum 26/09/2017 OCM 9.1.1 Res No 168/09/17
Author's Disclosure of Interest:	Local Government representative on committee
Nature of Council's Role in the matter:	Executive
Attachments:	1. Short listed submissions from: <ul style="list-style-type: none"> • Katherine Ferguson and Nicola Cowie; • Brenton See; and • Michelle Murfit. 2. Artists Brief
Voting Requirements:	Simple Majority

PURPOSE OF THE REPORT

To select the Mural Artist and concept design for Toodyay's first public art mural.

BACKGROUND

Following the win of National Tidiest Town, The Toodyay Tidy Towns (TTT) Committee felt that there needed to be something to mark the occasion.

A new inclusive changing places building was being built in Charcoal Lane and had been designed to include a wall for a mural. This provided the perfect opportunity for the town's first mural and the committee embraced the venture with Shire support.

The TTT Committee felt it would be a fitting tribute to paint a mural on the Charcoal Lane building commemorating the town's success while at the same time promoting community spirit and sustainability.

The approach was to come up with a concept design that was accepted by the wider community and approved by the Shire Council. Then, to engage a suitable mural artist to transfer the design to the blank wall (canvas).

The Committee wanted the mural to represent the outstanding features of Toodyay and its community that won award categories for the Keep Australia Beautiful Tidiest Town success. Three key categories are Heritage and Culture; Sustainable Environment; Litter and Waste management – other categories are Young Legends; Community Action and Community Activity and Wellbeing.

- Consultation with the community commenced as detailed further in Consultation Implications.
- Funding avenues were exhausted and unsuccessful
- August 2018: Budget submission was successfully made to Council
- Mrs Margaret Somerville donated \$1,000 towards the production of the mural
- December 2018: Artists brief was completed by Administration staff
- January 2019: Advertising in the West Australia – call for Expressions of Interest from suitably qualified Artists to make a submission
- February 2019: Applications closed: Eleven submissions were received
- March 2019: Panel of community and Shire representatives met to deliberate over submissions and shortlist to three for final selection to be referred to Council

CONSULTATION IMPLICATIONS

As per Council Policy M.2 – Level E – Locality public submission were called for via:

- Letters to 15 owners/occupiers within 100 metres of the proposed mural were sent;
- Signage was erected on-site;
- Shire website;
- Shire Community Newsletter;
- Printed copies of proposed mural information - at Administration Office, Library and Visitor Centre;
- Gazette Newspaper - 14 July 2017;

Although not part of the Shire consultation process -The Toodyay Herald also included a story on the mural via the front page of the July 2017 edition;

The public consultation closed at 4.00pm on Friday 11 August 2017. We received 19 public submissions.

This above submissions were presented at OCM 26 September 2017.

Further consultation and Expressions of interest from suitably qualified Artists has now been sought.

STRATEGIC IMPLICATIONS

Vision: We are a vibrant rural community that celebrates our past and embraces a sustainable future.

Mission: Local Government and community working together to obtain the best possible social, economic and environmental outcomes for people of Toodyay.

Council's Strategic Priorities

Community Services:

Building trust, partnerships and support for community action.

Shire of Toodyay Corporate Business Plan

SP1.7a & SP1.7b – Activities to support the preservation and development of Toodyay's heritage, culture and art in order to enrich community identity, develop community cohesion and improve the visitor experience to the Shire.

POLICY IMPLICATIONS

Council Policy - LPP20 – Central Toodyay Heritage Area.

Although this mural is clearly a Public Art Project and not signage, it is situated within the Central Heritage Precinct.

Reference was made to the Toodyay Paint Colour Palette in the Artists Brief.

FINANCIAL IMPLICATIONS

Council allocated \$11,700 in 2018/2019 budget towards the production of the mural, with an additional \$2,000 for other expenses. Margaret Sommerville also donated \$1,000 towards this project.

LEGAL AND STATUTORY IMPLICATIONS

This proposal does not contain any notable statutory implications

RISK IMPLICATIONS (including DAIP)

This proposal does not contain any notable risk implications

SOCIAL IMPLICATIONS

As per our Mission Statement – Local Government and Community working together to obtain the best possible, social, economic and environmental outcomes for the people of Toodyay.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

OFFICER COMMENT / DETAILS

The “blank” canvas (wall) was offered to the Tidy Town Committee to complete a concept design which was presented to Council in June 2017. The concept design did consider both the story of Toodyay as well as the story of the Tidy Town activities and awards.

This concept was outlined in the Artist brief, also included in the brief was a summary of the feedback and suggestions from the broader community following public consultation.

Expressions of interest from suitably qualified Artists were sought through advertising in the West Australian, Shire Newsletter and direct email.

Eleven submissions were received for consideration.

The panel has met, representatives were: Shire CEO: Stan Scott, Arts Toodyay representative: Colin Moore, Founding Sponsor: Margaret Summerville and Tidy Towns Chairperson: Greg Warburton

The panel rated their preferred top six submissions which then produced the shortlist of three to be presented to Council.

OFFICER'S RECOMMENDATION

That Council endorse the recommendations of the selection panel and appoint Katherine Ferguson and Nicola Cowie; and in the event the panel's first choice is unavailable, appoint Brenton See to complete the project.

The Heritage Advisor's advice in relation to this matter was tabled at 4.39pm.

Cr Greenway moved an alternate motion as follows:

That this matter be deferred to the May 2019 Strategic Council Forum.

Cr Dow seconded the motion.

The alternate motion was put.

ALTERNATE MOTION/COUNCIL RESOLUTION NO. 99/04/19

MOVED Cr Greenway

SECONDED Cr Dow

That this matter be deferred to the May 2019 Strategic Council Forum.

VOTES EQUALLY DIVIDED 4/4

In accordance with 5.21(3) of the Local Government Act 1995, the Presiding Member cast a second vote 'against' the motion.

MOTION LOST 4/5

Cr Manning moved the Officer's Recommendation.

Cr Greenway seconded the motion.

Clarification was sought.

Debate commenced.

The motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 100/04/19

MOVED Cr Manning

SECONDED Cr Greenway

That Council endorse the recommendations of the selection panel and appoint Katherine Ferguson and Nicola Cowie; and in the event the panel's first choice is unavailable, appoint Brenton See to complete the project.

MOTION LOST 2/6

The Officer's Recommendation was defeated as many of the Councillors believed that the choice being considered did not contain any Tidy Town elements as per the original brief.

9.2 PLANNING AND DEVELOPMENT

9.2.1 Lot 312 Telegraph Road, Toodyay - Proposed Demolition

Date of Report:	4 April 2019
Name of Applicant / Proponent/s:	J Price
File Reference:	A3564/313TEL
Author:	H. de Vos – Planning Officer
Responsible Officer:	K. Nieuwoudt – Manager of Planning and Development
Previously Before Council:	Nil
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Quasi-judicial
Attachments:	<ol style="list-style-type: none"> 1. House Photos – Supplied by Applicant; 2. Heritage Advice – Stephen Carrick; and 3. Map showing R-Codes setbacks.
Voting Requirements:	Simple Majority

PURPOSE OF THE REPORT

For Council to consider a proposal to demolish the remnants of the former Jane Clarkson's Cottage located at No. 46 (Lot 312) Telegraph Road, Toodyay.

BACKGROUND

Council has received an application for development approval to demolish the remnants of a place currently included in the Shire's Municipal Inventory of Heritage Places (MI).

The Place

The place, also known as 'Jane Clarkson's Cottage' (the Cottage), is located at Lot 312 (#46) Telegraph Road, Toodyay. The place is listed in the MI's Management Categories for Individual Places Table as follows:

Level of significance	Description	Desired outcome	Category
Some / Moderate significance	Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the item.	Conservation of the place is desirable. Any alterations or extensions should reinforce the significance of the place, and original fabric should be retained wherever feasible.	3

The MI Reference Number for the Cottage is #70.

The property is zoned Residential R10 under the Shire's Local Planning Scheme No. 4, and has a legal area of 1,598.9m².

In 2016 the Cottage, comprising a single storey mud-brick residence, was severely damaged by fire. There is, however, remnant building fabric still evident. Refer **Attachment 1**.

The Shire's Heritage Advisor - Stephen Carrick inspected 46 Telegraph Road on 13 March, 2019. Options including demolition, potential retention and conservation of the remnant building fabric was discussed on site with Shire of Toodyay Planning Officer. Further details of this heritage advice can be found in **Attachment 2**.

CONSULTATION IMPLICATIONS

In accordance with the requirements of the Shire of Toodyay M.2. Public Consultation – Formal Matters Policy, the application has been referred to the Shire's Heritage Advisor for comment. Mr Carrick has also sought additional advice from the Toodyay Historical Society to assist with the preparation of the advice.

Mr Carrick provides the following key points for advice:

"The management category (Level 3) means that the place should be retained and conserved, if possible. If it is to be demolished it should be photographically recorded.

Based on the further documentary material and the size of the lot it is recommended that full demolition is not supported and partial retention of the place is required with the aim of interpreting the significant remnants.

Due to the size of the lot there is opportunity for new development options whilst retaining a meaningful portion of the significant place.

From the site inspection and the documentary evidence it is also recommended that a landscape plan is submitted as part of a proposal and the owner is encouraged to maintain existing mature and significant plantings and landscape features."

The applicant was given the opportunity to respond to these points raised by the Heritage Advisor and has provided the following response:

"I would make the following comments on the report and advice you have received.

In my opinion the advice you have received to retain the building is not in keeping with my plans for the lot. Whilst the block seems large it is in fact 2 separately titled blocks. From an engineering point of view the building is severely fire damaged and beyond repair. The remaining structure cannot be considered a stable structure.

The current position of the remains of the current structure does not allow me to effect property boundary maintenance. To allow me to be mindful of the established gardens and to effect boundary maintenance it is essential that I have clearance to demolish the (what is in effect a) derelict building."

STRATEGIC IMPLICATIONS

There are no adverse strategic implications envisaged from this report.

POLICY IMPLICATIONS

State Planning Policy 3.5 – Historic Heritage Conservation

6.6 Development control principles

Demolition of a heritage place (including a place within a heritage area)

Demolition of a local heritage place should be avoided wherever possible, although there will be circumstances where demolition is justified. The onus rests with the applicant to provide a clear justification for it.

Demolition approval should not be expected simply because redevelopment is a more attractive economic proposition, or because a building has been neglected. Consideration of a demolition proposal should be based upon the significance of the building or place; the feasibility of restoring or adapting it, or incorporating it into new development; the extent to which the community would benefit from the proposed redevelopment; and any local planning policies relating to the demolition of heritage places.

FINANCIAL IMPLICATIONS

Should Council resolve to refuse or conditionally approve the proposal, the applicant has a right of review through the State Administrative Tribunal (SAT) which will incur legal costs.

LEGAL AND STATUTORY IMPLICATIONS

The proposal constitutes development under the *Planning and Development Act 2005* and requires planning approval under the Shire's *Local Planning Scheme No. 4 (LPS4)*.

RISK IMPLICATIONS (including DAIP)

As noted above, should Council resolve to refuse or conditionally approve the proposal, the applicant has a right of review through the State Administrative Tribunal (SAT) which will incur legal costs.

Additionally, there is an increased safety risk to the land owner if the Shire of Toodyay insists that the structure (or a portion of it) remains without having a true understanding of the engineering of these ruins and the risks they may create.

SOCIAL IMPLICATIONS

There are no adverse social implications envisaged from this report.

ENVIRONMENTAL IMPLICATIONS

There are no adverse environmental implications envisaged from this report.

ECONOMIC IMPLICATIONS

There are no adverse economic implications envisaged from this report.

OFFICER COMMENT / DETAILS

The application to demolish and remove the remains of this piece of Toodyay's heritage is recommended for approval. In making this recommendation the

proposal has been balanced between best planning and best heritage outcomes, though ultimately the author of this report recognises that it goes against the expert advice of the Shire's Heritage Advisor.

Heritage Advice

The Heritage Advisor's recommendation that full demolition not be supported and that a meaningful portion of the ruins be retained and either incorporated into a new dwelling or be reinterpreted would be challenging for the applicant's to implement.

Future development of the site

Whilst the applicant has disputed the Heritage advice that the block of land is large enough to allow for retention and further development, this dispute has been disregarded. The only lot under consideration 312.

The R-Code front and rear setbacks have been applied on a map and there is clearly an area in front of the ruins that would be the appropriate place for a single dwelling. The obvious downside of this is that a single dwelling in this location would block any public view of the remains from Telegraph Road Please see **Attachment 3 – Map Showing R-Codes setbacks.**

In addition to this, there is a requirement under the R-Codes for properties with an R10 coding to have a minimum open space of 60%. This means that 639.2m² of the block can be developed and is not required for open space. As can be seen on the map, the area of the ruins is approximately 171m². This represents a sizable portion of the available space that might otherwise be taken up by a single dwelling and outbuildings.

Condition of Jane Clarkson's Cottage

Undeniably, one of the biggest influences in the determination of this application is the fact that the cottage has been nearly completely destroyed by fire. This means that the approach should be different to that of an intact and viable structure.

Whilst an ideal situation would be to incorporate the ruins in some way into a new development the cost in doing so is likely to be prohibitive. The fact that it is not going to be seen by any but the landowner suggests that it is an unrealistic burden to place on the applicants.

It is recommended that the application be approved subject to the following conditions.

Supplementary Information

Provided to Councillors via email (on 23 April 2019) by Manager Planning and Development in response to a question raised at the Agenda Briefing on 16 April 2019.

Question One

Would be feasible to save some of the material as part of the demolition?

Response: I am happy to advise that the owner, Mr John Price, has indicated that he would be happy to gift some of the demolition material to the Shire.

I've included this as an advice note in the Officer's Recommendation, rather than a condition of approval.

Planning staff are recommending operations on a Saturday because it is the norm across the industry. It is quite normal for quarries to operate 6 days a week. To this end, I have taken the liberty of attaching a 'Basic Raw Materials' Fact Sheet (I've highlighted the operating hours section) prepared by the WAPC. (*Refer to the tabled attachment (4.00pm)*).

In arriving at the recommended hours of operation, we have considered all probable impacts of the excavation activities on the general amenity of the locality. For a quarry, the proposed operation is quite small / low-key / modest. We do not anticipate any issues if the hours of operation for this quarry were to include Saturdays.

**OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION COUNCIL
RESOLUTION NO. 94/04/19**

MOVED Cr Dow

1. That Council grants approval for the full demolition of the ruins of the former Jane Clarkson's Cottage at Lot 312 Telegraph Road in Toodyay, subject to the following conditions:
 - (a) An archival record is to be made of the building to be demolished and submitted to the local government for approval prior to the issue of a Demolition Permit and shall include:
 - i. A site plan prepared at 1:200 scale, floor plan(s) of the building and four elevations prepared at 1:100 scale.
 - ii. Digital photographs taken of the building to include:
 - a general/overall photo of the building to be demolished;
 - photos of any remaining elevations; and
 - Photos of any special architectural features.
 - (b) Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.
 - (c) Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The Shire of Toodyay notifies the Heritage Council of this decision.

Advice Note 1:

Note 1: A Demolition Permit be obtained prior to commencement of any demolition works.

Note 2: The Applicant is encouraged to gift some of the demolition material to the Shire and the Toodyay Historical Society as an example of historical construction efforts in Toodyay.

MOTION CARRIED 8/0

9.2.2 Lot 6 on Plan 9330 Lovers Lane, Morangup – Reactivation of Toodyay Stone Quarry by Rural Stone Company

Date of Report:	5 April 2019
Name of Applicant / Proponent/s:	Rural Stone Company Pty Ltd
Owners:	Cherek Pty Ltd & Jovita Holdings Pty Ltd
File Reference:	A3778/6LOV/EXT1/IPA57236
Author:	H. de Vos – Planning Officer
Responsible Officer:	K. Nieuwoudt – Manager of Planning and Development
Previously Before Council:	Nil
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Quasi-judicial
Attachments:	<ol style="list-style-type: none"> 1. Location Plan; 2. Excavation and Rehabilitation Management Plan; 3. Schedule of Submissions; and 4. Legislative Compliance & Technical Assessment Report.
Voting Requirements:	Simple Majority

PURPOSE OF THE REPORT

Council is asked to determine a proposal to reactivate the Lovers Lane 'Toodyay Stone' (a natural quartzite stone unique to the Toodyay area) quarry located at Lot 6 Lovers Lane, Morangup.

BACKGROUND

The proposal seeks –

- a twenty-year time-limited development approval for the extraction of 500 tonnes of Toodyay Stone and the crushing and screening of up to 2,000 tonnes schist p.a. under the Shire's Local Planning Scheme No. 4 (the Scheme); and
- a twenty-year Extractive Industry Licence (EIL) to operate the Quarry;

at Lot 6 Lovers Lane, Morangup.

Lot 6 is a 635.4 hectare property zoned 'Rural' under the Scheme where the land use class 'Industry – Extractive' is denoted with the symbol 'D' in Table 1 (Zoning Table). 'D' means that the use is not permitted unless the Shire has exercised its discretion by granting development approval.

Lot 6 is situated approximately 9km southwest of Toodyay townsite. Refer **Attachment 1 – Location Plan**.

MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN SHIRE OF TOODYAY COUNCIL CHAMBERS ON 23 APRIL 2019

While the Lovers Lane Toodyay Stone quarry has existed for many years, the Shire's records indicate the quarry was first approved by the State Administrative Tribunal (SAT) on the 4th of August 2008 for a period of 10 years, subject to conditions. This approval lapsed on 3 August 2018. A copy of SAT's Orders can be made available to Council upon request.

The Applicant, Rural Stone Company Pty Ltd, seeks to renew the development approval and Extractive Industry Licence (EIL) on Lot 6. The Shire received the application on the 19th of February 2019. The operations consist of a number of scattered small pits which have been open for many years. Refer Figure 1 and Figure 2 in **Attachment 2 - Excavation and Rehabilitation Management Plan**.

There are no proposed changes to the scale and intensity of the operations or to the previously approved footprints. Toodyay Stone (quartzite) is generally used as facing and paving stones, and was, among other places, used at Stirling Gardens, St Georges Terrace in Perth, and within the Town of Toodyay.

Stone on site will continue to be excavated, sorted and bagged for transport from site. The recovery of the stone from the existing dumps will at times require an excavator with a long reach. This will be used to loosen the stone which will be hand sorted and transported from the site on rigid trucks 1 - 2 times per week. The number of workers will be up to two.

Access will continue to be directly from Lovers Lane.

Excavation will be staged where possible, with rehabilitation progressively following excavation. The end use of the site will be conservation with some outcrop left exposed and the level handling area retained as a potential picnic area contained on a rural property.

Management plans will be used to control the potential for the introduction of dieback disease, environmental or Declared Weeds.

Project Summary	
Aspect	Proposal
EXCAVATION	
Total area of excavation applied for	Three (3) existing pits with a total area of approx. 2.4ha. Existing sorting and piles of resource with no excavation on 2.7ha. of land Refer Attachment 3 – Pit and Storage Areas
Max. depth of excavations	Approx. 2m below natural ground level
Rate of excavation	<ul style="list-style-type: none"> • 500 tonnes Toodyay Stone per year; and • up to 2,000 tonnes crushed schist per year. Note: Crushing is not anticipated every year
Hours of Operation	7.00 am to 5.00 pm Monday to Saturday inclusive, excluding public holidays
Life of project	20 Years
Native vegetation clearing	No clearing required for ten years Potential for minor clearing years 10 – 20. Applicant will

MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN SHIRE OF TOODYAY COUNCIL CHAMBERS ON 23 APRIL 2019

Project Summary	
Aspect	Proposal
	apply to DWER for clearing permits as DWER is the authority responsible for issuing native vegetation clearing permits.
Blasting	Blasting is not proposed
Dewatering requirements	Nil. Water collecting in the pit is used for dust suppression
PROCESSING	
Resources	Not required on site for Toodyay Stone. There remains potential for occasional crushing and screening of schist for specialty markets once every 1 – 2 years.
Water requirements & water supply source	1,500kl ≈, obtained from site in the base of the pits
INFRASTRUCTURE	
Total area of plant and stock	Located within existing excavations and the current stockpile – stone sorting area
Area of settling ponds	Base of the pits
Plant & Equipment	<ul style="list-style-type: none"> • Locked shed for storage • Mobile telephone • UHF communication • Excavator • Loader • Fuel (to be brought to the site as required in mobile tankers) • Fenced security compound • Mobile crusher (similar to a Terex 600)
Fuel storage	Mobile refuelling with no onsite storage
TRANSPORT	
Truck movements	Variable but maximum of 1 – 2 truck or trailer loads per week for Toodyay Stone (average). Note: There will be weeks when there will be no transport and others when there will be slightly more movements Crushed schist, maximum 2,000 tonnes per year (equates to maximum 67 truckloads per year)
Access & haulage route	No changes with transport directly to Lovers Lane and then Toodyay Road
WORKFORCE	
Construction	Renewal – already in operation
Operational	1 - 2 persons There will be weeks when there will be no on site activity.

Refer to **Attachment 2 - Excavation and Rehabilitation Management Plan**

Excavation Method (refer p20 of Attachment 2)

The quartzite is split and sorted by hand. Quartzite readily splits along the bedding planes and once loosened can simply be sorted and stacked. The quartzite will be sorted into bags and placed on pallets for transport.

Crushing of Schist (refer p20 & 21 of Attachment 2)

Approximately 2,000 tonnes of schist will be taken and crushed annually with approximately 1,000 tonnes in each crushing campaign. Crushing will be infrequent. The crusher will only need to operate for some days to produce sufficient product for several months. Aggregate will be coarse (in excess of 25 mm).

Stockpiling (refer p21 of Attachment 2)

There are small stockpiles of crushed schist on site and very small sorted piles of Toodyay Stone. There will be no excavation of these areas, rather the ground will be smoothed and rehabilitated as the stockpiles are used and reduced in size.

Final Contours (refer p22 of Attachment 2)

On completion, the land surface will be retained swales. Batters will be graded to ensure the final slopes form an interim stable land surface in compliance with the *Mines Safety and Inspection Act 1994* and associated Regulations 1995. The concept final slopes will not be steeper than 1:4 vertical to horizontal up to the surface outside the area of excavation. The final contours will be smoothed with the final surface around 2m lower than the natural adjoining land surface.

Staging and Timing (refer p23 & p24 of Attachment 2)

The Applicant advises that it is not anticipated that there will be any land clearing within the next 10 years. The area of pit proposed to be worked is 2.4 ha. Excavation will be restricted to the already cleared and opened pits and storage areas.

Loading and Transport (refer p28 of Attachment 2)

Transport of the quartzite is anticipated to be 1 – 3 small rigid truck or trailer movements per week. Crushed schist will be transported by small rigid truck or semi-trailer. At full production, an average of one truck of crushed schist is likely to leave the site every one to three days, depending on the size of the truck.

The Applicant advises the number of truck movements can be reduced by the use of a semi-trailer truck, which will reduce the number of movements leaving the site to 1 – 2 trucks per week, averaged through the year (2,000 tonnes / 30 tonnes per truck = 67 laden truck movements p.a.).

Access to and egress from the site will be along an existing access road direct from Lovers Lane to Toodyay Road.

Safety Management (refer p29 of Attachment 2)

All quarries operate under the provisions of the *Mines Safety and Inspection Act 1994* and Regulations 1995. These are administered by the Department of Mines, Industry Regulations and Safety (DMIRS).

Bushfire Considerations (refer p30 of Attachment 2)

Lot 6 is identified on DFES's Map of Bushfire Prone Areas 2016 to be within a bushfire prone area.

There is less potential fire risk from quarries than other land uses because quarries clear land and vehicles are restricted to cleared access roads, the pit floor, processing and stockpile areas.

The existing pit excavations will form natural firebreaks, with the access road assisting in that regard. The main risk comes from an external fire in the surrounding vegetation, impacting on the quarry. As such the fire risk is no greater than a rural property.

Fauna and Flora (refer p31 & p32 of Attachment 2)

The Applicant advises Bamford Consulting Ecologists assessed the fauna of the area surrounding the resource on Lot M1455 Hoddy's Well to the south of Toodyay Road, local area in September 2002, who recorded a total of 18 bird species and one mammal species in much better vegetation during the site inspection, but a larger number of species are expected to utilise or visit the native vegetation.

The Applicant further advises there is not proposed to be any changes to the processing and other activities on site during the next ten years and, therefore, no additional impacts on fauna are anticipated.

With regards to Flora, the vegetation is a low Wandoo Low Woodland.

The Applicant advises no clearing of native vegetation is proposed for ten years as the existing footprints can provide sufficient resource.

Much of the old overburden dumps and pits already consist of natural regrowth and regrowth screening vegetation, much of which is not anticipated to be cleared.

As the proposed excavation will only require alteration of the already cleared soils for the next ten years, a comprehensive vegetation study was not completed as part of this application.

Under the *Environmental Protection Act 1986* (EP Act), clearing of native vegetation is an offence unless it is done under the authority of a clearing permit or an exemption applies.

The Department of Water and Environmental Regulation (DWER) is the authority responsible for issuing native vegetation clearing permits. In making a decision on a clearing permit, regard is given to the clearing principles contained in Schedule 5 of the EP Act and to any planning instrument or other matters the DWER considers relevant.

STAKEHOLDER ENGAGEMENT / CONSULTATION

Community and Agency Consultation

Consultation was undertaken in accordance with Level E of Council's Policy M.2 – Public Consultation Formal Matters.

An advertisement was placed in the 13 March 2019 edition of the Avon Valley Advocate. The proposal was also placed on the Shire's website and made

available at the Shire administration offices. All landowners within 1,000m of the property were advised of the proposal in writing and provided with an opportunity to comment. This was also sent to Main Roads WA, and the DWER. The consultation period ran for 28 days and expired on 3 April 2019.

The Shire received 4 submissions and these was assessed and addressed in the Schedule of Submissions. Refer **Attachment 3 – Schedule of Submissions**.

Internal Consultation

The proposal was referred to Council's environmental consultants, Land Insights Planning and Environmental Specialists, for assessment who provided the following advice and recommendations:

- *No Environmentally Sensitive Areas*
- *The areas of vegetation are mapped as 'native vegetation' on SLIP*
- *Vegetation complex is 'Michibin'*
- *Vegetation association is 'Bannister – 4'*
- *The entire site is located within a 'Bush Fire Prone Area'*
- *No PDWSA's apply*
- *No Acid Sulphate Soil risk mapping exists for the area*
- *One Aboriginal Heritage Site is mapped along Jimperding Brook (south of the pit area), approximately 68m from the closest pit area*
- *Jimperding Brook itself is approx. 77m from the closest pit area*
- *A few other minor watercourses run through the middle of the site, one runs alongside the 'sorting and stockpiles area' and another runs along top of the northern pit.*
- *The northern pit is approx. 20m from the creek line*
- *The sorting and stockpile area is approx. 10m from the creek line*

Based on the above, we would recommend the following:

- *There seems to be some confusion around what is being applied for – the report states it is applying for 20 years and states that no clearing is required, however later in the report specifies that after 10 years there will be a requirement for clearing and a Clearing Permit. The extent of operation for 10 years and 20 years and the extent of clearing required after the first 10 years is not shown clearly on the plans. We would recommend that clearer and more detailed plans are prepared showing this.*
- *A Bushfire Management Plan is prepared given the amount of vegetation and proximity of the operational areas from the areas of extreme risk. The photo of the transportable in the document shows it sitting underneath vegetation. The operation may also need a dedicated water tank. As is mentioned above, page 49 doesn't specify where the water is available from for firefighting.*

- *Dieback testing and, if required, an updated Dieback Hygiene Management Plan prepared. Considering the vegetation directly adjoining the operational areas and the very close proximity of the creek lines, and the old pits on the site, they may need some additional management such as signage, closure of unnecessary tracks, closure of infected areas and uninfected areas etc. signage around the perimeter and at the entrance to warn that it is a dieback infected area, and signs around the operation area to let workers and contractors know not to enter*
- *Obtain further information regarding the noise levels created from the created from the operation, especially the crushing*
- *Water Management Plan - it would be good to have a map showing drainage across the site. Where are the watercourses, dams and other site features and where is drainage directed and where do the flow lines go etc.*
- *Water monitoring - Considering the proximity of the watercourses (approx. 10m from the processing area and 20m from the pit area and Jimperding Brook is approx. 77m from the pit area) we recommend that water quality in the watercourses and pits is undertaken annually to determine whether there is any impact, especially suspended solids and turbidity. This is particularly relevant if, as outlined in the application 'drainage from the pits and overburden dumps is across the land to the creek lines'.*

The environmental consultants' advice have been considered by planning staff and are recommended for inclusion as conditions of approval and, where appropriate, as advice notes in the 'Officer's Recommendation' section of this Report.

The proposal was also referred to Council's Works and Services department. Comments and advice received by Works and Services have been considered by planning staff and are recommended for inclusion as conditions of approval and, where appropriate, as advice notes in the 'Officer's Recommendation' section of this Report.

STRATEGIC IMPLICATIONS

Shire of Toodyay Local Planning Strategy 2018

The Shire's Local Planning Strategy maintains that extractive industries are an important feature of the Shire of Toodyay.

Planning for the rural areas of the Shire must have regard to the potential for extraction of basic raw materials and accommodate suitable buffer areas between sensitive land uses and extraction sites in accordance with the provision of the WAPC's State Planning Policy No. 2.5 – Rural Planning. The priority resource and extraction sites identified in SPP 2.5 are shown on the Local Planning Strategy Map No. 3. Further, Section 6.4 of SPP2.5 guides the implementation of the provisions of the policy into local planning schemes, which has been taken into account in this Strategy and will be implemented into LPS5.

Extractive industries are a discretionary land use in the Local Planning Scheme No. 4 and this Strategy proposes to maintain this level of permissibility.

POLICY IMPLICATIONS

Council's Local Planning Policy No. 7 'Extractive Industries - Road Contributions' (LPP7) applies to this proposal.

Council's Members Policy M.2 'Public Consultation Formal Matters' was applied during the community consultation phase. Consultation was undertaken in accordance with Level E – Locality.

FINANCIAL IMPLICATIONS

In the event Council approves the application, in accordance with LPP7, the Applicant will be required to provide a bond/guarantee/security to the Shire in respect of road upgrades, road maintenance and site rehabilitation.

STATUTORY OBLIGATIONS

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations encompass the "deemed provisions for local planning schemes");*
- *Shire of Toodyay Local Planning Scheme No. 4;*
- *Shire of Toodyay Extractive Industries Local Law 1995;*
- *State Planning Policy 2.4 – Basic Raw Materials;*
- *State Planning Policy 2.5 – Rural Planning;*
- *State Planning Policy 4.1 – State Industrial Buffer;*
- *Environmental Protection (Noise) Regulations 1997;*

Also refer Attachment 4 – Legislative Compliance & Technical Assessment Report.

RISK IMPLICATIONS (including DAIP)

- *Reputational – Low*
 - Advertising has been conducted in accordance with the provisions of Council's Members Policy M.2 'Public Consultation Formal Matters'. The application was considered on its merits and in accordance with the relevant provisions of the Scheme and town planning framework.
- *Financial - Nil*
- *Compliance - Low*
 - There are no compliance risks in relation to the recommendation. Should Council approve the application, the applicant would be subject to conditions of development approval.
- *Legal – Low*
 - Council would be issuing a valid development approval, assessed on its merits and in accordance with the relevant provisions of the Scheme and town planning framework.

SOCIAL IMPLICATIONS

There are no adverse social implications for the Shire in relation to the recommendations of this Report.

ENVIRONMENTAL IMPLICATIONS

As the pits on the property have been worked for many years, and given that there are no changes to the scale or intensity of the operations or the current footprints, staff consider that the impact of the land use on the environment can be appropriately managed through the implementation of best management practices, including the suite of management plans accompanying the Applicant's Excavation and Rehabilitation Management Plan (Attachment 3), but augmented / updated to include the following recommended Plans:

- Dieback Disease Management Plan;
- Bushfire Management Plan; and
- Water Management Plan.

ECONOMIC IMPLICATIONS

There are no adverse economic implications for the Shire in relation to the recommendations of this Report.

OFFICER COMMENT / DETAILS

As pointed out under 'Background' section of this Report, the Lovers Lane Toodyay Stone quarry has existed for many years, but formally approved by SAT on the 4th of August 2008 for a period of 10 years only. The Shire's records also indicate that the Shire did not receive any complaints regarding the operations at the quarry during this period.

Staff are satisfied that the impact of the land use on the environment can be appropriately managed through the implementation of the suite of management plans accompanying the Applicant's Excavation and Rehabilitation Management Plan, including the Plans recommended under 'Environmental Implications' section of this Report.

Finally, Planning staffs' assessment of the proposal indicates the proposal substantially complies with the applicable legislative and town planning framework. Consequently, conditional approval is recommended as outlined in the 'Officer's Recommendation' section of this Report.

Supplementary Information

Provided to Councillors via email (on 23 April 2019) by Manager Planning and Development in response to a question raised at the Agenda Briefing on 16 April 2019.

Question One

Question was regarding the discrepancy in the 'hours of operation' in the Applicant's proposal (refer pages 111 and 143 of the Draft Agenda) versus the 'hours of operation' as per Condition 1.4 in the Officer's Recommendation.

I have contacted the Applicants' representative, Mr Lindsay Stephens of Landform Research, who provided the following written response:

“Thank you for supplying the draft conditions for the above project. It is noted that several conditions require Rural Stone to work with the Shire of Toodyay to implement the proposal. Rural Stone is committed to work with the Shire of Toodyay to enable a continued supply of Toodyay Stone with minimal community impact. The hours of operation are fine, and considering the very small amount of material to be taken from the site annually there will minimal disruption to the local area. The potential for Saturday operations to fill a specific contract is helpful.”

OFFICER’S RECOMMENDATION

That Council:

1. Grants development approval under *Shire of Toodyay Local Planning Scheme No. 4* to Rural Stone Company Pty Ltd (the Operator) for an extractive industry at Lot 6 on Plan 9330 Lovers Lane, Morangup, subject to the following conditions:

Time-limited Approval

- 1.1 This approval will expire and the use permitted by this approval must cease on or before 22 April 2039 unless, after a written request is made prior to that date, the approval is extended by the local government.

General Conditions

- 1.2 The development hereby permitted must substantially commence within two years from the date of this determination notice.
- 1.3 The development hereby permitted taking place in accordance with the approved Excavation & Rehabilitation Management Plan dated 30 January 2019, including any amendments placed thereon by the local government, and except as may be modified by the following conditions:
 - (a) The location and total area of the excavation is to be limited to 2.4ha as depicted on the application.
 - (b) The extraction of material is limited to a depth detailed on the approved Excavation & Rehabilitation Management Plan.
 - (c) The maximum permitted extraction is limited to 2,500 tonnes per annum.
 - (d) Extraction is to be undertaken entirely within Lot 6 and is to be setback a minimum of 50 metres from the boundary.

Hours of Operation

- 1.4 Operating hours within the extraction area shall be restricted to 6:00am and 5:00pm Monday to Saturday (excluding Sundays and public holidays).

Environment and Rehabilitation

- 1.5 No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.
- 1.6 All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion to the satisfaction of the local government.

- 1.7 The excavation site is to be rehabilitated in accordance with Part 7 (Closure) of the approved Excavation & Rehabilitation Management Plan and the *Shire of Toodyay Extractive Industries Local Law 1995* or any subsequent programme approved thereafter. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.
- 1.8 The Operator is required to pay to the local government a bond of **\$30,300.00** as a performance guarantee against the satisfactory completion of the rehabilitation of the site.
- 1.9 The Operator is required to provide a Dieback Disease Management Plan to the satisfaction of the local government.
- 1.10 The Operator is required to obtain approval from the Department of Water and Environmental Regulation prior to the removal of native vegetation on site.
- 1.11 The Operator is to provide a Bushfire Management Plan in accordance with State Planning Policy 3.7 'Planning in Bushfire Prone Areas' to the satisfaction of the local government.
- 1.12 Prior to any extraction works occurring, a Water Management Plan is to be prepared, submitted and approved by the local government in consultation with the Department of Water and Environmental Regulation. The approved plan is to be implemented in its entirety.
- 1.13 The noise generated by the development is not to exceed the levels as set out under the *Environmental Protection Act 1986* (and the *Environmental Protection (Noise) Regulations 1997*).
- 1.14 Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the *Environmental Protection Act 1986* and Department of Environmental Regulation Guidelines.
- 1.15 The operations are to be managed in accordance with "*Water Quality Protection Note 15 - Extractive Industries Near Sensitive Water Resources*".
- 1.16 Any dewatering shall be in accordance with "*Water Quality Protection Note 13 - Dewatering of Soils*".

Transport and Roads

- 1.17 All trucks involved in the project shall comply with the Shire of Toodyay's Council Administration Policy No. A.8 'Oversize Vehicles' and shall seek the approval of Main Roads Western Australia as appropriate.
- 1.18 All truck loads leaving the site with materials are to be covered. Large Trucks are only to make a left turn at the intersection of Lovers Lane and Toodyay Road. This condition will remain in place until the intersection has been upgraded by Main Roads Western Australia.
- 1.19 The Operator shall be responsible for the cost of maintaining and repairing damage to the roads controlled by the local government which are used by

heavy haulage traffic associated with the extractive industry operations to the extent that such traffic contributes to the need for such maintenance and repair.

- 1.20 The Operator shall install and maintain approved road signs along the transport route in consultation with the local government, warning other road users of trucks entering and using the public road system.
- 1.21 Prior to the commencement of operation of the Facility, a Road Maintenance Plan shall be prepared and implemented, at the cost of the Operator, throughout the duration of the operation of the development to the satisfaction of the local government in accordance with Shire of Toodyay Local Planning Policy No. LPP.7 Extractive Industry - Road Maintenance Contributions.
- 1.22 The Operator is to establish a level of communication with the Public Transport Authority that will enable the Operator to be aware of any changes to the school bus stop locations on Toodyay Road and communicate such changes to all truck drivers involved travelling to and from this site. Heavy vehicle movements are prohibited during school bus operating hours.

Public Liability Insurance

- 1.23 The Operator must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the Operator and the local government for a sum of not less than \$20,000,000 in respect of any one claim relating to any of the excavation and transport operations.

Advice Notes

Note 1: With regards to Condition 12, the Water Management Plan should be prepared in accordance with relevant Department of Water and Environmental Regulation (DWER) Water Quality Protection Notes (WQPN) and guidelines including:

- Stormwater Management Manual of Western Australia;
- WQPN 15: Extractive industries near sensitive water resources;
- WQPN 52: Stormwater management at industrial sites;
- WQPN 65: Toxic and hazardous substances;
- WQPN 6: Vegetation buffers to sensitive water resources; and
- Operational Policy 4.3 Identifying and establishing waterways foreshore areas.

Note 2: The proposal is also located within the Swan River and Tributaries, Avon River Surface Water Area which is proclaimed under the Rights in Water and Irrigation Act 1914. Therefore any works that alter or interfere with the bed or banks of a watercourse or the taking of surface water may require a permit or licence from the DWER. The proponent should therefore refer to <http://www.water.wa.gov.au/licensing/water-licensing/how-to-apply-for-a-licence-or-permit> or contact the Swan Avon region on 6250 8000 to

discuss water management options with a Licensing Officer.

Note 3: The Operator is advised that activities such as crushing and screening during extractive industry operations may be a prescribed premises for the purposes of Part V Division 3 of the EP Act if it is carried out at a rate that meets or exceeds the specified production or design capacity of the relevant category under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regs). Category 12 or 70 prescribed premises are premises on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated. The production or design capacity of Category 12 is 50,000 tonnes or more per year and Category 70 is more than 5,000 tonnes but less than 50,000 tonnes per year.

Note 4: With regards to Condition 8, the rehabilitation bond which the Operator is required to provide, shall be held in trust until the rehabilitation process of the site is completed to the satisfaction of the local government. The Shire's Schedule of Fees and Charges stipulates that the following bonds are to be collected:

Area	Calculation	Total
Three existing small pits	2.4ha x \$7,000.00	\$16,800.00
Existing sorting and piles of resource with no excavation	2.7ha x \$5,000.00	\$13,500.00
Total Rehabilitation Bond payable:		\$30,300.00

The Shire of Toodyay will accept a Bank Guarantee for this.

The bond will be refunded at a rate of 50% following completion of the final stage of rehabilitation works and 50% at the conclusion of the three year monitoring period. The bond is to be accompanied by a bonding agreement and written authorisation from the owner of the land that the Shire may enter the site to complete or rectify any outstanding work. The Shire will recover the bond, or part thereof as appropriate, for any costs to the Shire in completing and/or rectifying the outstanding works. The Shire of Toodyay will accept a Bank Guarantee.

2. Grants an Extractive Industry Licence to Rural Stone Company Pty Ltd (the Licensee) for an extractive industry at Lot 6 on Plan 9330 Lovers Lane, Morangup, subject to the following conditions:

Licence Period

- 2.1 This licence will expire and the operations permitted under this licence must cease on or before 22 April 2039.

Annual Renewal

- 2.2 On or before 31 December in each year, the licensee must pay to the local government the annual licence fee determined by the local government from time to time.

General Conditions

- 2.3 The extraction taking place in accordance with the approved Excavation & Rehabilitation Management Plan dated 30 January 2019, including any amendments placed thereon by the local government, and except as may be modified by the following conditions:
- (a) The location and total area of the excavation is to be limited to 2.4ha as depicted on the application.
 - (b) The extraction of material is limited to a depth detailed on the approved Excavation & Rehabilitation Management Plan.
 - (c) The maximum permitted extraction is limited to 2,500 tonnes per annum.
 - (d) Extraction is to be undertaken entirely within Lot 6 and is to be setback a minimum of 50 metres from the boundary.
- 2.4 The Licensee must provide the local government a Surveyor's Certificate every year prior to the annual renewal fee for that year being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report. At the same time the Licensee will provide an update and forecast on staging for the following two year period.

Hours of Operation

- 2.5 Operating hours within the extraction area shall be restricted to 6:00am and 5:00pm Monday to Saturday (excluding Sundays and public holidays).

Environment and Rehabilitation

- 2.6 No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.
- 2.7 All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion to the satisfaction of the local government.
- 2.8 The excavation site is to be rehabilitated in accordance with Part 7 (Closure) of the approved Excavation & Rehabilitation Management Plan and the *Shire of Toodyay Extractive Industries Local Law 1995* or any subsequent programme approved thereafter. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.
- 2.9 The Licensee is required to provide and implement a Dieback Disease Management Plan to the satisfaction of the local government.
- 2.10 The Licensee is required to obtain approval from the Department of Water and Environmental Regulation prior to the removal of native vegetation on site.
- 2.11 The Licensee is to provide, and have approved, a Bushfire Management Plan in accordance with State Planning Policy 3.7 'Planning in Bushfire Prone Areas' to the satisfaction of the local government.

- 2.12 Prior to any extraction works occurring, a Water Management Plan is to be prepared, submitted and approved by the local government in consultation with the Department of Water and Environmental Regulation. The approved plan is to be implemented in its entirety.
- 2.13 The noise generated by the development is not to exceed the levels as set out under the *Environmental Protection Act 1986* (and the *Environmental Protection (Noise) Regulations 1997*).
- 2.14 Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the *Environmental Protection Act 1986* and Department of Environmental Regulation Guidelines.
- 2.15 The operations are to be managed in accordance with “*Water Quality Protection Note 15 - Extractive Industries Near Sensitive Water Resources*”.
- 2.16 Any dewatering shall be in accordance with “*Water Quality Protection Note 13 - Dewatering of Soils*”.

Transport and Roads

- 2.17 All trucks involved in the project shall comply with the Shire of Toodyay’s Council Administration Policy No. A.8 ‘Oversize Vehicles’ and shall seek the approval of Main Roads Western Australia as appropriate.
- 2.18 All truck loads leaving the site with materials are to be covered. Large Trucks are only to make a left turn at the intersection of Lovers Lane and Toodyay Road. This condition will remain in place until the intersection has been upgraded by Main Roads Western Australia.
- 2.19 The Licensee shall be responsible for the cost of maintaining and repairing damage to the roads controlled by the local government which are used by heavy haulage traffic associated with the extractive industry operations to the extent that such traffic contributes to the need for such maintenance and repair.
- 2.20 The Licensee shall install and maintain approved road signs along the transport route in consultation with the local government, warning other road users of trucks entering and using the public road system.
- 2.21 Prior to the commencement of operation of the Facility, a Road Maintenance Plan shall be prepared and implemented, at the cost of the Licensee, throughout the duration of the operation of the development to the satisfaction of the local government in accordance with Shire of Toodyay Local Planning Policy No. LPP.7 Extractive Industry - Road Maintenance Contributions.
- 2.22 The Licensee is to establish a level of communication with the Public Transport Authority that will enable the Operator to be aware of any changes to the school bus stop locations on Toodyay Road and communicate such changes to all truck drivers involved travelling to and from this site. Heavy vehicle movements are prohibited during school bus operating hours.

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2.23 The Licensee must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the Licensee and the local government for a sum of not less than \$20,000,000 in respect of any one claim relating to any of the excavation and transport operations.

The Manager Planning and Development tabled a document called "Basic Raw Materials" at 4.51pm.

Cr Chitty moved the Officer's Recommendation as follows:

That Council:

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Hours of Operation

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Environment and Rehabilitation

- 2.6 No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.
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- 2.8 The excavation site is to be rehabilitated in accordance with Part 7 (Closure) of the approved Excavation & Rehabilitation Management Plan and the *Shire of Toodyay Extractive Industries Local Law 1995* or any subsequent programme approved thereafter. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.
- 2.9 The Licensee is required to provide and implement a Dieback Disease Management Plan to the satisfaction of the local government.
- 2.10 The Licensee is required to obtain approval from the Department of Water and Environmental Regulation prior to the removal of native vegetation on site.
- 2.11 The Licensee is to provide, and have approved, a Bushfire Management Plan in accordance with State Planning Policy 3.7 'Planning in Bushfire Prone Areas' to the satisfaction of the local government.
- 2.12 Prior to any extraction works occurring, a Water Management Plan is to be prepared, submitted and approved by the local government in consultation with the Department of Water and Environmental Regulation. The approved plan is to be implemented in its entirety.
- 2.13 The noise generated by the development is not to exceed the levels as set out under the *Environmental Protection Act 1986* (and the *Environmental Protection (Noise) Regulations 1997*).
- 2.14 Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the *Environmental Protection Act 1986* and Department of Environmental Regulation Guidelines.
- 2.15 The operations are to be managed in accordance with "*Water Quality Protection Note 15 - Extractive Industries Near Sensitive Water Resources*".

2.16 Any dewatering shall be in accordance with “Water Quality Protection Note 13 - Dewatering of Soils”.

Transport and Roads

2.17 All trucks involved in the project shall comply with the Shire of Toodyay’s Council Administration Policy No. A.8 ‘Oversize Vehicles’ and shall seek the approval of Main Roads Western Australia as appropriate.

2.18 All truck loads leaving the site with materials are to be covered. Large Trucks are only to make a left turn at the intersection of Lovers Lane and Toodyay Road. This condition will remain in place until the intersection has been upgraded by Main Roads Western Australia.

2.19 The Licensee shall be responsible for the cost of maintaining and repairing damage to the roads controlled by the local government which are used by heavy haulage traffic associated with the extractive industry operations to the extent that such traffic contributes to the need for such maintenance and repair.

2.20 The Licensee shall install and maintain approved road signs along the transport route in consultation with the local government, warning other road users of trucks entering and using the public road system.

2.21 Prior to the commencement of operation of the Facility, a Road Maintenance Plan shall be prepared and implemented, at the cost of the Licensee, throughout the duration of the operation of the development to the satisfaction of the local government in accordance with Shire of Toodyay Local Planning Policy No. LPP.7 Extractive Industry - Road Maintenance Contributions.

2.22 The Licensee is to establish a level of communication with the Public Transport Authority that will enable the Operator to be aware of any changes to the school bus stop locations on Toodyay Road and communicate such changes to all truck drivers involved travelling to and from this site. Heavy vehicle movements are prohibited during school bus operating hours.

Public Liability Insurance

2.23 The Licensee must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the Licensee and the local government for a sum of not less than \$20,000,000 in respect of any one claim relating to any of the excavation and transport operations.

Cr Greenway seconded the motion.

Cr Manning moved an amendment to the motion as follows:

That Conditions 1.4 and 2.5 be reworded to read as follows:

“1.4 Except to perform onsite-maintenance over weekends, hours of operation on the site shall be limited to 7.00am to 5.00pm Monday to Friday (excluding public holidays). Transport to and from the site shall be restricted to 7.00am to 5.00pm, Monday to Saturday inclusive, excluding public holidays.

2.5 Except to perform onsite-maintenance over weekends, hours of operation on the site shall be limited to 7.00am to 5.00pm Monday to Friday (excluding public holidays). Transport to and from the site shall be restricted to 7.00am to 5.00pm, Monday to Saturday inclusive, excluding public holidays.”

Cr Bell seconded the amendment.

Clarification was sought.

Debate on the amendment commenced.

Further clarification was sought.

The amendment was put.

AMENDMENT/COUNCIL RESOLUTION NO. 101/04/19

MOVED Cr Manning

SECONDED Cr Bell

That Conditions 1.4 and 2.5 be reworded to read as follows:

“1.4 Except to perform onsite-maintenance over weekends, hours of operation on the site shall be limited to 7.00am to 5.00pm Monday to Friday (excluding public holidays). Transport to and from the site shall be restricted to 7.00am to 5.00pm, Monday to Saturday inclusive, excluding public holidays.

2.5 Except to perform onsite-maintenance over weekends, hours of operation on the site shall be limited to 7.00am to 5.00pm Monday to Friday (excluding public holidays). Transport to and from the site shall be restricted to 7.00am to 5.00pm, Monday to Saturday inclusive, excluding public holidays.”

AMENDMENT CARRIED 8/0

The substantive motion was put.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION NO. 102/04/19

MOVED Cr Chitty

SECONDED Cr Greenway

That Council:

1. Grants development approval under *Shire of Toodyay Local Planning Scheme No. 4* to Rural Stone Company Pty Ltd (the Operator) for an extractive industry at Lot 6 on Plan 9330 Lovers Lane, Morangup, subject to the following conditions:

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 102/04/19

MOVED Cr Chitty

SECONDED Cr Greenway

Time-limited Approval

- 1.1 This approval will expire and the use permitted by this approval must cease on or before 22 April 2039 unless, after a written request is made prior to that date, the approval is extended by the local government.

General Conditions

- 1.2 The development hereby permitted must substantially commence within two years from the date of this determination notice.
- 1.3 The development hereby permitted taking place in accordance with the approved Excavation & Rehabilitation Management Plan dated 30 January 2019, including any amendments placed thereon by the local government, and except as may be modified by the following conditions:
- (a) The location and total area of the excavation is to be limited to 2.4ha as depicted on the application.
 - (b) The extraction of material is limited to a depth detailed on the approved Excavation & Rehabilitation Management Plan.
 - (c) The maximum permitted extraction is limited to 2,500 tonnes per annum.
 - (d) Extraction is to be undertaken entirely within Lot 6 and is to be setback a minimum of 50 metres from the boundary.

Hours of Operation

- 1.4 Except to perform onsite-maintenance over weekends, hours of operation on the site shall be limited to 7.00am to 5.00pm Monday to Friday (excluding public holidays). Transport to and from the site shall be restricted to 7.00am to 5.00pm, Monday to Saturday inclusive, excluding public holidays.

Environment and Rehabilitation

- 1.5 No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.
- 1.6 All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion to the satisfaction of the local government.
- 1.7 The excavation site is to be rehabilitated in accordance with Part 7 (Closure) of the approved Excavation & Rehabilitation Management Plan and the *Shire of Toodyay Extractive Industries Local Law 1995* or any subsequent programme approved thereafter. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.
- 1.8 The Operator is required to pay to the local government a bond of **\$30,300.00** as a performance guarantee against the satisfactory

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 102/04/19

MOVED Cr Chitty

SECONDED Cr Greenway

completion of the rehabilitation of the site.

- 1.9 The Operator is required to provide a Dieback Disease Management Plan to the satisfaction of the local government.
- 1.10 The Operator is required to obtain approval from the Department of Water and Environmental Regulation prior to the removal of native vegetation on site.
- 1.11 The Operator is to provide a Bushfire Management Plan in accordance with State Planning Policy 3.7 'Planning in Bushfire Prone Areas' to the satisfaction of the local government.
- 1.12 Prior to any extraction works occurring, a Water Management Plan is to be prepared, submitted and approved by the local government in consultation with the Department of Water and Environmental Regulation. The approved plan is to be implemented in its entirety.
- 1.13 The noise generated by the development is not to exceed the levels as set out under the *Environmental Protection Act 1986* (and the *Environmental Protection (Noise) Regulations 1997*).
- 1.14 Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the *Environmental Protection Act 1986* and Department of Environmental Regulation Guidelines.
- 1.15 The operations are to be managed in accordance with "*Water Quality Protection Note 15 - Extractive Industries Near Sensitive Water Resources*".
- 1.16 Any dewatering shall be in accordance with "*Water Quality Protection Note 13 - Dewatering of Soils*".

Transport and Roads

- 1.17 All trucks involved in the project shall comply with the Shire of Toodyay's Council Administration Policy No. A.8 'Oversize Vehicles' and shall seek the approval of Main Roads Western Australia as appropriate.
- 1.18 All truck loads leaving the site with materials are to be covered. Large Trucks are only to make a left turn at the intersection of Lovers Lane and Toodyay Road. This condition will remain in place until the intersection has been upgraded by Main Roads Western Australia.
- 1.19 The Operator shall be responsible for the cost of maintaining and repairing damage to the roads controlled by the local government which are used by heavy haulage traffic associated with the extractive industry operations to the extent that such traffic contributes to the need for such maintenance and repair.
- 1.20 The Operator shall install and maintain approved road signs along the transport route in consultation with the local government, warning other road users of trucks entering and using the public road system.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 102/04/19

MOVED Cr Chitty

SECONDED Cr Greenway

1.21 Prior to the commencement of operation of the Facility, a Road Maintenance Plan shall be prepared and implemented, at the cost of the Operator, throughout the duration of the operation of the development to the satisfaction of the local government in accordance with Shire of Toodyay Local Planning Policy No. LPP.7 Extractive Industry - Road Maintenance Contributions.

1.22 The Operator is to establish a level of communication with the Public Transport Authority that will enable the Operator to be aware of any changes to the school bus stop locations on Toodyay Road and communicate such changes to all truck drivers involved travelling to and from this site. Heavy vehicle movements are prohibited during school bus operating hours.

Public Liability Insurance

1.23 The Operator must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the Operator and the local government for a sum of not less than \$20,000,000 in respect of any one claim relating to any of the excavation and transport operations.

Advice Notes

Note 1: With regards to Condition 12, the Water Management Plan should be prepared in accordance with relevant Department of Water and Environmental Regulation (DWER) Water Quality Protection Notes (WQPN) and guidelines including:

- Stormwater Management Manual of Western Australia;
- WQPN 15: Extractive industries near sensitive water resources;
- WQPN 52: Stormwater management at industrial sites;
- WQPN 65: Toxic and hazardous substances;
- WQPN 6: Vegetation buffers to sensitive water resources; and
- Operational Policy 4.3 Identifying and establishing waterways foreshore areas.

Note 2: The proposal is also located within the Swan River and Tributaries, Avon River Surface Water Area which is proclaimed under the Rights in Water and Irrigation Act 1914. Therefore any works that alter or interfere with the bed or banks of a watercourse or the taking of surface water may require a permit or licence from the DWER. The proponent should therefore refer to <http://www.water.wa.gov.au/licensing/water-licensing/how-to-apply-for-a-licence-or-permit> or contact the Swan Avon region on 6250 8000 to discuss water management options with a Licensing Officer.

Note 3: The Operator is advised that activities such as crushing and screening during extractive industry operations may be a prescribed premises for

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 102/04/19

MOVED Cr Chitty

SECONDED Cr Greenway

the purposes of Part V Division 3 of the EP Act if it is carried out at a rate that meets or exceeds the specified production or design capacity of the relevant category under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regs). Category 12 or 70 prescribed premises are premises on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated. The production or design capacity of Category 12 is 50,000 tonnes or more per year and Category 70 is more than 5,000 tonnes but less than 50,000 tonnes per year.

Note 4: With regards to Condition 8, the rehabilitation bond which the Operator is required to provide, shall be held in trust until the rehabilitation process of the site is completed to the satisfaction of the local government. The Shire's Schedule of Fees and Charges stipulates that the following bonds are to be collected:

Area	Calculation	Total
Three existing small pits	2.4ha x \$7,000.00	\$16,800.00
Existing sorting and piles of resource with no excavation	2.7ha x \$5,000.00	\$13,500.00
Total Rehabilitation Bond payable:		\$30,300.00

The Shire of Toodyay will accept a Bank Guarantee for this.

The bond will be refunded at a rate of 50% following completion of the final stage of rehabilitation works and 50% at the conclusion of the three year monitoring period. The bond is to be accompanied by a bonding agreement and written authorisation from the owner of the land that the Shire may enter the site to complete or rectify any outstanding work. The Shire will recover the bond, or part thereof as appropriate, for any costs to the Shire in completing and/or rectifying the outstanding works. The Shire of Toodyay will accept a Bank Guarantee.

2. Grants an Extractive Industry Licence to Rural Stone Company Pty Ltd (the Licensee) for an extractive industry at Lot 6 on Plan 9330 Lovers Lane, Morangup, subject to the following conditions:

Licence Period

- 2.1 This licence will expire and the operations permitted under this licence must cease on or before 22 April 2039.

Annual Renewal

- 2.2 On or before 31 December in each year, the licensee must pay to the local government the annual licence fee determined by the local government

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 102/04/19

MOVED Cr Chitty

SECONDED Cr Greenway

from time to time.

General Conditions

2.3 The extraction taking place in accordance with the approved Excavation & Rehabilitation Management Plan dated 30 January 2019, including any amendments placed thereon by the local government, and except as may be modified by the following conditions:

- (a) The location and total area of the excavation is to be limited to 2.4ha as depicted on the application.
- (b) The extraction of material is limited to a depth detailed on the approved Excavation & Rehabilitation Management Plan.
- (c) The maximum permitted extraction is limited to 2,500 tonnes per annum.
- (d) Extraction is to be undertaken entirely within Lot 6 and is to be setback a minimum of 50 metres from the boundary.

2.4 The Licensee must provide the local government a Surveyor's Certificate every year prior to the annual renewal fee for that year being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report. At the same time the Licensee will provide an update and forecast on staging for the following two year period.

Hours of Operation

2.5 Except to perform onsite-maintenance over weekends, hours of operation on the site shall be limited to 7.00am to 5.00pm Monday to Friday (excluding public holidays). Transport to and from the site shall be restricted to 7.00am to 5.00pm, Monday to Saturday inclusive, excluding public holidays.

Environment and Rehabilitation

2.6 No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.

2.7 All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion to the satisfaction of the local government.

2.8 The excavation site is to be rehabilitated in accordance with Part 7 (Closure) of the approved Excavation & Rehabilitation Management Plan and the *Shire of Toodyay Extractive Industries Local Law 1995* or any subsequent programme approved thereafter. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.

2.9 The Licensee is required to provide and implement a Dieback Disease

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 102/04/19

MOVED Cr Chitty

SECONDED Cr Greenway

Management Plan to the satisfaction of the local government.

- 2.10 The Licensee is required to obtain approval from the Department of Water and Environmental Regulation prior to the removal of native vegetation on site.
- 2.11 The Licensee is to provide, and have approved, a Bushfire Management Plan in accordance with State Planning Policy 3.7 'Planning in Bushfire Prone Areas' to the satisfaction of the local government.
- 2.12 Prior to any extraction works occurring, a Water Management Plan is to be prepared, submitted and approved by the local government in consultation with the Department of Water and Environmental Regulation. The approved plan is to be implemented in its entirety.
- 2.13 The noise generated by the development is not to exceed the levels as set out under the *Environmental Protection Act 1986* (and the *Environmental Protection (Noise) Regulations 1997*).
- 2.14 Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the *Environmental Protection Act 1986* and Department of Environmental Regulation Guidelines.
- 2.15 The operations are to be managed in accordance with "*Water Quality Protection Note 15 - Extractive Industries Near Sensitive Water Resources*".
- 2.16 Any dewatering shall be in accordance with "*Water Quality Protection Note 13 - Dewatering of Soils*".

Transport and Roads

- 2.17 All trucks involved in the project shall comply with the Shire of Toodyay's Council Administration Policy No. A.8 'Oversize Vehicles' and shall seek the approval of Main Roads Western Australia as appropriate.
- 2.18 All truck loads leaving the site with materials are to be covered. Large Trucks are only to make a left turn at the intersection of Lovers Lane and Toodyay Road. This condition will remain in place until the intersection has been upgraded by Main Roads Western Australia.
- 2.19 The Licensee shall be responsible for the cost of maintaining and repairing damage to the roads controlled by the local government which are used by heavy haulage traffic associated with the extractive industry operations to the extent that such traffic contributes to the need for such maintenance and repair.
- 2.20 The Licensee shall install and maintain approved road signs along the transport route in consultation with the local government, warning other road users of trucks entering and using the public road system.
- 2.21 Prior to the commencement of operation of the Facility, a Road Maintenance Plan shall be prepared and implemented, at the cost of the

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 102/04/19

MOVED Cr Chitty

SECONDED Cr Greenway

Licensee, throughout the duration of the operation of the development to the satisfaction of the local government in accordance with Shire of Toodyay Local Planning Policy No. LPP.7 Extractive Industry - Road Maintenance Contributions.

- 2.22 The Licensee is to establish a level of communication with the Public Transport Authority that will enable the Operator to be aware of any changes to the school bus stop locations on Toodyay Road and communicate such changes to all truck drivers involved travelling to and from this site. Heavy vehicle movements are prohibited during school bus operating hours.

Public Liability Insurance

- 2.23 The Licensee must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the Licensee and the local government for a sum of not less than \$20,000,000 in respect of any one claim relating to any of the excavation and transport operations.

MOTION CARRIED 7/1

9.3 WORKS AND TECHNICAL SERVICES

No reports.

9.4 CORPORATE SERVICES

9.4.1 List of Payments – March 2019

Date of Report:	1 April 2019
Name of Applicant / Proponent/s:	Shire of Toodyay
File Reference:	FIN6
Author:	K Wandless – Accounts Officer
Responsible Officer:	N Rodger – Acting Manager Corporate Services
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Review
Separate attachment:	1. List of Payments.
Voting Requirements:	Simple majority

PURPOSE OF THE REPORT

To present the cheques and electronic payments raised during the month of March 2019.

BACKGROUND

Creditor invoices are processed as they are received and on the 15th and final day of every month, cheques and electronic fund transfers are raised for payments.

CONSULTATION IMPLICATIONS

There are no adverse consultation implications envisaged from this report.

STRATEGIC IMPLICATIONS

There are no adverse strategic implications envisaged from this report.

POLICY IMPLICATIONS

Council has delegated authority to the Chief Executive Officer to make payments from the Municipal and Trust Accounts.

FINANCIAL IMPLICATIONS

There are no adverse financial implications envisaged from this report.

LEGAL AND STATUTORY IMPLICATIONS

Section 5.42 of the *Local Government Act 1995* allows the local government to delegate its powers to the Chief Executive Officer.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states that where the Chief Executive Officer has delegated authority to make payments from the municipal and trust accounts, a list of such payments is to be presented to Council at the next meeting.

RISK IMPLICATIONS (including DAIP)

There are no adverse risk implications envisaged from this report.

ENVIRONMENTAL IMPLICATIONS

There are no adverse environmental implications envisaged from this report.

SOCIAL IMPLICATIONS

There are no adverse social implications envisaged from this report.

OFFICER COMMENT / DETAILS

Electronic Funds Transfers (EFT) are for payments transferred directly to creditor bank accounts.

Bank Payment Vouchers (BPV) are for direct debits against the bank account such as bank fees and charges etc.

Internal Payment Vouchers (IPV) are vouchers raised internally for payroll related expenditures which are paid through Council's on-line (internet) banking system.

At the Agenda Briefing held on 16 April 2019, several questions were raised regarding individual payments. The responses are as follows:

E.F.T. REF.	DETAIL
<u>EFT25643</u>	Legal Expenses Lot 76 Grevillia Place – Animal Hoarding Enforcement advice for Motocross Track – Wattening Illegal Spas – Black Wattle Illegal burning - Failure to carry our directions of a FCO
<u>EFT25729</u>	Legal Expenses Illegal Spas – Black Wattle
<u>EFT25720</u>	Extractive Industry Workshop – Councillors and Staff
<u>EFT25687</u>	Corporate Business Plan – Total Cost \$9,850
<u>EFT25652</u>	H & H Architects – retention payment for defect liability period as per tender

At the Agenda Briefing held on 16 April 2019 there was a question about the consultancy costs associated with the Sport and Recreation Precinct Project.

The majority of consultancy work occurs in the lead up to the project establishing a fully detailed tender specification. This has included:

- Architectural services;
- Project Management;
- Electrical Engineering;
- Civil Design Engineering;
- Quantity Survey;
- Tender Management Services (WALGA);
- Structural Engineering;
- Acoustic Assessment and Report;
- Independent Building Surveyor Services;
- Mechanical, Electrical, Hydraulic Services;
- Specialised Aquatics Consultant;
- Bushfire Risk Assessment;
- Site Feature Survey;
- Specialised kitchen / kiosk services;
- Energy Efficiency Rating; and
- Ground water and Irrigation.

The quantity survey initially estimated \$1,104,540 for professional fees, but in the latest estimate this has been revised down to \$775,642. To date we have committed \$753,275 and spent \$482,066 on the project, but this includes advertising and meeting costs.

**OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION COUNCIL
RESOLUTION NO. 94/04/19**

MOVED Cr Dow

That Council note as being paid payments listed and presented for the month of March as follows:

1. Trust Fund Cheques \$297.50;
2. Electronic Fund Transfers (EFT) payments numbered EFT 25606 to EFT 25779 and Municipal Fund Cheques numbered 12604 to 12611 amounting to \$624,308.72;
3. Direct Debits numbered IPV635 to IPV636 and BPV3857 to BPV3891 amounting to \$243,300.05; and

Super Direct Debits totalling \$41,610.11 and Loan Direct Debits totalling \$24,945.43 as being paid

MOTION CARRIED 8/0

9.4.2 Monthly Financial Statements – March 2019

Date of Report:	11 April 2019
Name of Applicant / Proponent/s:	Shire of Toodyay
File Reference:	FIN24
Author:	N Rodger – Acting Manager Corporate Services
Responsible Officer:	N Rodger – Acting Manager Corporate Services
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Review
Separate Attachments:	1. Monthly Financial Statements including Outstanding Rates Debtors and Outstanding Sundry Debtors for month ending 31 March 2019; 2. Bank Reconciliations for month ending 31 March 2019.
Voting Requirements:	Simple majority

PURPOSE OF THE REPORT

To accept the Monthly Financial Statements, Outstanding Rates and Outstanding Sundry Debtors Information and the Bank Reconciliations for the period ending 31 March 2019.

BACKGROUND

Regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* states:

A statement of financial activity and the accompanying documents referred to in sub regulation (2) is to be –

- a) Presented at an ordinary meeting of the council within two months after the end of the month to which the statement relates; and*
- b) Recorded in the minutes of the meeting at which it is presented.*

These reports are prepared after all the end of month payments and receipts have been processed.

CONSULTATION IMPLICATIONS

There are no adverse consultation implications envisaged from this report.

STRATEGIC IMPLICATIONS

There are no adverse strategic implications envisaged from this report.

POLICY IMPLICATIONS

There are no adverse policy implications envisaged from this report.

FINANCIAL IMPLICATIONS

There are no adverse financial implications envisaged from this report.

LEGAL AND STATUTORY IMPLICATIONS

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires a statement of Financial Activity to be prepared each month which is to contain the following details:

- a) Annual budget estimates;
- b) Budget estimates to the end of the month;
- c) Actual amount of expenditure and revenue;
- d) Material variances between comparable amounts in b) and c) and above; and
- e) The net current assets at the end of the month to which the statements relates i.e.: surplus/deficit position.

The Statement is to be accompanied by:

- a) Explanation of the composition of net current assets, less committed assets and restricted assets;
- b) Explanation of the material variances; and
- c) Such other information considered relevant by the local government.

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare financial reports. Regulation 34 and 35 of the *Local Government (Financial Management) Regulations 1996* sets out the form and content of the financial reports.

RISK IMPLICATIONS (including DAIP)

There are no adverse risk implications envisaged from this report.

ENVIRONMENTAL IMPLICATIONS

There are no adverse environmental implications envisaged from this report.

SOCIAL IMPLICATIONS

There are no adverse social implications envisaged from this report.

OFFICER COMMENT / DETAILS

Attached are the monthly Financial Statements, outstanding Rates and outstanding Sundry Debtors Information and Bank Reconciliations for the period ending 31 March 2019.

OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION COUNCIL RESOLUTION NO. 94/04/19

MOVED Cr Dow

That Council accept the monthly Financial Statements, Outstanding Rates and Outstanding Sundry Debtors Information and Bank Reconciliations for the period ending 31 March 2019.

MOTION CARRIED 8/0

9.5 EXECUTIVE SERVICES

9.5.1 Lozanda Heights Easements

Cr Dow declared an Impartiality Interest, pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 in Agenda Item 9.5.1 Lozanda Heights Easements. The extent of Cr Dow's Impartiality Interest is her brother-in-law owns land that backs onto this easement.

Date of Report:	08 April 2019
Name of Applicant / Proponent/s:	Shire of Toodyay
File Reference:	FIR21
Author:	R Koch, Community Emergency Services Manager
Responsible Officer:	S Scott, Chief Executive Officer
Previously Before Council:	570/09/09, 792/07/10, 20/02/16, 75/05/17
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Executive
Public Attachments:	<ol style="list-style-type: none"> 1. Easements Summary Map; 2. Deed of Easement G276648; 3. Deed of Easement G282738; 4. Deed of Easement G282814; 5. Strategic Review of Bushfire Policy Report – available on Shire of Toodyay Council website link below: http://www.toodyay.wa.gov.au/Council/Shire-Documents; 6. Attachment F – Guidelines for Planning in Bushfire Prone Areas (Version 1.3 Appendices) available electronically via: https://www.dplh.wa.gov.au/information-and-services/state-planning/bushfire-planning-reform/state-planning-policy-3-7-and-guidelines; and 7. Attachment G – Certificates of Title Lot 303, 305-308 Harvester Drive, Lot 324 Fargo Way.
Confidential Attachment:	
Voting Requirements:	Simple Majority

PURPOSE OF THE REPORT

For council to consider an officer's recommendation in relation to easements within the Lozanda Heights Subdivision.

BACKGROUND

Prior to 2010 the Shire of Toodyay maintained 'Strategic Firebreaks' within a number of subdivisions. A levy was charged on the rates of these properties to support this maintenance, in lieu of owners/occupiers being required to comply with the Shire's firebreak notice, issued under section 33 of the Bush Fires Act 1954. This included easements on private Lots 301-304 & 309-315 & 333 Harvester Drive, Lot 324 Fargo Way and Lot 344 Sandplain Road.

In 2009, council resolved (570/09/09) to end the 'Strategic Firebreak' arrangement as part of a review of fire break requirements. This resolution was amended by subsequent resolution in 2010 (792/07/10). Relevant to this report is the following (combined) resolution elements relevant to the Lozanda Heights subdivision:

- a) Ceases grading the Strategic Fire Break through Lot 344 Sandplain Road and Department of Environment and Conservation Reserve No. 44729 and cancels the Deed of Easement pertaining to this property (Lot 344 Sand Plain Road).
- b) Advises the Department of Environment and Conservation that Reserve No. 44729 must comply with the Shire of Toodyay Fire Break order.
- c) Continues to maintain the current Strategic Fire Break as a Shire Fire Break from Drummondi Drive through the rear of Lots 301, 302, and 303 Harvester Drive.
- d) Adjusts the break that runs through the middle of Lot 304 Harvester Drive, so that it runs along the rear boundary where the easement is placed and links to the Shire Fire Break on Council owned Lot 103.
- e) Negotiates an easement with the owners of Lots 305, 306 and 307 Harvester Drive for the purpose of providing access for fire fighters and appliances.
- f) Continues to maintain the current Strategic Fire Break as a Shire Fire Break that runs to the rear of Lots 307 - 315 and 333 Harvester Drive.
- g) Installs relevant signage advising residents that the Shire Fire Breaks are only for emergency access/egress.
- h) Ceases the access break on Lot 324 Fargo Way, removes the fence and gate and cancels the easement.
- i) Ceases to charge the Strategic Fire Break Levy.
- j) Advises all affected property owners that they will be required to install fire breaks in accordance with the Shire of Toodyay Fire Break Order on their own properties.
- k) Removes this subdivision from the Shire of Toodyay Fire Break Order relating to "Strategic Breaks".

In summary, the combined resolutions (570/09/09 & 792/07/10) represented an overall move away from Shire maintained fire-breaks, with the exception of items e and f which intended to retain and extend a fire-break using easements along the eastern edge of the subdivision.

Items a, i, j & k may be considered as being actioned following the 2010 resolution of council. The remaining items are considered not to have been completed.

In 2015 the Shire commissioned a report which focused on fire egress and access within the Shire titled Strategic Review of Bushfire Policy. The report was carried out by consultants Bushfire Prone Planning and received by Council (Res: 20/02/16). On the subject of easement fire-breaks in the Lozanda Heights Subdivision the report recommended that strategic fire-breaks within Lozanda Heights on private land be returned to the land holders and maintained under the annual Fire-break Notice. It noted that the past practice of installing and maintaining strategic fire breaks on private land was unworkable and should be abandoned. The report advocated for a single consistent policy that applies to all land holders equally under the aegis of the Annual Fire-break Notice.

Acting on the latter recommendation of the Strategic Review of Bushfire Policy report, Council in (Res: 75/05/17) resolved to amend the Fire-break notice to remove any remaining differences in requirement between identified subdivisions, in doing so providing a truly constant approach to firebreaks across the Shire.

It was recently brought to the attention of the Officer that, wording within the Operative Part (items 1 & 3) of all three Deed of Easements, states maintenance responsibilities to the Shire of Toodyay. Thus, commencing in 2010 a potential misalignment between Deed of Easements and the Shire's Fire-break Notice was created – the resolution of which becomes the purpose of this report.

CONSULTATION

Shire officers, namely the Community Emergency Services Manager and the Reserves Management Officer (RMO) have been contacted by three owners/occupiers of properties on Harvester Drive seeking explanation of the status of the easement/their responsibilities.

In addition the Officer has consulted the RMO in regards to any impacts/opportunities of various potential outcomes on a Shire Reserve which adjoins the rear of a number of Harvester Drive properties.

The Manager of Works and Services and the CEO have also been consulted by the officer in formulating this report/recommendation.

STRATEGIC IMPLICATIONS

There are no adverse strategic implications envisaged from this report.

POLICY IMPLICATIONS

There are no adverse policy implications envisaged from this report.

FINANCIAL IMPLICATIONS

There are likely to be costs associated with resolution of this issue. However, the Officer's recommendation foreshadows a recommended approach where expected costs are minimal and can be absorbed in existing/anticipated budgets as business as usual.

LEGAL AND STATUTORY IMPLICATIONS

The easements have been created under Transfer of Lands Act 1893. Fire-break notices are issued under the Bush Fires Act 1954. As noted below there is potential competing interests between the wording the Deed of Easements and Shire of Toodyay Fire-break Notice. As the proposed resolution recommendation would eliminate any conflict, advice clarifying which Act overrides or survives has not been sought at this time, and would only become pertinent if the easements (or parts thereof) were to be retained.

RISK IMPLICATIONS (including DAIP)

Should resolution of the issues identified in this report not be found, there may be an ongoing requirement and cost to the Shire in maintaining the subject easements.

SOCIAL IMPLICATIONS

There are no adverse social implications envisaged from this report.

ENVIRONMENTAL IMPLICATIONS

There are no adverse environmental implications envisaged from this report.

ECONOMIC IMPLICATIONS

There are no adverse economic implications envisaged from this report.

OFFICER COMMENT / DETAILS

This report concerns itself with the future of easements (G276648, G282738 & G282814) within the Lozanda Heights Subdivision (See attachment A for location/map).

Please note: as council resolutions of 2009/2010, 2016 and 2017 align with respect to the handling of easement on Lot 334 Sandplain Road and Lot 324 Fargo Way, the following comments relate to the Harvester Drive properties with easements, unless otherwise specified.

These easements are for the purpose of fire-breaks. Fire-breaks form two purposes; the first is to stop a fire by removal of fuel, and the second (more important) purposes is the provision of access for firefighting.

The Deed of Easements (attachments B-E) place responsibilities on the grantor (land holder) not to block or restricted access, and the grantee (Shire) to maintain a trafficable surface.

Dead Ends

As evident in Attachment A the extent of the easement creates two dead ends. Dead ends on fire-breaks are highly undesirable as they create entrapment situation for fire fighters unable to turn their appliance around or evacuate in an alternate direction. The officer acknowledges that Council Resolutions in 2009/2010 aimed to address this situation by creation of easements over Lots 305-307 Harvester drive to connect these two dead ends, however as below, there are a number of other considerations which this does not address.

Fencing/Gates

Easements which continue across a number of properties present some logistical challenges for both owners/occupiers and fire personnel. As the easement may not be blocked by the Grantor, the control of pets or livestock on a property is compromised. Gates at each property boundary (if they exist) cannot be locked, as such an act is against the grantor responsibility which has security implications for the occupier (and as such are often found locked). Likewise gates restrict the free flow of fire appliances along the easement creating safety implications for firefighters unable to move efficiently – something exacerbated where a locked gate is encountered.

With the exception of two properties (Lot 304 and Lot 333), the easement along Harvester Drive properties is double fenced. While this removes some of the livestock/security/gates/safety related issues highlighted above, double fencing essentially restricts the use of the easement portion landholders land away from the occupier. Double fencing also creates a 'lane way' effect where vehicles utilising the easement cannot turn around and are unable to exit the easement due to fencing both sides. This again is a safety concern with respect to the efficient movement of firefighting personnel.

The Officer and RMO have inspected the majority of the easement, and found two instances of fencing across the easement plus two locked gates (not Shire locks). Further resections may be present in portions of the easement which were unable to be easily accessed.

Contemporary Standards

While the Officer acknowledges the easement alignment is no longer referred to as a 'Strategic Firebreak' (following 2009/2010 resolutions of Council), this does not change the reality of what the existence of such an easement attempts to achieve; which is some form of coordinated route/alignment for the purposes of firefighting. The Guidelines for Planning in Bushfire Prone Areas (Attachment F) refers to such purpose as Fire Service Access Routes (FSAR). The minimum standard for a FSAR is a width of 6 meters minimum trafficable surface. The subject easements are only 6 meters wide meaning that other FSAR requirements relating to minimum curve radius, and turn around areas are not achieved. Dead ends are also not permitted by the guidelines. Thus the existing easements may not be deemed sufficient to meet current standards.

Strategic Value

The alignment of the Harvester Drive easement effectively runs parallel to Harvester drive. Emergency access to a given location is most efficiently (and safely) gained via the road network and the primary point of access to the property (i.e. the driveway). Harvester Drive provides two points of egress in different directions (north and south). Thus, a 'strategic' alignment which mimics the internal road layout of a subdivision, offers no tangible strategic value. Given the safety issues outlined above, may actually be considered a liability.

Additionally the RMO has advised the easement provides no benefit to the adjoining Shire reserve and therefore no adverse effects, with respect to the proposed position in this report.

Annual Fire-break Notice

The Shire issues notice to land holders to install and maintained permitter fire-breaks on properties under Section 33 of the Bush Fires Act 1954 (BFA). This section of BFA, contains all the mechanisms necessary to ensure that fire-breaks are maintained in-lieu of the former 'Strategic' alignment. The current notice as approved by council in 2017 already provides the relevant instruction to landholders and there for does not require adjustment with respect to this report.

Changes to the Shire Fire-break notice in 2010 were not wholly compatible with items c, d, e & f of resolutions (570/09/09 & 792/07/10) which the officer believes has created a level of confusion of both the Shire and with land holders with respect responsibilities.

Summary/Recommended Position

The Officer acknowledges that there has been a previous resolutions of council in regards to easements within the Lozanda Heights subdivision. A combination of un-actioned tasks from these resolutions and a shift in (and subsequent consolidation of) approach (Strategic Review of Bushfire Policy report) have led to a situation of misalignment of Deed of Easements and Fire-break Notice. This has in turn led to some land holders seeking clarity. As such the officer seeks a resolution of council establishing a proposed position/resolution path to this issue; communication of the proposed position to the relevant land holders (including a request for comment); followed by subsequent report to be brought to a future meeting of council.

In regards to the proposed position, the Officer recommends the extinguishment of easements G276648, G282738 & G282814. This process would involve having the land holders agreeing and signing extinguishment forms. As the Deed of Easements assign maintenance responsible (trafficable surface) to the Shire, the Officer also recommends that the proposed position include an offer to landholder to conduct final maintenance of the easement prior to extinguishment.

Final costings have not been established at this point, however each of the three easements would incur a cost of \$171 in Landgate extinguishment fees. Initial advice from Landgate indicates that the Shire would not be required to engage legal services to complete this task. It is expected that should GL 051200 be maintained at its current 18/19 budget for the 19/20 financial year, which final maintenance tasks would be absorbed within allocated budget.

It is anticipated that most landholders will be supportive of the above proposed position as it effectively returns land for their use, particularly in the double fenced scenarios. With regard to the latter, it is possible that some land holders may associate double fencing with the easement, even though it does not form part of the Deed of Easement. In such cases it is plausible that land holders might request removal of the internal fence and extension of side fencing to rear of the property as a condition of agreeing to the extinguishment. With regard to costs, the officer's recommended position does not include such works. If required such costings would be present to council for post consultation consideration/recommendation as part of the foreshowed additional report to Council.

MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN SHIRE OF TOODYAY COUNCIL CHAMBERS ON 23 APRIL 2019

For clarity the Officer has summarized the 2009/2010 resolutions with the content of the Strategic Review of Bushfire Policy report and the Officer's recommendation of this report.

	<i>2009/2010 Recommendations (Summarised)</i>	<i>Strategic Review of Bushfire Policy Report (2015/2016)</i>	<i>Officers Position</i>
a)	Ceases Strategic Fire Break through Lot 344 Sandplain Road and cancel the Deed of Easement	<i>Agree</i>	<i>Agree – Provide final maintenance as per Deed of Easement & extinguish easement</i>
b)	Advises the Department of Environment and Conservation to comply with the Fire Break order.	<i>Agree</i>	<i>Continue to work with DCBA to facilitate mitigation works on their estate</i>
c)	Maintain Strategic Fire Break as a fire break through the rear of Lots 301- 303 Harvester Drive.	<i>Disagree</i>	<i>Disagree – Provide final maintenance as per Deed of Easement & extinguish easement</i>
d)	Adjusts alignment of break to rear of Lot 304 Harvester Drive.	<i>Disagree</i>	<i>Partially Agree – Provide final maintenance as per Deed of Easement & extinguish easement</i>
e)	Negotiates an easement with the owners of Lots 305- 307 Harvester Drive.	<i>Disagree</i>	<i>Do not seek easements on these lots</i>
f)	Maintain Strategic Fire Break as a fire break rear of Lots 307-315 and 333 Harvester Drive.	<i>Disagree</i>	<i>Disagree – Provide final maintenance as per Deed of Easement and extinguish easement</i>
g)	Installs signage advising Fire Breaks are only for emergency access/egress	<i>Advocated for signage, but not relevant given position on c,d,e,f</i>	<i>Agree, but not relevant given position on c,d,e,f</i>
h)	Ceases the access break on Lot 324 Fargo Way and cancels the easement.	<i>Agree</i>	<i>Agree – Provide final maintenance as per Deed of Easement & extinguish easement</i>
i)	Ceases to charge the Strategic Fire Break Levy	<i>N/A Actioned Prior to report, but otherwise aligns.</i>	<i>N/A Actioned Prior to report, but otherwise aligns.</i>
j)	Advises all affected	<i>Agree</i>	<i>Agree</i>

MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN SHIRE OF TOODYAY COUNCIL CHAMBERS ON 23 APRIL 2019

<i>2009/2010 Recommendations (Summarised)</i>	<i>Strategic Review of Bushfire Policy Report (2015/2016)</i>	<i>Officers Position</i>
property owners that they will be required to install fire breaks in accordance with the Shire of Toodyay Fire Break Order on their own properties.		
k) Removes this subdivision from the Shire of Toodyay Fire Break Order relating to "Strategic Breaks".	<i>N/A Actioned Prior to report, but otherwise aligns.</i>	<i>N/A Actioned Prior to report, but otherwise aligns.</i>

OFFICER'S RECOMMENDATION/ ADOPTION BY EXCEPTION COUNCIL RESOLUTION NO. 94/04/19

MOVED Cr Dow

That Council:

1. Adopts a proposed position to extinguish easements G276648, G282738 and G282814 and;
2. Authorise the CEO to write to the landholders of Lots 301-304 & 309-315 & 333 Harvester Drive, Lot 324 Fargo Way and Lot 344 Sandplain Road, with respect to the proposal to extinguish easements G276648, G282738 and G282814 requesting feedback on the proposal and;
3. Following landholder feedback, a report is brought back to Council with a final recommendation on the future of easements G276648, G282738 and G282814.

MOTION CARRIED 8/0

9.5.2 Corporate Business Plan 2022

Date of Report:	12 March 2019
Name of Applicant / Proponent/s:	Shire of Toodyay
File Reference:	MAN2/COC1
Author:	C Luangala – Manager Corporate Services
Responsible Officer:	S Scott – Chief Executive officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Executive
Separate attachment:	1. Corporate Business Plan 2022
Voting Requirements:	Simple Majority

PURPOSE OF THE REPORT

To adopt the Shire of Toodyay Corporate Business Plan 2022 as attached.

BACKGROUND

The Corporate Business Plan 2022 sets out the actions for the next 4 years in order to achieve the objectives in the Strategic Community Plan 2028. The Strategic Community Plan 2028 is a strategy and planning document that was developed to show the community vision, our strategic direction, and priorities for action over the next 10 years. It clearly links the community's aspirations with Council's vision and long-term strategy. The Corporate Business Plan 2022 converts the Strategic Community Plan 2028 strategies into actions.

The State Government's Local Government Reform Program requires local governments in Western Australia to introduce an Integrated Planning and Reporting Framework (IPRF).

The IPRF is designed to ensure more effective delivery of the local government's strategic intentions, and to provide a process to:

- Ensure that community input is invited and recorded;
- Inform the long term objectives of the local government with these inputs;
- Identify the resourcing required to deliver against the long term objectives;
- Clearly articulate long term financial implications and strategies; and
- Provide the capacity for place planning where appropriate.

CONSULTATION

Consultation has occurred between the CEO and Staff. The Corporate Business Plan is directly linked to the Strategic Community Plan 2028 which has been reviewed and adopted by Council.

STRATEGIC IMPLICATIONS

This report addresses Strategic Community Plan 2028 Key Result Area – Governance, which links to the following Strategic Objectives:

O1: Provide accountable and transparent leadership for the community.

S 1.1 Use the Strategic Community Plan as the blueprint for Council policy development and decisions.

POLICY IMPLICATIONS

This report does not contain any notable policy implications.

FINANCIAL IMPLICATIONS

In the preparation of the annual budget, the local government is to have regard to the contents of the Plan for the Future to comply with Section 6.2(2) of the *Local Government Act 1995*.

LEGAL AND STATUTORY IMPLICATIONS

Section 5.56 of the *Local Government Act 1995*, requires WA Local Governments to produce a 'Plan for the Future' of the district.

The *Local Government (Administration) Regulations 1996*, state that a "Strategic Community Plan and Corporate Business Plan, together form a 'Plan for the Future' of a district".

Local Government (Administration) Regulations 1996:

19DA. Corporate Business Plans, requirements for (Acts. 5.56)

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long term financial planning.*

- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications. *Absolute Majority required.*
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

RISK IMPLICATIONS (including DAIP)

There is a non-compliance risk if the Corporate Business Plan is not annually reviewed by Council.

ENVIRONMENTAL IMPLICATIONS

This report does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

The Corporate Business Plan 2022 translates strategic objectives of the Strategic Community Plan 2028 into actions that meet community expectations.

OFFICER'S COMMENT

The Corporate Business Plan 2022 is the key working document used by administration to deliver the community's vision as adopted by Council in the Strategic Community Plan 2028.

As we have managed to complete all the required Plans & informing strategies, the focus is now on ensuring that they are all relevant and up to date and most importantly, that they are all linked.

The progress of reviewing the core elements of the integrated planning framework are as follows:

1. Strategic Community Plan 2028 – complete, adopted by Council at 23 October 2018 OCM;
2. Long Term Financial Plan – complete, adopted by Council at 28 August 2018 OCM, annual review to be done in FY2019/20;
3. Asset Management Plans – complete, adopted by Council at 23 October 2018 OCM; and
4. Workforce Plan (2019-2023) – complete, received at 22 January 2019 OCM.

At the March 2019 Council Meeting the following amendments were made to the document:

- **9.3 Goal – Natural Environment “Protecting where we live”**
S1.3: Enhance and protect biodiversity and natural ecosystems in Shire controlled reserves.
 - Given Council resolving to approve the development of a Biodiversity Strategy a dot will be added into the 2019 column.
- **Section 14 – Resourcing and Informing Plans**
Natural Environment Section
 - Include reference to the Local Planning Scheme No. 5 and Local Planning Strategy.
 - Include Local Biodiversity Strategy.
 - Include Reserve Management Plan.**Governance Section**
 - Include Community Engagement Strategy.
 - Include Communications Framework.
- **Section 5 – Shire of Toodyay Purpose**
Values
 - Under Commitment the word “hat” be replaced with the word “that” and an “s” onto the end of the word “produce” so it reads “persistence that produces results”;

At the March 2019 Council Meeting the following question was asked:

- **Section 12 – Capital, Asset Improvement and Major Projects**
 - The line “Governance” and the line “Law, Order, Public Safety” provide information that will explain the increase between the 2020/21 to 2021/22 budget.

The expense is as follows:

1. “Law, Order, Public Safety”

20/21 *Bejoording Fire Station Replacement*

21/22 *Julimar Fire Station Replacement*

2. “Governance”

21/22 *Admin Roof, Structural Repairs, Donger Replacement and Toilet Upgrade*

**OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION NO. 103/04/19
MOVED Cr Dow**

That Council adopt the Corporate Business Plan 2022 as attached.

MOTION CARRIED 7/1

9.5.3 Elected Member Resignation and Election Process

Date of Report:	3 April 2019
Name of Applicant / Proponent/s:	P Richards, Australian Electoral Commission
File Reference:	IAM58269/ELT2
Author:	S Scott – CEO
Responsible Officer:	S Scott – CEO
Previously Before Council:	Nil
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Executive
Attachments:	1. Resignation of Cr Brook.
Voting Requirements:	Absolute Majority

PURPOSE OF THE REPORT

That Council, in accordance with the provisions of section 4.17(2) of the *Local Government Act 1995*, seek the permission of the Electoral Commissioner for the vacancy on Council to remain unfilled until the October 2019 Ordinary Election.

BACKGROUND

Cr Craig Brook submitted his resignation for his seat in West Ward. Cr Brook's term was due to expire in October 2019.

The Shire President requested that the CEO seek the views of the Electoral Commission as to whether the Commissioner would agree that the position would remain unfilled until the October 2019 Ordinary Election.

CONSULTATION

Mr Phil Richards, Manager of Election Events from the Western Australian Electoral Committee advised the CEO that "as the vacancy arose between the 3rd Saturday in January and the 3rd Saturday in July of the year when the term was to expire, all that is needed to be done is to write to the Electoral Commissioner advising him of the vacancy and that Council is requesting under section 4.17(2) of the *Local Government Act 1995*, the vacancy remain unfilled until the October 2019 elections.

Mr Richards indicated that as he would be writing the response to a letter to the Electoral Commissioner he would be agreeing to Council's request.

STRATEGIC IMPLICATIONS

A minimum of 80 days is required to call an extraordinary election. This means that the vacancy on Council could not be filled before mid-July. This means that any newly elected Councillor would attend only three Ordinary Council meetings before returning to the polls.

POLICY IMPLICATIONS

There are no adverse policy implications envisaged from this report.

FINANCIAL IMPLICATIONS

A quote has not been requested in regard to the running of an Extraordinary Election because in 2018 a quotation received from the Electoral Commissioner indicated that it would cost in the vicinity of \$12,500 including GST to run an Extraordinary Election. It was also noted at the time that Council might also incur some additional expenses, of approximately \$2,000, bringing the estimated total election cost to around \$14,500.

LEGAL AND STATUTORY IMPLICATIONS

4.17. Cases in which vacant offices can remain unfilled

- (1) If a member's office becomes vacant under section 2.32 on or after the third Saturday in July in the election year in which the term of the office would have ended under the Table to section 2.28, the vacancy is to remain unfilled and the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.
- (2) If a member's office becomes vacant under section 2.32 —
 - (a) after the third Saturday in January in the election year in which the term of the office would have ended under the Table to section 2.28; but
 - (b) before the third Saturday in July in that election year,
the council may, with the approval of the Electoral Commissioner, allow the vacancy to remain unfilled and, in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.
- (3) If a councillor's office becomes vacant under section 2.32 and under subsection (4A) this subsection applies, the council may, with the approval of the Electoral Commissioner, allow* the vacancy to remain unfilled and, subject to subsection (4), in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.

* Absolute majority required.

- (4A) Subsection (3) applies —
 - (a) if —
 - (i) the office is for a district that has no wards; and

- (ii) at least 80% of the number of offices of member of the council in the district are still filled;
- or
- (b) if —
 - (i) the office is for a ward for which there are 5 or more offices of councillor; and
 - (ii) at least 80% of the number of offices of councillor for the ward are still filled.
- (4) If an ordinary or an extraordinary election is to be held in a district then an election to fill any vacancy in the office of councillor in that district that was allowed to remain unfilled under subsection (3) is to be held on the same election day and Division 9 applies to those elections as if they were one election to fill all the offices of councillor for the district or ward that need to be filled.

[Section 4.17 amended: No. 49 of 2004 s. 31; No. 66 of 2006 s. 8; No. 17 of 2009 s. 12.]

RISK IMPLICATIONS (including DAIP)

There are no adverse risk implications envisaged from this report.

SOCIAL IMPLICATIONS

There are no adverse social implications envisaged from this report.

ENVIRONMENTAL IMPLICATIONS

There are no adverse environmental implications envisaged from this report.

ECONOMIC IMPLICATIONS

There are no adverse economic implications envisaged from this report.

OFFICER COMMENT / DETAILS

On 3 April 2019 the CEO received advice from the Local Government Advisory Board that the Minister has accepted its recommendation that wards be abolished in the Shire of Toodyay. Council's decision that 4 existing Councillors serve out the balance of their terms as Councillor for the entire Shire will stand.

If an Extraordinary Election was held the new Councillor would serve three months as a West Ward Councillor before needing to seek re-election as a Councillor for the entire Shire.

OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION COUNCIL RESOLUTION NO. 94/04/19

MOVED Cr Dow

That Council, in accordance with the provisions of section 4.17(2) of the *Local Government Act 1995*, seek the permission of the Electoral Commissioner for the vacancy on Council to remain unfilled until the October 2019 Ordinary Election.

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

9.6 COMMITTEE REPORTS

No reports.

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 Councillor Bell – Notice of Motion – Review of Extractive Industry Local Law

Date of Report:	10 April 2019
Name of Applicant / Proponent/s:	Councillor Bell
File Reference:	MTG7
Author:	S Scott – CEO
Responsible Officer:	S Scott – CEO
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Executive
Attachments:	Nil
Voting Requirements:	Absolute Majority

PURPOSE OF THE REPORT

Councillor Bell submitted the following motion for consideration at the March 2019 Ordinary Meeting:

That the:

- (i) Shire seek public submissions regarding the Shire of Toodyay's Extractive Industries Local Law ahead of a review of this Local Law, which was last updated in 1999,*
- (ii) Shire advertise this request for public submissions within 4 weeks of the March Ordinary Council Meeting;*
- (iii) public submission period be open for a minimum of 28 business days, and*
- (iv) submissions to be presented to Council in the next Ordinary Council Meeting following the closure of the public submission period.*

The CEO proposed the following alternative motion that would satisfy the intent of the proposed Notice of Motion.

That Council, in accordance with the procedure set out in Section 3.16 of the *Local Government Act 1995*, commence a review of the Shire of Toodyay Extractive Industry Local Law.

Cr Bell, rather than move the alternative motion proposed by the CEO, moved the following which was adopted by Council:

That this matter be deferred to the April 2019 Council Meeting.

BACKGROUND

The motion proposed by Cr Bell does not satisfy the requirements of Section 3.16 of the Local Government Act 1995 in relation to the review of a Local Law. If the proposed approach had been adopted the results of the review would not be deemed to be a review of the Local Law.

The Shire of Toodyay Local Laws were last reviewed in 2014. Council is required to review every Local Law every 8 years, or within 8 years of adoption. The Extractive Industry Local Law next due for periodic review in 2022. If we undertake a review that is not complaint with the provisions of 3.16 we would need to repeat the review in 3 years' time.

When the Local Law was last advertised for review in 2014 there were no submissions.

CONSULTATION IMPLICATIONS

Section 3.16 of the Act sets out required consultation for the review of a Local Law including State wide public notice and 6 week response period.

If the review results in any proposed changes Council must start the process of making the Local Law which requires a further State wide public notice and a further 6 week response period.

STRATEGIC IMPLICATIONS

There are no adverse strategic implications envisaged from this report.

POLICY IMPLICATIONS

There are no notable policy implications in this report.

FINANCIAL IMPLICATIONS

If as a result of the review process some changes are proposed it may be prudent to seek legal support in drafting the changes to the Local Law.

LEGAL AND STATUTORY IMPLICATIONS

The process for reviewing a Local Law is set out in Section 3.16 of the Act. The process for making a Local Law (which is the same as for changing an existing Local Law is set out in Section 3.12.

The Department of Local Government Sport and Cultural Industries publishes a guideline to assist in making Local Laws.

https://www.dlgsc.wa.gov.au/resources/publications/Publications/Local%20Government%20Operational%20Guidelines%20Number%2016%20-%20Local%20Laws/DLGC_LG_Operational_Guideline_16.pdf

Any errors in the process of making a Local Law will generally require the process to start over.

RISK IMPLICATIONS (including DAIP)

The process for making a new Local Law involves publishing the proposed Local Law and seeking input on the proposal. One of the risks in starting with a review without any indication of the proposed new Local Law is that many of the suggestions may not be able to be adopted. The guideline identifies the a number of potential issues including but not limited to the following:

- Adoption of Policies - The Joint Standing Committee will not approve local laws which attempt to adopt policies and make them enforceable.
- Ouster Clauses - In the past, a number of local governments have attempted to create local laws that limit or abolish a person's common law right to claim damages from or initiate other legal proceedings against a local government. On all occasions, the Joint Standing Committee has not approved such local laws and its position remains that such local laws are not permissible.
- Shifting Onus of Proof - some local governments have attempted to create local laws that reverse the onus of proof for prosecution purposes. On all occasions the Joint Standing Committee has not approved such local laws and its position remains that such local laws are not permissible.
- Indemnities - some local governments have proposed to make local laws which would indemnify the local government against claims for damages. Local laws are not capable of providing such an indemnity as damages are awarded by the Courts subject to the Civil Liability Act 2002.

There may be less risk in developing a draft new Local Law before consulting.

SOCIAL IMPLICATIONS

There are no adverse social implications envisaged from this report.

ENVIRONMENTAL IMPLICATIONS

There are no adverse environmental implications envisaged from this report.

ECONOMIC IMPLICATIONS

There are no adverse economic implications envisaged from this report.

OFFICER COMMENT / DETAILS

The Local Law making process can be quite challenging as any mistake will require a do over, and any new provisions are subject to review and disallowance by the delegated legislation committee. That is why many Local Laws are developed by reference to already approved Local Laws.

In relation to Extractive Industry Local Laws recent changes adopted by other Local Government may be worth considering. Both Shire of Northam and Shire of Morawa adopted amendments covering transport arrangements including transport routes, days of operation and contributions to road maintenance costs.

While it is possible to start with a public review it may be more efficient to draft changes and then seek public feedback.

If we are to undertake a public review of the Extractive Industry Local Law it is the CEO's view that it should comply with the requirements of Section 3.16 of the ACT. To do otherwise would be a waste of Shire time and resources. Cr Bell indicated that he would like his notice of motion considered as written without the changes proposed by the CEO.

The CEO recommends that Council not support a Local Law review process that does not satisfy the requirement of the Act.

COUNCILLOR BELL'S NOTICE OF MOTION

That the:

- (i) Shire seek public submissions regarding the Shire of Toodyay's Extractive Industries Local Law ahead of a review of this Local Law, which was last updated in 1999,
- (ii) Shire advertise this request for public submissions within 4 weeks of the April Ordinary Council Meeting;
- (iii) public submission period be open for a minimum of 28 business days, and
- (iv) Submissions to be presented to Council in the next Ordinary Council Meeting following the closure of the public submission period.

Cr Bell moved his Notice of Motion.

Cr Manning seconded the Notice of Motion.

Clarification was sought.

Debate commenced.

The motion was put.

COUNCILLOR BELL'S NOTICE OF MOTION/COUNCIL RESOLUTION NO. 104/04/19

MOVED Cr Bell

SECONDED Cr Manning

That the:

- (i) Shire seek public submissions regarding the Shire of Toodyay's Extractive Industries Local Law ahead of a review of this Local Law, which was last updated in 1999,
- (ii) Shire advertise this request for public submissions within 4 weeks of the April Ordinary Council Meeting;
- (iii) public submission period be open for a minimum of 28 business days, and
- (iv) Submissions to be presented to Council in the next Ordinary Council Meeting following the closure of the public submission period.

VOTES EQUALLY DIVIDED 4/4

In accordance with 5.21(3) of the Local Government Act 1995, the Presiding Member cast a second vote 'against' the motion.

MOTION LOST 4/5

11. NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING

Nil

12. QUESTIONS OF MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Cr Bell requested that the following questions be taken as read. The Shire President agreed to his request.

12.1 Cr Bell – Pool Subsidy (taken as read)

Is answer of \$15 provided for Item 12.11 (Pool subsidy) in the March 2019 Ordinary Meeting of Council correct?

If the pool's annual operating costs is estimated to be \$240,000, and the number visits per annum is 8,000 (as stated in the March 2019 Ordinary Meeting of Council), wouldn't that place the breakeven cost per visit at:

- \$40 in the first five years (being 240,000 divided by 6,000).
- \$30 from 2026 (being 240,000 divided by 8,000)?

Response provided as follows:

I have reviewed the material and you are correct, there seems to be a miscalculation. However you would be aware that all sport and recreation activities are heavily subsidised, and this is illustrated by the cost of maintaining the present showground compared to the user charges collected. It should also be noted that half of the net operating costs for the first 20 years consists on the notional contribution towards the finance costs for the whole project.

Each year the Shire of Toodyay receives in excess of \$900,000 in General Purpose funding under the Financial Assistance Grants (FAGs). The methodology is based on horizontal equalisation – that is to allow small local governments to deliver a similar level of service as larger local governments. It allows us to deliver services, such as sport and recreation, which would not be viable without support.

12.2 Cr Bell – Minutes discrepancy – Road Maintenance obligation by Opal Vale?

Is there a discrepancy in the Minutes of the March 2019 Ordinary Meeting of Council regarding the road maintenance obligation by Opal Vale?

On page 5, in response to a public question from Mr Pearce (Question 5), the Minutes state that a starting rate has yet to be determined.

But on page 64 (item, 12.20), the Minutes state that Opal vales' road maintenance obligation is 50 cents per tonne.

Response provided as follows:

There are two different Opal Vale projects.

- *The Class I Landfill approved in 2006 with a 50 cents per tonne road contribution; and*
- *A Class II landfill which has just commenced operations and will have road contributions assessed in accordance with LPP7.*

12.3 Cr Bell – Opal Vale’s Road Maintenance obligation

Could you confirm that Opal vales’ road maintenance obligation is 50 cents per tonne as per the answer provided in 12.20 of the March 2019 OCM Minutes please?

Does the Shire receive quarterly reports from Opal Vale?

Response provided as follows:

Road contributions – see previous questions.

Opalvale is required to provide copies of quarterly reports in relation to the Class II landfill but not the Class I landfill. The first quarterly report is not yet due.

12.4 Cr Bell – Code of Conduct Complaint(s)

If the Shire President is not subject to a particular complaint, isn’t the Shire President the appropriate person to review that Code of Conduct complaint?

Under what situation would the Shire President appoint an outside investigator to review a Code of Conduct complaint?

Response provided as follows:

An investigator may be appointed when needed.

12.5 Cr Bell – Inaccuracy of Minutes – March 2019 / Nov 2018

There appears to be an inaccuracy in the Minutes of the March 2019 Ordinary Meeting of Council.

The response to question 12.2 (iv) of the March 2019 Ordinary Meeting of Council includes the statement that “The minutes indicate that the resolution was an alternative officer’s recommendation”. This statement appears incorrect as the Minutes of the November 2018 Ordinary Meeting (being the subject of question 12.2 of the March 2019 Ordinary Meeting of Council) clearly shows that there was no alternate officer’s recommendation.

The Minutes of the November 2018 Ordinary Meeting records only one officer’s recommendation and that was for Council to approve the development.

The alternate recommendation was proposed by a councillor (Cr Chitty) and not by the Officer. Could you, therefore, confirm whether that the answer provided in response to question 12.2 (iv) at the March 2019 Ordinary Meeting of Council is accurate?

Response provided as follows:

At the November 2018 Ordinary Council Meeting an Alternative Officer’s Recommendation was tabled at the start of the meeting.

That is why it did not appear in the Agenda. It should have been noted as a tabled document for the November Minutes. It was correctly identified in those minutes as an Alternative Recommendation. If it had come from Cr Chitty and not the Administration it would have been recorded simply as a motion instead of an alternative recommendation.

The answer to the March 2019 question was accurate. The minutes of the November 2018 Ordinary Meeting were confirmed at the December 2018 Ordinary meeting and are the official record of proceedings.

12.6 Cr Bell – Disposal of stolen and abandoned vehicles

Item 12.8 (disposal of stolen and abandoned vehicles) in the Minutes of the March 2019 Ordinary Meeting of Council states that vehicles “are disposed of as per the Shire’s Disposal of Property Policy”.

The Shire’s Disposal of Property Policy states that property (in this case, a vehicle) with a market value of less than \$20,000 can be disposed of by either:

- Public auction,
- Private action, or
- Trade-in for other property.

How has the Shire disposed of the 60 abandoned vehicles that it has had removed across Toodyay since January 2016?

Response provided as follows:

Under the Local Government (Functions and General) Regulations 1996, a disposition of property other than land worth less than \$20,000 is considering an exempt disposition. Prior to recent changes to tighten up processes disposal was left to Ranger discretion and would have been any of the below:

- *Sold to scrap metal yard;*
- *Left to local scrap metal yard to pick up and dispose of; and*
- *Sold via unsolicited offer approved by the CEO.*

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

13.1 MEMBERS

Nil

13.2 EMPLOYEES

Nil

14. CONFIDENTIAL MATTERS

14.1 Recruitment Process and Options for appointment of new CEO

Refer to Pages 16 and 17 of these minutes.

15. NEXT MEETINGS

Community and Public Transport Advisory Committee (4.00pm)	2 May 2019
Bush Fire Advisory Committee (6.00pm)	7 May 2019
Local Emergency Management Committee (5.00pm)	8 May 2019
Museum Advisory Committee (4.00pm)	9 May 2019
Works Advisory Committee (4.00pm)	16 May 2019
Strategic Council Forum (4.00pm)	14 May 2019
Special Council Meeting (10.00am)	14 May 2019
Agenda Briefing (4.00pm)	21 May 2019
Council Meeting (4.00pm)	28 May 2019

16. CLOSURE OF MEETING

The Shire President declared the meeting closed at 5.13pm.

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Ordinary Meeting of Council

23 April 2019

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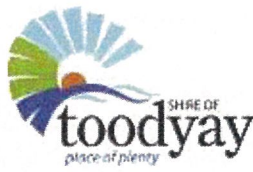
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6. Electronic Attachment F – Guidelines for Planning in Bushfire Prone Areas (Version 1.3 Appendices) available electronically via:	
https://www.dplh.wa.gov.au/information-and-services/state-planning/bushfire-planning-reform/state-planning-policy-3-7-and-guidelines; and	ELA
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Agenda Briefing Notes

16 April 2019

Unconfirmed Notes

These notes were approved for distribution on 17 April 2019.

Stan Scott
CHIEF EXECUTIVE OFFICER

When the Chief Executive Officer approves these Notes for distribution they are in essence "informal notes."

At the next Ordinary Meeting of Council the Notes will be received, subject to any amendments made by the Council.

The "Received" Notes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Agenda Briefing are put together as attachments to these Notes with the exception of Confidential Items.

Confidential Items or attachments that are confidential are compiled as part of the Ordinary Council Meeting, in a separate Confidential Minuted Item (CMI).

Received Notes

These notes were received at an Ordinary Council Meeting held on 23 April 2019.

Signed:

Note: The Presiding Member at the meeting at which the notes were received is the person who signs above.

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The **ATTACHMENTS** to these notes were the attachments to the Ordinary Council Meeting dated 23 April 2019

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Toodyay for any act, omission or statement or intimation occurring during the Agenda Briefing meeting or during formal/informal conversations with staff.

The Shire of Toodyay disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Agenda Briefing meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Toodyay during the course of any meeting is not intended to be and is not taken as notice or approval from the Shire of Toodyay.

The Shire of Toodyay warns that anyone who has an application lodged with the Shire of Toodyay must obtain and only should rely on **WRITTEN CONFIRMATION** of the COMMENT: of the application, and any conditions attaching to the decision made by the Shire of Toodyay in respect of the application.

Shire of Toodyay

AGENDA BRIEFING – 16 APRIL 2019

NOTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Cr Rayner, Shire President, declared the meeting open at 4.07pm.

2. RECORDS OF ATTENDANCE/APOLOGIES

Cr B Rayner	Shire President
Cr T Chitty	Deputy Shire President
Cr J Dow	
Cr P Greenway	
Cr B Manning	
Cr E Twine	
Cr R Welburn	

Staff

Mr S Scott	Chief Executive Officer
Mrs N Rodger	Acting Manager Corporate Services
Mr R Koch	Community Emergency Services Manager
Mr K Nieuwoudt	Manager Planning & Development
Mr S Patterson	Manager Works and Services
Mrs M Rebane	Executive Assistant

Visitors

M Sommerville

J Manning

2.1 APOLOGIES

Cr B Bell

2.2 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

2.3 APPLICATIONS FOR LEAVE OF ABSENCE

Cr B Manning indicated that he would be asking for a leave of absence in June 2019 for a period of three weeks.

3. DISCLOSURE OF INTERESTS

The Chairperson advised that no disclosures of interest in the form of a written notice had been received prior to the commencement of the meeting.

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

4. PUBLIC QUESTIONS

4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary Meeting of Council held on 26 March 2019, the following questions were taken on notice.

A Henshaw

Summary of Question One

Earlier this month the action of the Shire vs. L Burke resulted in \$100 fine and a spent conviction. How much did it cost the Shire of Toodyay to conduct this action?

Mrs L Burke was prosecuted for continued failure to observe the health requirements of the Aquatic Facilities legislation. This has been an ongoing matter for an extended period and the only way to deal with it is by prosecution after all other efforts to achieve compliance had failed. While we work with businesses to help them achieve compliance we cannot ignore deliberate continued blatant non-compliance that puts community health at risk.

While the magistrate in this case was very lenient the last minute guilty plea by Mrs Burke should ensure that there are less problems with future compliance.

The legal costs in this matter were \$11,211 plus GST.

M Sinclair-Jones

Summary of Question Seven

In the meantime, the two people against whom the finding of the content was made, decided upon what action would be made? That is, when the finding of misconduct was made and the two parties against whom the finding was made decided not to take any further action, was the Council informed of that decision (that the President and the CEO decided that no further action be taken of their misconduct)?

The CEO advised the Deputy Shire President when she made her finding that the CEO had not been afforded procedural fairness or natural justice. The finding had been communicated to the complainant before the CEO had been informed and been given the opportunity to respond. If after a proper process had been completed any action would be required to be undertaken under the terms of the CEO's contract. The Deputy President did not have the authority to direct the CEO to apologise. If after this process an apology had been required it would have been forthcoming. When the matter was finally considered by Council, Council determined that it did not have a role to play. Interestingly, when the matter was considered by Council the CEO was absent due to a death in the family. A proper

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

decision would have been to defer the matter to the next ordinary meeting.

In relation to the Shire President he was also not afforded procedural fairness or natural justice. The president has the additional legislative protection of having authority to speak on behalf of the Local Government, and has the capacity to delegate authority to the CEO. In this case the article was written by the CEO and cleared by the president.

The Deputy Shire President indicated in her reply to your other questions that training in the application of the Code of Conduct is also presently needed.

Notwithstanding the foregoing there was no finding that there was any derogatory statement in relation to the Toodyay Herald.

It is notable that in the Local Government Legislation Amendment Bill 2019 before the Parliament includes provision for a new Model Code of Conduct which will replace the current outdated Code.

4.2 PUBLIC QUESTION TIME

Nil

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

5. CONFIRMATION OF MINUTES

No issues were raised in relation to the Confirmation of the Minutes.

5.1 Ordinary Meeting of Council held on 26 March 2019

OFFICER'S RECOMMENDATION

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 26 March 2019 be confirmed.

5.2 Special Meeting of Council held on 26 March 2019

OFFICER'S RECOMMENDATION

That the Unconfirmed Minutes of the Special Meeting of Council held on 26 March 2019 be confirmed.

5.3 Agenda Briefing held on 16 April 2019

OFFICER'S RECOMMENDATION

That the Notes of the Agenda Briefing held on 16 April 2019 be received.

5.4 Confidential Items

5.4.1 Ordinary Meeting of Council held on 26 March 2019

OFFICER'S RECOMMENDATION

That the Unconfirmed Confidential Minuted Item containing Item 14.1 Coondle-Nunile Fire Station Tender from the Ordinary Council Meeting on 26 March 2019 be confirmed.

5.4.2 Special Meeting of Council held on 26 March 2019

OFFICER'S RECOMMENDATION

That the Unconfirmed Confidential Minuted Item containing Item 6.1 Further Contract – CEO from the Special Council Meeting held on 26 March 2019 be confirmed.

6. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

6.1 PETITIONS

Nil

6.2 DEPUTATIONS

Nil

6.3 PRESENTATIONS

Nil

6.4 SUBMISSIONS

M Somerville addressed Council (tabling a written submission at 4.15pm) in relation to the Charcoal Lane Mural Report. Main points highlighted were as follows:

- Threat to Vandalism assessment;
- Budget for official opening – public to attend, plus guest speakers (Minister Tourism or Arts & Culture);
- Develop the public arts policy following completion of the mural; and
- Local newspaper announcement – article to include what is to be expected and short-term inconvenience that may be caused to the public.

7. BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)

Nil

8. ANNOUNCEMENTS BY THE PRESIDING MEMBER (without discussion)

The Shire President did not make an announcement in accordance with the Shire of Toodyay Standing Orders Local Law 2008 (Section 4.3).

9. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS

9.1 COMMUNITY DEVELOPMENT

9.1.1 Toodyay DHS Wilderness Adventure Program

Clarification was sought in relation to the General Ledger budgeted sum – Councillors requested a breakdown of it and confirmation of the intention to spend it before the end of the financial year.

9.1.2 Proposed Water Tank Mural

Points raised as follows:

- Budget allocation for the project;
- Clearing light scrub, not trees;
- Approvals are not required due to an exemption;
- Policy in place to know the boundaries;
- Public Art tied up with development contributions usually but the Shire does not have this process available to us currently. Inclusion in the scheme may be required;
- Heritage Areas to contain certain styles;
- Public Art does not need to be permanent; and
- Charcoal Lane mural – significant amount of community involvement.

Question

Can Council through its newsletter give an indication as to what it is looking at and encourage feedback from the community (as part of the process).

Yes, once Council is amenable to the project.

9.1.3 Toodyay Tidy Towns Mural Project – Charcoal Lane

Points raised as follows:

- Concept 2 – not chosen by the Panel post the ranking process;
- Size of the birds compared to the people;
- All public art is by its nature divisive. Very good heritage proposals came through but this was chosen for selfies in front of the piece of art. No point in replicating something that is fifty metres down the road;
- Submissions request to reconsider the use of anti-graffiti paint – support to stay with original option or putting coating over the entire artwork once it is completed to prevent graffiti. The graffiti trailer has a high pressure cleaning implement. Must allow for maintenance. Can get the artists to refresh if needed at some point in the future.

Question

If anti-graffiti paint is used – can it be painted over after?

Yes.

- Paint for automotive spraying that some use for murals and this paint is incredibly hard to remove.

9.2 PLANNING AND DEVELOPMENT

9.2.1 Lot 312 Telegraph Road, Toodyay - Proposed Demolition

Points raised as follows:

- Heritage Advice given – unique nature of the construction of the building;

Question

Is it feasible that some of that material can be saved as part of the demolition? Have them on display somewhere in the museum to show as an example of the construction efforts in Toodyay.

A good question. It is entirely appropriate for Council to include it in the Officer's Recommendation. That can be made a requirement. The proponent would need to be consulted.

Question

Can we liaise with the Toodyay Historical Society as to the merits of the above?

That can be taken into consideration.

- It is likely when owners build the new house, the structure poses some danger which is the reason for the recommendation;

Question

Is mud brick construction really uncommon? There are these types of houses everywhere.

The re-use of mud bricks is not always possible.

- If included in the Officer's Recommendation, for the material to be kept, it may add additional cost to the Applicant (e.g. if the applicant were to keep the façade or donate it to the Shire);
- Knockdomony Cottage (year 2015) referred to;
- Conditions may be imposed to provide an expense to the owner of the property and they have the right to appeal to the process. Council can make recommendations to the owner to encourage the owners to retain materials or involve the THS or to include some other advice to the proponent;

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

Question

When the fire went through did it destroy the internal structure?

Yes.

- Report by the Heritage Advisor – 200 houses left in WA with this type of construction;
- Advice notes not enforceable, depending on the merit of asking the proponent; and
- In West Toodyay about five km's out there are mud brick houses that exist.

9.2.2 Lot 6 on Plan 9330 Lovers Lane, Morangup – Reactivation of Toodyay Stone Quarry by Rural Stone Company

A copy of the previous SAT approval was tabled at 4.41pm.

Questions raised as follows:

- Did we condition it or did we refuse it?
I suspect Council may have refused it at the time but the Manager Planning and Development will investigate further. Proponent may have been dissatisfied with one or more of the conditions.
- Does that have any bearing on this application in front of us (i.e. something that happened in 2008)?
It is relevant but irrelevant as far as this application, being a fresh application as they allowed the proposal to lapse and they are applying from scratch.
The previous refusal did not survive the review by SAT. It is ten years on but one would expect a similar outcome.
- Are these the gentlemen that presented to us a couple of months ago?
Yes.
- Last time the approval was for ten years. This time twenty. Why is it double?
It was expressly requested by the applicant. Our Extractive Industry Local Law also permits the issuing of licences up to 21 years so that is in light of the particular requirement in the Local Law. The proponent is seeking planning approval with the licence.

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

- The bond specified is \$33,300. They had to provide a bond of \$40,000 ten years ago. Why is it different now?

The size specified in the surveying is in accordance with Fees and Charges of Shire of Toodyay it establishes the amount of excavation using the fee in the Fees and Charges.

- Road Maintenance Contributions – seems to be missing. Are they?

The contributions are there. They are required to pay Shire of Toodyay (refer to 1.19 and 1.21). The latter is the substance of the Road Maintenance Contributions required to be made. We made the calculation in liaison with Manager Works and Services. Policies change from time to time and there are variables in the formula. It is wise not to cite the actual amount in a condition but they are required to pay the bonds and fees. The maths can be provided to Council.

- Do they understand that they have to pay a Road Maintenance Contributions?

Yes.

This approval shows the instalment of sub-headings – allowing for easier navigation of the conditions of approval both for Council and the operator.

In the Officer's Recommendation the first part provides the planning approval and then that section of the Officer's Recommendation No. 2 and subsequent covers the actual Extractive Industry Licence. Two different things. There are subtle changes to some of the conditions (i.e. 2.2 and 2.4). In the Planning Application the Applicant is referred to as the Operator and in the Extractive Industry Licence part the Applicant is referred to as the Licensee.

- Page 27 notes 1.3: (a) the location and total area of the excavation limited to 5.1h (as per application) – the Applicant is saying only area to be excavated are existing pits of 2.4 h but also seeking 2.7 h for sorting (alternate work area). Wonder whether the condition is correct.

Planning Officer attempted to highlight the fact that those area cleared areas. The CEO stated (note 4 on page 29 which says 3 pits with no excavation) that the report needed to be amended to make it more accurate.

- Maximum permitted extraction 2,500 tonnes p.a. Operations relate to two different products. Toodyay

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

Stone (Excavated) up to 500 tonnes per year and then the other product – stockpiling for crushing – is it take out of the pits or is it a separate operation.

They do propose to screen and crush the schist. Suspect it will be used for different purposes (road base). Not spoken to proponent about that. Basic raw material that already exists in those pits – covered by extraction for both materials.

- 1.3(d) seems to be unnecessary given 1.3(a): only areas they can excavate is 2.4h – why?

This may well be because they have already encroached. The 50 metres is the setback area from the legal boundary of the lot. We want to avoid any excavation into the setback area.

There is no intent to extend extraction beyond the pits. Lot of loose material located in the pits and they cannot operate without valid planning approval and licence. We will restrict them to the existing pits.

- 1.4 – hours of operation and conditions. Requirement 7am to 5pm on excavation Monday to Friday only and not Saturdays but transport of material from the site could be on a Saturday.

The intent of that condition is to manage the noise that could be emitted from excavators and crushers within the pits which is very reasonable. Do not think the intent is to limit them as to when they can access the property with the truck.

- Using the Extractive Industry Licence on a Saturday to extract material and the application does not ask for that. Why?

Council has shown an appetite to limit days of operation Monday to Friday and times of operation so the applicant stipulated particular time.

- Extractive Industry applications: Lot of trucks coming in and out. This operation is quite small. Would it really interfere their operations if they are limited to Monday to Friday trucking and not on the Saturday?

Saturdays are their main days for getting the Toodyay Stone out.

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

- Page 143 – split up of hours of operation provided. PLUS Page 111 – hours of operation 7am to 5pm Monday to Saturday inclusive.

There is conflicting information in the report to get clarified prior to the next meeting.

- Removal of native vegetation: proposed 1.10 – operator needing DWER prior to removal of vegetation on site. Is their proposal limited to working the three existing pits – they did say in the first ten years they would not see to remove vegetation and if they did they would see the necessary approval. Why would they need that if they are working with the existing pits?

There is regrowth in the pits.

- Trucks: condition in SAT order 2008 – all vehicles existing Lover's Lane by turning left. Condition here in 1.18 talks about large trucks. Is there a clear definition of that that means?

Vehicles up to 19.5 metres in length are a RAV (Restricted Access Vehicle). Conditions apply to trucks longer than 19.5 metres – that is large trucks.

- Bond for rehabilitation: if they had an existing licence would the bond for the previous licence still exist and can it be used to rehabilitate?

That has not occurred and we have not refunded the bond we currently hold. This bond would be in addition to the one they paid in 2008. The purpose of the bond is to ensure if rehabilitation is not undertaken we have sufficient funds to rehabilitate. Will get back to you about this.

Shire President departed Council Chambers at 5.07pm.

Shire President returned to Council Chambers at 5.10pm.

- Has that been made clear with the applicant?

The applicant is not the same applicant as the last one. They are two different companies. The bond will be retained until the site is rehabilitated.

The bond for the first lodged to secure rehabilitation when it is to be happening. Bond held in trust account, only to be used for the purpose for which it has been held.

9.3 WORKS AND TECHNICAL SERVICES

Nil

9.4 CORPORATE SERVICES

9.4.1 List of Payments – March 2019

Questions raised as follows:

- Page 206 (EFT25652): Aged Care Architect Services for Butterly Cottages. What was it for?

Contract for H&H Architects. For 12 months after the units are built they make sure we don't have any further issues – part of the contract. Retention of payment and after 12 months we make a final payment.

The exact details will be checked on by the Acting Manager Corporate Services.

- Page 206 (EFT25662): Moore Stephens Budget Workshop FM & FO.

Finance Manager and Finance Officer were sent to do a budget workshop (which is an annual workshop).

- Page 207 (EFT25682): Seamless CMS.

This is the Annual Website fee with Open Cities for the Shire and Visitor Centre websites.

- Page 208 (EFT25729): De Vita Legal Pty Ltd costs.

These amounts relate to several different compliance matters.

- Page 206 (EFT25643): De Vita Legal Pty Ltd costs. What was this for?

These amounts relate to enforcement issues where legal costs have been necessary.

- Page 207 (EFT 25687) Strategic Leadership Consultant Group – facilitation and writing the Corporate Business Plan. Is that the total cost for the preparation of the Corporate Business Plan and what was budgeted for the preparation of it for this year?

The exact details will be checked on by the Acting Manager Corporate Services.

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

- Recreation Centre: What was the \$90,000 spend on various consultants – we requested that payments vs budget breakdown on a reporting basis was needed to work out how much is being spent and how much is left.

We are putting together the specifications on the tender to go out this week which required a number of different consultants being involved in putting together the specification. We can provide details of where we are at in relation to this.

- Page 208 (EFT25737): Geoff Ninnes Fong & Partners Pty Ltd; sum of \$25,000 paid to Aquatic Consultants for the Recreation Precinct. Can we know how much we are spending and the reason?

Yes.

- Page 208 (EFT25720): Cardno (WA) P/L – Extractive Industry Workshop – MPD. Was this the lawyer who came to talk to us?

The workshop was facilitated by Altus Planning and Cardno provided the other expert that J Algeri brought along because Council wanted input regarding the roads etc.

9.4.2 Monthly Financial Statements – March 2019

Points raised as follows:

- Works and Services – verbal Update provided by the Manager Works and Services. Nunile Road intersection carried forward to next financial year and Sheen Road intersection bit bigger than anticipated. Designs came in and scope extended slightly. 90% delivery of the overall works program.
- Sheen Road intersection and Nunile Road Intersection projects – intended to do the isolated intersection. When the engineering detail came in the designs were required to be changed. Bit more work. BGC are contributing (\$14,000).

Question

Do BGC contribute at all for road maintenance for that pit?

No, not that pit.

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

- The Bindi-Bindi road bridge (i.e. Chatcup Bridge): we have engaged contractors and they are flat out to get the site up for Easter. We have received a preliminary design of what the replacement of the bridge will look like.
- Have Tenders gone out for the Chatcup Bridge?
No tenders have gone out. Quotes were sought for the propping up of the bridge. Main Roads is funding two thirds of the project. Following that, the design for the replacement of the bridge will be looked at.
- Percentages in the right hand column ordinarily are a little bit above the “actual” columns.

9.5 EXECUTIVE SERVICES

9.5.1 Lozanda Heights Easements

The CEO provided an overview. The CESM provided further information as well.

Points raised as follows:

- Term “strategic firebreak” not used anymore;
- Current alignment of easements form into dead ends;

Question

Are there any other easements around in the Shire that also need to be extinguished? Have you looked at others?

I would imagine we may find more. I have not done an in-depth for other subdivisions.

One subdivision in Morangup is less problematic which means access is available to the property. If you are in a fire truck you cannot turn the truck around to get out again so they are dangerous. The Strategic Review of fire policies stated there were a lot of issues to be fixed up.

Where you are talking about would be the Moondyne subdivision that does provide an access-way for firefighters. It does provide an escape route but can be looked at closely again.

We did not look at the Deeds of Easement nor who had to maintain them. There is a potential conflict between what we say in the firebreak notice (Bush Fires Act) and the deed of easement (Land Act).

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

Question

Are landowners required to keep the easements open without gates or obstructions?

People have done that and they have put gates across them. But they don't join up and some go to dead ends.

From a firefighting perspective the road network and front gate are the quickest mode to attend to a fire. Next door neighbours land – cut fence or drive back out the front gate. If someone puts a gate up across an easement it can be difficult for access.

Note: J Dow to declare an impartiality interest in this matter.

9.5.2 Corporate Business Plan 2022

Clarification sought as follows:

- Sections 10, 11 and 12: As I understand it, these are taken exactly from the LTFP?

Yes that is correct.

- Noted in blue on page 48 are the questions that people had specifically asked last month about why there seemed to be large increased in Law, Order and Public Safety, etc.

The answer is provided in the report.

Bejoording Fire Station – fire truck replacement is a 3:4 which will not fit under the roof and Julimar is being replaced by a 4:4 which again will not fit into the station.

Negotiation with DFES Risk Resource Plan. Map out what resources will be needed in the future. Quite successful in getting intensive replacement program on some of our infrastructure. Substantial investments in the next few years.

9.5.3 Election Report – tabled at 5.43pm.

Points raised as follows:

- This matter is urgent and has to be dealt with, within 30 days from the date of the resignation.
- Electoral Commissioner has been liaised with. This is why the report will be included.
- Wards abolished. Five new positions in October 2019. Minister agreed to the advice of the Advisory Board and Council's resolution. Still to be gazetted. Already in newsletter and on website.

9.6 COMMITTEE REPORTS

No reports

10. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 Councillor Bell – Notice of Motion – Review of Extractive Industry Local Law

Points Raised as follows:

- There was once a Committee formed to review local laws. Is that required?

No. All you have to do for a review of local laws is advertise the fact we are doing the review and invite people to make submissions. All copies of the local laws will be here at the Admin Centre and both libraries. Last time we did that review there were no submissions.

In regard to the Extractive Industry Local Law the next statutory review is not required until 2022. Council can opt to review it at any time. If Council decided to review that local law the process is as per legislation however the notice of motion does not set out that as the process. The statutory review would then be repeated again in three years' time.

The Shires of Northam and Mundaring have recently adopted new Extractive Industry Local Law's that have been past the Joint Standing Committee on Delegated Legislation (which is the committee of the Western Australian Parliament). Their local laws include stronger conditions related to hours of operations.

The Shire of Toodyay has the option of comparing those Local Law's to ours and then look at adopting one of those laws as ours, or making revisions to our current local law.

- What kicks off the review process? Is it a decision of Council?

In this case Council can decide it's going to have a review. If you don't do anything at all every 8 years you are required to conduct a statutory review. The new CAT Local Law need not be part of that however it is best to throw all local laws in so effectively the "review" periods remain the same.

- If enough Councillors feel that a review of the Extractive Industry Law is to be done now taking into account others, is it worth doing before the eight years is up?

It can potentially be done. If Council has the appetite the matter can be put on the May 2019 Strategic Council Forum program for further discussion.

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

- Wasn't the discussion about policy rather than local law?

Yes. If you want to use the Planning and Development Act you use a Local Planning Policy. Some Councils have done away with Local Law's entirely and just used their local planning policies. You can also use the powers of the Local Government Act through the Local Law. The Shire of Mundaring tightened up their Extractive Industry Local Law. It stipulates that an extractive industry cannot have a licence until it has planning approval.

The Manager Planning and Development provided further information

I agree it will make sense to develop a local planning policy that will look at Extractive Industry from a more strategic perspective. An Extractive Industry Licence cannot be issued unless planning approval is granted.

- Roadwise Committee want something about roads included in any local planning policy and Extractive Industry industries.

That will be accommodated.

- Would the Local Planning Policy and Extractive Industry Local Law ever be in conflict? Would there be a need to have an Extractive Industry Local Law?

Anything is possible, as long as it is related to planning which would (a) outline process; (b) information to be submitted with an application; (c) outline Council's preference in a statement Section of the policy that refers to this type of Extractive Industry in the Shire and to avoid certain areas that may be environmentally sensitive areas.

One positive about an adopted policy is that if something goes through SAT it is the first document that SAT asks for.

Often you would issue a Planning Approval for an Extractive Industry and those sites would go dormant as they are market related supply and demand. They may elect to close for a period and then re-open after a long time, taking everyone by surprise. If a licence system is in place they elect to withdraw the licence which the Local Law makes provision and when they want to recommence, then under the Extractive Industry Local Law they have to apply for a fresh licence. The Extractive Industry Local Law will be the instrument used to consider.

- What about extraction operation matters?

Opportunity to monitor those activities on an ongoing basis and time limited better than planning approval. In the Local Law there is also a requirement for Council to undertake bi – annual inspections and that is important to keep operators honest.

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

- Should we do a planning policy first and then revise the local law after that?

Yes, but it is possible to do them in parallel. The Local Planning Strategy is in place. The Local Planning Scheme will shortly be approved for advertising. The Local Planning Policies are being reviewed as part of doing the scheme. There is no reason why the Extractive Industry Local Law cannot be reviewed at the same time. Not sure of the order but they must all work together.

11. NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING

The CEO advised that Council had been forwarded the Notice of the Annual General Meeting for 2019 via email (*refer to the attachments to these notes*) calling for Agenda Items for the WALGA AGM.

No motions are to be generated unless Councillors indicate that something needs to go with them.

The motions are to relate to Issues of state-wide importance and not local issues. There were very few last year.

The Local Govt Act Review is alive at the moment and most of the sector issues are tied up in that process.

Likewise for the May 2019 Strategic meeting – if anyone has something they wish to discuss then please advise the CEO.

12. QUESTIONS OF MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Questions have been asked and will be included in the OCM Agenda.

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil

14. CONFIDENTIAL BUSINESS

Nil

15. NEXT MEETINGS

Community and Public Transport Advisory Committee Meeting	2 May 2019
Bush Fire Advisory Committee Meeting	7 May 2019
Local Emergency Management Committee Meeting	8 May 2019
Museum Advisory Committee Meeting	9 May 2019
Works Advisory Committee Meeting	16 May 2019
Council Meeting	28 May 2019

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
FROM MEETING HELD ON 16 APRIL 2019

16. CLOSURE OF MEETING

There being no further business, the Shire President, declared the meeting closed at 6.08pm.

LAYING THE GROUNDWORK FOR PUBLIC ART

Colorful murals by a variety of artists beautify and bring vibrancy to any town and reflect Pride in and for its community members bringing pleasure, Commercial and Tourism benefits.

TIDY TOWNS PRESIDENT, GARY WARBERTON

I would like to thank the Shire of Toodyay and its Staff for fulfilling

their commitment to bringing the planned Mural on the toilet block in Charcoal lane to the final selection stage.

EMBARKING ON A PUBLIC MURAL PROJECT isn't easy

First and for-most is getting the community as a whole together and involved from the outset to

Build a sense of Pride ~~and~~ Participation in the project ~~so~~
our

Toodyay Community OWN the Project.

Tourism although vitally important to the growth and sustainability of Toodyay,

it is the residents, that must develop

enhance

enrich

and

tell THEIR Stories through the art. .

Undertaken.

2. That The Town of Toodyay Budget for Art Projects in it's Annual Budget.

This money should only be used for Substantial Projects .

Our Cultural Heritage of our First Nations People

The Story of Toodyay It's Heritage

Its Dreams for the future.

MURAL

ESTIMATING COSTS

FORMING A STEERING COMMITTEE

SELECTING A LOCATION

SELECTING AN ARTIST

DEVELOPING A GREAT DESIGN

NOW

During the process of the first Mural in Charcoal Lane the general public must be invited to participate and follow the progress.

I ask that

1. An ASSESSMENT OF THE THREAT OF VANDALISM TO THE MURAL PROJECT BE DONE.

2. A local newspaper announcement with an article should be written including the details

of what is expected to happen and Short term inconveniences that may be caused to our public.

Invite EVERYONE to follow the progress AND ITS MANY STAGES.

Get excited about it.

2. Budget for the:

Official Opening inviting the public to attend along with guests from the Shire and Local Government. Guest speaker. Minister for tourism or Arts and Culture.

Going forward

!. I encourage The Town of Toodyay to Develop a Public Arts Policy as a matter of Urgency

Prior to any Community Art projects being



S A T

State
Administrative
Tribunal

Western Australia

Planning and Development Act 2005

IN THE MATTER OF:

Toodyay Stone
-and-
Shire of Toodyay

Applicant

Respondent

Matter Number: DR 46 2008
Application Lodged: 8 February 2008

ORDER

On the application heard before Senior Sessional Member Lloyd Graham on 4 August 2008, it is ordered that:

1. The applications for planning approval and an Extractive Industry Licence for a quarry at Lot 6 Lovers Lane, Toodyay be approved subject to the following conditions:
 - (a) Development be carried out in accordance with the terms of the application considered by the respondent at its Ordinary Council Meeting on 17 January 2008, any approved plan and the Management Plans detailed in the document "Excavation-Rehabilitation Management Plan" dated October 2007.
 - (b) The approval lapses in 10 years of the approval date and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions of any conditions under which it is issued.
 - (c) Nothing in the approval of these conditions shall excuse compliance with all relevant laws in the commencement and carrying out of the development.
 - (d) Extraction is to undertaken entirely within Lot 6 Lovers Lane and is to be set back a minimum of 50 metres from the boundary.
 - (e) Only rigid vehicles of up to 12.5 metres in length are to use the Lovers Lane and Toodyay Road intersection.

- (f) Laden trucks using the intersection of Lovers Lane and Toodyay Road are to come to a complete stop before proceeding left only into Toodyay Road.
- (g) All laden trucks are to turn in a lane correct maneuver onto Toodyay Road and travel east along Toodyay Road until a suitable location is reached before turning to travel west on Toodyay Road.
- (h) The applicant is required to obtain approval from the Department of Environment and Conservation prior to the removal of any vegetation on site.
- (i) Any temporary or permanent structures to be situated on the site will require the issue of planning approval and a building licence.
- (j) Working hours within the extraction area and transportation of materials shall be restricted to the hours between 6 am and 5 pm Monday to Saturday (excluding public holidays) and may be further restricted in specific cases as determined appropriate by the Shire of Toodyay.
- (k) The excavation site is to be rehabilitated in accordance with the rehabilitation plan (detailed in document "Excavation Rehabilitation Management Plan", dated October 2007). The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.
- (l) Prior to the commencement of operations, the Applicant shall provide a bond of \$40,000 to the Shire of Toodyay as a performance guarantee against the satisfactory completion of the rehabilitation of the site as detailed in condition (k). The performance guarantee will be refunded at a rate of 50% following completion of the final stage of rehabilitation works and 50% at the conclusion of the three year monitoring period. Any such bond is to be accompanied by a bonding agreement and written authorisation from the owner of the land that the Shire of Toodyay may enter the site to complete or rectify any outstanding works. The Shire of Toodyay will recover the bond, or part thereof as appropriate, for any costs to the Shire of Toodyay in completing and/or rectifying the outstanding works.
-
- (m) Measures shall be taken to minimise the amount of dust pollution associated with the extraction site, as detailed in the Dust Management Plan (as detailed in document "Excavation - Rehabilitation Plan", dated October 2007).
- (n) The noise generated by the development is not to exceed the levels as set out under the *Environmental Protection Act 1986* (and the *Environmental Protection (Noise) Regulations 1997*) and the boundary of the property.
- (o) All trucks entering the Shire of Toodyay shall comply with the Shire of Toodyay's policy *A.8 - Oversize vehicles* and shall seek the approval of Main Roads Western Australia as appropriate.
- (p) The applicant must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the applicant and the Shire of Toodyay for a sum of not less than \$10,000,000 in respect of any claim relating to any of the excavation and transport operations.

2. There be no order as to costs.

Senior Sessional Member Lloyd Graham



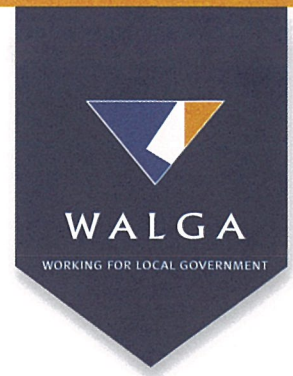
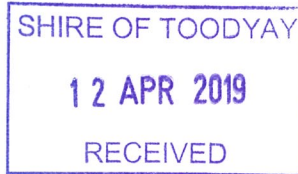
A handwritten signature in black ink, appearing to be "L. Graham", written over the seal.

EXECUTIVE OFFICER

Enclosed for the foregoing is the true and correct copy of the original

A handwritten signature in black ink, appearing to be "D. S. O.", followed by the initials "D.S.O." in a larger font.

State Administrative Tribunal
20/8/09



11 April 2019

Our Ref: 01-003-02-0003 MD

Mr Stan Scott
Chief Executive Officer
Shire of Toodyay
DX 69486, 15 Fiennes Street
TOODYAY WA 6566

Dear Stan

Notice of Annual General Meeting 2019

The Annual General Meeting for the Western Australian Local Government Association (WALGA) will be held on **Wednesday 7 August 2019** as part of the Local Government Convention. The meeting will be held at the Perth Convention Exhibition Centre, 21 Mounts Bay Road, Perth.

Notice of the Annual General Meeting is enclosed, together with general information on the meeting and guidelines for the preparation and submission of motions. Also attached is the Voting Delegates Form.

Please note that the closing date for submissions of motions is **Tuesday 4 June 2019**. Any motions proposing alterations or amendments to the Association's Constitution must be received by **Friday 10 May 2019** in order to satisfy the 60 day constitutional notice requirements.

The 2019 Local Government Convention is the premier event for Elected Members and Officers within Local Government. The Association's Annual General Meeting, as an integral part of this event, is a critical forum for mobilising the views of Western Australian Councils, confronting emerging issues and developing directions forward for our sphere of government.

Please return the enclosed Voting Delegates Form by Friday 5 July 2019.

For enquiries, please contact Margaret Degebrod, Executive Officer Governance on 9213 2036 or via email mdegebrod@walga.asn.au.

Yours sincerely

Nick Sloan
Chief Executive Officer

Enc: Notice of 2019 AGM and Voting Delegate Form



**Notice
of
Annual General
Meeting**

**and
Procedural Information
for Submission of Motions**

**Perth Convention and Exhibition
Centre**

Wednesday, 7 August 2019

Deadline for Agenda Items

(Close of Business)

Tuesday, 4 June 2019

2019 Local Government Convention

General Information

The 2019 Local Government Convention will be held at the Perth Convention and Exhibition Centre (PCEC) from 7 August to 9 August 2019. The tentative schedule for the Convention is as follows:

<u>Tuesday, 6 August</u>	<u>START</u>	<u>FINISH</u>
Mayors and Presidents Forum (separate invitation) Mayors and Presidents Reception (separate invitation)	3.30 pm 5.30 pm	5.30 pm 7.00 pm
<u>Wednesday, 7 August</u>		
State and Local Government Forum (separate registration) Registration for AGM and collection of voting keypads Honour Recipients Luncheon (by invitation only) WALGA AGM (including Honours Awards Presentations) Convention Opening Welcome Reception	9.00 am 10.00 am 12.00 pm 1.30 pm 5.00 pm	11:00am 1.30 pm 1.15 pm 5.00 pm 6.30 pm
<u>Thursday, 8 August</u>		
ALGWA AGM and Breakfast (separate invitation) Opening and Convention Sessions Convention Gala Dinner	7.45 am 9.00 am 7.00 pm	9:00 am 5.00 pm 11:00 pm
<u>Friday, 9 August</u>		
Convention Breakfast Convention Sessions	7.30 am 9.15 am	8.45 am 4:00 pm

Further details are contained in the Registration Brochure which will be distributed to all Local Governments in May.

WALGA Annual General Meeting

The Annual General Meeting for the Western Australian Local Government Association will be held from 1.30 pm to 5.30 pm on Wednesday, 7 August 2019. This event should be attended by delegates from all Member Local Governments.

Cost for attending the Annual General Meeting

Attendance at the Annual General Meeting is **free of charge** to all Member Local Governments; lunch is not provided. All Convention delegates must register their attendance in advance. Registration for the Opening Welcome Reception that evening must also be notified in advance and will incur a cost for those not registered as a Full Delegate.

Submission of Motions

Member Local Governments are hereby invited to submit motions for inclusion on the Agenda for consideration at the 2019 Annual General Meeting. Motions should be submitted in writing to the Chief Executive Officer of WALGA.

The closing date for submission of motions is 5:00pm **Tuesday, 4 June 2019**. *Please note that any motions proposing alterations or amendments to the Constitution of the WALGA must be received by 5:00pm **Friday, 10 May 2019** in order to satisfy the 60 day constitutional notification requirements.*

The following guidelines should be followed by Members in the formulation of motions:

- Motions should focus on policy matters rather than issues which could be dealt with by the WALGA State Council with minimal delay.
- Due regard should be given to the relevance of the motion to the total membership and to Local Government in general. Some motions are of a localised or regional interest and might be better handled through other forums.
- Due regard should be given to the timeliness of the motion – will it still be relevant come the Local Government Convention or would it be better handled immediately by the Association?
- The likely political impact of the motion should be carefully considered.
- Due regard should be given to the educational value to Members – i.e. does awareness need to be raised on the particular matter?
- The potential media interest of the subject matter should be considered.
- Annual General Meeting motions submitted by Member Local Governments must be accompanied by fully researched and documented supporting comment.

Criteria for Motions

As per the Corporate Governance Charter, prior to the finalisation of the agenda, the WALGA Executive Committee will determine whether motions abide by the following criteria:

Motions will be included in the Business Paper agenda where they:

1. Are consistent with the objects of the Association (refer to clause 3 of the constitution);
2. Demonstrate that the issue/s raised will concern or are likely to concern a substantial number of Local Governments in WA.;
3. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;
4. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
5. Are clearly worded and unambiguous in nature;

Motions will not be included where they are:

6. Consistent with current Association advocacy/policy positions. (As the matter has previously considered and endorsed by the Association).

Motions of similar objective:

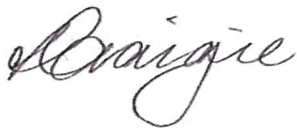
7. Will be consolidated as a single item.

Submitters of motions will be advised of the Executive Committee's determinations.

Enquiries relating to the preparation or submission of motions should be directed to Margaret Degebrodt, Executive Officer Governance on 9213 2036 or via email mdegebrodt@walga.asn.au.

Emergency Motions

No motion shall be accepted for debate at the Annual General Meeting after the closing date unless the Association President determines that it is of an urgent nature, sufficient to warrant immediate debate, and delegates resolve accordingly at the meeting. Please refer to the AGM Standing Orders for details.



President Cr Lynne Craigie OAM
President



Nick Sloan
Chief Executive Officer

EMAIL BACK

Voting Delegate Information 2019 Annual General Meeting



TO: Chief Executive Officer

Registered:

All Member Councils are entitled to be represented by two (2) voting delegates at the Annual General Meeting of the WA Local Government Association to be held on Wednesday, 7 August 2019 at the Perth Convention Centre.

Please complete and return this form to the Association by Friday **5 July 2019** to register the attendance and voting entitlements of your Council's delegates to the Annual General Meeting.

In the event that a Voting Delegate is unable to attend, provision is made for proxy delegates to be registered.

Only registered delegates or proxy registered delegates will be permitted to exercise voting entitlements on behalf of Member Councils. Delegates may be Elected Members or serving officers.

Please Note: All Voting Delegates, whether registered for the Convention or not, will need to present at the WALGA Delegate Service Desk prior to the AGM to collect their electronic voting device (keypad) for voting and identification tag to gain entry into the Annual General Meeting.

VOTING DELEGATES	PROXY Voting Delegates
Name of Voting Delegates (2):	Name of Proxy Voting Delegates (2):
For (Local Government Name): Shire/Town/City of	
Signature Chief Executive Officer _____ (An electronic signature is <u>required</u> if submitting via email)	
Date _____	

ON COMPLETION PLEASE EMAIL TO: mdegebrott@walga.asn.au

Margaret Degebrott, Executive Officer Governance

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“Footprints” Wilderness Adventure Program

By: Toodyay YouthCARE in cooperation with Toodyay District High School
Project Coordinator: Doug McGhee, School Chaplain



I would like to propose a “Footprints” Wilderness Adventure Program for selected students from May 24-31 this year.

Wilderness Intervention Programs were a YouthCARE WA program that have been used in a variety of schools around Western Australia, taking groups of students on six to ten day expeditions in remote wilderness areas around the state. I have coordinated and led the staff team of 13 WIP's over 10 years.

I have now changed the name of my program to Wilderness Adventure Program (WAP), with the same philosophy and operating style. The WAP program is designed to help participants increase their resilience levels and ability to succeed, to build self-respect, courage, communication skills, personal responsibility, leadership and team-work skills.

The program will also provide information and skills for bush survival as well as developing an understanding of environmental conservation through the practice of minimal impact camping techniques.

Description and Purpose of Project:

WAP's are an early intervention strategy working with high school students to lift their confidence, motivation and social skills to bring about changes in their attitude towards life, others and themselves.

These changes, along with the new skills obtained through WAP will bring about changes in their behaviour in school, at home and in the community. This will go a long way towards empowering these young people to achieve their potential, and give them a solid base for their futures.

The WAP program will bring to disadvantaged rural young people great hope and a real sense of achievement. The program presents significant challenges, helps young people acquire many new skills, and will promote self-discipline through words, actions and natural consequences. Participants are responsible for their own actions and the resulting consequences.

Objectives:

1. To build self-respect, courage, communication skills, personal responsibility and team-work skills in all participants, leading to a positive impact on the community.
2. To facilitate the development of conflict resolution, initiative and problem-solving skills within participants.
3. Encourage leadership skills in participants through supervising adults conducting a low profile supportive role, while young people take on problem-solving responsibilities.

4. To establish a mentoring relationship of trust between community members, staff and young people that will facilitate personal growth over the long term.
5. To develop an understanding of environmental conservation through the practice of minimal impact camping techniques.
6. To offer support and encouragement to parents by forming networks of parents who are experiencing similar struggles with teenage children.
7. To encourage the consideration of parenting skills in an informal way, and for parents to see their child achieving in their life.
8. To encourage different parts of the community to work together for the enhancement of young people in the shire of Toodyay.

Wilderness Adventure Programs are powerful learning tools for young people as they transfer the lessons learnt in the wilderness experience to everyday life. The challenges overcome in the wilderness greatly enhance young people's personal growth, confidence and determination, which also brings about a change in behaviour and outlook on life.

Selection Criteria:

The hikes can be of two different kinds: Self Esteem hikes, and Behaviour Challenging hikes. Students in Years 8 – 10 are identified through staff input and historical data, who display one or more of the following characteristics:

- A lack of respect for self, others and authority
- Low self esteem and a lack of motivation or initiative
- Shy or withdrawn, alienated from the school community
- Demonstrating a lack of goal setting and direction in life
- Demonstrating anti-social behaviours and a lack of self-discipline
- Demonstrating drug-taking behaviours and problems associated with drug use
- A dysfunctional home situation impacting their life in negative ways.

Beneficiaries:

- Participating **young people** will feel a real sense of achievement, courage and hope, and have an increased respect for self and others. This will lead to a determination to get back on track in their life.
- **Parents** will be encouraged by seeing their child achieve a significant goal, demonstrate personal growth and character. Changes in attitude, behaviour and outlook on life will be observable. Parents will also find support and develop community links.
- **The community** will be encouraged by the personal growth of WIP participants, and share in their struggles. Hearing the personal testimonies of young people promotes understanding, rather than judgment, and gives hope for the future.
- **The school** will see improvement and personal growth in their students, in their general behaviour in classes and in the school community.



The Details:

TDHS staff will be surveyed to select students, based on a criteria, to be invited to attend a **wilderness expedition lasting 8 days**, hiking on the Bibbulmun Track for approximately 100 km, carrying all of their means for survival.

A parent information night, and journals, certificates and a movie presentation of the expedition can be presented during a school assembly.

Full risk management and emergency response procedures will be developed, copies of maps given to the school.

We carry mobile phones and an EPIRB satellite beacon for communications.

Staff/adults attending: Brie Rose, Doug McGhee and YouthCARE's Brian Ludlow (ex Doctor in the British Airforce)

Group size of **12 students with the 3 adults** attending. This means 4 tent/ cooking groups of 3 students each.

Brie Rose will be the teacher in charge, and I would be the coordinator.

Regarding the **cost of the WAP program**- I have had interest in funding the program from the Toodyay CWA and The Op Shop. The main cost to the school would be 6 days of teacher relief for Brie, which we are hoping to share 3 days each between the school and the community.

Gingin DHS have offered to lend us their hiking gear for the program. I started this program up at Gingin DHS in 2003, and it has been operating every year for at least 10 years until their previous chaplain left a couple of years ago. Gingin wanted all Year 9 students to complete a hike as part of their schooling.

Many schools have reported long-term benefits from the WAP program, and I would like to offer my skills and experience in this program for the development of our students. **I am planning for the hike to occur from May 24-31 this year.**

Funding:

Toodyay YouthCARE, the employer of the chaplain who coordinates the WAP program, needs ongoing financial support to continue these programs through partnerships with the local community. Toodyay YouthCARE would like to invite the Shire of Toodyay to be a key partner in this project.

As a partner in this project, Toodyay Shire could provide \$2000 for running costs, such as transport, last-night accommodation, food for staff on the hike and for parent nights and a share of teacher relief funding. These funds, along with funding and staff support from the school, Toodyay Op Shop and the CWA, would help to maintain the continued viability of these valuable programs.

We look forward to your consideration of support for our program, and response in the near future. I will provide an account statement as an acquittal for your information as soon as possible.

We very much appreciate the Toodyay Shire's support and partnership in our WAP program, as we seek to bring positive change to young people, and positive change to our community.

Doug McGhee.

20th March, 2019.



WAP Expedition Proposal:

Before the Expedition:

1. Toodyay staff are surveyed for participants, nomination votes for students are counted.
2. Students receiving the highest votes are invited to participate in WAP. The students are interviewed, an information package given, and parents are contacted with the information, allowing for any questions.
3. Parent Information Night – Parents and students invited to participate in the program are invited to a special info night, where they can meet the staff attending, learn about WAP and ask any questions about food, what gear to bring etc...
4. Students participating in WAP attend a meeting(s) to help them prepare for their expedition. This may be a Trangia demonstration, where they cook noodles in a science classroom to familiarise themselves with bush cooking. We would also demonstrate how to put up hiking tents, and they would practice this skill. These sessions boost the confidence of the students attending with some basic camping skills, and they get to know the others attending as they form a group.
5. Packing day – the day before departure, students bring in all of their gear, and we weigh them and their backpacks, ensuring they are not carrying excess weight (not more than one quarter of body weight) and they have all necessary gear. We also show them how to pack their backpack, which will become their daily responsibility.

We find this preparation, along with much informal contact with students and their parents is adequate in preparing students for the wilderness experience. Part of the WIP program is action-reflection learning, with the shared struggles of each day and debriefing around the campfire each night.

The Expedition:

Sullivan Rock (Jarrahdale) to Dwellingup- 100 km of hiking, with beautiful scenery and challenging terrain.

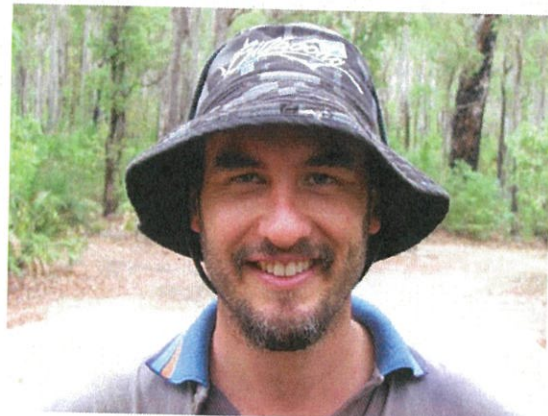
After the Expedition:

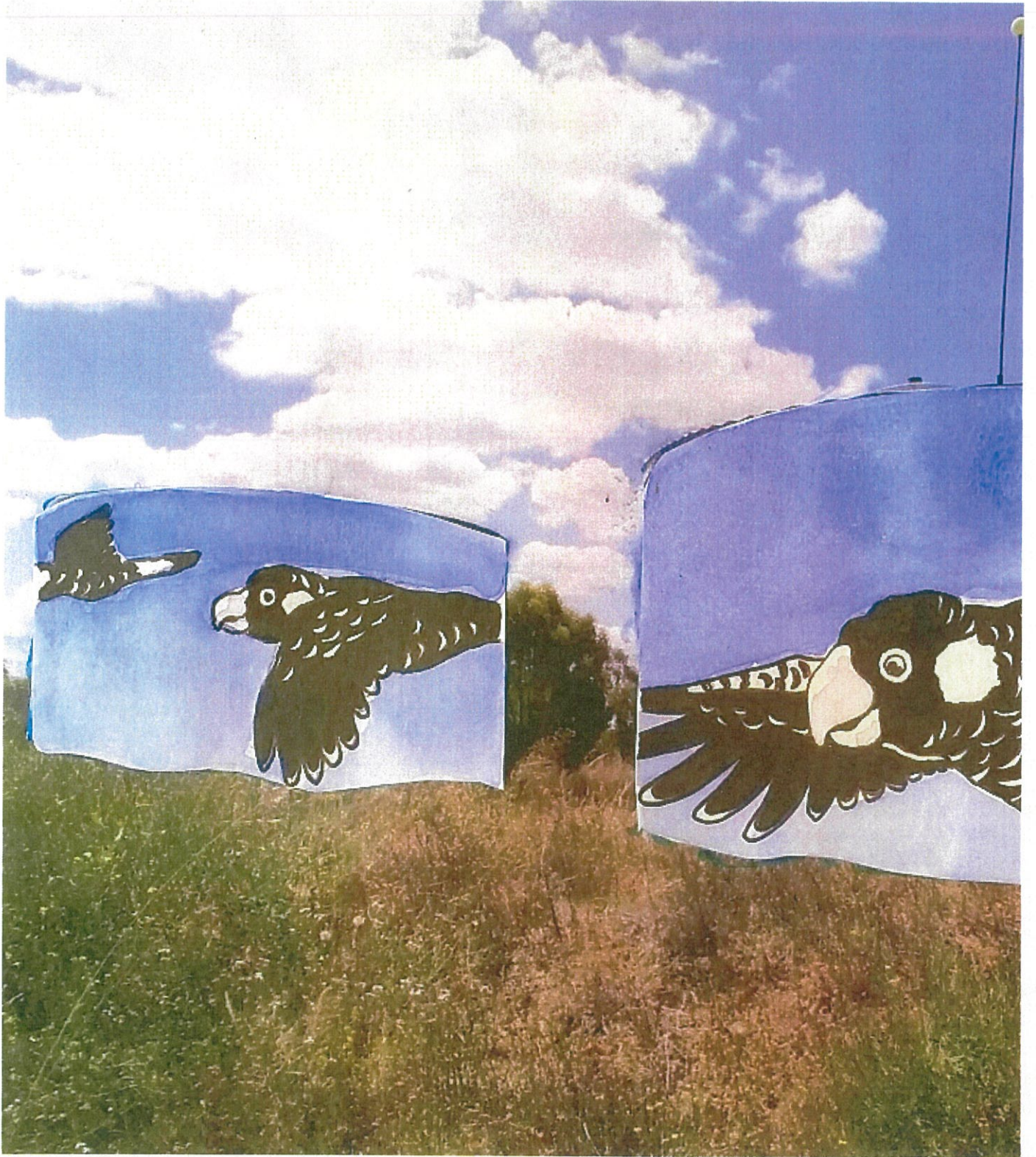
1. Students return from the hike, usually on a high, and very proud of themselves. Newsletter / newspaper articles of their achievements add to their sense of pride.
2. Every WAP participant receives individual follow-up mentoring and support by myself and the attending staff member, to continue the relationship of trust built on the hike.
3. Participants are presented with a certificate of their achievement, and a copy of the hike journal at an assembly. We also show a video. There may be a Celebration event for hikers and their parents as well.

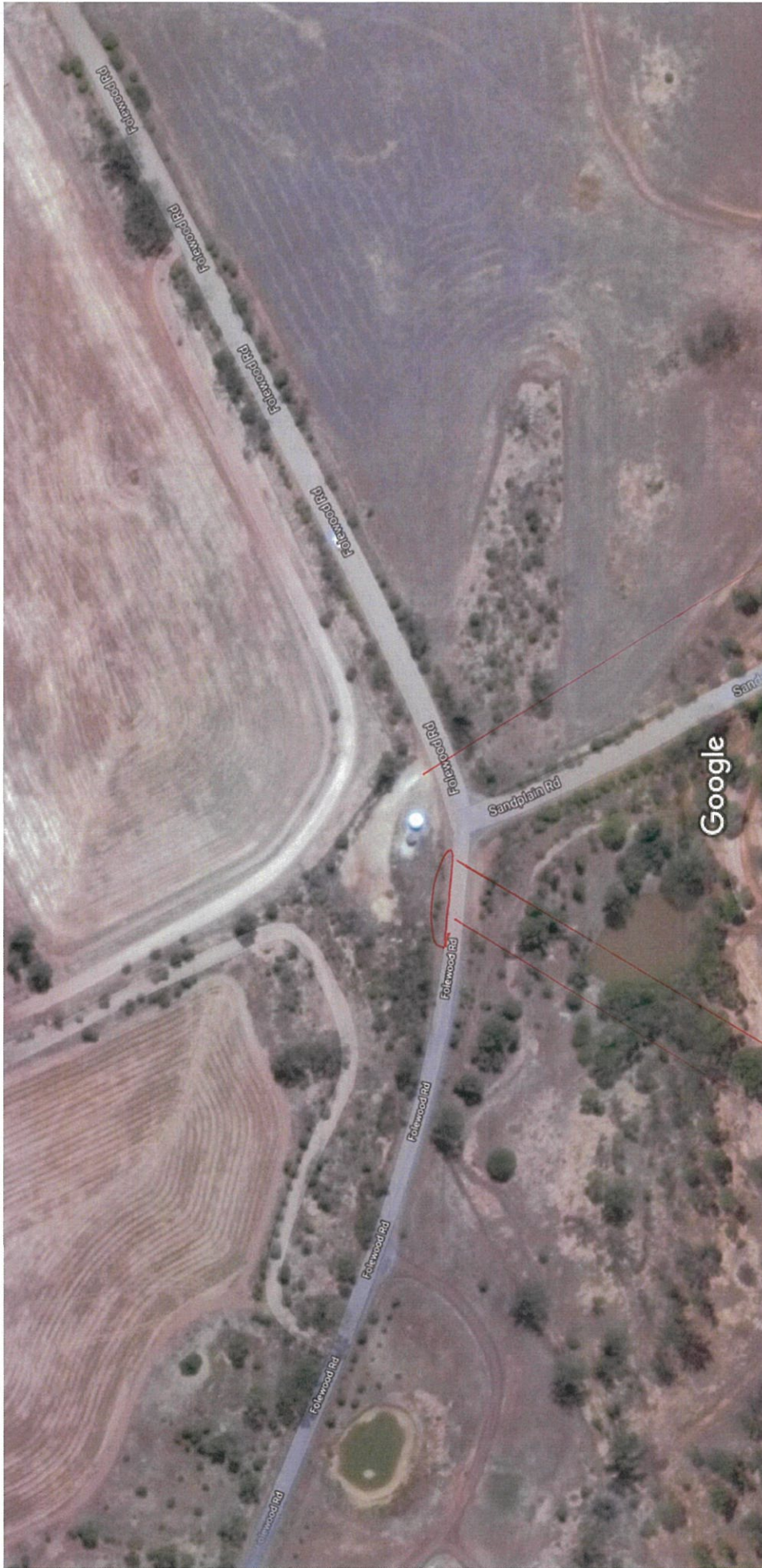
Finally, I believe in this WAP program because I have seen many young lives change for the better after participating in many of these programs. Parents and staff reported seeing many positive changes from last years mini-hike.

This year I would like to run the full hiking program to help our students achieve their true potential. WAP achieves this, giving them something in their life they and their parents can truly be proud of. *“If I can do this, I can do anything!”* yelled one proud young person, leading a hike.

Doug McGhee







Imagery ©2019 DigitalGlobe, Map data ©2019 Google 20 m

LINE OF SIGHT CONCERN

ACCESS TO SITE
WOULD NEED UPGRADING

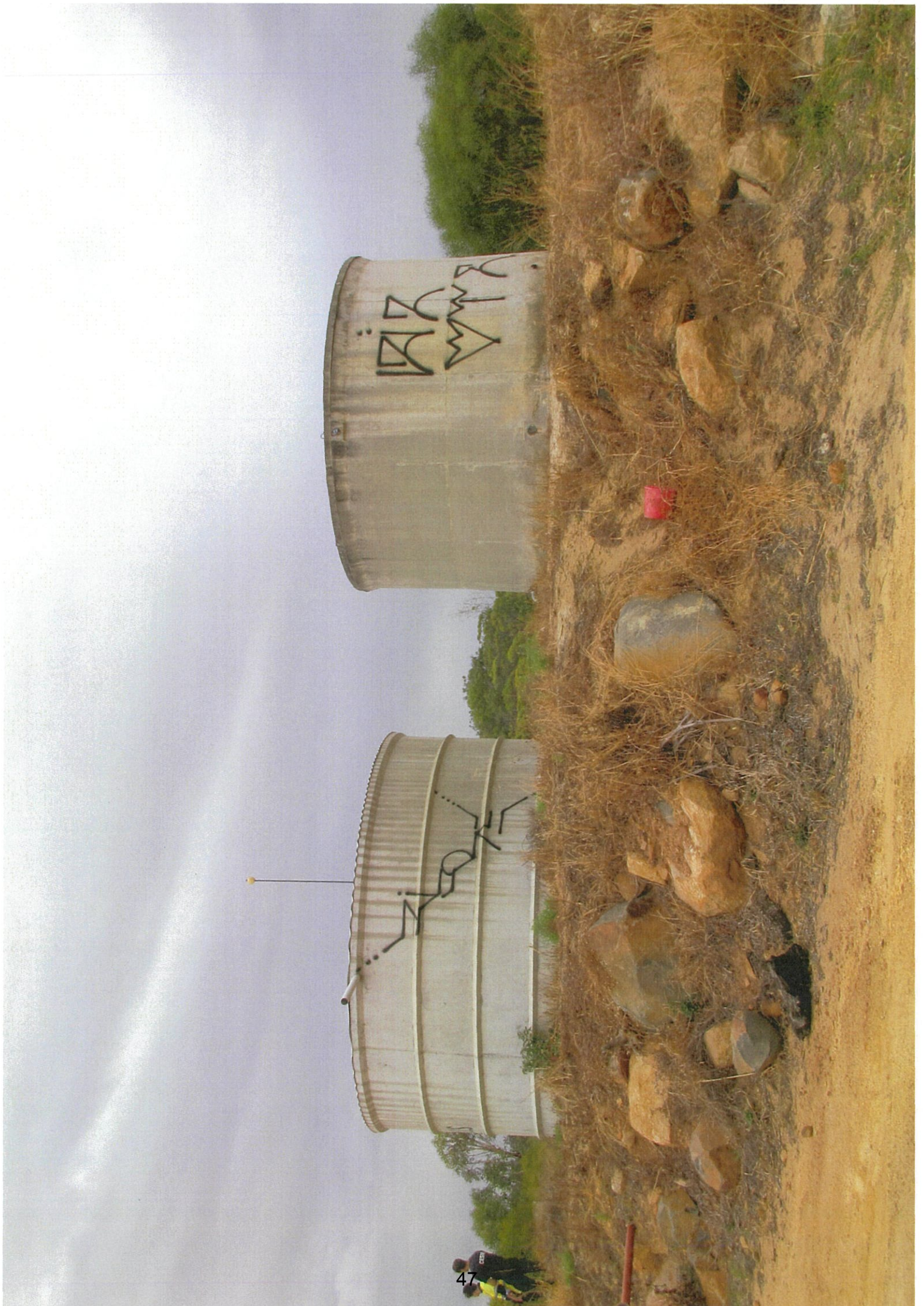
CLEARING WOULD NEED TO TAKE PLACE















Artwork brief for Charcoal Lane Mural Project

Call for Expressions of Interest (EOI)

Closing date: 4pm 22 February 2019
records@toodyay.wa.gov.au





TOODYAY TIDY TOWNS MURAL PROJECT - ARTIST BRIEF

1. Contents

1. Overview and Project background	3
2. Concept and consultation	4
3. Deliverables.....	5
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5. Artwork lifespan, communication	7
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OVERVIEW

Expressions of interest are sought from artists who are interested/ experienced in delivering a wall mural public artwork for the Shire of Toodyay.

PROJECT BACKGROUND

In March 2015 eleven delegates comprising the Toodyay Shire President, Members and supporters of the Toodyay Tidy Towns Committee (TTTC) travelled to Sheffield Tasmania (KAB Australia's Tidiest Town 2014) for the Keep Australia Beautiful, Australia's Tidiest Town Finals. Toodyay was the successful finalists receiving 4 category awards and the National award of Australia's Tidiest Town 2015. Sheffield is famous for its many beautiful murals. They attract thousands of tourists annually and the town also hosts an International Murals Festival. Inspired by what they saw in Sheffield the Toodyay Tidy Towns Committee renewed their efforts to create a series of murals in Toodyay.

Following the win of National Tidiest Town, The TTT Committee felt that there needed to be something to mark the occasion. A new inclusive changing places building was being built in Charcoal Lane and had been designed to include a wall for a mural. This provided the perfect opportunity for the town's first mural and the committee embraced the venture with Shire support.

The TTT Committee felt it would be a fitting tribute to paint a mural on the Charcoal Lane building commemorating the town's success while at the same time promoting community spirit and sustainability. The approach was to come up with a concept design that was accepted by the wider community and approved by the Shire Council. Then, to engage a suitable mural artist to transfer the design to the blank wall (canvas).

The Committee wanted the mural to represent the outstanding features of Toodyay and its community that won award categories for the Keep Australia Beautiful Tidiest Town success. Three key categories are Heritage and Culture; Sustainable Environment; Litter and Waste management – other categories are Young Legends; Community Action and Community Activity and Wellbeing.

The Tidy Towns Committee resolved to include the following in the draft design;

- Red gum trees (Marri)
- KAB logo at side of mural
- Aboriginal water symbol
- Black cockatoos
- Rolling hills
- Historic buildings
- Avon River
- Canola crop

Small letters at base of mural to read:

"An initiative of Toodyay Tidy Towns Committee, national winners of Tidiest Town 2015" supported by the Shire of Toodyay

The TTT Committee then worked with a local artist who facilitated a workshop to develop a concept drawing which included all of the above elements as a Tidy Towns theme. This was submitted to Council and then community consultation followed.

Public Consultation

Consultation was undertaken with the community of Toodyay to which an overwhelming response and opinions as to what Toodyay's first mural should look like were received. The submissions from the community did not necessarily support the overall theme being Tidy Towns and litter prevention.

A summary of the communities submissions are as follows;

- All demographics from youth to elderly & other ethnicities
- Flora
- Landscape without litter
- Heritage importance
- Story of our Forbearer's
- Aboriginal History
- European settlement
- Solid Colours
- Promotion of Toodyay for Tourism
- Moondyne Joe story
- Events
- Historic Buildings
- Local animals
- People and community
- Native trees and wildflowers
- Farming history
- Avon river
- Volunteers

Further Council information for Artist background knowledge

Strategic Alignment - Shire of Toodyay

Vision:

We are a vibrant rural community that respects our environment, celebrates our past and embraces a sustainable future.

Purpose:

Local Government and community working together to obtain the best possible social, economic and environmental outcomes for the people of Toodyay.

Strategic Priorities

Community Services;

Building trust, partnerships and support for community actions

Corporate Business Plan

Activities to support the preservation and development of Toodyay's heritage, culture and art in order to enrich community identity, develop community cohesion and improve the visitor experience to the Shire.

Deliverables

Stage	Deliverable
Stage 1: Concept Design and detail	<p>The Concept Design and detail is to;</p> <ul style="list-style-type: none"> • be submitted to Shire of Toodyay PO Box 96, Toodyay WA 6566 (records@toodyay.wa.gov.au) • includes a site specific concept that; • is hand-drawn/painted or developed in Photoshop • shows intended design elements in detail, such as artistic features, colours and scale of works • addresses the artwork themes Toodyay as a Tidy Town, Heritage and landscape • contain paint color pantones that fit with the heritage precinct • to incorporate the elements as outlined in the project background • provide a total cost for artist time, design and consumables • provide a timeframe • include a brief (50-100 word) artist biography, including at least two examples of previous works (or provide link to website which details this information) • advise on expected work schedule and delivery timeframes within the allocated timeframe • provide a certificate of currency for public liability insurance <p>Artwork concepts are not permitted to:</p> <ul style="list-style-type: none"> • contain any logos, trademarks or brand names • contain offensive material • infringe on any intellectual property rights of any person

Stage	Deliverable
Stage 2: Artwork Commissioning and Installation (for the successfully appointed artists)	<p>Installation of a high quality artwork on selected site in accordance with the Concept Design.</p> <p>Inclusions:</p> <p>The artwork commissioning fee must cover the costs of the following:</p> <ul style="list-style-type: none"> • Artist fees • On site briefing meeting with project team prior to commencing works • All premium quality (all weather conditions) exterior paint • All paint brushes, paint trays, spray equipment and drop sheets

Stage	Deliverable
	<ul style="list-style-type: none"> • All personal protective equipment (PPE) required to carry out the work in accordance with OSH guidelines, such as safety masks and sun protection • Site priming • Any subcontracting costs required to carry out the artwork such as collaboration artist(s) • Anti-graffiti coating • Personal ticket or any license required to operate relevant access equipment and machinery to deliver the artwork • All travel, accommodation, meals and incidental travel expenses • Artist public liability insurance <p>Project budget is \$12,700.00</p> <p>Exclusions:</p> <p>Project team and Shire will arrange and cover the costs for the following items if necessary:</p> <ul style="list-style-type: none"> • Site cleaning • Road and footpath closures / signage • Production and installation of public information boards explaining the works

Artwork Assessment Criteria

The Assessment Panel's preference is for selected artists to have a demonstrated connection to Rural Mural painting

To select the preferred artists, the panel will evaluate artwork concept designs using the following assessment criteria with final decision from Council:

Criteria	Weighting
<p>Artistic merit High artistic merit including quality of proposed work, impact, composition and design.</p>	50%
<p>Artwork theme Proposed concept addresses the artwork themes 'Toodyay History, landscape and a Tidy Town'</p>	30%
<p>Site specific Proposed concept considers the site's local context including surrounding built and natural environment, main audience and values.</p>	20%

Commission Fee Payment

Shire of Toodyay (Tidy Towns account), artists must be set up as Suppliers. Artists are to forward their bank account details, ABN and contact details on the 'EFT Provider Form' (to be provided to successful artists at commissioning stage) to the Project Coordinator. The payment term for the payment of invoices is within Shire guidelines (twice monthly).

Artwork lifespan

All reasonable steps will be taken by the Shire to maintain the artwork for a minimum period of five years, after which the artwork can be reinstated or removed at Shires/ Council's discretion. As such, the artist should ensure that the artwork is of a quality and finish that can endure all weather conditions for an exhibition period of at least five years.

Coordination and Communication

We are now progressing to engage a Western Australian Artist able to turn our concept into a suitable Mural.

Further background information can be accessed on the Shire website www.toodyay.wa.gov.au

Further Queries to the Shire's Community Development Coordinator: Debra Andrijich, 9574 9392 0475 811 955 events@toodyay.wa.gov.au

Project Coordination: Mural Project Coordinator Greg Warburton (Tidy Towns Chairperson)

Participating Parties – Panel, to short list applicants for Council consideration

Shire of Toodyay CEO
Toodyay Tidy Towns Committee representatives
Margaret Sommerville (funding Contributor and Artist)
Arts Toodyay Inc representative

Implementation

It is envisaged that the project occurs between April 2019 – May 2019.

Site Details

- Public amenities building, corner of Charcoal lane and Duke Street Toodyay
- Mural wall facing Charcoal lane, flat wall, currently painted beige.
- Measurements: Length: 12 metres, Height: 2.1 metres
- Surface finish is painted hard plank sheeting





DESIGN

>> CONCEPT

Enclosed is a hand painted to scale image of the proposed artwork including key design elements as set out in the mural artists brief. Below is a projected image of the location including our proposed design.



DESIGN DETAILS

>>THEMES

The artwork itself is created using layers of imagery with significant meaning and structure. The central theme of the background is the mapping of Toodyay from the sky using an abstract mapping country style similar to that of both current and past Aboriginal artists. The Avon River dominantly runs through the image giving the town life and a central heart. To the top and right of the background image you can see the rolling hills of the surrounding properties and farmland that wrap around the town site.

The coloured circles at the bottom are representative of Duidgee Park and its location on the river and the river pebbles that our children love to play with when the river is low in the hot summer months. The shapes running north of the river and into the hills are a nod to early, current and future settlers to Toodyay. As humans we settle initially around the water to establish a town then we move up into the beautiful landscape around and into the Toodyay hills.

The foreground image is of the beautiful Silvereye bird (*Zosterops Lateralis*), holding onto wheat to represent farming areas in and around the Avon Valley. The flowers in the top left are Eucalyptus Caesia, commonly known as Caesia, gungurru or silver princess, is a mallee of the Eucalyptus genus that is endemic to Western Australia. The name "silver" refers to the white powder that covers the branches, flower buds and fruit. "Gungurru" comes from the name used by the indigenous Noongar people. The small yellow 'vine' growing flowers are Flame Pea (*Chorizema*) These thrive in low humidity areas like Toodyay.

The white rectangle is a space to contain the following statement as per the artist brief: "An initiative of Toodyay Tidy Towns Committee, national winners of Tidiest Town 2015"

>>COLOURS

The colours are representative of the impressive spring flower display that occurs annually in and around the Avon Valley. The solid background colours are mirrored in the foreground images while still maintaining colours sympathetic to the subject matter.

>>TIMEFRAME

We estimate the mural to take a maximum of 5 days from preparation to graffiti coating finish. Schedule as follows:

Day 1	Jet Wash/Base coat Draw Image Outline Mask Painting Areas layout
Day 2	Background painting
Day 3	Background painting completion Sketch Bird & Flower Images
Day 4	Paint Bird & Flower Images
Day 5	Apply Anti-Graffiti Paint Add TTT Statement

COSTS

>>ARTISTS FEES

Design work, pre/post project meetings, Site Prep, Paint & Finish for 2 Artists | \$7,000

>>INSURANCE

Insurance document supplied

>>MATERIALS

Paint mixed to design specific colours - Solagard 15yr Guarantee

Anti-Graffiti Paint

Brushes

Tarps/Ground Covers

Masking Tape

Paint Palettes

Generator Rental

MATERIALS WILL BE SOURCED FROM SUPPLIERS IN TOODYAY | \$ 1,795

>>TRAVEL

Pre/Post Project Meeting/Painting @ 68c per km | \$285.60

>>ACCOMMODATION

No Charge we are Shire of Toodyay residents.

TOTAL COST \$9,080.60



SHIRE OF TOODYAY
Record Number: ICR 57341
18 FEB 2019
Officer / Dept: EVENTS
File Number: PRO16

TOODYAY TIDY TOWNS MURAL PROJECT PROPOSAL

Location | Charcoal Lane, Toodyay, WA

Artists | Katherine C Ferguson & Nicola Cowie

0416 644896

katherine.c.ferguson@gmail.com

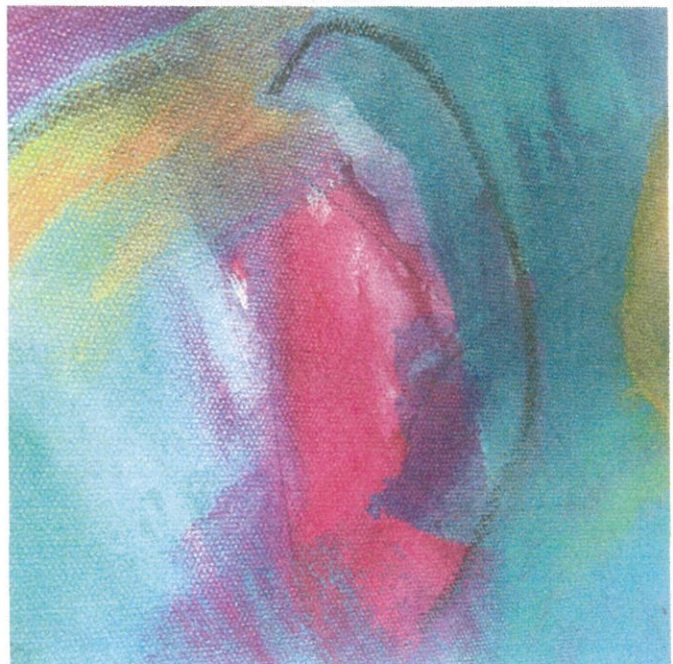
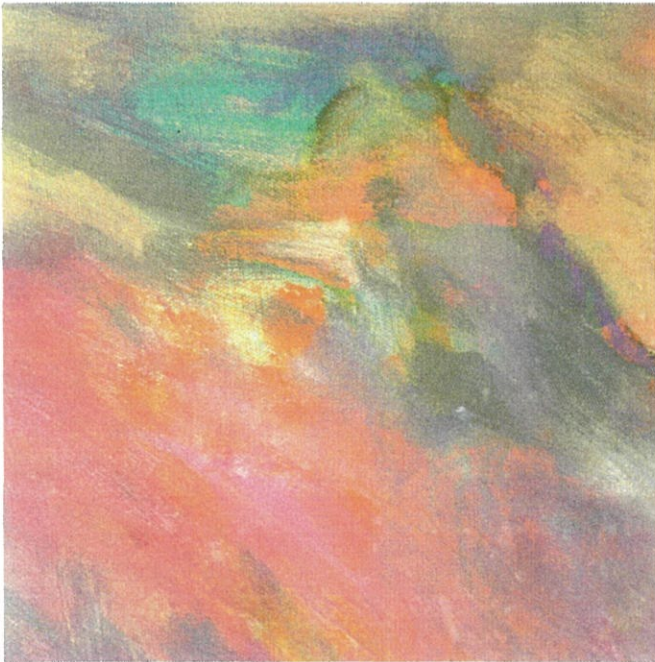
printmaker.nici@gmail.com

ARTIST BIOGRAPHY

>>KATHERINE C FERGUSON

Katherine is an abstract artist and has been practicing art for over 20 years. She attended Kent Institute of Art & Design, UK. Then went on to gain her Bachelor of Arts (Hons) degree in 1998 from University of Northumbria, UK. She is a mixed media artist and her work encompasses layers of colour and movement, heavily reflecting her personality. She's passionate about sharing her skills and creativity by providing inclusive workshops for all abilities. Since emigrating to Western Australia in 2008 she has been working in the arts both in the Perth region and within Aboriginal communities in the Kimberley.

www.katherinecferguson.com

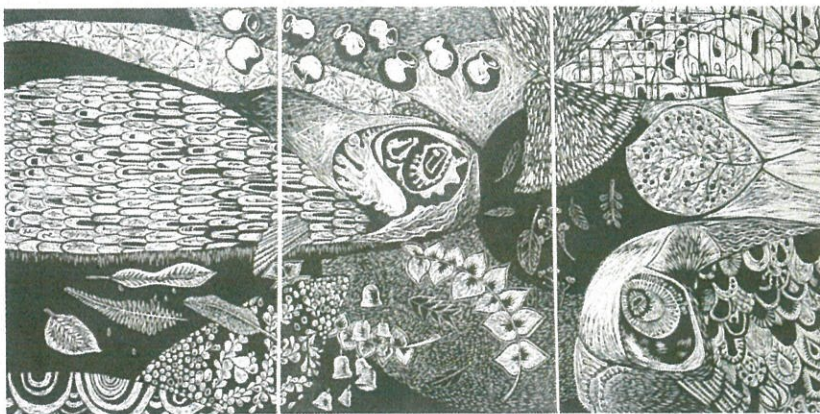


ARTIST BIOGRAPHY

>>NICOLA COWIE

Nicola has over 18 years of printmaking experience, graduating from Grays School of Art in Scotland. Since graduating she has lived in both Australia and Indonesia. She currently resides in the beautiful Perth Hills of Western Australia. She is influenced by the native plants and landscapes of where she lives and the richness of the Western Australian flora & fauna provides infinite inspiration that she shares in her printmaking workshops.

www.nicolacowie.com



Extra Note: REGARDING GRAFFITI COATING

We respectfully request the Shire review the decision to coat the mural in graffiti paint in light of the following points:

- Graffiti paint discolours over time in particular when exposed to UV light. This mural is on a north facing wall therefore will be exposed to UV light for most of the day.
- If the graffiti coated mural is graffitied, the graffiti requires removal and more graffiti coating applied to the cleaned area. This section will show as a 'bleached' area in the work due to the discolouration of the original graffiti coat.
- Graffiti is not something the Toodyay as a Tidy Town consistently suffers. Other councils/shires have made the decision in low risk areas to not use graffiti coating on their public art so as to keep the original work in the best condition rather than it discolour.
- If graffiti does occur on a mural that is uncoated it is a simple fix to get the artist to repair based on their hourly rate.

These points are made from our experience, however we have included the cost of graffiti coating in our costings.

Toodyay Mural.

2



Brenton See

Debra Andrijich

From: Rachel Byrne
Sent: Tuesday, 12 February 2019 2:55 PM
To: Debra Andrijich
Subject: FW: ICR57205 - charcoal lane mural concept Brenton See
Attachments: toodyaymural2.pdf; toodyay mural quotation.docx; BRENTON SEE bio new.docx; Certificate of Currency Practitioner 2018-2019.pdf; 23167691_10155201807792945_4293239333733478157_n.jpg; 42109802_10156045424892945_3967857617459478528_n.jpg; 44621757_1980097328778332_737548345463013376_n.jpg; 47217977_2039813699473361_5561980938923016192_n.jpg; Beeliar Shopping centre.jpg; Heartwalk 2018 3.jpg; leda1.jpg

SynergySoft: ICR57205

Kind Regards,

Rachel Byrne
RECORDS OFFICER

Shire of Toodyay
PO Box 96
TOODYAY WA 6566

Phone: (08) 9574 9312
Fax: (08) 9574 2158
E: records@toodyay.wa.gov.au
W: www.toodyay.wa.gov.au



From: Brenton See [mailto:brentonsee@yahoo.com.au]
Sent: Sunday, 10 February 2019 10:39 AM
To: Rachel Byrne
Subject: ICR57205 - charcoal lane mural concept Brenton See

Hi there,

I have attached a mural design and other attachments for the Charcoal lane Mural Project.

The design features two threatened species special to the area the Red-tailed Black Cockatoo and the Carnaby Cockatoo. The design also includes abstract/geometric forms representing local wildflower species. The green rectangular shapes represent the hills and the squares are the rocks and land features.

The mural will take 5 days to paint and I am quite flexible with painting timeframes as to when best suits you. I am quite busy year round with projects, however most of my clients are residential and always flexible.

Cheers

www.brentonsee.com.au

Quotation

Brenton See
Visual Artist

Date: 10/02/19

Client Name:
Shire of Toodyay

Project Description:
Charcoal Lane Mural Project
Exterior Mural

Details	Price
<u>PAINT & MATERIALS</u>	
4L Dulux Weathershield Low Sheen exterior Paint (\$90.00 x 16) \$1440.00	\$1530.50
ScotchBlue Exterior Painters Tape 36mm x 41m (\$15.00 x 2) \$30.00	
Monarch 25mm Sample Pot paint brush (\$2.40 x 5) \$12.00	
Bio Degradable 3 Piece Brush Set (\$6.10 x 5) \$30.50	
Uni Pro 100mm Little Ripper Fabric Roller Cover 10 pack (\$9.00 x 2) \$18.00	
<u>PAINTING FEE</u>	
\$900.00 per day (5 days)	\$4500.00
<u>TRAVEL</u>	
Travel to and from location	\$80.00
<u>ACCOMODATION</u>	
\$200.00 per night (4 nights)	\$800.00

Total: \$6910.50
GST: \$691.05

Total Due: \$7601.55

Brenton See

Ph: 0418 197 857
Email: brentonsee@yahoo.com.au
1 Joslin street
Hilton WA 6163
ABN: 28 174 586 049

BRENTON SEE

Brenton See is a Perth artist specialising in small canvas works to large scale interior and exterior wall murals.

Brenton is inspired by the day to day struggles of the everyday person as well as the stories of happiness and sadness and life and death. David Attenborough's documentaries have been a big influence on his work and are one of the main reasons he chooses to use animals in his pieces. Brenton enjoys using animals and objects rather than the human form to express himself and the stories he wants to tell. He is constantly focusing on the topic of "predator and prey" and "life and death" as these (as well as in the animal kingdom) are very relevant to the lives we as humans live.

After graduating secondary school Brenton then went on to study graphic design. Before starting his Advanced Diploma he decided working with computers wasn't the direction he wanted to head down in life. Brenton searched for employment where he could use his hands to create the artwork he had in his head. In 2007 he began an apprenticeship in tattooing. At this time Brenton was drawing at home and developing a style. He fell more and more in love with working with pen and ink, acrylics and watercolours and soon people began to request his work. Brenton left the tattoo apprenticeship after 8 months and decided that painting for a living was the path he wanted to take.

Nowadays Brenton works in his home studio here in Perth using his medium of choice (acrylic) on commissions, murals and exhibitions.

CV

Education

Graphic Design Central Tafe, Perth CBD, Certificate 4 (2005) & Diploma in Graphic Design (2006).

Selected Exhibitions

SOLO

2012 For the Love, Gold Coast Convention Centre, Surf N Ink, Broadbeach QLD

2013 Brenton See Solo Exhibition, The Bird, Northbridge, Perth WA

2013 Super Predator, Kurb Gallery, Northbridge, Perth WA

2014 Inside My Outside, Little Creatures Brewery, Fremantle, Perth WA

2015 Untitled, Gold Coast Convention Centre, Surf N Ink, Broadbeach QLD

2016 Thirty Years With/Out Colour, Claremont Perth WA

GROUP

2012 See-Saw, The Butcher Shop, Northbridge, Perth WA

2012 I Hart Charity Event, The Claremont Hotel, Perth WA
 2013 Men with Beards, Off the Kerb Gallery, Collingwood, Melbourne VIC
 2013 Pimp my MUF, Melbourne Ukulele Festival, Northcote, Melbourne VIC
 2013 Toy to the World, Melbourne CBD, Melbourne VIC
 2013 Animal Nature, Off the Kerb Gallery, Collingwood, Melbourne VIC
 2013 Making Waves for the Kimberley, Spacecubed, St Georges Terrace, Perth WA
 2014 APEX, Little Wing Corner Gallery, Subiaco, Perth WA
 2014 Roll on Rome, Little Wing Corner Gallery, Subiaco, Perth WA
 2014 Loser Brigade Group Warehouse Show, Little Wing Corner Gallery, Subiaco, Perth WA
 2015 Lost & Found Group exhibition, Little Wing Corner Gallery, Subiaco, Perth WA
 2015 Oxjam Group exhibition, Little Wing Corner Gallery, Subiaco, Perth WA
 2015 STAY SAFE Group exhibition, Ruck Rover, Northbridge, Perth WA
 2015 Art Playground Group exhibition, PSAS, Fremantle, Perth WA
 2016 40 x 40 Group exhibition, Melbourne VIC

PUBLIC COMMISSIONS

2014 Interior painted wall mural, Little Wing Corner Gallery, Subiaco, Perth WA
 2014 Exterior painted wall mural, Little Wing Corner Gallery, Subiaco, Perth WA
 2014 Interior painted wooden mural, Ball & Chain Bar, Fremantle, Perth WA

2015 Exterior wall Fresh Provisions car park Mt Lawley, Perth WA
 2015 Interior mural Waldecks garden Centre Stirling, Perth WA
 2015 Exterior mural Woolworths Fremantle, Perth WA
 2015 Exterior and interior murals St Patricks Primary school Fremantle, Perth WA
 2015 Exterior and Interior murals Our Lady of Mt Carmel School Hilton, Perth WA
 2015 Exterior private garden mural, Wembley, Perth WA
 2015 Pash Frozen yogurt exterior portable mural Fremantle WA
 2015 Sea Shepherd action mural, Fremantle WA

2016 Exterior wall mural Flying Scottsman carpark Mt Lawley, Perth WA
 2016 Exterior wall mural Rosemount Hotel Carpark, Perth WA
 2016 Granny Flat exterior mural Booragoon, Perth WA
 2016 Telstra Exchange building exterior mural, Perth WA
 2016 Highgate Primary School exterior mural, Highgate Perth WA
 2016 Mt Hawthorn Festival exterior mural, Mt Hawthorn Perth WA
 2016 Esplanade Hotel Fremantle interior mural, Fremantle WA
 2016 Caffè Amaretto carpark exterior mural
 2016 Ashfield Primary School exterior mural, Ashfield WA
 2016 Private exterior mural, Joondanna WA
 2016 Private interior mural, Wellard WA
 2016 Live canvas Painting, State Theatre Perth WA
 2016 Dampier mural project including three exterior murals around town. Dampier WA
 2016 Exterior wall mural for Infill property group. Hamilton Hill WA
 2016 The Chippery & Co exterior mural, Northbridge WA
 2016 Wembley Downs Primary School. Three exterior murals, Wembley Downs WA
 2016 St Patricks Primary School. Exterior mural. Fremantle WA
 2016 Hongkies Hong Kong Kitchen restaurant, Northbridge WA
 2016 Private exterior mural, Bayswater WA

2016 Subiaco Vet exterior mural, Subiaco WA
 2016 Mulberry Tree childcare external mural, North Perth WA
 2016 Private exterior mural, Bayswater WA
 2016 Private exterior mural, Fremantle WA

2017 Mulberry Tree childcare exterior mural, Tuart Hill WA
 2017 Kerry Street Pear Tree coffee shop exterior mural, Hamilton Hill WA
 2017 Private exterior mural, Leederville WA
 2017 Private exterior mural, Hamilton Hill WA
 2017 Private exterior mural, Bayswater WA
 2017 Mulberry Tree Childcare, Tuart Hill WA
 2017 Private exterior mural, Fremantle WA
 2017 Lions Park exterior mural x2, Dampier WA
 2017 Private exterior mural, North Perth WA
 2017 Private exterior mural, Shoalwater WA
 2017 Exterior mural x2 for MSC.org opposite Joes Fish Shack, Fremantle WA
 2017 Exterior mural for Heartwalk2017, Kalgoorlie WA
 2017 Private exterior mural, Leederville WA
 2017 Interior mural and workshops Kolbe Catholic College, Rockingham WA
 2017 Exterior mural and workshops Maida Vale Primary School, Maida Vale WA
 2017 Interior mural Screenwest department ABC Perth, Perth WA
 2017 Exterior mural Piney Lakes Sensory Playground, Winthrop WA
 2017 Private exterior mural, South Fremantle, WA.
 2017 Private interior mural, Fremantle WA.
 2017 Exterior mural, Native Animal Rescue, Malaga WA
 2017 Private exterior mural, Mount Pleasant WA
 2017 Interior mural, The Local Hotel, Fremantle WA
 2017 Private Interior/exterior mural, Hilton WA
 2017 Private exterior mural, Bibra Lake WA
 2017 Endemic Bird Project exterior mural, Piney Lakes Education Centre, Melville WA
 2017 Private exterior mural, South Fremantle WA
 2017 Endemic Bird Project exterior mural, Perth Zoo, South Perth WA
 2017 Endemic Bird Project exterior mural, Ocean Beach Holiday Park, Denmark WA
 2017 Exterior mural, Denmark High School, Denmark WA
 2017 Exterior mural, IGA Winterfold Drive, Hamilton Hill WA
 2017 Exterior mural x 2, Melville Senior High School, Melville WA
 2017 Interior mural, Eat No Evil food warehouse, South Fremantle WA
 2017 Private exterior mural x 2, Morley WA
 2017 FORM Public Silo trail exterior mural, Katanning WA
 2017 Exterior Mural Immerse 2017 Melbourne, Ferntree Gully Library VIC
 2017 Exterior mural Scotch College, Claremont WA
 2017 Exterior mural Pride Festival, Newcastle St Northbridge WA
 2017 Exterior mural Coogee Primary School, Coogee WA

2018 Interior mural The Moody Rabbit, E-Shed Markets, Fremantle WA
 2018 Private exterior mural, Doubleview WA
 2018 Exterior mural KPA Architects, Beeliar Hive Shopping Centre, Beeliar WA
 2018 Private exterior mural, Byford WA
 2018 Exterior mural x 2 Bentley Library, Bentley WA

2018 Private residence exterior mural, Melville WA
 2018 Interior Mural Seton Catholic College, Samson WA
 2018 Private exterior mural x 2, Samson WA
 2018 Private exterior mural, Willagee WA
 2018 Exterior mural x 2 Leda Shopping Complex, Leda WA
 2018 Private exterior mural, Hamilton Hill WA
 2018 Heartwalk 2018 exterior mural, Kalgoorlie WA
 2018 Private exterior mural, Marangaroo WA
 2018 Exterior mural x 2 Leonora District High School, Leonora WA
 2018 FORM Public Silo Trail, Newdegate Silo project, Newdegate WA
 2018 Interior mural, Harmony Primary School, Atwell WA
 2018 Interior mural x 2, Piney Lakes Reserve, Melville WA
 2018 Exterior mural x 2 WESCO group, East Perth WA
 2018 Private exterior mural, East Fremantle WA
 2018 Exterior mural x 2, John Wollaston Anglican Community School, Camillo WA
 2018 Interior mural, Lighting Options Australia, Perth WA
 2018 Private exterior mural x 2, Hamilton Hill WA
 2018 Exterior mural Pioneer Park, Cowaramup WA
 2018 Private exterior mural, Hamilton Hill WA
 2018 Private exterior mural, Kwinana WA
 2018 Private exterior mural, Palmyra WA
 2018 Private exterior mural Othello Quays, Port Coogee WA
 2018 Private exterior mural, Palmyra WA
 2018 Exterior mural, St Patricks Primary School, Fremantle WA
 2018 Private exterior mural, Hilton WA
 2018 Private exterior mural, Craigie WA

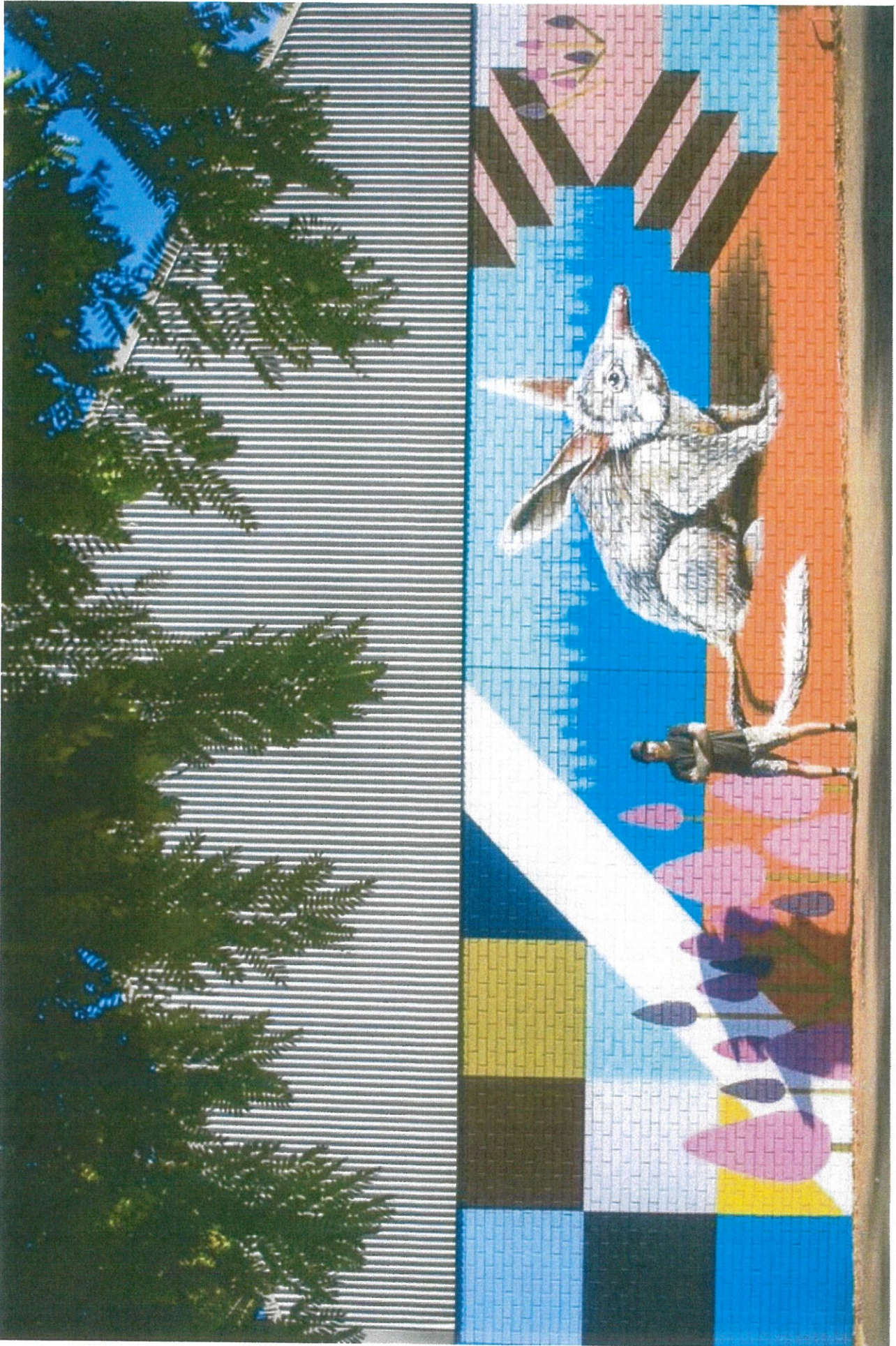
- [CREATING INTERIOR WALL ART WITH A PROGRAMME FROM EUROPE](#)

- Other examples -

















29 June 2018

Rhianna Pezzaniti
FORM Building a State of Creativity Inc.
357 Murray Street
PERTH WA 6000

A division of
Jardine Lloyd Thompson Pty Ltd
ABN 69 009 098 864

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Fax +61 8 8235 6448
Michael.Gordon@jlta.com.au
www.localcommunityinsurance.com.au

Certificate of Currency

Our Ref FORM-029695

INSURANCE CLASS	Public & Products Liability
INSURED NAME	FORM building a state of creativity Inc. on behalf of Practitioner Members
INTERESTED PARTY	Any Principal in respect of work carried out by a Practitioner Member
POLICY EXPIRY DATE	1 July 2019
SITUATION	Worldwide except USA and Canada where the policy only applies subject to Endorsement H40 North America as detailed on the schedule
INTEREST	Legal liability to third parties for Injury and/or Damage to Property caused by an occurrence in connection with the Insured's business
LIMIT OF LIABILITY	Public Liability: \$20,000,000 (any one occurrence) Products Liability: \$20,000,000 (any one occurrence and in the aggregate any period of insurance) Professional Indemnity \$5,000,000 Property in Care Custody/Control: \$100,000
DEDUCTIBLE / EXCESS	The insured shall bear the first \$250 of each and every Property Damage claim or series of claims arising out of any one Occurrence except for North American exports where the excess is \$10,000 any one occurrence inclusive of 1.3 Supplementary Payments.

INSURER	PROPORTION	POLICY NUMBER
QBE Insurance (Australia) Ltd	100.000%	AT A172000 PLB

SPECIAL PROVISIONS Policy wording QM2441-1109 plus endorsements

UNITED STATES OF AMERICA AND/OR CANADA EXPORTS ENDORSEMENT

2. DEFINITIONS at 2.7 Geographical Limits

H40 NORTH AMERICA EXPORTS ENDORSEMENT

The following amendments are made to the Policy:

1. Geographical Limits Definition 2.7 is deleted and replaced with:

Anywhere in the world subject to additional Exclusion - Territorial Limits

2. The following additional Exclusion - Territorial Limits is added to the Policy:

(a) claims made or actions instituted within any Country, State or Territory (outside Australia) where the laws of that Country, State or Territory require insurance to be effected or secured with an insurer or organisation licensed in that Country, State or Territory to grant such insurance;

(b) claims made and actions instituted within North America or any other Territory coming within the jurisdiction of North America;

(c) claims and actions to which the laws of North America apply.

Provided that Exclusion (b) and (c) do not apply to:

(d) claims and actions arising from the presence outside Australia or any of Your Employees and/or directors or partners who are normally resident in Australia and who are not undertaking manual work or supervision work of any kind while in North America;

(e) claims for Personal Injury, Property Damage or Advertising Liability caused by or arising out of Your Products exported by You or on Your behalf to North America.

The Excess applying to Cover granted by this Endorsement is \$10,000 any one Occurrence (inclusive of 1.3. Supplementary Payments)

AMENDMENT TO PROFESSIONAL LIABILITY EXCLUSION

3. EXCLUSIONS at 3.14 Professional Liability

Page 13

Exclusion 3.14. Professional Liability amended to read as follows:

Liability to pay Compensation for the rendering of or failure to render professional advice or service by You or any related error or omission connected therewith, but this Exclusion does not apply to:

(a) Personal Injury or Property Damage arising from such rendering or failure to render professional advice or service, providing such professional advice or service is not given for a fee;

(b) Personal Injury and/or Property Damage arising from the rendering or failure to render professional medical advice by Medical Persons employed by You to provide first aid and other medical services on Your premises;

(c) personal injury or property damage arising from the provision, production or tendering of art works'.

4.15 BREACH OF CONDITIONS - SEVERABILITY

A breach of, or failure to observe and fulfil the terms and conditions of this policy by any party comprising the Insured shall not prejudice the rights of the remaining parties comprising the Insured.

This policy is issued to FORM on behalf of **Practitioner Members** and is to be read in conjunction with the confirmation of Practitioner Membership provided by FORM.

This certificate of currency provides a summary of the policy cover and is current on the date of issue. It is not intended to amend, extend, replace or override the policy terms and conditions contained in the actual policy document. This certificate of currency is issued as a matter of information only and confers no rights upon the certificate holder. We accept no responsibility whatsoever for any inadvertent or negligent act, error or omission on our part in preparing these statements or in transmitting this certificate by email or for any loss, damage or expense thereby occasioned to any recipient of this letter.

Yours sincerely,

Michael Gordon
Account Executive

3

Details

Total cost for artist's time, design and consumables. Including sealer, pre-coat primer, anti-graffiti coating, Dulux exterior paints (purchased locally where possible) sundries e.g. brushed, roller, trays, drop sheets, buckets, clean equip, PPE, insurances etc.

Total cost; \$9241

Time frame; April-May depending on weather conditions. Estimated two weeks to completion

Expected work schedule and delivery time frames;

Onsite briefing with project team

Seal joins, allow drying time as recoating maybe required

Tape as required (base of wall allocated for required lettering)

Prime wall area, base coat white. 2nd coat maybe required.

Measure to scale and mark out design

Paint in skyline, may need 2nd coat to maintain colour intensity

Paint in foreground

Paint in waterway

Paint trees and buildings, then paint in finer details

All of the above depend on weather conditions as affects drying times and recoating

Certificate of Currency for Public liability insurance;

Elders Insurance EKA940494BPK Exp 29/05/2019

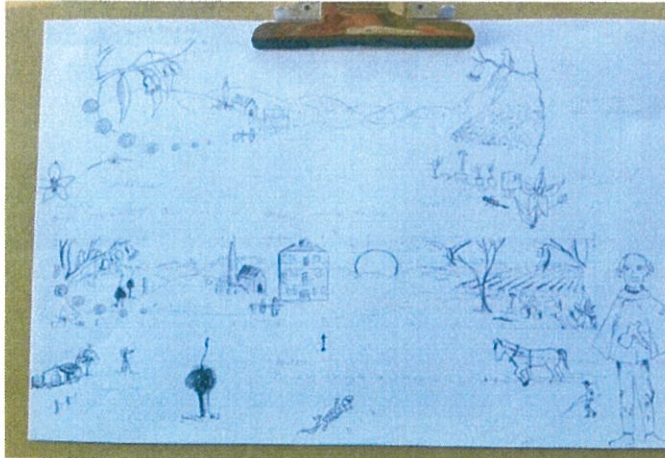


Toodyay Charcoal Lane Mural Project

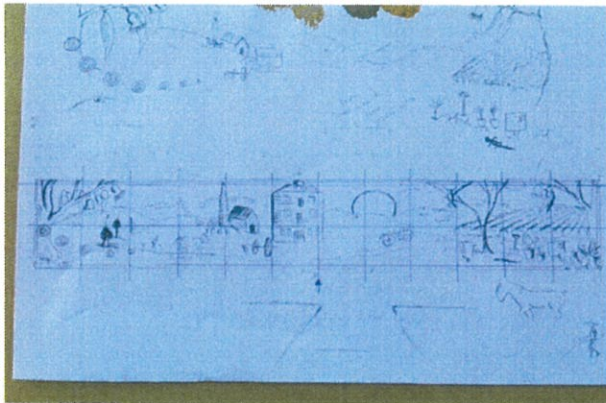
Developing a concept

Including elements; Red gum trees, KAB logo (on green bin right hand corner near tree planting), Aboriginal water symbol, black cockatoos, rolling hills, historic buildings, Avon river, canola crop.

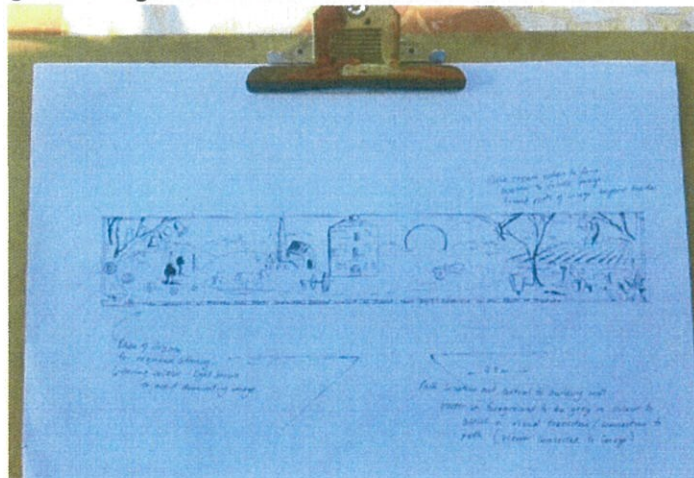
The lettering "An initiative of Toodyay Tidy Towns Committee, national winners of Tidiest Town 2015" supported by the Shire of Toodyay. Will appear at the base of the image as per below (3rd board) Other elements briefly included in the design; Flora, landscape without litter, solid colours, heritage importance, Aboriginal history, local animals, farming history.



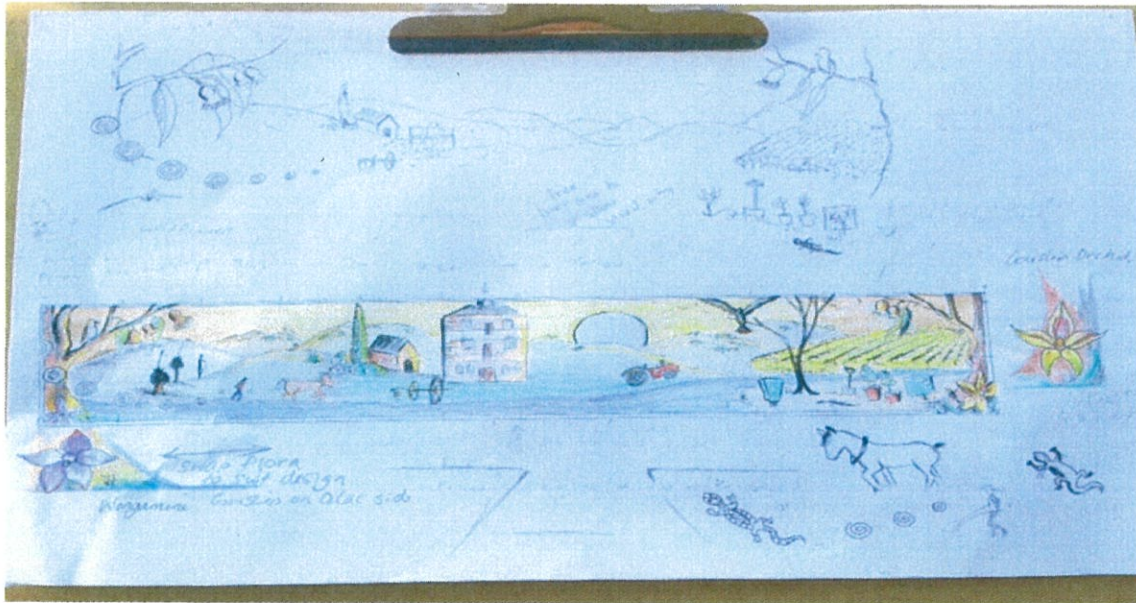
Scale below



Linking the design to the location



Drafting colour selection



Painted concept

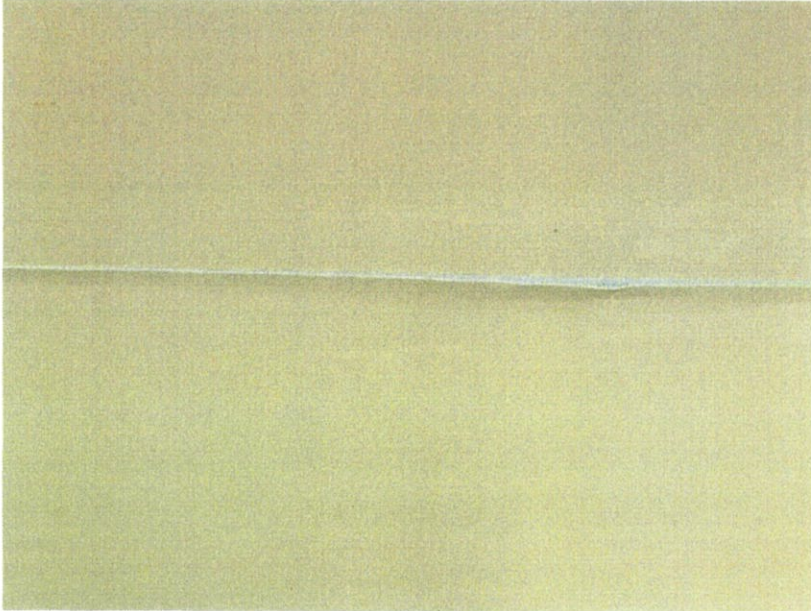


Colour range below



The site

Joins in wall will be sealed prior to base coat application



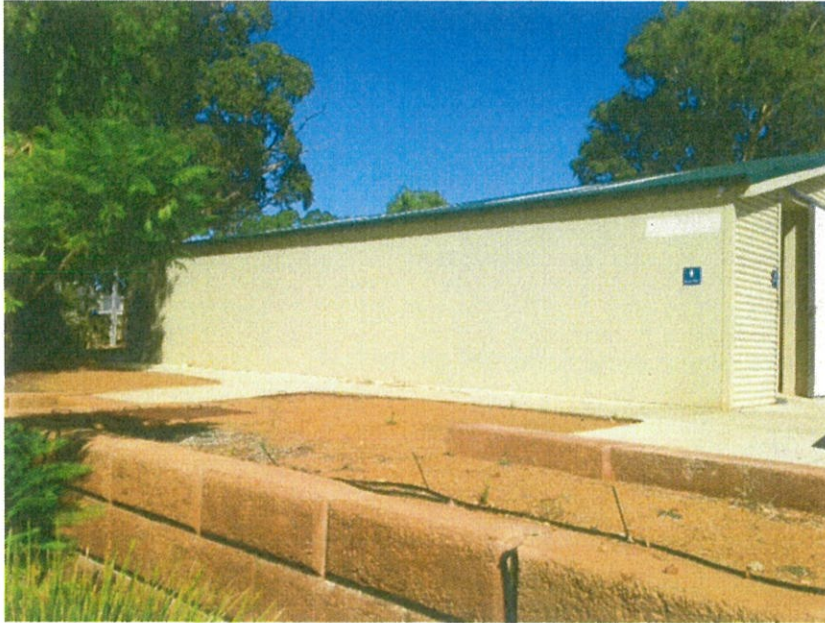
Cream facia and side flashing to remain cream to form frame of the proposed image



Path not central to the building and foreground in design has been designed to visually link in with the pathway



Large peppercorn tree shadows left hand side of wall



building opposite



Brief Artist Biography

Michelle Murfit

I work in various art forms, drawing, pastels, painting, mosaic and kiln formed glass. I have participated in several art exhibitions ranging from Houghton Winery, Sandalford Winery, Bridgetown, Mukinbudin, Bencubbin and Merredin.

I have worked with various community groups and coordinated workshops to bring city based artists to rural areas. I previously owned an art gallery and café in Merredin and promoted the range of local artistic talents.

With the assistance of Brendon Grylls I started the Wheatbelt Art Prize that still runs today via Mia Davies.

I am currently employed at DPIRD Merredin as a project officer for the Managed Environment Facility, a national pre-breeding wheat program for drought tolerance.

In August 2018, my husband and I purchased a property in Toodyay and plan to make it home in the future.

I have interests in sustainability and the environment.

I am contactable on 0400955337
Email dmu06097@bigpond.net.au

A few community arts projects that I have completed in the Wheatbelt (Westonia, Mukinbudin and Merredin)

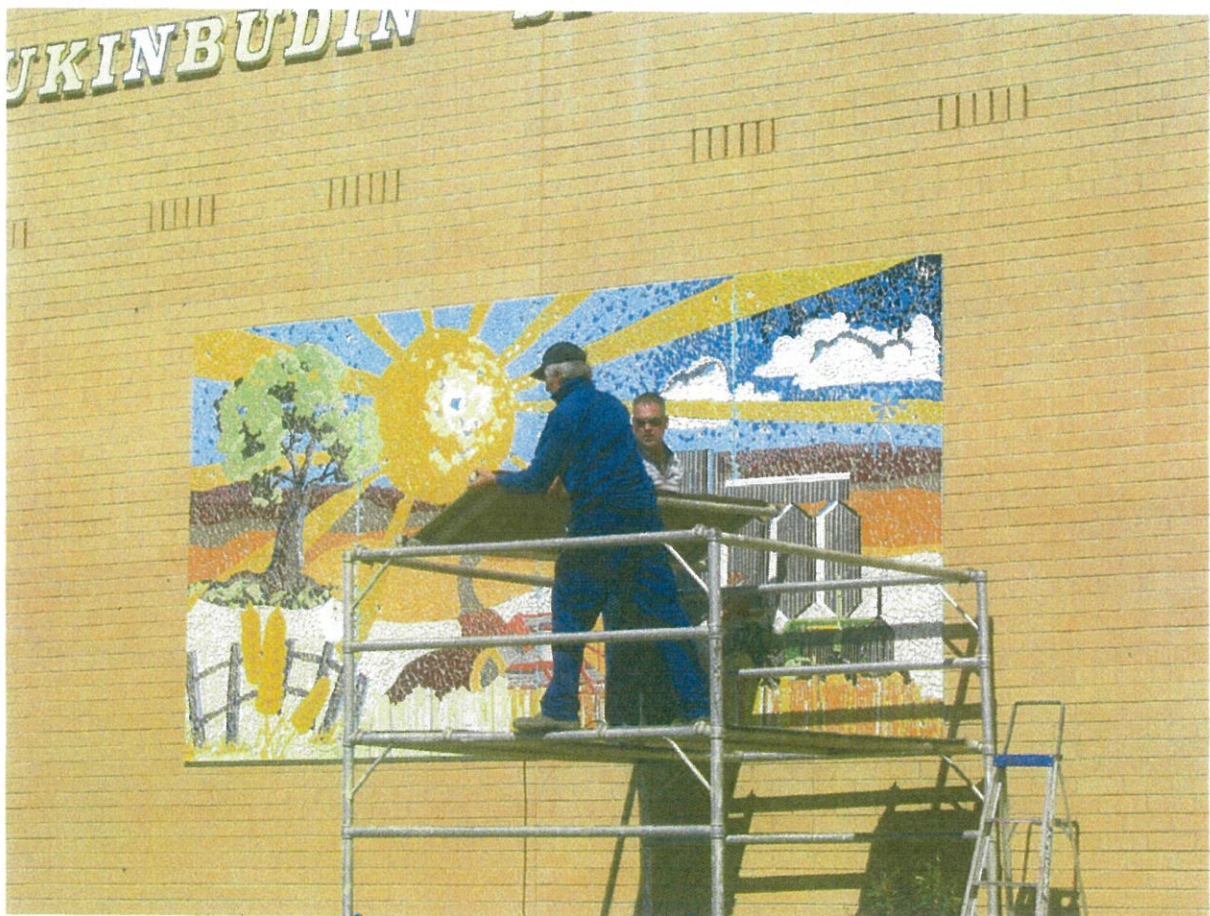


6 of 12 mini heritage huts place at significant road intersections around the town of Westonia (themed on the shops that once serviced the town in its prime)





Mukinbudin Recreation Centre Community Mosaic Mural (4 panel installation below)





Merredin Round-a-bout central mosaics (panels History, Youth, Aboriginal themed)







• MOZAIK FOR PLAY GRDUP 1.2m x 1.4m
MOZAIK : SERIES OF 4 AT SOUTH MERREDIN PRIMARY SCHOOL 2m x 1.4m

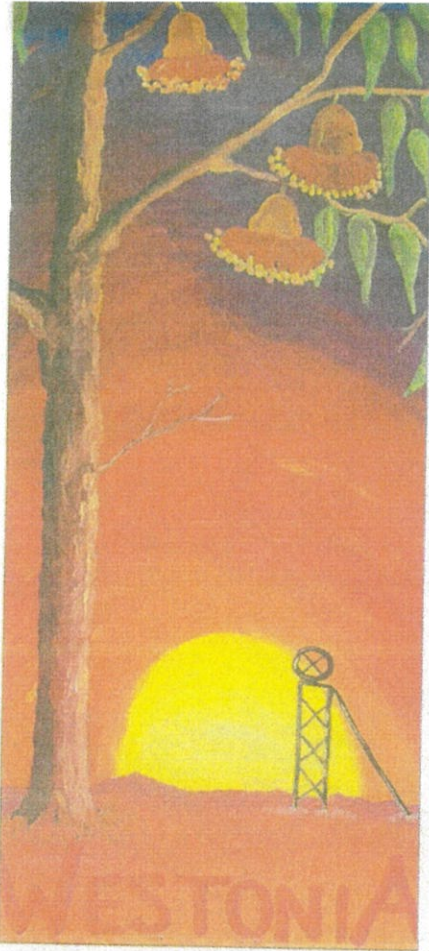




•PAINTED
P.V.G.



BANNERS ON
BATES ST.
FOR WATER
WISE GARDEN.
ALSO DESIGNED
MERRIDIN WATER
ACTION GROUP
LOGO. AND WATER
WISE GARDEN.



Westonia's winning entry in the Banners in the Terrace competition. It won the upper primary school category.

Westonia wins banner contest

It might be one of the smallest schools in the State but Westonia Primary School has made a big impression on the judges of this year's Banners in the Terrace competition.

With just 15 students, the school has won the upper primary school category of the competition which was held as part of Local Government Week.

The school worked with Merredin artist Michelle Murfit to design the winning banner which was displayed on St Georges Terrace, along with the 94 other entries, during Local Government Week.

Other winners in the competition were: Lower Primary - Shire of Harvey, Secondary School - City of Geraldton, Community/Non Professional - Shire of Murchison; and Creative Artists/Professional - City of Melville.

Each of the winning entries will have the image of their banner transferred to postcards that will be supplied by the WA Local Government Association to each council to use to help promote their area.

Westonia Shire Council, which provided the materials to produce the banner and has entered the competition with the school for the past few years, hosted a function on Friday to congratulate the students and Michelle Murfit on their win.

Although the win is a first for Westonia Primary School, Ms Murfit has had some past success in the Banners in the Terrace competition.

Last year she helped St Mary's Primary School to a win after working with them on their banner.

Another local shire that entered the competition was Quairading, which proudly sent in a copy of its entry to the *Mercury*.

Despite not winning with the judges, Quairading community development officer Apryl Longford said the banner

had won over the town.

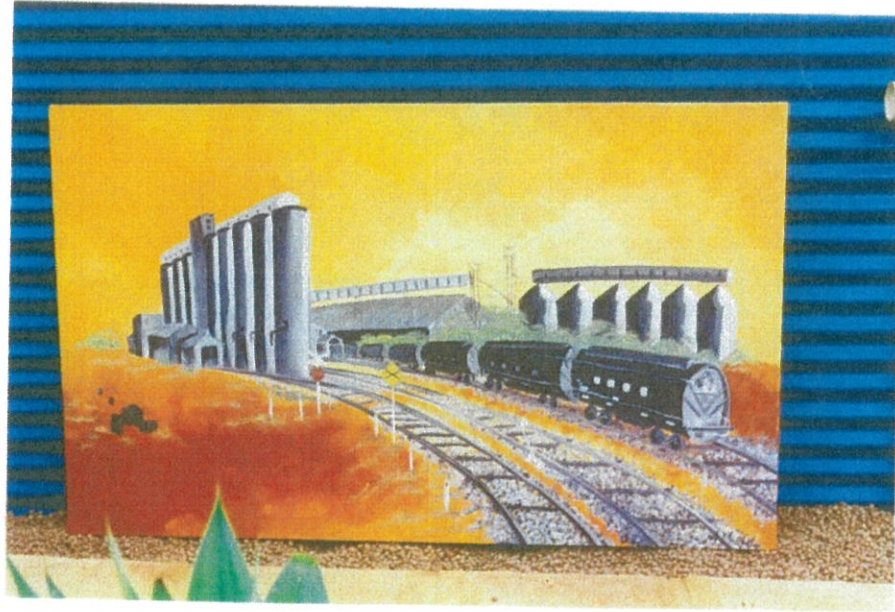
Designed by the 2005 Year 10s and painted by the 2006 Year 10s, the banner depicts the Quairading community working together and is based on the theme of the football field with wheat as the goal posts and many of the town's local heroes wearing the Quairading Bulls jumpers.

Banners



Best Upper Primary and Overall Winner for 2005

Welcome to WA Local Government Association Banners in the Terrace Competition, proudly supported by City of Perth.



CBH MERREDIN . 2003 SEASON . ACRYLIC ON CANVAS
2m . 1.2m

Shire of Wyalkatchem Memorial Wall Mosaic



Debra Andrijich

From: The Murfits <dmu06097@bigpond.net.au>
Sent: Thursday, 21 February 2019 9:47 AM
To: Debra Andrijich
Subject: ICR57426 - Fwd: Toodyay Charcoal Lane Mural Project; Michelle Murfit
Attachments: Toodyay Charcoal Lane Mural Project.docx; ATT00001.htm

SynergySoft: ICR57426

Hi Debra,

Thanks for taking the time to chat at the markets last week.
Please see a brief breakdown of the proposed design for the "Charcoal Lane Mural Project" attached.
I will drop in a hand painted acrylic example and hard copy tomorrow afternoon to go with my proposal.

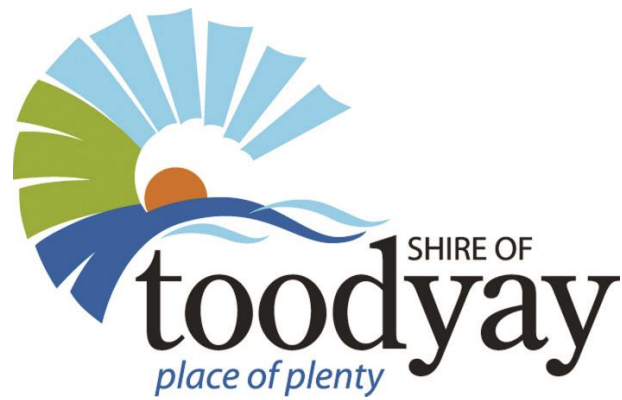
I am happy to discuss all options and ideas if required. If you require a reference please feel free to contact Debbie Morris at the Merredin CRC (previously Community Development Officer at the Merredin Shire) on 08 90 411 041

Kind regards

Michelle Murfit
ph 0400955337
email dmu06097@bigpond.net.au

Begin forwarded message:

From: Michelle Murfit <michelle.murfit@dpird.wa.gov.au>
Subject: Toodyay Charcoal Lane Mural Project
Date: 21 February 2019 at 8:55:23 am AWST
To: "dmu06097@bigpond.net.au" <dmu06097@bigpond.net.au>



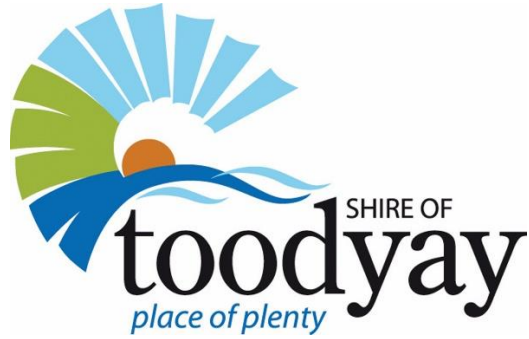
Artwork brief for Charcoal Lane Mural Project

Call for Expressions of Interest (EOI)

Closing date: 4pm 22 February 2019
records@toodyay.wa.gov.au



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TOODYAY TIDY TOWNS MURAL PROJECT - ARTIST BRIEF

1. Contents

1. Overview and Project background	3
2. Concept and consultation	4
3. Deliverables.....	5
4. Assessment Criteria, Weighting.....	6
5. Artwork lifespan, communication	7
6. Site Details	8

OVERVIEW

Expressions of interest are sought from artists who are interested/ experienced in delivering a wall mural public artwork for the Shire of Toodyay.

PROJECT BACKGROUND

In March 2015 eleven delegates comprising the Toodyay Shire President, Members and supporters of the Toodyay Tidy Towns Committee (TTTC) travelled to Sheffield Tasmania (KAB Australia's Tidiest Town 2014) for the Keep Australia Beautiful, Australia's Tidiest Town Finals. Toodyay was the successful finalists receiving 4 category awards and the National award of Australia's Tidiest Town 2015. Sheffield is famous for its many beautiful murals. They attract thousands of tourists annually and the town also hosts an International Murals Festival. Inspired by what they saw in Sheffield the Toodyay Tidy Towns Committee renewed their efforts to create a series of murals in Toodyay.

Following the win of National Tidiest Town, The TTT Committee felt that there needed to be something to mark the occasion. A new inclusive changing places building was being built in Charcoal Lane and had been designed to include a wall for a mural. This provided the perfect opportunity for the town's first mural and the committee embraced the venture with Shire support.

The TTT Committee felt it would be a fitting tribute to paint a mural on the Charcoal Lane building commemorating the town's success while at the same time promoting community spirit and sustainability. The approach was to come up with a concept design that was accepted by the wider community and approved by the Shire Council. Then, to engage a suitable mural artist to transfer the design to the blank wall (canvas).

The Committee wanted the mural to represent the outstanding features of Toodyay and its community that won award categories for the Keep Australia Beautiful Tidiest Town success. Three key categories are Heritage and Culture; Sustainable Environment; Litter and Waste management – other categories are Young Legends; Community Action and Community Activity and Wellbeing.

The Tidy Towns Committee resolved to include the following in the draft design;

- Red gum trees (Marri)
- KAB logo at side of mural
- Aboriginal water symbol
- Black cockatoos
- Rolling hills
- Historic buildings
- Avon River
- Canola crop

Small letters at base of mural to read:

"An initiative of Toodyay Tidy Towns Committee, national winners of Tidiest Town 2015" supported by the Shire of Toodyay

The TTT Committee then worked with a local artist who facilitated a workshop to develop a concept drawing which included all of the above elements as a Tidy Towns theme. This was submitted to Council and then community consultation followed.

Public Consultation

Consultation was undertaken with the community of Toodyay to which an overwhelming response and opinions as to what Toodyay's first mural should look like were received. The submissions from the community did not necessarily support the overall theme being Tidy Towns and litter prevention.

A summary of the communities submissions are as follows;

- All demographics from youth to elderly & other ethnicities
- Flora
- Landscape without litter
- Heritage importance
- Story of our Forbearer's
- Aboriginal History
- European settlement
- Solid Colours
- Promotion of Toodyay for Tourism
- Moondyne Joe story
- Events
- Historic Buildings
- Local animals
- People and community
- Native trees and wildflowers
- Farming history
- Avon river
- Volunteers

Further Council information for Artist background knowledge

Strategic Alignment - Shire of Toodyay

Vision:

We are a vibrant rural community that respects our environment, celebrates our past and embraces a sustainable future.

Purpose:

Local Government and community working together to obtain the best possible social, economic and environmental outcomes for the people of Toodyay.

Strategic Priorities

Community Services;

Building trust, partnerships and support for community actions

Corporate Business Plan

Activities to support the preservation and development of Toodyay's heritage, culture and art in order to enrich community identity, develop community cohesion and improve the visitor experience to the Shire.

Deliverables

Stage	Deliverable
<p>Stage 1: Concept Design and detail</p>	<p>The Concept Design and detail is to;</p> <ul style="list-style-type: none"> • be submitted to Shire of Toodyay PO Box 96, Toodyay WA 6566 (records@toodyay.wa.gov.au) • includes a site specific concept that; • is hand-drawn/painted or developed in Photoshop • shows intended design elements in detail, such as artistic features, colours and scale of works • addresses the artwork themes Toodyay as a Tidy Town, Heritage and landscape • contain paint color pantones that fit with the heritage precinct • to incorporate the elements as outlined in the project background • provide a total cost for artist time, design and consumables • provide a timeframe • include a brief (50-100 word) artist biography, including at least two examples of previous works (or provide link to website which details this information) • advise on expected work schedule and delivery timeframes within the allocated timeframe • provide a certificate of currency for public liability insurance <p>Artwork concepts are not permitted to:</p> <ul style="list-style-type: none"> • contain any logos, trademarks or brand names • contain offensive material • infringe on any intellectual property rights of any person

Stage	Deliverable
<p>Stage 2: Artwork Commissioning and Installation (for the successfully appointed artists)</p>	<p>Installation of a high quality artwork on selected site in accordance with the Concept Design.</p> <p>Inclusions:</p> <p>The artwork commissioning fee must cover the costs of the following:</p> <ul style="list-style-type: none"> • Artist fees • On site briefing meeting with project team prior to commencing works • All premium quality (all weather conditions) exterior paint • All paint brushes, paint trays, spray equipment and drop sheets

Stage	Deliverable
	<ul style="list-style-type: none"> • All personal protective equipment (PPE) required to carry out the work in accordance with OSH guidelines, such as safety masks and sun protection • Site priming • Any subcontracting costs required to carry out the artwork such as collaboration artist(s) • Anti-graffiti coating • Personal ticket or any license required to operate relevant access equipment and machinery to deliver the artwork • All travel, accommodation, meals and incidental travel expenses • Artist public liability insurance <p>Project budget is \$12,700.00</p> <p>Exclusions:</p> <p>Project team and Shire will arrange and cover the costs for the following items if necessary:</p> <ul style="list-style-type: none"> • Site cleaning • Road and footpath closures / signage • Production and installation of public information boards explaining the works

Artwork Assessment Criteria

The Assessment Panel’s preference is for selected artists to have a demonstrated connection to Rural Mural painting

To select the preferred artists, the panel will evaluate artwork concept designs using the following assessment criteria with final decision from Council:

Criteria	Weighting
<p>Artistic merit High artistic merit including quality of proposed work, impact, composition and design.</p>	50%
<p>Artwork theme Proposed concept addresses the artwork themes ‘Toodyay History, landscape and a Tidy Town’</p>	30%
<p>Site specific Proposed concept considers the site’s local context including surrounding built and natural environment, main audience and values.</p>	20%

Commission Fee Payment

Shire of Toodyay (Tidy Towns account), artists must be set up as Suppliers. Artists are to forward their bank account details, ABN and contact details on the 'EFT Provider Form' (to be provided to successful artists at commissioning stage) to the Project Coordinator. The payment term for the payment of invoices is within Shire guidelines (twice monthly).

Artwork lifespan

All reasonable steps will be taken by the Shire to maintain the artwork for a minimum period of five years, after which the artwork can be reinstated or removed at Shires/ Council's discretion. As such, the artist should ensure that the artwork is of a quality and finish that can endure all weather conditions for an exhibition period of at least five years.

Coordination and Communication

We are now progressing to engage a Western Australian Artist able to turn our concept into a suitable Mural.

Further background information can be accessed on the Shire website www.toodyay.wa.gov.au

Further Queries to the Shire's Community Development Coordinator: Debra Andrijich, 9574 9392 0475 811 955 events@toodyay.wa.gov.au

Project Coordination: Mural Project Coordinator Greg Warburton (Tidy Towns Chairperson)

Participating Parties – Panel, to short list applicants for Council consideration

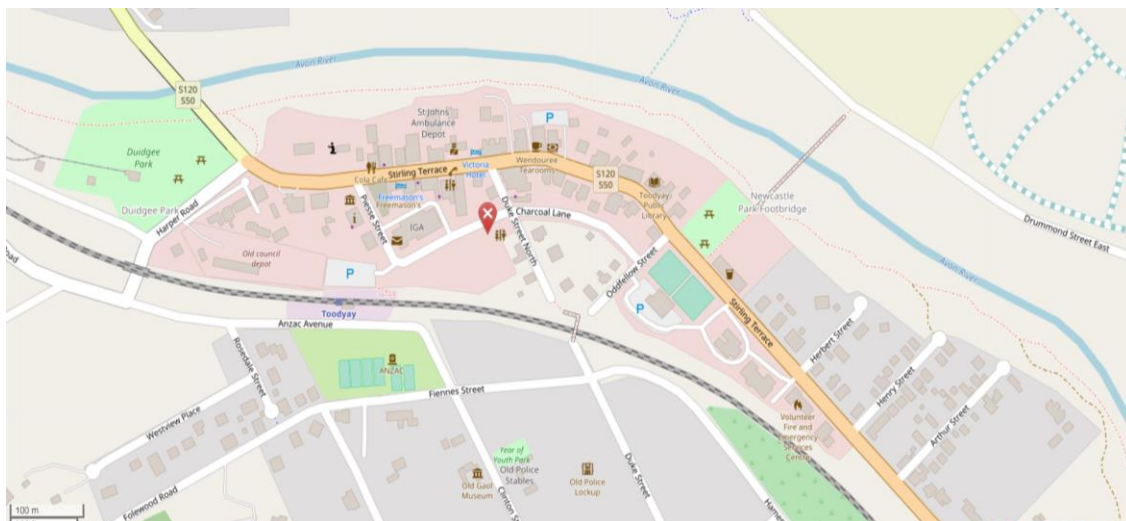
Shire of Toodyay CEO
Toodyay Tidy Towns Committee representatives
Margaret Sommerville (funding Contributor and Artist)
Arts Toodyay Inc representative

Implementation

It is envisaged that the project occurs between April 2019 – May 2019.

Site Details

- Public amenities building, corner of Charcoal lane and Duke Street Toodyay
- Mural wall facing Charcoal lane, flat wall, currently painted beige.
- Measurements: Length: 12 metres, Height: 2.1 metres
- Surface finish is painted hard plank sheeting



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Shire of Toodyay HERITAGE ADVICE

Place Name	Jane Clarkson's Cottage (fmr)
Location	46 Telegraph Road, Toodyay
Date	25 March 2019
Advice Note	01

ISSUE

The Shire of Toodyay has requested advice in relation to a demolition application for 46 Telegraph Road, Toodyay.

The place, known as Jane Clarkson's Cottage, is a single storey mud brick (adobe) residence.

In 2016 the place was damaged by fire. The current condition of the place is poor; however, there is remnant significant building fabric still evident.

CURRENT SITUATION

Stephen Carrick inspected 46 Telegraph Road on Wednesday 13 March, 2019. Options including demolition, potential retention and conservation of the remnant building fabric was discussed on site with Shire of Toodyay Planning Officer, Hugo de Vos.

Concerns were expressed by the consultant and the Shire with regard to the demolition of the remaining building fabric as it may be a rare example of construction in the area.

Relevant issues to be considered include the extent of significant building fabric remaining; the rarity of mud brick construction in Toodyay and the broader historical significance of Jane Clarkson's Cottage (fmr).

Photographs of the place, taken on 13 March 2019, are at Appendix A.

To assist with an understanding of the cultural heritage significance of the place the Toodyay Historical Society were approached to assist with additional research.

Below is background information about the place; a summary of previous documentation; a summary of information received from the Historical Society and heritage advice.

BACKGROUND

The following is taken from the Place Record Form in the Municipal Heritage Inventory. The form was prepared prior to the fire.

46 Telegraph Road is a mudbrick and iron single storey cottage with a low hipped roof and verandah. There is a red brick chimney and timber casement windows. The building is set well back from the main road in mature gardens which obscure a clear view.

46 Telegraph Road has cultural heritage significance for the following reasons:

The place is (has) historic value as one of the few remaining mudbrick houses in Toodyay and it demonstrates the development in the town in the 1890's. The place has historic value for its associations with early settlers, the Clarkson family and specifically Jane Clarkson.

The place is included on the Shire of Toodyay's Municipal Heritage Inventory and allocated a Management Category 3 for its cultural heritage significance.

A place with a Category 3 listing is described as having, 'Recognition of cultural heritage value; Provide recognition and protection through the processes of the Town Planning Scheme. Recommend that the place is retained and conserved if possible. Photographically record the place to any major redevelopment or demolition.' (Inherit Database 2017)

A search of the Heritage Council of Western Australia's State Register of Heritage Places indicated that approximately 50 places have a construction material nominated or assessed as earth construction. This includes mud brick (pise, adobe) and wattle and daub. This means that approximately 2.4% of places on the State Register are constructed from earth construction, including mud brick. The material is therefore rare as a construction material.

A Summary from the Historical Society

In March 2019, Stephen Carrick Architects liaised with Toodyay Historical Society representatives, Robyn Taylor and Jennifer Edgecombe. Below is a summary of the information provided by the Historical Society:

- The house stands on part of the Mount Anderson land (U3) granted to the Anderson Family by Governor Stirling in 1836.
- In 1877 Jain Clarkson (née Drummond) moved in to a house on New Norcia Road (Telegraph Rd) which James Drummond had commissioned some years previously, for some peace and quiet after losing her husband, Michael, in 1871.
- The house was built for James Drummond Junior (son of James Drummond - a botanist) by Henry Whitaker and is said to have been completed in 1871.
- Until the fire occurred it was one of the oldest surviving buildings in North Toodyay.

PREVIOUS ASSESSMENT AND DOCUMENTATION

Stephen Carrick Architects have previously prepared a Heritage Advice note in an email to the Shire of Toodyay on Tuesday 6 March, 2018.

The previous advice note provided the following comments:

- 46 Telegraph Road, Toodyay is included on the MHI as Jane Clarkson's Cottage (fmr) and was built in 1890
- The place record form records the place as a single storey cottage with adobe (mudbrick) walls and an iron roof. It is recorded as being set well back from the street frontage and has a mature garden
- The cultural heritage values are historic and aesthetic
- It states that there are few mud brick houses in Toodyay
- The place was reassessed in January 2010 and has a management category of 3. This category means that the place should be retained and conserved if possible. It also recommends that the place should be photographically recorded if being demolished
- I understand that only a portion of the building remains extant due to fire
- Mudbrick construction is uncommon so I would suggest that an interpretative outcome might be examined. A portion of the wall might remain as part of a development proposal. The wall might be able to be stabilised and left within the landscape. Please note that this might not be feasible due to its condition or location on the site.
- From the documentation I would also suggest that a landscape plan is submitted with any proposed development and that the owner is encouraged to maintain existing significant or mature plantings

AVAILABLE DOCUMENTATION

- State Heritage Office 'InHerit' database - Place #12183
- Email correspondence from Robyn Taylor (Toodyay Historical Society) dated 18 March, 2019
- Email correspondence from Jennifer Edgecombe (Toodyay Historical Society) dated 18 March, 2019
- Historical and Significance Summary, prepared by Jennifer Edgecombe (Toodyay Historical Society) dated 18 March, 2019
- Heritage Advice Note email dated 6 March, 2018

ADVICE

Jane Clarkson's Cottage was damaged by fire in 2016. A demolition application has been submitted to the Shire of Toodyay. Following further research and a site inspection the following advice is provided for the Shire's consideration:

- The place, known as Jane Clarkson's Cottage, is significant for its associations with the Drummond, Lukins and Clarkson families.
- Research prepared by the Toodyay Historical Society notes that the place was constructed in the early 1870s and until the 2016 fire was one of the oldest remaining buildings in Toodyay.
- The house was built for James Drummond Jnr by Henry Whitaker. Whitaker was a Ticket of Leave man who came to Toodyay and prospered.
- The place is one of the oldest structures in North Toodyay.
- Mud brick is a rare construction material.
- An inspection of the site shows that the place is set well back from the road and is on a large lot.
- Landscape features are still evident to the site, including paving and plantings.
- The front elevation and part return walls are still evident. The verandah to the front is evident but in a collapsed state. The mudbrick construction is evident.
- The management category (Level 3) means that the place should be retained and conserved, if possible. If it is to be demolished it should be photographically recorded.
- Based on the further documentary material and the size of the lot it is recommended that full demolition is not supported and partial retention of the place is required with the aim of interpreting the significant remnants.
- Due to the size of the lot there is opportunity for new development options whilst retaining a meaningful portion of the significant place.
- From the site inspection and the documentary evidence it is also recommended that a landscape plan is submitted as part of a proposal and the owner is encouraged to maintain existing mature and significant plantings and landscape features.

Please do not hesitate to contact me on 0457 309 201 or email (stephen@stephencarrickarchitects.com.au) if any clarification of this proposal or any additional information is required.

Yours Sincerely,



Stephen Carrick
Director

Attach: APPENDIX A - Site Photographs (13 March 2019)
APPENDIX B - Historical Photographs

APPENDIX A - Site Photographs (13 March 2019)



View of 46 Telegraph Road
from Street.



View of remnant landscaping.



View of remnant paving to site.



View of verandah.

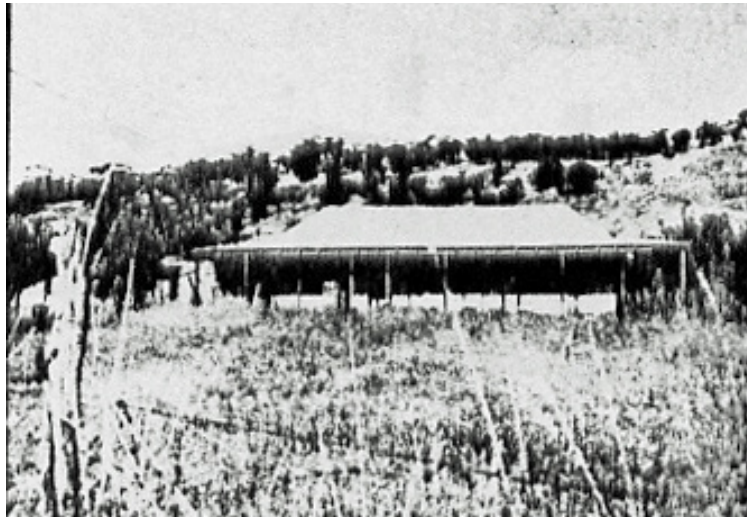


View of entry door from verandah.



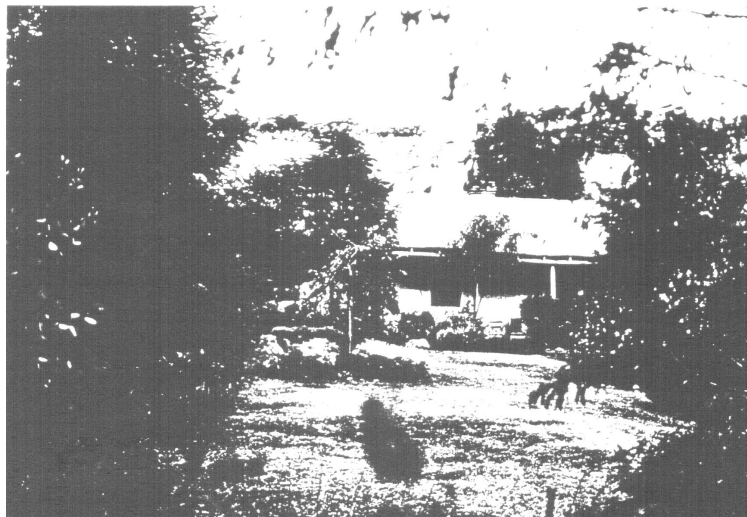
View of remnant material to door threshold.

APPENDIX B - Historical Photographs



Chitty Survey c. 1975

Source: Shire of Toodyay Survey c. 1975



Clarkson Cottage 1998

Source: Shire of Toodyay MHI 1998



46 Telegraph Road 2008

Source: Jennifer Edgecombe 2008



46 Telegraph Road 2010

Source: Shire of Toodyay MHI 2010



311

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Jane Clarkson Cottage Ruins

9m Rear Setback

312

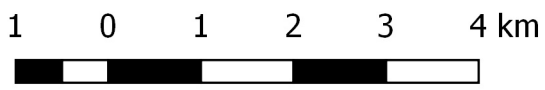
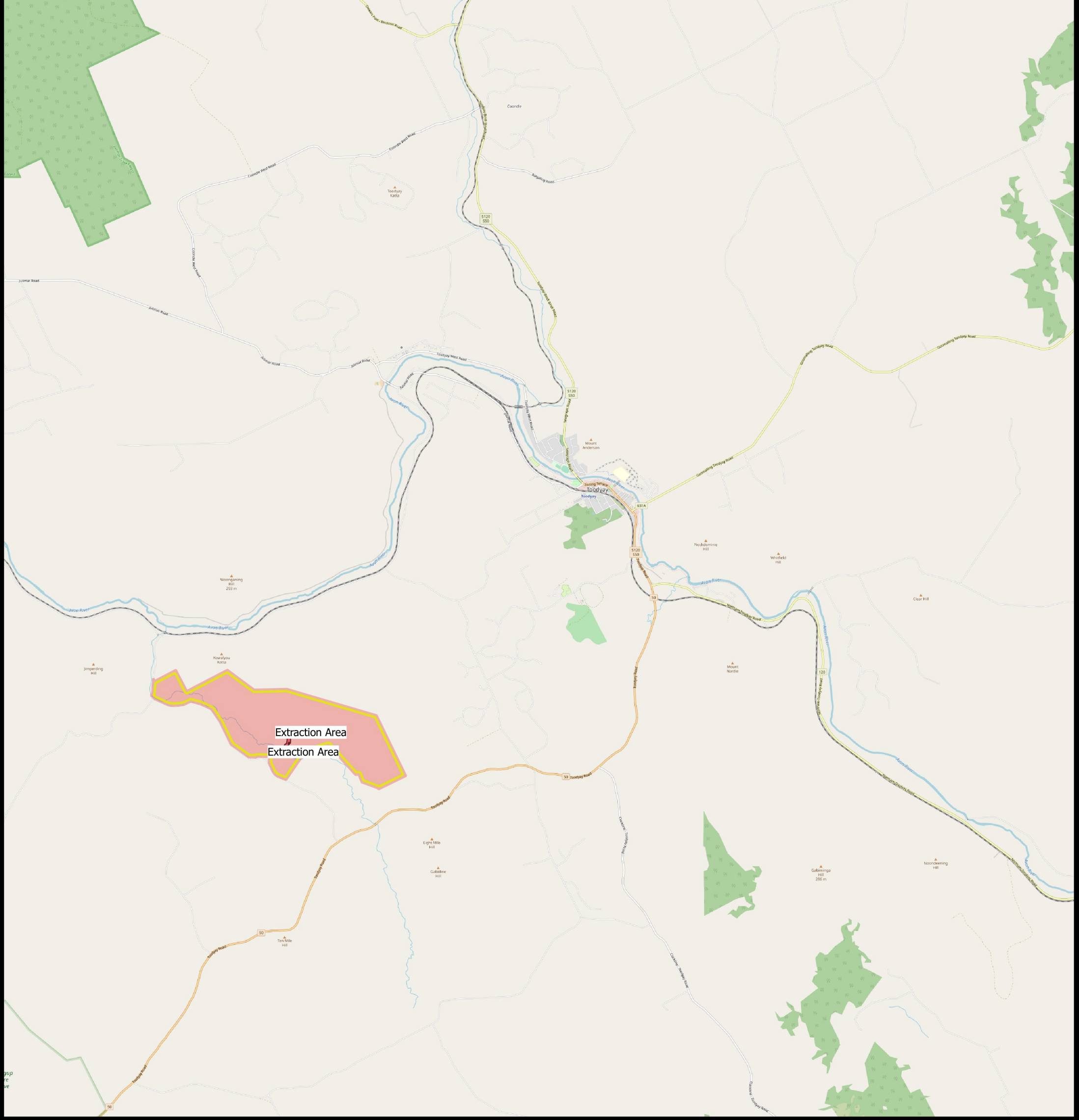
Mock House

7.5m Front Setback

121

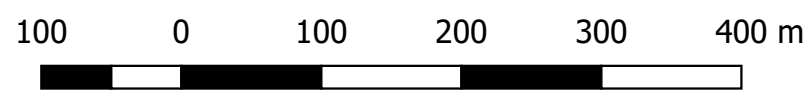
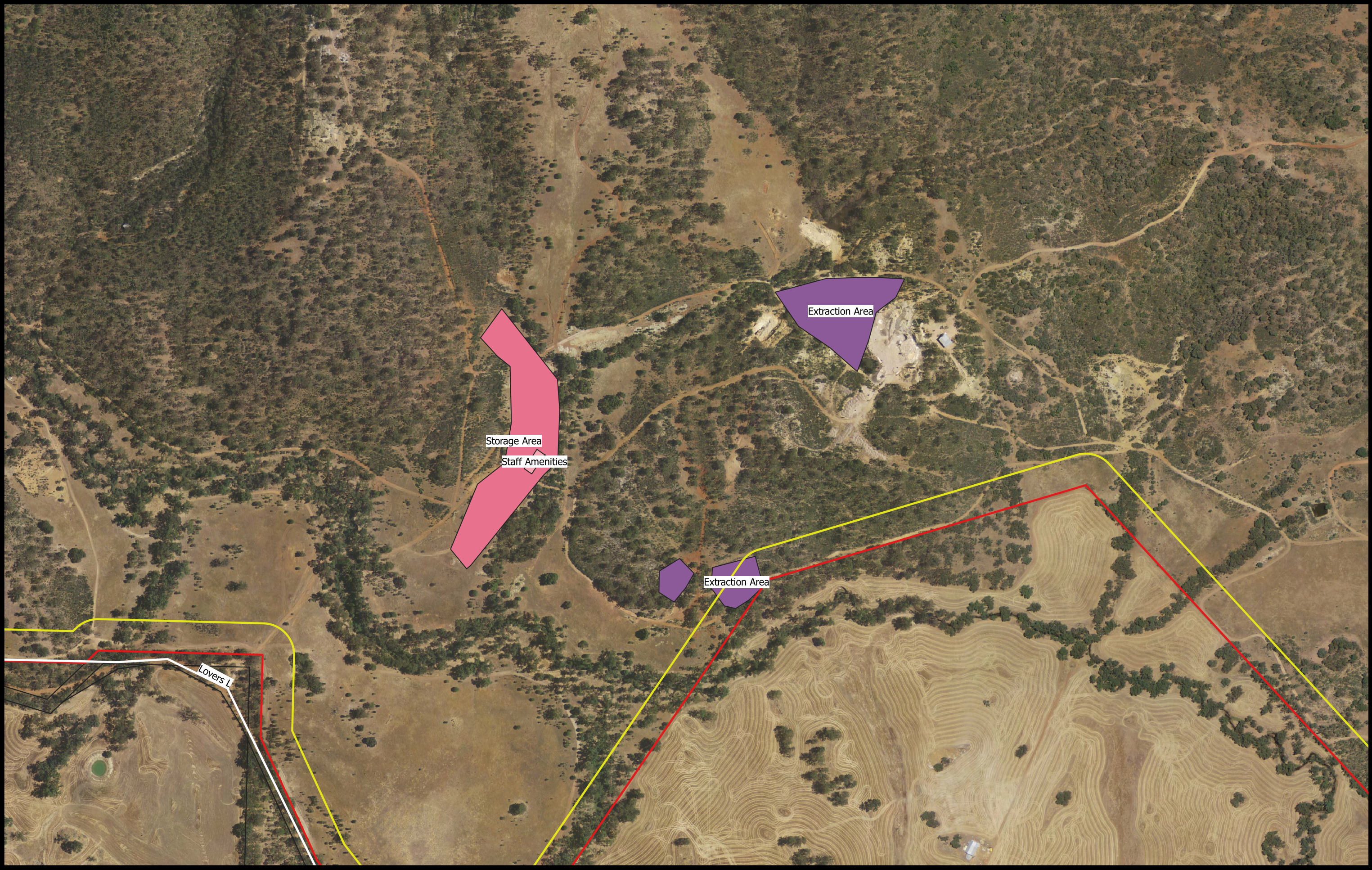
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LOT 6 LOVERS LANE
 PROPOSED STONE EXTRACTIVE INDUSTRY
 RURAL STONE COMPANY
 APRIL 2019





RENEWAL OF EXTRACTIVE INDUSTRY

EXCAVATION and REHABILITATION MANAGEMENT PLAN

Lot 6 LOVERS LANE,
TOODYAY

30 January 2019



RURAL STONE COMPANY PTY LTD

RENEWAL OF EXTRACTIVE INDUSTRY EXCAVATION and MANAGEMENT PLAN

Lot 6, Lovers Lane, Toodyay

Rural Stone Company Pty Ltd

Unit 13, 146 Carrington Street, O'Connor, WA, 6163
Phone 9314 2320

DOCUMENT PREPARED BY



Lindsay Stephens BSc (Geology), MSc (Plant Ecology)
Mem Aus Geomechanics Soc – MEIANZ – FIQA

1 49 Birdwood Avenue Como WA 6152
Tel 08 9474 3978, landform@inet.net.au

SUMMARY

Rural Stone seeks to renew the Planning Approval and Extractive Industries Licence for the quartzite quarries on Lot 6, Lovers lane, West Toodyay.

There are no proposed changes to the scale and intensity of the operations, nor to the previously approved footprints.

The proposed operation will continue to provide a source of Toodyay Stone for the building industry and provide recognition for Toodyay and the Shire of Toodyay.

The type of quartzite varies from white quartzite with green facings through to pink and brown quartzite with pink or brown facings due to weathering. The quartzite is generally used as facing and paving stones, and, for example, was used at Stirling Gardens, St Georges Terrace and within the Town of Toodyay.

The operations consist of a number of scattered small pits which have been opened for many years.

Where possible rehabilitation will be progressive and follow excavation, although with the restricted pit footprints and small volumes extracted progressive rehabilitation may not always be possible as that may sterilise resources.

However as the pits have been worked for many years, they are surrounded by vegetation and in part have some natural regrowth, and therefore the visual appearance is not one of bare open ground. See the attached site photographs.

The end use of the site will be conservation, with some outcrop left exposed, and the level handling area retained as a potential picnic area contained on a rural property.

Stone on site will continue to be excavated, sorted and bagged for transport from site. The recovery of the stone from the existing dumps will at times require an excavator with a long reach. This will be used to loosen the stone which will be hand sorted and transported from the site on rigid trucks 1 - 2 times per week. The number of workers will be up to two.

Access will continue to be directly to Lovers Lane.

Management plans will be used to control the potential for the introduction of dieback disease, environmental or Declared Weeds.

The site is within mobile phone contact and two way radio contact with the owners of Lot 6.

Excavation will be controlled through the *Mines Safety and Inspection Act 1986*.

A 20 year Development Approval and Extractive Industries Licence is sought.

Land zoning in the area is Rural, however the site lies within the Priority Resource Area T23, of State Planning Policy No 2.4 Basic Raw Materials, (SPP 2.4), Western Australian Planning Commission.

The Land zoning is "Rural". The Rural zoning does not list basic raw materials in the Zone objectives but the Scheme allows Council to use its discretion to grant approval.

Both SPP 2.4 and State Planning Policy 2.5 (SPP 2.5) requires basic raw materials to be identified, protected, used in a staged manner and not impinged by competing land uses. SPP 2.5 prevails over the Town Planning Scheme, which should reflect the intent of the State Planning Policy.

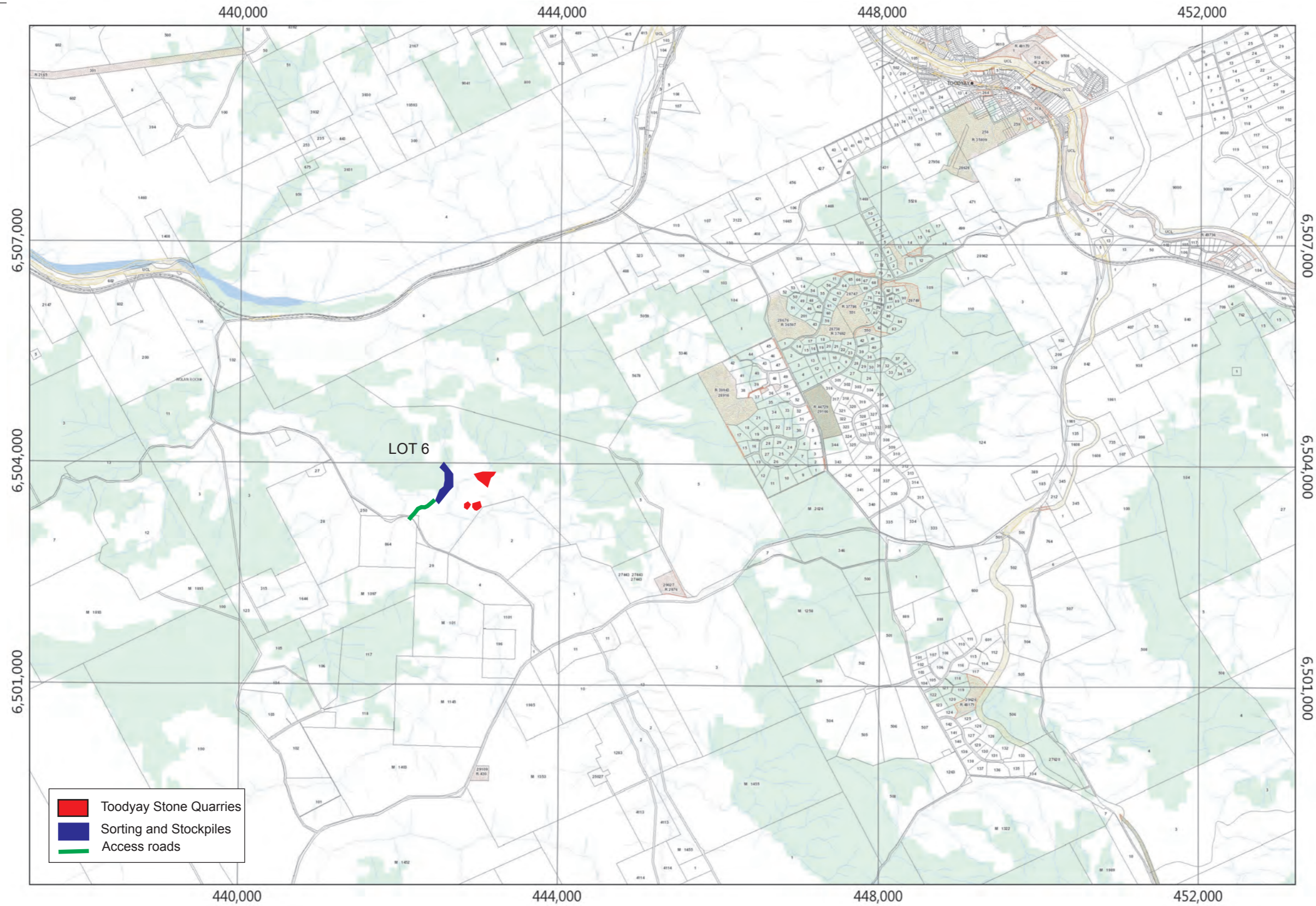
Project Summary

ASPECT	PROPOSAL CHARACTERISTIC
EXCAVATION	
Total area of excavation	The area of ground that has been opened for many years. <ul style="list-style-type: none"> ➤ See Figure 4 ➤ Three small existing pits with a total area of 2.4 hectares (Figure 4 - Rural Stone Pits). ➤ Existing sorting and piles of resource with no excavation on 2.7 hectares of land. These areas exist and will be tidied. (Figure 4 - Rural Stone Storage)
Resource extraction	500 tonnes Toodyay stone per year. Up to 2 000 tonnes crushed schist per year. Crushing is not anticipated every year.
Operational time	Intermittent and restricted to campaigns Around 30 days per year. Sorting and packing additional 30 – 60 days per year. Transport - see below
Life of project	20 years
Area cleared per year	No clearing is required to extract the next ten years' resource
Area mined per year	<0.5 ha.
Dewatering requirements	Nil Water collecting in the pit is used for dust suppression.
Depth of excavations	Around 2 metres below natural reformed land surface
Native vegetation to be cleared	No clearing required for ten years. Potential for minor clearing years 10 – 20 through a DWER Clearing Permit application and approval.
PROCESSING	
Resources	Not required on site for Toodyay Stone. There remains potential for occasional crushing and screening of schist for specialty markets once every 1 – 2 years.
Water requirements	1 500 kL approx, obtained from site in the base of the pits
Water supply source	Supplied from sump and sediment settlement dams in the base of the pit, or brought to site as required.
INFRASTRUCTURE	
Total area of plant and stock	Located within existing excavations and the current stockpile – stone sorting area.
Area of settling ponds	Base of the pits.
Fuel storage	Mobile refuelling with no onsite storage.
TRANSPORT	
Truck movements	Variable but maximum of 1 – 2 truck or trailer loads per week for Toodyay stone (average). There will be weeks when there will be no transport and others when there will be slightly more movements. Crushed schist, maximum 2 000 tonnes per year (equates to maximum 67 truck loads per year).
Access	No changes with transport directly to Lovers Lane and then Toodyay Road.

	Large trucks will be required to “left turn” at Toodyay Road as required by Main Roads until the intersection is upgraded.
WORKFORCE	
Construction	Renewal – already in operation.
Operation	1 - 2 persons. There will be weeks when there will be no on site activity.
Hours of operation	Hours of operation, will be 7.00 am to 5.00 pm Monday to Saturday inclusive, excluding public holidays.

Lot 6 - Lovers Lane Location

Extracted from GeoVIEW.WA

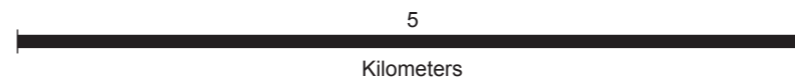


Legend

- Major Town
- Town - part 1
- Town - part 2
- Minor Town
- Place Name
 - Aboriginal Community
 - Cave
 - Hill
 - Homestead
 - Meteorological Station
 - Mountain
 - Peak
 - Roadhouse
 - Rock
- Railway
- Road
 - <all other values>
 - Freeway
 - National Highway
 - State Highway
 - Main Road
 - Mall
 - Minor Road
- Coast
- DEC Managed lands - Marine
 - Marine Management Area
 - Marine Nature Reserve
 - Marine Park
- Watercourse mask
 - 0-200m
 - 200m-1000m
 - 1000m-2000m
 - 2000m-3000m
 - 3000m-4000m
 - 4000m-5000m
 - >5000m
- Lakes
- Water Course - Major
- Water Course - Minor
- DEC Managed lands - Land
 - 5(1)(g) Reserve, A
 - 5(1)(g) Reserve, C
 - 5(1)(h) Reserve,
 - 5(1)(h) Reserve, A
 - 5(1)(h) Reserve, C
 - Conservation Park,
 - Conservation Park, A
 - Conservation Park, C
 - Marine Management Area, A
 - Marine Nature Reserve, A
 - Marine Park, A
 - Miscellaneous Reserve,
 - Miscellaneous Reserve, A
 - Miscellaneous Reserve, C
 - National Park,
 - National Park, A
 - National Park, C
 - Nature Reserve,
 - Nature Reserve, A
 - Nature Reserve, B
 - Nature Reserve, C
 - State Forest, A

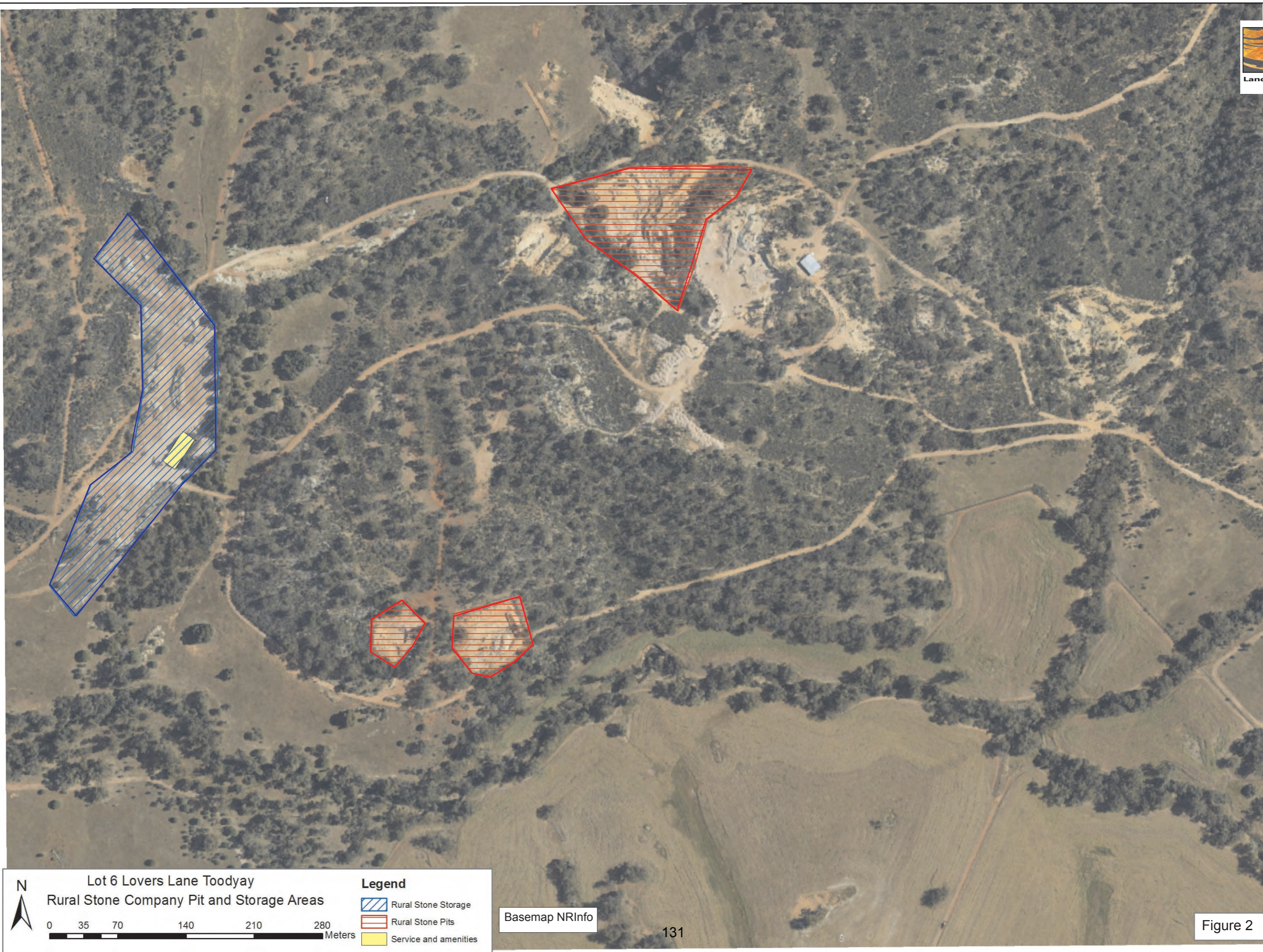


Recommend Reference for this map is: Geological Survey of Western Australia 2017, Lots 5 and 6 Toodyay Road - Lovers Lane Location extracted from GeoVIEW.WA. on 03/08/2017 Perth, Western Australia: Department of Mines and Petroleum.






NOTE: Scale is calculated at the centre of the map. Scale representative fraction will vary in a North South direction.

Figure 1



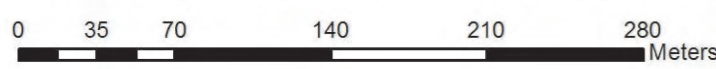
Lot 6 Lovers Lane Toodyay
Rural Stone Company Pit and Storage Areas

Legend

-  Rural Stone Storage
-  Rural Stone Pits
-  Service and amenities

Basemap NRInfo

Figure 2



ENVIRONMENTAL RISKS and MANAGEMENT - SUMMARY

Environment Factor	Untreated Risk				Discussion - Management	References
	Nature of the risk	Frequency	Severity	Untreated Risk		
Noise	Noise may impact on sensitive premises. Most noise is identified as originating from; <ul style="list-style-type: none"> • Excavation • Crushing – (screening if used) • Vehicles on site 	Rare	Nil to Minor at the sensitive premises	Low	<ul style="list-style-type: none"> • The two closest dwellings are over 800 metres from the pits and 600 metres from the sorting area. • There are no changes to the scale or intensity of the operations or the footprints used. <p>Commitments</p> <ul style="list-style-type: none"> • Noise levels will comply with the <i>Environmental Protection (Noise) Regulations 1997</i>. 	•
Dust	Dust may be generated from the following activities; <ul style="list-style-type: none"> • Excavation • Vehicle movements • Crushing and screening (if used). 	Unlikely	Nil at the sensitive premises	Low	<p>There are no changes to the scale or intensity of the operations or the footprints used.</p> <p>Commitments</p> <ul style="list-style-type: none"> • No visible dust will cross the boundary of Lot 6. • Dust levels on site will be minimised. • Dust levels on site will comply with occupational dust levels. 	•
Visual Impact	The operations may be visible from outside Lot 6.	Unlikely	Very low	Low	<ul style="list-style-type: none"> • The pits have been worked for many years and are unlikely to be seen from dwellings, Lover's Lane or Toodyay Road. • There are no changes to the scale or intensity of the operations or the footprints used. 	•
Transport	Truck traffic may add to local impacts may cause road traffic.	Unlikely	Minor	Low	<ul style="list-style-type: none"> • There will be no increase in truck traffic. 	•
Weeds	Weeds may be introduced.	Possible	Minor	Medium	<ul style="list-style-type: none"> • The on site activities are small, and are restricted to the access roads and defined pits. Weeds will therefore be visible and treatable. • With the weed management proposed the treated risk is assessed as LOW. <p>Commitments</p> <ul style="list-style-type: none"> • There will be no weed introductions that will compromise the environmental health of the vegetation on site. 	•
Plant Pathogens	Plant pathogens may be introduced.	Possible	Minor	Low	<ul style="list-style-type: none"> • The on site activities are small, and are restricted to the access roads and defined pits. <p>Commitments</p> <ul style="list-style-type: none"> • There will be no plant pathogen introductions that will compromise the environmental health of the vegetation on site. 	•
Water	Surface water may be impacted.	Unlikely	Minor	Low	<ul style="list-style-type: none"> • The pits have been worked for many years and there does not appear to be any significant impacts. • There are no changes to the scale or intensity of the operations or the footprints used. • Stormwater will be retained in the pits. 	•

					<p>Commitments</p> <ul style="list-style-type: none"> • There will be no additional impacts on surface water quality as a result of excavations and any processing. 	
Landform	The landform may be significantly altered.	Rare	Minor	Low	<ul style="list-style-type: none"> • The pits have been worked for many years and there does not appear to be any significant impacts. • There are no changes to the scale or intensity of the operations or the footprints used. • The maximum depths are around 2 metres below the natural reformed land surface. 	•
Flora	Excessive native vegetation will be cleared.	Unlikely	Minor	Low	<ul style="list-style-type: none"> • The pits have been worked for many years and there do not appear to be any significant impacts. • There are no changes to the scale or intensity of the operations or the footprints used. • Much of the old overburden dumps and pits already have natural regrowth in them and regrow screening vegetation, much of which is not anticipated to be cleared. • No clearing is proposed for ten years as the existing footprints can provide sufficient resource. • Rehabilitation will be to local native vegetation. <p>Commitments</p> <ul style="list-style-type: none"> • A Clearing Permit will be applied for any native vegetation outside the previous disturbance footprints. 	•
Fauna	Native fauna will be impacted.	Unlikely	Minor	Low	<ul style="list-style-type: none"> • Native fauna generally depends on the native vegetation and will not be significantly impacted and is managed. See Flora above. 	•
Rehabilitation	The sites may not be rehabilitated or the rehabilitation may not be successful.	Possible	Minor	Low	<ul style="list-style-type: none"> • The pits have been worked for many years and there do not appear to be any significant impacts. • There are no changes to the scale or intensity of the operations or the footprints used. • Much of the old overburden dumps and pits already have natural regrowth on them and regrow screening vegetation, much of which is not anticipated to be cleared. • Removing overburden piles and some pit areas that have natural revegetation growth on them will in some areas cause more impact than leaving the revegetated disturbed land in place and adding to it with additional planting and seeding. 	•

RISK MATRIX

			Effect / Consequence				
			1	2	3	4	5
Type			Insignificant	Minor	Moderate	Major	Severe
Environmental Impact			No discernible, adverse impact, individuals of species may be affected locally.	Discernible effect on the environment but no adverse impact, minor number of individuals of species may be affected locally	Minor adverse effect to the environment (including public amenity), moderate loss of individuals of species locally.	Moderate damage to ecosystem function, major loss of individuals of species locally, loss of public amenity.	Significant long-term damage/loss to ecosystem function, extinction of a species locally
Likelihood	A Almost Certain	Likely that the unwanted event could occur often (once per week) during the life of an individual item or system	Medium 11	High 16	High 20	Very High 23	Very High 25
	B Likely	Likely that the unwanted event could occur several times per year during the life of an individual item or system.	Medium 7	Medium 12	High 17	High 21	Very High 24
	C Possible	Likely that the unwanted event could occur sometime (once per year) during the life of an individual item or system.	Low 4	Medium 8	High 13	High 18	High 22
	D Unlikely	Unlikely, but possible for the unwanted event to occur once in the life of an individual item or system.	Low 2	Low 5	Medium 9	High 14	High 19
	E Rare	Highly unlikely that the unwanted event could ever occur in the life of an individual item or system.	Low 1	Low 3	Medium 6	Medium 10	High 15

SITE MANAGEMENT

The excavation, processing and environmental management proposed has been designed to reflect best practice and utilises Commonwealth and State Guidelines.

Safety Management

All quarries operate under the provisions of the *Mines Safety and Inspection Act 1994 and Regulations 1995*. These are administered by the Department of Mines Industry Regulation and Safety.

The regulation is achieved through the DMIRS Safety Regulations and Reporting Systems (SRS).

All quarries on commencement are required to register with the SRS system. As part of the registration a Project Management Plan is required to be produced and lodged online.

Officers from the Safety Division of the DMIRS regularly inspect the operations in relation to health and safety.

Environmental Management

The environmental management is designed to reflect best practise, outlined in particular in;

Department of Resources, Energy and Tourism (Commonwealth), 2011, *A Guide to Leading Practice Sustainable Development in Mining*, and guidelines produced by Environmental Protection Authority, Department of Water, Environment Regulation, Department of Mines Industry Regulation and Safety, Western Australia Planning Commission and the Local Authority.

An Environmental Risk Assessment has been developed based on the EPA Environmental Factors which have been identified by the EPA as the factors to be considered when reviewing environmental impact and outcomes in Western Australia.

The EPA Factors have been used and added to in the following table, which provides for the environmental risk if not mitigated or managed and the assessed environmental risk when the proposed design and management procedures are effectively implemented.

All the EPA environmental factors, together with the other factors, are provided in the Environmental Risk Table to show that some are not relevant to this proposal. Leaving them out may lead to some uncertainty in a reviewer's mind.

The Environmental Risk Matrix was developed to the principles of AS/NZS ISO 14001:2004 (Environmental Management Systems) and AS/NZS ISO 19011:2014 (Guidelines for auditing Management Systems). The principles of AS/NZS 31000:2009 (Risk Management Guidelines) are also used when considering any risks.

The Risk Table includes references to the various parts of the document to enable easy review and provides a summary of the project and its management.

The risk assessment table also forms the basis of an auditable matrix.

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1.0 INTRODUCTION

1.1 Background and Proposal

An agreement has been reached between the owners of Lot 6, Lovers Lane, West Toodyay to excavate Toodyay Stone (quartzite).

Lot 6 has been an existing quartzite quarry for many years. In the past it has been worked intermittently and a number of small pits opened. The quartzite is generally used as facing and paving stones, and, for example, was used at Stirling Gardens, St Georges Terrace.

The quarry renewal will provide a source of Toodyay Stone that will be able to be used in the building industry and provide recognition for Toodyay and the Shire of Toodyay.

The small pits have been opened and operated for many years and have exposed significant quartzite, which at the moment simply requires sorting and splitting in preparation for sale. Therefore it is anticipated that there will be no further land clearing required for at least ten years, based on likely rates of sorting and use.

The proposed quarries will continue to provide a source of Toodyay Stone for use in the building industry and provide recognition for Toodyay and the Shire of Toodyay.

This Excavation and Management Plan has been prepared addressing the factors raised in *EPA Guidance Statement 33, Environmental Guidance for Planning and Development 2005*.

1.2 Proponent

Rural Stone Company Pty Ltd

Unit 13, 146 Carrington Street, O'Connor, WA, 6163
Phone 9314 2320

Rural Stone is a local supplier of facing and dimension stones to the local construction industry. They specialize in sourcing local stone from Western Australia and promoting that stone which in turn assists in the local recognition of the particular stone resources such as Toodyay Stone.

1.3 Location and Ownership

Lot 6 is part of a parcel of land that is worked as one rural property, being the adjoining lots 5 and 6 and, by lease agreement, Lot 8.

In recent years Lot 8 has been farmed by the holder of Lots 5 and 6 as one large rural property.

Lots 6 is owned by;

Cherek Pty Ltd and Jovita Holdings Pty Ltd, (S J Farrell – Director)
PO Box 630
Mundaring WA

The subject land lies 6 km south west from Toodyay townsite.

The site lies in an area that has been used for and is approved for, the extraction of basic raw materials including clay, gravel and hard rock.

Lot	Volume	Folio	Area ha	Owners
Lot 6	1585	178	254.9419 ha	S J Farrell (Director) Jovita Holdings Pty Ltd Cherek Pty Ltd

1.4 Description of the Resource

Onsite Resource

Toodyay stone has been used on building sites and other developments in Western Australia and exported since the 1950's. It is a unique product that is only available within the Toodyay area and is so significant that it is promoted locally as a feature of the Toodyay Shire.

There is potential to extend this exposure by sustained production and the development of new markets for the stone.

In the past the stone has not always been efficiently extracted and has been marketed in an ad hoc manner which has detracted from the availability of the stone and led to quality and quantity issues.

Rural Stone is currently increasing market exposure and establishing reliable markets for the stone.

They have developed a website that promotes the stone.

The Shire of Toodyay has been supportive and has used Toodyay stone within the townsite of Toodyay.

The type of stone varies from white quartzite with green facings through to pink and brown quartzite with pink or brown facings due to weathering. As such several resources of quartzite (Toodyay Stone) occur on site.

The stone readily splits into plates varying from less than a centimetre to several centimetres thick. Figures 1 and 4.

Toodyay Stone is becoming more widely sought as a construction material and this and the other resource to the south on Lot M1455, Salt Valley Road are the best known sources of the material. Figures 1 and 4.

Sufficient stone has been won previously and now needs to be collected and sorted. During the sorting process it is anticipated that enough stone will be available to enable the taking of stone without further clearing for at least the next ten years.

The resource also consists of an altered schist that is variable in colour, but predominantly brown and micaceous. This material when crushed can form an inert mulch that will not degrade or change colour over time.

The Chamber of Commerce and Industry noted the need to protect Basic Raw Materials, prior to sterilisation by encroaching development, in its comprehensive research of the Basic Raw Materials of Perth and the Outer Metropolitan Area, 1996.

A number of documents provide guidance to the importance of the basic raw materials resources and the issues that apply to construction materials in terms of protection and use.

Research on the resources and the issues involved can be found in the following;

Western Australia Department of Mines, Geological Survey, 1984, *A Guide to the Facing Stones of Perth and Fremantle*.

Western Australia, Western Australian Planning Commission, *State Planning Policy 2.4, Basic Raw Materials*.

Chamber of Commerce and Industry, 1995 and 1996, *Managing the Basic Raw Materials of Perth and the Outer Metropolitan Region, Parts 1 and 2*.

1.5 Aims of the Proposal

Many years of quartzite resource is present and therefore this proposal seeks approval for a minimum period of 20 years with the possible provision for renewal.

The aims of the proposal are to;

- Provide Rural Stone with a long term quality resource.
- Provide a range of stone colours and thickness to meet and respond to market demands.
- Enable the site to be rehabilitated on a progressive basis and at the end of excavation.
- Satisfy the requirements of the building industry for facing stones.
- Excavate stone from a Priority Resource area in line with State Planning Policy 2.4, Basic Raw Materials.

2.0 EXISTING ENVIRONMENT

2.1 Climate

The climate of the area is classified as Mediterranean, with dry hot Summers and cool wet Winters.

Data is recorded at Northam and Toodyay, where rainfall only is recorded.

Precipitation at Northam is 531 mm per year of which 75% falls in the five wettest months, May to September inclusive. Evaporation exceeds rainfall in all but the four wettest months.

Average maximum temperatures are likely to be less than Northam where the figures are 33.9 degrees C for the hottest month, January, with a yearly mean maxima of 25.1 degrees C and a mean minima of 10.9 degrees C.

In Summer, wind blows from the east 69% of the time at 9.00 am, and predominantly from the west/south west at 3.00 pm. Winter winds are more variable.

2.2 Geology and Geomorphology

The site lies on the dissected south western face of a plateau at 300 metres AHD which occupies the land to the north east.

With downcutting and erosion down to 160 metres AHD in the south west towards Lovers Lane, a number of ridges have been exposed. As the quartzite is relatively resistant to erosion the quartzite crops out or has a thin soil and overburden cover.

The area to be reopened is a number of small pits that have been excavated on these ridges of folded quartzite. Elevation of the breakaway drops from 300 metres on the ridge top down to 160 metres at the base of the excavations. Quartzite is predominantly quarried from 175 to 210 metres AHD where the quartzite beds outcrop. The quartzite strikes north west with further resources extending south east and north west along strike. Outcrop is common.

The quartzite is thin to thickly bedded/foliated with green chromium mica (fuchsite) along the foliation planes. Dip of the sequence is generally to the south west at approximately 45 degrees.

The quartzite forms part of the Jimperding Gneiss Complex of Archaean Age.

2.3 Soils

Soils of the hill are very shallow light brown sandy loams that grade to yellowish brown loamy clays, over quartzite, at shallow depth. Outcrop of quartzite is common on the low and elevated ridges and the soils and overburden are therefore relatively thin.

Acid Sulfate

There has been an increased interest in acid sulfate soils since the release of WAPC Planning Bulletin 64.

However the interest has been over-reactive, with assessments sought and risk applied in many areas where there is no geological risk or evidence of acid sulfate potential or actual conditions.

The most definitive survey procedure was produced by the Acid Sulfate Soil Management Advisory Committee NSW, 1998, in their *Acid Sulfate Manual*. The Manual forms the basis for much of the assessment procedures in Australia, including those adopted by the Western Australian Planning Commission and the Department of Environment Regulation. The *Acid Sulfate Manual* adopts the procedure of reviewing the published data followed up by field assessment, which has been completed for this site. If a geological risk is determined, then a Preliminary Acid Sulfate Assessment is conducted.

Acid sulfate only becomes a potential risk when a number of circumstances are present.

- There is rock, soil or regolith present that is carrying sulfides.
- Sulfide carrying materials from below the water table are to be exposed to the atmosphere.
- Excavation below the water table is to be carried out exposing the sulfide carrying materials to oxygen in the atmosphere.
- Dewatering of the sulfide carrying materials is proposed, exposing them to oxygen.
- Regolith conditions are already highly acidic, below pH4, under which oxidation can occur through electron exchange without the need for the presence of oxygen.

Lindsay Stephens has assessed the site. None of these conditions occur on site, based on geological mapping of the site during the site inspection and examination of the pits.

On this site quartzites do not contain disseminated sulfides. Any sulfide minerals that may occur in the unweathered basement rocks has geologically been weathered and dissolved within the Tertiary weathering regime.

2.4 Hydrogeology and Water Catchments

There is rapid surface drainage shed from the south west facing slopes and shallow soils to a number of short creeks that drain to Gabadine - Jimperding Brook towards the north west. Jimperding Brook exits to the Avon River 9 km to the north east. The creek lines in the area vary from gentle to steep sided. Runoff is however rapid.

The resource consists of a number of small pits all with different colour and form, which sit on the side of a ridge well above the adjoining floor areas where sorting of the stone is to be undertaken. There is no evidence of wet soils, wetlands or other watertables within the excavation or sorting areas.

2.5 Flora

As the proposed excavation will only require alteration of the already cleared soils a comprehensive vegetation study was not completed as part of this renewal. No vegetation surveys have been completed around the already opened pits.

A flora and vegetation survey was conducted by ATA Environmental in September 2002 for the other source of Toodyay Stone to the south on Lot M1455, Salt Valley Road, 5 km to the south east in similar vegetation communities.

Lot 6 is a grazing property and a significant portion of the existing pits adjoin pasture. From the aerial and site photographs it can be seen that the resource areas are well cleared and therefore no native vegetation is proposed to be cleared or impacted on within the first ten years of the projected 20 plus years life of the project.

The vegetation adjoining the open pits on the quartzite is associated with the Michibin Vegetation Complex of Heddle et al 1980, which is characterised by mixed *Eucalyptus calophylla* – *E. wandoo* Woodland and *E. wandoo* Woodland. This is confirmed by Matiske and Havel 1998.

The vegetation was examined by Lindsay Stephens of Landform Research on 2 December 2018.

The vegetation consists of Wandoo Woodland. Whilst the Woodland is Wandoo dominated the location is not within the Wheatbelt and so the Wandoo Woodland does not classify under the listing of Eucalypt Woodlands by the Commonwealth under the *EPBC Act 1999*.

The middle storey contains is dominated by *Acacia acuminata* and *Allocasuarina huegeliana*.

Over a shrub layer *Dryandra (Banksia) sessilis*, *Dryandra (Banksia) armata*, *Leptospermum erubescens*, *Hakea trifurcata*, *Hakea trifurcata*, *Melaleuca scabra*, *Acacia pulchella*, *Hibbertia hypericoides*, *Hibbertia pachyrhiz*, *Leucopogon pulchellus*, *Xanthorrhoea preissii*, *Daviesia divaricata*, *Acacia saligna* and *Petrophile serruriae*.

The vegetation fits with the DBPA searches of the general vegetation communities and complexes, that is Beard 1006, Heddle Yalanbee Complex in Low Rainfall and Matiske Coolakin (Ck) and Yalanbee (Y6).

There will be no need to clear any vegetation for 10 years because there is sufficient resource available on the already cleared areas. The pits have been larger in the past and if any further resource is required it can be taken from the previously cleared areas.

Should a pit be extended outside the existing pits a Clearing Permit will be a Clearing Permit will be obtained through the Clearing Provisions of Schedule 5 *Environmental Protection Amendment Act, 1986* and the *Clearing Regulations*.

A flora report has been commissioned to cover the vegetation around the edges of the pits that might be impacted on in the years 10 – 20. This will be provided when available.

VEGETATION STRUCTURE	HEIGHT	Natural Wandoo Woodland outside the previously cleared areas.
Overstorey	> 4 m	Good
Tall Shrub layer	2 – 4 m	Good to Excellent
Lower Shrub Layer	0.5 – 2 m	Degraded to Good
Ground Cover	<0.5 m	Good

The vegetation fits with the DBPA searches of the general vegetation communities and complexes, that is Beard 1006, Heddle Yalanbee Complex in Low Rainfall and Matiske Coolakin (Ck) and Yalanbee (Y6).

No evidence of dieback disease was observable.

The vegetation complexes are well represented and there are no Threatened or Priority Vegetation Complexes or Communities within the local area.

No plant communities or taxa are listed as a Threatened Ecological Community or taxa under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

The location lies west of the EPBC listing for Eucalypt Woodlands of the WA Wheatbelt as it lies on the plateau remnants of the Darling Surface.

2.6 Fauna

The proposed excavation area covering the next ten years of resource is cleared. Native vegetation adjoins the cleared areas.

Bamford Consulting Ecologists assessed the fauna on Lot M1455, Salt Valley Road, 5 km to the south east in similar vegetation communities that are in much better condition, in September 2002.

On that site which is surrounded by native vegetation a total of 18 bird species and one mammal species were identified during the site inspection but a larger number of species are expected to utilise or visit the native vegetation. Similar fauna is anticipated to be present within native vegetation on Lot 6.

There is not proposed to be any changes to the processing and other activities on site during the next ten years and therefore no additional impacts on fauna are anticipated.

2.7 Aboriginal Sites

No archaeological sites are known from the area to be excavated and no evidence of aboriginal occupation has been found during excavation. The land has been grazed and cropped for many years, minimising the potential for archaeological material to remain in place or be identified.

No sites are recorded on the Department of Planning Lands and Heritage database.

Should any site be discovered, Rural Stone will cease operations in the immediate area pending an assessment by a recognised independent consultant.

3.0 PLANNING ISSUES

3.1 Current Land use

The site lies on gentle to moderately sloping hills which have been significantly cleared for grazing and pastoral activities part and is periodically grazed by cattle.

There has been a long use of quartzite excavation across Lot 6, even though the volumes removed have been and remain small, and that excavation is proposed to continue.

The site has been used for a stone quarry for many years and an Extractive Industries Licence has been in place for the past ten years.

3.2 State Planning Policies

State Government Policies and Planning Schemes

State Planning Policy 1.0, State Planning Framework Policy

The State Planning Policy Framework provides for the implementation of a planning framework through the recognition and implementation of Regional Planning Policies above Local Planning Schemes and Policies.

A number of State Policies have been released under the State Planning Framework Policy.

- State Planning Policy 2.0, Environment and Natural Resources Policy
- State Planning Policy 2.4, Basic Raw Materials
- State Planning Policy No 2.5, Agricultural and Rural Land Use Planning
- State Planning Policy No 4.1, State Industrial Buffer Policy

These are considered in turn.

A number of other key State Government Policies are also relevant to the local regional planning.

State Planning Strategy 2050, (June 2014)

State Planning Policy 2.0, Environment and Natural Resources Policy

This policy provides for the protection of all natural resources under a number of sections;

- 5.1 General Measures
- 5.2 Water Quality including stormwater and wetlands
- 5.3 Air Quality
- 5.4 Soil and Land Quality
- 5.5 Biodiversity
- 5.6 Agricultural Land and Rangelands
- 5.7 Minerals Petroleum and Basic Raw Materials
- 5.8 Marine Resources and Aquaculture
- 5.9 Landscape
- 5.10 Greenhouse Gas Emissions and Energy Efficiency.

In addition to recognising the importance of protecting air quality, soil and land quality, water and wetlands and landscapes, the importance of Basic Raw Materials to the community is identified with reference to *SPP 2.4 Basic Raw Materials, State Gravel Strategy 1998* and *State Lime Strategy 2001*.

Section 5.7 of SPP 2.0, deals with Minerals, Petroleum and Basic Raw Materials.

Part of Section 5.7 states;

Basic raw materials include sand, clay, hard rock, limestone and gravel together with other construction and road building requirements. A ready supply of basic raw materials close to development areas is required in order to keep down the cost of land development and the price of housing.

Planning strategies, schemes and decision making should:

Identify and protect important basic raw materials and provide for their extraction and use in accordance with State Planning Policy No 10 (2.4); Basic Raw Materials.

Support sequencing of uses where appropriate to maximise options and resultant benefits to community and the environment.

The other factors of the natural environment are provided with the best protection possible, by this management plan, by selection of the site, operational staging and footprint and rehabilitation, bearing in mind the constraints of excavating and processing the resource.

State Planning Policy 2.4, Basic Raw Materials

This policy makes many statements on the intent and actions which local authorities should use to protect and manage basic raw materials.

Section 3.4 is very specific in explaining that basic raw materials need identification and protection because of increased urban expansion and conservation measures, (3.4.1), (3.4.2) and (3.4.4). Sections 3.4.5 and 3.4.6 recognise that environmental and amenity matters need to be considered.

There are specific provisions in Section 6.2 Local Planning Scheme Provisions, such as;

No support for the prohibition of extractive industries in zones that permit broad rural land uses.

Providing an appropriate P, D or A use.

Not precluding the extraction of basic raw materials on land which is not identified as a Priority Resource Location, Key Extraction Area or Extraction Area (6.4.2).

Currently the Department of Planning, Lands and Heritage and Department of Mines, Industry Regulation and Safety are reviewing and updating the basic raw materials policy over the whole Swan Coastal Plain and near areas, including Bunbury to Augusta and the Darling Scarp.

The Geological Survey of WA has produced new mapping identifying Strategically Important Basic Raw Materials.

The excavation of resources is recognised by State Planning Policy No 2.4, Basic Raw Materials, (WA Planning Commission, 2000). The site is shown as lying within the excavation site Quarry T23.

Currently SPP 2.4 has been released for public comment as a draft document and will apply to the whole State. The draft policy supports the continued extraction of recognised and existing basis raw material resources such as Toodyay Stone.

State Planning Policy No 2.5, Rural Planning, 2016

SPP 2.5 Rural Planning predominantly deals with the continued rural use of suitable land and its protection for the future. The policy was updated in December 2016 and provides strong measures to identify, protect and use basic raw materials.

SPP 2.5 does reiterate the need to protect and use basic raw materials.

Basic Raw Materials are included in the definitions as

Sand (including silica sand), clay, hard rock, limestone (including metalurgical limestone), agricultural lime, gravel, gypsum, and other construction materials. The materials may be of State, regional or local significance depending on the resource location, size, relative scarcity, value and demand for the product.

Amongst seeking to protect agricultural values, Policy Objective 4 (c) states

Outside the Perth and Peel Planning regions, secure significant basic raw material resources and provide for their extraction.

Section 5.9 deals with Basic Raw Materials and seeks to achieve the following in an environmentally acceptable manner;

Protect the resources until the resource is extracted (5.9.a)

Identify significant basic raw materials on sub-regional and local planning strategies, region and local planning schemes (5.9.b, 5.9.c, 5.9.d)

The extraction of basic raw materials should not be generally prohibited (5.9.e)

Provide for sequential land use (5.9.f)

Limit sensitive land uses to locations demonstrated to not limit existing or potential extraction of basic raw materials (5.9.g)

Provide for the consideration of native vegetation or significant biodiversity values and may require retention and protection of vegetation and environmental assets (5.9.h)

Have regard for the potential impacts of fragmentation and connectivity of native vegetation (5.9.i)

Maintain adequate buffers to protect water quality in public drinking water source areas (5.9.j).

SPP 2.5 also supports preventing conflicting land uses (5.12.1), supports the generic buffers recommended by other Government documents such as the EPA Guidelines for separation distances (5.12.3), and seeks to restrict subdivision from impinging on basic raw material resources.

The Policy is also supported by Guidelines that seek to protect the Landscape and secure Transport Routes.

State Planning Policy No 4.1, State Industrial Buffer Policy

SPP 4.1 discusses the need to consider adjoining land uses when locating buffers but does not prescribe set buffers for operations such as this. The development and processing of the resource has been designed to maintain maximum buffer distances. In situations where the buffers are less, actions such as the provision of perimeter bunding to provide visual and noise management, tree planting and operational procedures are used to mitigate and reduce impacts.

This is discussed further in Section 2.11 Surrounding Landuses and Buffers of this document.

State Planning Strategy, 1997

The Western Australian Planning Commission (WAPC) released the State Planning Strategy in 1997. It comprises a range of strategies, actions, policies and plans to guide the planning and development of regional and local areas in Western Australia and assists in achieving a coordinated response to the planning challenges and issues of the future by State and Local Governments.

The State Planning Strategy contains the following five key principles. These are:

- Environment & resources: to protect and enhance the key natural and cultural assets of the State and to deliver to all Western Australians a high quality of life which is based on sound environmentally sustainable principles.
- Community: to respond to social changes and facilitate the creation of vibrant, accessible, safe and self-reliant communities.
- Economy: to actively assist in the creation of regional wealth, support the development of new industries and encourage economic activity in accordance with sustainable development principles.
- Infrastructure: to facilitate strategic development of regional Western Australia by taking account of the special assets and accommodating the individual requirements of each region.
- Regional Development: to assist the development of regional Western Australia by taking account of the special assets and accommodating the individual requirements of each region.

3.3 Zoning and Local Policies

Local Authority

Shire of Toodyay Town Planning Scheme No 4

The Land zoning is “Rural”. The Rural zoning does not list basic raw materials in the Zone objectives. On the other hand State Planning Policy 2.5 (SPP 2.5) requires basic raw materials to be identified, protected, used in a staged manner and not impinged by competing land uses. SPP 2.5 prevails over the Town Planning Scheme which should reflect the intent of the State Planning Policy

Industry Extractive is a “D” use in the Rural Zone.

A “D” use means that the use is not permitted unless Council exercises its discretion by granting development Approval.

Toodyay Local Planning Strategy 2018

The Local Planning Strategy is to provide a strategic plan for the future of the Shire of Toodyay.

Whilst the subject land lies within the Rural Zone it is identified in the Local Planning Strategy as an Extraction Area.

The Local Planning Strategy provides consideration of planning and settlement patterns, biodiversity, landscape protection, heritage, agriculture and basic raw materials.

The Local Planning Strategy seeks a balance between the competing land uses.

Toodyay Local Law – Extractive Industries 1995

The Extractive Industry Local Law enables extracted material to be taken offsite for commercial purposes. The local law provides day to day control on the operation of extractive industries.

3.4 End Use

The end use is undecided at this stage so rehabilitation will be to local native vegetation.

The contoured surface will therefore be restored to a gently sloping surface draining to a sediment settlement dam.

3.5 Legislative Framework

Table 1 Legislative Framework

Legislation	Environmental Factor regulated/affected	Discussion	Action
<i>Aboriginal Heritage Act 1972</i>	Aboriginal heritage sites	A database search of DPLH has been conducted and no site recorded on the quarry footprint. Jimperding Brook is listed as a tributary of Site 3536, Swan River, a mythological site.	A commitment is made to halt activities that may impact on a site if any is found during excavation, pending assessment by consultants.

<i>Planning and Development Act 2005</i>	Development approvals for on site constructions and any ensuing environmental impacts.	Planning Consent is required from the Shire of Toodyay.	A concurrent application for development approval and Extractive Industry Licence is lodged.
<i>Shire of Toodyay Extractive Industries Local Law 1995</i>	The operations of the quarry are regulated by both the Planning Approval and Extractive Industries Licence	An Extractive Industries Licence is required.	An application for an Extractive Industry Licence is concurrently lodged.
<i>Health Act 1911</i>	Environmental and health impacts from waste water treatment and community health.	No matters of significance that would trigger this legislation have been identified.	The proposal complies with the Health Department Guideline for Dust separation. (See Dust Management) No waste materials will be disposed of on site.
<i>Department of Planning, Land and Heritage Transport Impact Guidelines 2016</i>	New developments may need to consider transport options.	This is an existing operation with no changes to the access and scale of activities or transport.	The Guidelines provide for exemptions from further assessments for existing operations that are to continue in a similar manner. No assessment is required because there are no significant changes to the transport operations.
Western Australian Planning Commission Planning Bulletin 111/2016	New developments may need to consider fire risk and mitigation such as a bushfire policy and BAL attack document.	This is an existing operation with no changes to the access and scale of activities or transport or fire risk. The pit acts as a fire management zone as it is devoid of vegetation.	Planning Bulletin 111/2016 provides for exemptions from further assessments where there are no materials to burn and where there are no changes to the operations. No assessment is required because there are no significant changes to the fire risk.
<i>Environmental Protection Act 1986 Part IV - Assessment</i>	Referred to the EPA if the project is or may constitute a significant environmental impact.	This is a currently operating quarry.	No referral to the EPA will be required as there is no change to the previous operations and the small scale of the excavations.
<i>Environmental Protection Act 1986 Part V – DWER Licence</i>	Environmental factors that may be significantly impacted related to Prescribed Premises. Processing and Screening	If screening or even a crushing plant is to be in excess of 5 000 tonnes per year the operation will require a Department of Water Environment Regulation Licence.	Screening and crushing will not exceed 5 000 tonnes per annum.
<i>Environmental Protection (Noise) Regulations 1997</i>	Noise impacts.	There are no proposed changes to the operations which are set back from Lovers Lane. The pit is located over 800 m from Lovers lane and the dwelling to the west. The stockpile area is located 600 metres from Lovers Lane and the closest dwelling to the west. No other dwellings occur within 1000 metres. The excavation complies with the EPA generic buffer guidelines.	Noted. See Noise Management.
<i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i>	Clearing and disturbance of native vegetation.	Clearing Permit under the <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> is required under the Regulations prior to any native vegetation being cleared.	A Clearing Permit will not be required as there is no proposed clearing for 10 years. A Clearing Permit will be applied for prior to any clearing of native vegetation

<i>Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)</i>	Matters listed on the EPBC database.	The matters listed under the <i>EPBC Act 1999</i> which might apply to this site such as Black Cockatoo habitat.	The proposal does not require the clearing of Black Cockatoo habitat.
<i>Wildlife Conservation Act 1950</i>	Provides for the protection of flora and fauna.	The clearing of vegetation is covered under the <i>Environmental Protection (Clearing of Native Vegetation) Regulation</i> .	The proposal does not require the clearing of Black Cockatoo habitat. The occasional large trees on site will be retained.
<i>Conservation and Land Management Act 1984</i>	Parks and Reserves and issues relating to flora and fauna.	There are no issues that trigger this legislation as there is no proposed clearing.	Noted. The site has previously been excavated and initially this proposal will utilise the previously excavated areas and rehabilitate them as the pit moves forwards.
<i>Biodiversity Conservation Act 2016</i>	The legislation seeks to protect and manage biodiversity in all its forms through regulation, conservation and restoration.	There are no issues that trigger this legislation.	Noted. The site has previously been excavated and initially this proposal will utilise the previously excavated areas and rehabilitate them as the pit moves forwards.
<i>Heritage of Western Australia Act 1990</i>	Heritage	DPLH databases were searched. No heritage matters are identified quarry footprint.	
<i>Waterways Conservation Act 1976</i>	Water quality and management of surface water	There are no watercourses impacted by the quarries.	A Water Management Plan has been prepared and is included.
<i>Rights in Water and Irrigation Act 1914</i>	Water quality and management of surface water	There are no watercourses impacted by the quarries.	Noted
<i>Country Areas Water Supply (CAWS) Act 1947</i>	Water supplies	The site lies within water management areas, WMA/1 Avon River Management Area and SWA/1 Avon River Catchment Area	Noted. See Water Management Plan.
State Agreement Acts	Specific acts that relate to certain large projects that may impact on some locations.	Not applicable	
<i>Contaminated Sites Act 2003</i>	Contaminated materials that may arise from excavation or be used in excavation and processing.	The only factor that is likely to fall under this category is the storage and use of maintenance items and on site maintenance.	No materials are present or to be used which would trigger this legislation apart from normal fuel and maintenance. A Water Management Plan has been prepared that includes commitments to remove any contaminated soils or other material regularly and at the end of excavation as part of the closure actions.
<i>Dangerous Goods Safety Act 2004</i>	Potential for dangerous good to impact on the environment.	Refers to fuel, which is required and blasting under the <i>Dangerous Goods Safety (Explosives) Regulations 2007</i> .	Rural Stone will comply with the requirements for fuel through management plans that will be implemented. Fuel and Servicing Management Plans are included in the attached Water Management Plan.
<i>Mines Safety and Inspection Act 1994</i>	Safety and management of mining operations which in turn may impact on the environment.		The site is registered under the SRS and a Project Management Plan, Risk Assessment and Emergency plans approved. The Project Management Plan addresses all aspects of mining safety through the SRS System.

3.6 Stakeholder Register

Table 2 Stakeholder Register

Stakeholder	Potential Considerations Date - Timing	Proponent Response - Outcome
Internal Stakeholders		
Rural Stone Internal Management	<ul style="list-style-type: none"> • Ongoing • Day to day and campaign management of the operations, • Future directions and ownership. 	<ul style="list-style-type: none"> • The methods of operation and transport and the volume of material removed will be similar to past higher extraction years.
External Stakeholders		
Landholder	<ul style="list-style-type: none"> • Ongoing and prior to closure 	<ul style="list-style-type: none"> • Liaison will be conducted as required.
EPA	<ul style="list-style-type: none"> • The pit has operated for many years and no changes are proposed. 	<ul style="list-style-type: none"> • No referral is necessary.
Department of Biodiversity Conservation and Land Management	<ul style="list-style-type: none"> • Manages native flora and fauna 	<ul style="list-style-type: none"> • No clearing is required or proposed.
Department of Environment and Energy Commonwealth	<ul style="list-style-type: none"> • The only listed matter that might apply is Black Cockatoos which are listed as Threatened if significant feeding and nesting habitat is to be impacted. There is no nesting habitat on site and none to be impacted. • As vegetation will not be cleared outside the previous pits there will be no impact on feeding habitat. 	<ul style="list-style-type: none"> • The proposal does not require the clearing of Black Cockatoo habitat.
Shire of Toodyay	<ul style="list-style-type: none"> • Provides Planning approval under Town Planning Scheme 4. • Issues Extractive Industries Licence for the quarry under the Local Law. • Regulates land zonings and planning in conjunction with the Western Australian Planning Commission • Controls the measures used to prevent bush fires. • Regulates truck use on local roads. • Issues approvals for transport vehicle owners to apply to MRWA (Main Roads) for permits to utilise oversize vehicles on specific roads such as Toodyay Road. 	<ul style="list-style-type: none"> • Rural Stone will work with the Shire of Toodyay on complying with the conditions and minimising local impacts.
Nearby Residents	<ul style="list-style-type: none"> • The small Toodyay stone quarries have operated intermittently in a small way for many years • No changes to the scale or type of operations are proposed. • There are no further nearby residential developments since the last approval. The closest dwelling is 600 metres from the stockpile and over 1 000 metres from the excavations 	<ul style="list-style-type: none"> • Nearby landholders will be notified by the Shire who will also advertise the project. • The distance to residences will not change and complies with all Government Policies.
Department of Lands Planning and Heritage (DAA) and traditional land holders	<ul style="list-style-type: none"> • Maintains heritage databases 	<ul style="list-style-type: none"> • DPLH database has been searched. No sites have been found on the quarry footprint. Jimperding Brook which the access road crosses, is listed as a tributary of Site 3536, Swan River, a mythological site.
DWER	<ul style="list-style-type: none"> • May provide advice on aspects of environmental impact and management. • Issues clearing permits under the <i>Environmental Protection Act 1986</i>. (Not required) 	<ul style="list-style-type: none"> • No clearing is proposed so a Clearing Permit is not required
	<ul style="list-style-type: none"> • Published guidelines for water quality management for extractive industries. • Licenses bores and oversees water use. • Has control over the management of ground and surface water in the area, including water catchments. 	<ul style="list-style-type: none"> • Complies with DWER Guidelines for water management and separation to the groundwater of > 2 metres. • The site lies within water management areas, WMA/1 Avon River Management Area and SWA/1 Avon River Catchment Area.
	<ul style="list-style-type: none"> • A DWER Licence is required under <i>Part IV of the Environmental Protection Act 1986</i> for crushing or screening if 	<ul style="list-style-type: none"> • There is no proposed crushing or screening in excess of 5 000 tonnes

	the annual volumes exceed 5000 - 50 000 tonnes. (Category 70 Prescribed Premises).	per year, therefore no Licence is in place or required.
WAPC	<ul style="list-style-type: none"> Prepares State Planning Policies. Provides approval under the MRS on Development Approval for Extractive Industries. Prepared State Planning Policy 2.4, Basic Raw Material Strategy. Whilst SPP 2.5 now covers this area, the existing resource is listed as T23 in SPP 2.4 (2000). 	<ul style="list-style-type: none"> Noted
Main Roads	<ul style="list-style-type: none"> Responsible for Toodyay Road. For the past approval Main Roads restricted larger trucks to left turn only from Lovers Lane onto Toodyay Road. Toodyay Road at the intersection of Lovers Lane is 80 kph restricted now which makes the intersection safer, by providing more time for traffic to enter Toodyay Road. 	<ul style="list-style-type: none"> Noted. Rural Stone will abide by the restrictions placed on large truck traffic in the previous approval of left turn only.
DMIRS Safety Division	<ul style="list-style-type: none"> Controls the safety and methods of excavation through the <i>Mines Safety and Inspection Act 1994</i>. Oversees the health and safety of workers. 	<ul style="list-style-type: none"> Noted and in place. The site is registered in DMIRS SRS system.

3.7 Surrounding Landuses and Buffers

Excavation is worked from inside out on the floor of the pit of around 2 metres below natural ground level.

The proposal is set back from the boundaries of the subject land and has the same footprint as previously approved. There are no proposed changes to the pit footprints.

A number of Government Policies relate to buffer distances and the protection of basic raw materials. *State Planning Policy No 4.1, State Industrial Buffer Policy*, (draft July 2004) discusses the need to consider adjoining land uses when locating buffers but does not prescribe set buffers for operations such as this.

State Planning Policy No 4.1, State Industrial Buffer Policy, (2004) discusses the need to consider adjoining land uses when locating buffers.

The State Industrial Policy 4.1 does not specify a set buffer distance, but notes that buffers are to be based on "scientific study" and are flexible. It further specifies the buffers by reference to other documentation such as the Environmental Protection Policies, EPA Generic Buffer Guidelines; that is the EPA generic buffer is used in the absence of supporting or scientific studies and information.

The buffer referred to can be both on site and offsite although in this case only on site buffers are required.

EPA guidance "Separation Distances between Industrial and Sensitive Land Uses", June 2005 lists the generic buffers for hard rock as 500 - 1000 metres depending on the extent of processing.

Generally there is little or no on site processing apart from splitting and sorting of Toodyay Stone.

In the past small amounts of schist have been crushed and screened but that has occurred in campaigns and has not exceeded 5 000 tonnes per year.

The site complies with the EPA Draft Generic Buffer Guidelines 2015, as the closest dwelling is over 1 km from the pit and 600 metres from the stockpile area. The stockpiles are small and mainly consist of bags of sorted rock

As there is no blasting or processing on site, the clay and weathered schist is relatively soft, and the pit is well protected by excavation into a plateau, the minimum generic buffer is more applicable.

3.8 Social Impacts

There are no proposed changes to the scale and nature of the excavations. The access points and intensity of excavation will not change.

Rural Stone maintains good relationships with Government and the local communities and is willing to discuss any matters at any time.

3.9 Complaints Mechanism

No complaints have been received from any adjoining landowners during the past excavations.

The following complaints mechanism is proposed.

1. The contact details will be displayed at the entrance to the operations.
2. A complaints book will be maintained by Rural Stone.
3. Upon receipt of a complaint Rural Stone will investigate and action the complaint.
4. When a complaint is found to be legitimate, Rural Stone will, where possible, undertake any reasonable actions to mitigate the cause of the complaint and where possible, take reasonable steps to prevent a recurrence of the situation in the future.
5. Details of any complaints, the date and time, means by which the complaint was made, the nature of the complaint, the complainant, investigations and any resulting actions and the reasons, will be recorded in the Complaints Book.
6. The Shire of Toodyay will be informed of any complaint or any other report provided to a Government Department within 3 working days.
7. The complaints book will be made available for viewing or requested details made available to the Shire of Toodyay or any other official upon request.



Figure 3 Site photograph of the Toodyay Stone pits showing water retained in the base of the pit.



Figure 4 Schist pit at top which will be tidied and Toodyay Stone pit below

4.0 PROJECT DESCRIPTION

4.1 Extraction and Processing

Excavation Methods

No changes are proposed to the methods or scale of the Toodyay Stone and schist extraction.

The quartzite is split and sorted by hand. Quartzite readily splits along the bedding planes and once loosened can simply be sorted and stacked.

The quartzite will be sorted into bags and placed on pallets for transport.

In the foreseeable future there will be no clearing required. It is not anticipated that there will be any land clearing associated with reopening the quarry or within perhaps the next 10 years.

It is difficult to estimate the amount of quartzite to be taken from the site annually however it is expected to be small because the stone is hand sorted and hand split.

500 tonnes per annum is the annual amount of quartzite that is likely to be taken. This represents just 200 m³ of material, which is very small and roughly equivalent to the amount of sand often used on a domestic sand pad. That figure is based on extraction over the last ten years. The depth of the pits will be around 2 metres.

The actual amount of stone to be removed will, however, vary in response to market demands and contracts.

If previously excavated ground is re-opened, it is proposed that the soil and overburden will be scraped clear and stockpiled for use in later rehabilitation. Some overburden dumps are already in place and have been used to create level working floors.

The existing dumped quartzite and schist is taken from each part of the pit and the face worked with the excavator nibbling into the stone.

Following excavation to the final floor elevation, any areas to be rehabilitated will be back filled as required and the floor deep ripped at 1 to 2 metre intervals in a cross pattern where revegetation is to occur.

Backfilled faces and dumps will have batters complying with the *Mines Safety and Inspection Act 1994* with a similar landform to that existing in the area. Batters are likely to be between 1 : 2 and 1 : 4 vertical to horizontal.

Overburden will be spread across the surface, and seed applied to this as necessary.

Excavation will be staged where possible with rehabilitation progressively following excavation.

Schist

There are several brown micaceous schist deposits that grade into other colours.

In the past there has been a small amount of crushing and screening of this material and there are several small stockpiles on site.

Whilst it is not anticipated that much of this material will be removed from site or processed based on market demands, it remains a possibility.

If used, crushing will be intermittent, with a stockpile of material created from which supply will be provided for several months until exhausted, when another crushing campaign will be conducted.

It is anticipated that only around 2 000 tonnes of schist will be taken and crushed annually with perhaps 1 000 tonnes in each crushing campaign.

A portable crusher will be used, similar to a Terex 600, which has a throughput of 50 tonnes per hour. From the crusher a double deck screen producing 3 product sizes will be used and each campaign will take around 3 days. Crushing and screening is very infrequent and none has been conducted for several years, but remains a possibility depending on market demands.

The crusher will only need to operate for several days to produce sufficient product for several months and so any potential impacts will be minor.

The crushed product will be coarse, in excess of 25 mm and so little dust will be formed. The schist tends to break along cleavage and fracture rather than turning to powder and so dust is not normally significant.

Stockpiles

There are small stockpiles of crushed schist on site and very small sored piles of Toodyay Stone. These are shown in the "blue" areas on Figure 4. There will be no excavation of these areas; rather the ground will be smoothed and rehabilitated as the stockpiles are used and reduced in size.



Figure 5 Toodyay Stone ready for sorting

4.2 Final Contours

1. On completion, the land surface will be retained swales. The batters will be graded to ensure the final slopes form an interim stable land surface in compliance with the *Mines Safety and Inspection Act (1994) and Regulations (1995)*.
2. The concept final slopes will not be steeper than 1 : 4 vertical to horizontal up to the surface outside the area of excavation.
3. The final contours will be smoothed with the final surface around 2 metres lower than the natural adjoining land surface.



Figure 6 Schist stockpiles at the top and screened schist below

4.3 Staging and Timing

It is not anticipated that there will be any land clearing within the next 10 years. The area of pit proposed to be worked is 2.4 hectares as shown on the attached plans. The remaining pits are mostly under natural revegetation, with others to be smoothed and allowed to revegetate. No extraction of the sorting and storage area is proposed.

Removal of the stone will consist of removing the already existing resource, excavation of resource from already open areas and splitting and sorting by hand.

It is difficult to estimate the amount of quartzite to be taken from the site annually but it is expected to be 500 tonnes per annum but this will vary in response to market demands and large contracts such as major earth works. 500 tonnes per year equates to 200 m³. That amount is similar to past years.

It is anticipated that 2 000 tonnes of crushed schist will be taken if full production and markets are achieved. This equates to 1 000 m³ based on a bulk density of 2.0 t/m³. Crushing will not take place every year

As the material is hand split and sorted, only a small amount is likely to be taken.

The split and sorted stone will be loading into bags for transport on pallets. It is anticipated that up to 10 pallets will leave site per week which equates to up to three small truck or trailer loads, using a rigid truck.

Excavation will be restricted to the already cleared and opened pits and storage areas.

The pits are small and each has a different resource so at this time it is not possible to stage the excavation within each pit, but rather when the extractable resources have been extracted from a particular pit the pit can be rehabilitated.

It is not anticipated that the resources in a particular pit will be exhausted within ten years.

The area of ground that has been opened for many years is four small pits with a total area of 6.4 and has a number of small pits and areas of storage and sorting. Much of these have been allowed to naturally rehabilitate by previous operators.

4.4 Hours of Operation

Clay will be excavated intermittently throughout the year in a number of campaigns, and stockpiled for use at other times of the year.

The hours of operation applied for are proposed to be 7.00 am to 5.00 pm Monday to Friday with no work on Saturdays or Sundays and public holidays.

Transport is restricted to 7.00 am to 5.00 pm Monday to Saturday inclusive, excluding public holidays.

4.5 Access and Security

Access will continue to be along an existing access road direct from Lovers Lane to Toodyay Road.

Fences and locked gates will be maintained on Lovers Lane, which are installed with warning signs.

Perimeter fences are in place and maintained, as part of normal farming activities on Lot 6.

Appropriate signs will be erected above any cuts that could be a danger to people.

Locked gates with warning signs will continue to be used at all times when the site is not manned.



Figure 7 Locked Gates and Warning signs

Table 3 Seasonal Closure and Campaign Closure

CLOSURE OBJECTIVE		Completion Criteria	Actions for Care and Maintenance Greater than 12 months
1.0 COMPLIANCE			
1.1	All legally binding conditions and commitments relevant to closure and rehabilitation will be met.	1.1	<p>Prior to undertaking temporary closure.</p> <ul style="list-style-type: none"> Review the latest documentation. Assess compliance with the conditions and commitments Faces and the landform are to comply with DMIRS Guidelines and be stable for the long term.
2.0 SAFETY			
2.1	Make the site safe.	2.1	<p>Prior to vacating;</p> <ul style="list-style-type: none"> Secure the site and any plant or structures to be left. Mobile plant and other equipment not required will be removed from site. The site will be cleaned, structures will be removed that are not required for future operations. Fencing, bunding, signage or other measures will be provided as necessary to form a safe site, particularly above any faces. <p>Security</p> <ul style="list-style-type: none"> Provide locked gates or log access restraints as required or maintain staff on site. Check and maintain perimeter fences. Visual audit of completed ground, to verify compliance.
3.0 HYDROGEOLOGY			
3.1	Ensure that there are no materials that could cause pollution or environmental harm.	3.1	<ul style="list-style-type: none"> Remove fuel service materials. Remove any materials from which leaching may occur.
4.0 BIODIVERSITY			
4.1	Minimise the risk to on site or offsite biodiversity.	4.1	<ul style="list-style-type: none"> Implement the Dieback Management Plan. Implement the Weed Management Plan. Inspect the site for Significant Environmental and Declared weeds. Treat accordingly Inspect adjoining native vegetation and rehabilitation for edge weed effects. Treat accordingly.
5.0 STAKEHOLDERS			
5.1	Ensure stakeholder issues are considered.	5.1	<ul style="list-style-type: none"> Prior to temporary closure, as necessary, consult with the relevant stakeholders to check whether the closure planning, where possible, considers their interests and carry them out as necessary. If care and maintenance continues modify procedures in response to changes in stakeholder position, policies or conditions.



Figure 8 Non potable water supply tank above and site storage and serviced portable toilet below

4.6 Equipment

During campaigns there may be one to two pieces of the same plant on site to expedite the winning of resource in a defined time, such as two excavators or two scrapers to rehabilitate the land surface. Although the list of plant below is extensive, it will not all be used at one time.

Table 4 Equipment Register

The following equipment is likely to be used.

- A locked shed is located on site for storage.
- Mobile telephone (the site is just within range).
- UHF communication is available into the Farm network operating on Lot 6.
- An excavator will be used for collecting the already extracted quartzite for sorting.
- Loader for loading pallets and crates of product.
- Fuel will be brought to the site as required in mobile tankers.
- A fenced security compound for the storage of machinery may be required.
- Mobile crusher may be used occasionally at an anticipated once per two years. A plant, similar to a Terex 600 is anticipated which has a throughput of 60 tonnes per hour plus a double deck screen producing 3 product sizes.

Rural Stone are registered on the Department of Mines Industry Regulation and Safety SRS system.

4.7 Loading and Transport

Transport of the quartzite is anticipated to be 1 – 3 small rigid truck or trailer movements per week as only 500 tonnes is anticipated to be removed annually.

The quartzite is stacked in bags on pallets, bags or wooden crates.

The crushed schist will be transported by small rigid truck or semi-trailer. Only 2 000 tonnes are anticipated to be taken annually, which equates to an average of 7 tonnes per day. Therefore at full production an average of only one truck of crushed schist is likely to leave the site every one to three days depending on the size of the truck.

The number of truck movements can be reduced by the use of a semi-trailer truck, which will reduce the number of movements leaving the site to 1 – 2 trucks per week, averaged through the year (2 000 tonnes /30 tonnes per truck = 67 laden truck movements). The use of a semi trailer vehicle has the potential to reduce the total number of truck movements on Lovers Lane.

Access will be along an existing access road direct from Lovers Lane to Toodyay Road. As part of the past condition, Main Roads required that any larger truck leaving the site should only complete a left turn at Lovers Lane/Toodyay Road intersection. That remains committed to.

The main change that has occurred in the time since the last approval is that the speed limit on Toodyay Road near the intersection is now 80 kph. Main Roads is currently planning to upgrade additional sections of Toodyay Road and already has in place clearing permits for this purpose.

The proposed road works include improvements to the intersection of Lovers Lane – Toodyay Road intersection and Toodyay Road, east and west.

The “left turn only” required by Main Roads for the previous approval will operate until the upgrade of the Lovers Lane – Toodyay Road intersection upgrade.

The planned Main Roads upgrades, combined with the reduced local speed limit of 80 kph on Toodyay Road and there being no changes to the scale and intensity of the extraction and transport activities, are assessed as ensuring that there are no changes to safety on the roads and improvements in time.

4.8 Water Use

The quartzite is broken out and hand split and sorted. There will be no crushing, milling or grinding and therefore little potential for the generation of dust apart from the limited vehicle traffic on the handling area and several vehicle movements on the access road each day. This level of movement is little different to the normal farming operation. The quartzite contains little or no fines that can be liberated as dust.

At the time of the site inspections in August 2007, 2017 and 2018, no dust was generated on site from vehicle activities and none is expected during normal operations.

Water is therefore not expected to be required for dust suppression, but may be required in limited quantities for vehicles and can be sourced from the settlement dams on site or, when these are dry, an existing farm dam or scheme water.

An overhead water tank is located near the site storage shed.

Potable water will be brought to the site as required.

4.9 Safety

Operations

Excavation will be conducted to *Mines Safety and Inspection Act 1994 and Regulations 1995*. Excavation practices, and operations procedures are in compliance with the Act. Health and safety issues are overseen by the Department of Mines, Industry Regulation and Safety.

Regular inspections and audits are carried out by officers of the DMIRS to inspect safety, operational procedures and workplace health such as dust and noise.

Rural Stone have in place Safety Management Plans and a site specific Emergency Response Plan to cover operational procedures, which include workforce induction and training to ensure that all employees involved are made aware of the environmental and safety implications associated with all stages of the mining activities. All workers are required to wear full protective safety and high visibility gear when on site.

Vehicles are not permitted on site without registering with mobile plant on site. Full personal protection is required for all persons on site at all times.

The site is registered under the DMIR SSRS reporting system for minesites and quarries.

Emergency

The site is within mobile phone contact and all vehicles are equipped with two way radios.

The closest emergency services are located in Toodyay and Morangup.

Fire

There is less potential fire risk from quarries than other land uses because quarries clear land and vehicles are restricted to cleared access roads, the pit floor, processing and stockpile areas.

These cleared areas form a natural firebreak. The main risk comes from an external fire in the surrounding vegetation, impacting on the quarry. As such the fire risk is no greater than a rural property.

The water on site currently, and available in the sumps in the base of the pit, will be available for fire fighting and represents a reduction in risk.

Fire risk is normally controlled through the *Bush Fires Act 1954* and local authority bylaws.

The safety of workers is managed through a Safety Management Plan developed through the *Mines Safety and Inspection Act 1994 and Regulations 1995*.

There are a number of management actions that can be taken in quarries to minimise fire risk and these are used wherever possible. The actions are used where applicable and as the opportunity presents to minimise fire risk.

- Where possible summer excavation activities will be restricted to cleared areas away from vegetation.
- Weather reports will be monitored for "Extreme" fire hazard days or vehicle movement bans. On such days consideration will be given to ceasing work until such bans are lifted. This is no different to normal farming operations.
- Restrict vehicles to operational area, particularly on high fire risk days.
- Use diesel rather than petrol powered vehicles
- Maintain perimeter fire breaks as required in conjunction with the land holder
- Ensure fire risk is addressed and maintained through the Safety Management Plan
- Provide an emergency muster area, communications and worker induction and training
- Maintain the site radio contact procedures
- Provide fire extinguishers in prominent locations
- Establish on site water supplies for potential use in extinguishing fire
- Secure the site from unauthorised access
- The safety of workers is managed through a Safety Management Plan
- A vehicle mounted fire fighting unit will be available during summer, similar to normal farming operations.
- Water will be available in the sediment settlement dams for part of the year and from nearby farm dams at other times, and a water tank retained on site .
- In the event of a vehicle fire, the vehicle will be driven (if possible) to a cleared area such as the pit, and abandoned, in line with Department of Mines Industry Regulation and Safety practice for safety of personnel, and contact made to the authorities and local bushfire brigade.

5.0 BIODIVERSITY MANAGEMENT PLAN

5.1 Biodiversity

The area of proposed excavation is cleared. In general the vegetation is a low Wandoo Low Woodland.

Flora - Land Clearing

The pits have been worked for many years and there do not appear to be any significant impacts.

There are no changes to the scale or intensity of the operations or the footprints used.

No clearing is proposed for ten years as the existing footprints can provide sufficient resource.

Much of the old overburden dumps and pits already have natural regrowth in them and regrowth screening vegetation, much of which is not anticipated to be cleared.

As the proposed excavation will only require alteration of the already cleared soils for the next ten years, a comprehensive vegetation study was not completed as part of this renewal.

If any vegetation is required to be cleared a Clearing Permit will be obtained before the trees are removed, in compliance with the legislation. A comprehensive flora and vegetation assessment will be conducted at that time in support of the Clearing Permit application.

Rehabilitation will be to local native vegetation.

Commitments

A Clearing Permit will be applied for any native vegetation outside the previous disturbance footprints.

Fauna

There is little native fauna present in the area due to the level of clearing.

The planting of native trees in the buffer, combined with the provision of a permanent water site in dams, will lead to an increase in the richness and number of indigenous faunal species in the area, particularly birds.

The survival of fauna in the area will be more related to the future land use than the operation of the quarry. The future use is proposed to be a return to local native vegetation.

Bamford Consulting Ecologists assessed the fauna of the area surrounding the resource on Lot M1455 Hoddys Well to the south of Toodyay Road, local area in September 2002. See Figure 1 for the location).

They recorded a total of 18 bird species and one mammal species in much better vegetation during the site inspection but a larger number of species are expected to utilise or visit the native vegetation.

There is not proposed to be any changes to the processing and other activities on site during the next ten years and therefore no additional impacts on fauna are anticipated.

There is not proposed to be any clearing within the next ten years. The survival of fauna in the area will be more related to the future land use than the operation of the quarry. The future use is likely to be some form of conservation as the landform is not suitable for farming.

The fauna report is attached as an Appendix because any species listed for that site could potentially occur on Lot 6.

Wetlands

There are no wetlands on the resource area or Lot 6, apart from the crossing of the creek. The crossing exists with a culvert/bridge. No changes apart from maintenance is required for that crossing.

5.2 Dieback Management Plan

Dieback of vegetation is often attributed to *Phytophthora cinamomi* even though there are other *Phytophthora* species and other diseases such as *Armillaria* that can cause dieback like symptoms. Microscopic soil-borne fungi of the genus *Phytophthora* kill a wide range of native plants and can cause severe damage to many vegetation types, particularly those from the families Proteaceae, Epacridaceae, Xanthorrhoeaceae and Myrtaceae.

In most cases dieback is caused by a pathogen which infests the plant and causes it to lose vigour, with leaves dying, and overtime may kill the plant. As such the management of Dieback is essentially related to plant hygiene when coming onto a site and within a site.

There are several guides to the management of Dieback.

- *Department of Environment and Conservation DBCA Dieback Hygiene Manual 1992 is a practical guide to Dieback management.*
- *Department of Environment and Conservation DBCA Best Practice Guidelines for the Management of *Phytophthora cinamomi*, draft 2004.*
- *Dieback Working Group 2005, Management of *Phytophthora* Dieback in Extractive Industries.*

Dieback is only likely to be an issue when equipment is brought to the site from a dieback affected area either through vehicles or plant and soil materials therefore the following general principles are applied to Dieback management.

On this site, the resource area is cleared and has already been excavated.

The access roads are hard gravel.

However as a matter of good environmental management Rural Stone will use practices that will minimise the introduction of weeds or plant pathogens.

The aim of dieback management during excavation is to minimise the risk of entry of dieback into the site.

In many ways the management of the site for dieback is similar to that for the management of weeds, and the two management practices should be considered together.

The other management is to ensure that all excavation equipment and road transport vehicles are clean and free from soil and vegetable matter prior to entering the operations. This is normal practise by Rural Stone who strive for high levels of resource hygiene to minimise any potential for dieback spread.

The following actions are taken on this site.

- Excavation is undertaken using practices recommended by various guidelines. See *CALM Dieback Hygiene Manual 1992* which is more practical and *CALM Best Practice Guidelines for the Management of Phytophthora cinamomi, draft 2004*. See also *Dieback Working Group 2005, Management of and Dieback in Extractive Industries*.
- The access roads are hard gravel sourced from on site.
- The pits are formed to prevent water from leaving the pit and entering remnant vegetation.
- The quarry activities operate separately from the stockpile and loading areas and will effectively be a "split" operation.
- The site is secured from unwanted access.
- Excavation vehicles are restricted to the excavation area, stockpiles and access roads.
- Road transport vehicles are restricted to the stockpile, loading and access areas.
- A hygienic site is maintained by not bringing any soil or plant material onto the site except for rehabilitation purposes. A dedicated wash down bay is not required for an operation such as this.
- Prompt removal of any rubbish or dumped materials is practised.
- All quarrying, excavation and transport vehicles are required to be cleaned when coming from a dieback affected area, prior to leaving their source.
- Stockpiles will be contained on the dedicated stockpile area.
- Water from excavations is contained and directed to settlement dams in the base of the pits.
- These measures will produce a similar water regime to the situation prior to excavation. Ponding of surface water is to be avoided particularly. The pit will operate in cells that are internally draining to retain all surface water or drain to the sediment settlement dam and sumps in the base of the pit.
- The use of water for dust suppression will reduce the volume of water within the pit by using it for dust suppression.
- All vehicles and equipment to be used during land opening or land reinstatement, are clean and free from soil or plant material when arriving at site.
- No contaminated or suspect soil or plant material is, or will be, brought onto the site.
- Compliance with the Weed Management Policy.

5.3 Weed Management Plan

The management of weeds is essentially similar to that for plant diseases. The impact of weeds is really the impact within the local area and the more they are controlled the better. It is desirable that the site does not become a haven for environmental weeds and therefore a management and control program is warranted at all sites.

Weeds can be declared under the *Agriculture and Related Resources Protection Act 1976* which requires that Declared Weeds are eradicated. Other weeds are not Declared but may be classified as Environmental Weeds because they are well known for impacting on vegetation.

The access roads are to be hard gravel.

As a matter of good environmental management Rural Stone will use practices that will minimise the introduction of weeds or plant pathogens.

Generally if the actions taken for Dieback are applied they will also control weeds.

The management of weeds uses the following principles.

- The resource areas are cleared.
- Weeds are managed in conjunction with the normal farm management and agricultural practices.
- All vehicles and equipment used during site preparation, excavation and closure are clean and free from soil or plant material when arriving at site. See Dieback Management Plan.
- Vehicles are prohibited from entering remnant vegetation, apart from normal travel along made firebreaks.
- Illegally dumped rubbish is the major source of weeds and is removed promptly.
- No weed contaminated or suspect soil or plant material is brought onto the site.
- When clearing land or firebreaks vehicles are to work in conjunction with dieback principles and push from areas of better vegetation towards areas of lower quality vegetation.
- Weed management works from least affected areas to most affected.
- Declared weeds are treated promptly by digging out or spraying if present.
- Weeds will be treated promptly no matter how few there are.
- Ongoing monitoring of weeds should be undertaken at least annually in autumn, prior to winter rains.
- Compliance with the Dieback Management Policy.

6.0 OFFSITE MANAGEMENT PLAN

6.1 Aesthetics

Visual Impact can occur in a number of circumstances, by the operation being set too high in the landscape, by being too close to neighbours and by insufficient visual protection.

There are a number of management actions that can be taken in quarries to minimise visual impact and these will be used wherever possible. The general management actions are summarised below together with the visual impact issues that relate to this site. The actions will be used where applicable and as the opportunity presents to minimise visual impact.

Guidance on visual impact is contained in Department of Planning, Lands and Heritage, 2007, *Visual Landscape Planning in Western Australia (DoP 2007)*. Guidance can also be found in Forest Commission of Victoria, undated, Landscape Types of Victoria.

The Shire of Toodyay Local Planning Strategy provides for Landscape Protection to be considered with developments.

Excavation is worked from inside out on the floor of the pit around 2 metres below natural ground level.

The current excavations are not visible from any road, and are a significant distance of 1 km from those roads. The pits themselves are surrounded by over burden dumps that have some natural regrowth that enhances the visual protection.

Once excavation is completed in a particular pit or part of the pit, that stage can be rehabilitated. During rehabilitation the land surface will be formed into gentle slopes and revegetated with local native vegetation in the depression.

Where possible excavation will be progressively followed by rehabilitation, which will be completed as soon as practicable following the closure of each previous stage.



Figure 9 Regrowth vegetation providing visual screening

Table 5 Visual Management

OPERATIONAL PROCEDURES	COMMITMENTS AND ACTIVITIES CONDUCTED ON SITE	MANAGED VISUAL RISK
Locate exposed features behind natural barriers and landform.	<ul style="list-style-type: none"> The pits are worked from below natural ground level where possible, using the land surface and vegetation to provide screening. The excavations are setback 800 metres from local roads and dwellings. The existing pits do not appear to be visible from local roads and if visible are so small and protected by vegetation for them not to be discernible. 	Low
Operate from the floor of the pit below natural ground level.	<ul style="list-style-type: none"> This is used with excavation up to 5 below natural ground level. 	Low
Avoid breaks in the skyline due to workings and haul roads.	<ul style="list-style-type: none"> The excavation areas lie on a western slope with no obvious intersection with the skyline. Operations are located lower in the landscape behind existing trees. 	Low
Push overburden and interburden into positions where they will not be seen or can form screening barriers.	<ul style="list-style-type: none"> These are used for safety but are not generally required for visual management. The bunds of the old pits are partially revegetated with self seeded regrowth. 	Low
Stage workings and progressive rehabilitation to provide visual protection of later activities.	<ul style="list-style-type: none"> The excavation areas are staged within the pits although the pits are small and definite staging is often not possible. 	Low
Adopt good house keeping practices such as orderly storage and removal of disused equipment or waste.	<ul style="list-style-type: none"> Rural Stone maintains a tidy site on all their operations. The site has been tidied since they have taken over the operations. Rural Stone has a policy of recycling. They will keep a tidy site and remove rubbish from the site to an approved waste disposal facility as required. 	Low
Provide progressive rehabilitation of all completed or disturbed areas.	<ul style="list-style-type: none"> The site will be retained as a void and revegetated to local native species. The bunds of the old pits are partially revegetated with self seeded regrowth. 	Low
Minimise the amount of ground used at any one time.	<ul style="list-style-type: none"> This is to be used wherever possible. There will be no change to the existing footprint. 	Low
Install fences and gates, which are compatible with the style of the area.	<ul style="list-style-type: none"> Fences and locked gates are in place as farm style fencing. Roadside vegetation hides most of the fences. 	Low
Minimise offsite impacts of night lighting.	<ul style="list-style-type: none"> Night operations are not used. 	NA
Paint and maintain buildings, plant and equipment with low impact colours or locate them in out of site situations.	<ul style="list-style-type: none"> No permanent plant is used. A mobile storage facility is in place but is located where it is not visible. 	NA
Locate roads and access to prevent direct views into the site	<ul style="list-style-type: none"> No new roads are proposed. The existing access road will be used. 	Low
Ensure transport vehicles do not spill material on public roads and ensure prompt cleanup if it occurs.	<ul style="list-style-type: none"> Company practices and driver/operator training address the need to minimise spill by ensuring the trucks are not overloaded or material is not left on the outside of trays. Collection of spills is carried out when reported. Drivers are instructed to be responsible for their loads. 	Low

6.2 Noise Management

The excavation methods and the excavation footprint will remain the same as those approved previously. The site has been operated intermittently on a small scale and there are no plans to change those methods of extraction.

As far as is known there have been no complaints with respect to noise.

No noise increases are anticipated.

Normally excavation equipment is located on the quarry floor below natural ground level, to provide maximum shielding when the pit is sufficiently large and deep enough to accommodate this. Occasionally an excavator or bulldozer may be required to work from natural ground surface to increase efficiency or safety.

Sound travels mostly in a "line of sight" manner. Solid barriers are very effective in attenuating or suppressing sound transmission.

The equipment used on site is listed in Section 4.6 Equipment. Not all equipment operates at the same time.

General Noise Regulation

Offsite noise is governed by the *Environmental Protection (Noise) Regulations 1997*.

The *Environmental Protection (Noise) Regulations 1997*, require that sensitive premises including dwellings in non industrial areas are not subjected to noise levels exceeding 45 dBA for more than 10% of the time, 55 dBA for more than 1% of the time and never exceeding 65 dBA during normal working hours. There are penalties for tonality of 5 dB, modulation 5 dB and 10 dB for impulsiveness, although impulsiveness is not likely to be relevant.

Occupational noise associated with the quarrying processes falls under the *Mines Safety and Inspection Act 1994 and Regulations 1995*. The management of occupational noise is normally handled by providing all necessary hearing protection, as well as conducting worker inductions, and educational programs for all staff. Regular site audits of quarry and mining operations are normally conducted by the Department of Mines, Industry Regulation and Safety.

Noise can originate from a number of operations and may impact on onsite workers, or travel offsite and impact on external sensitive premises. Both potential noise impacts are addressed by reducing the noise generated from the quarrying and processing operations.

There are a number of management actions that can be taken in quarries to minimise noise generation or travel and these will be used wherever possible. The general management actions are summarised below together with the potential noise impact issues that relate to this site. The actions will be used where applicable and as the opportunity presents to minimise noise on this site.

The *Environmental Protection (Noise) Regulations 1997*, require that sensitive premises including dwellings in non industrial and rural areas, are not subjected to general noise levels (excluding blasting), during the hours 7.00 am to 7.00 pm Monday to Saturday that exceed 45 dBA. Allowable noise to 55 dBA is permitted for up to 10% of the time and to 65 dBA for 1% of the time. Noise levels are not to exceed 65 dBA during normal working hours.

Between 9.00 am and 7.00 pm on Sundays and Public Holidays and between 7.00 pm and 10.00 pm on all days the base level is 40 dBA.

At night, between 10.00 pm and 7.00 am Mondays to Saturday and before 9.00 am on Sundays and Public Holidays, the permitted level drops to 35 dBA.

The 10% and 1% “time above” allowances apply at night and on Sundays and Public Holidays as well.

There are penalties for tonality of 5 dB, modulation 5 dB and 10 dB for impulsiveness, that are added to the permitted levels. That is, if the noise is tonal or modulated the permitted levels drop by 5 dB.

Impulsiveness is not likely to be relevant for the quarry under normal circumstances but tonal may apply to certain equipment.

Influencing factors are external noise and nearby land uses such as busy roads, and industrial properties. Schedule 1 of the *Environmental Protection (Noise) Regulations 1997* provides for the premises (area defined by the lot boundaries) of excavations to be provided with an industrial influencing factor in the calculation of assigned noise levels, by way of the 100 and 450 metre influencing factor circles.

Under Schedule 1 of the Noise Regulations the premises on which the extraction of basic raw materials, such as clay, hard rock, sand and limestone, is occurring is classified as Industrial Land for the purposes of calculating influencing factors. This was defined as the whole cadastral boundaries in State Administrative Tribunal decision {2013} WASAT 139, *Bushbeach v City of Mandurah*.

At a distance greater than 15 metres from the sensitive premises (eg dwelling), and commercial premises a base level of 60 dBA applies at all times with the 10% time permitted to be up to 75 dBA and the 1% permitted to be up to 80 dBA. For Industrial premises the base level is 65 dBA at all times with the 10% time permitted to be up to 80 dBA and the 1% permitted to be up to 90 dBA.

Noise Management

Sorting and Splitting Quartzite

This is a very quiet operation for the majority of the time, screened by the walls of the quarry. Most of the activity is hand splitting and sorting. Nibbling the resource from the existing open piles and loading is infrequent and only occurs perhaps one day per week. This is no different to normal farm vehicles in size and movement.

Crushing Schist

Crushing and screening, if used, will be intermittent, with a stockpile of material created from which supply will be provided for several months until exhausted, when another crushing campaign will be conducted.

It is anticipated that only 2 000 tonnes of schist will be taken and crushed annually with perhaps 500 tonnes in each crushing campaign. Schist is a relatively soft material that will not require heavy crushing to reduce the particle size.

A portable crusher and screening plant will be used, similar to a Terex 600 which has a throughput of 60 tonnes per hour. From the crusher a double deck screen producing 3 product sizes will be used.

The crusher will only need to operate for several days to produce sufficient product for several months and so any potential impacts will be minor.

Blasting

Blasting is not proposed.

Cumulative Noise Risk

The excavation methods and the excavation footprint will remain the same as those approved previously with the site having been operated intermittently on a small scale and there are no plans to change those methods of extraction.

As far as is known there have been no complaints with respect to noise.

Therefore no noise increases are anticipated.

Normally excavation equipment is located on the quarry floor below natural ground level, to provide maximum shielding when the pit is sufficiently large and deep enough to accommodate this. Occasionally an excavator or bulldozer may be required to work from natural ground surface to increase efficiency or safety.

It is known that there has been approval for sand and gravel quarrying on Lots 5 and 6 with all processing completed on Lot 5 well to the east. Those crushing and processing activities are located 2 km from these quarries with a ridge and hill separating the two operations.

There is a small Toodyay stone pit operating as part of the nearby approved sand and gravel operation, but that will be intermittent and located over 500 metres north west from these quarries and also well away from the crushing and screening operations of the gravel extraction.

Therefore the landform barriers and the separation prevent cumulative impacts from the two operations.

Table 6 Noise Management

GENERAL NOISE MANAGEMENT		
OPERATIONAL PROCEDURES	COMMITMENTS	MANAGED NOISE RISK
<ul style="list-style-type: none"> Comply with the <i>Environmental Protection (Noise) Regulations 1997</i>. 	<ul style="list-style-type: none"> Rural Stone is committed to continued compliance with the Regulations. As far as is known, no complaints are known from the past 10 years of operation. 	Noted
<ul style="list-style-type: none"> Maintain adequate buffers to sensitive premises. 	<ul style="list-style-type: none"> The operations are well in excess of the EPA generic buffer distances at 1000 metres and have proven to be effective during the past operations. The closest dwelling remains the dwelling to the west at a distance of 800 metres from the closest excavation and 600 metres from the stockpile – storage area. No changes are proposed to the previously applied footprint in terms of distances to the closest dwellings. 	Low

<ul style="list-style-type: none"> Locate exposed features behind natural barriers and landform. 	<ul style="list-style-type: none"> Excavation is conducted on the floor of the pit behind the faces and natural landform to provide maximum noise screening. All mobile plant and equipment operate behind features and landform to provide maximum noise screening where possible; behind bunds if sufficient overburden is available. With buffer distance available on site to the nearest dwellings, specific no noise screening bunds are required as confirmed by the lack of complaints and issues from past excavations. 	Low
<ul style="list-style-type: none"> Maintain all plant in good condition with efficient mufflers and noise shielding. 	<ul style="list-style-type: none"> This is used and is committed to. All plant is to be maintained in sound condition. 	Low
<ul style="list-style-type: none"> Maintain haul road and hardstand surfaces in good condition (free of potholes, rills and product spillages) and with suitable grades. 	<ul style="list-style-type: none"> No changes to the access roads are proposed. See dust management 	Low
<ul style="list-style-type: none"> Implement a site code outlining requirements for operators and drivers for noise management. 	<ul style="list-style-type: none"> A site code is implemented and is committed to for site induction and training for all personnel for all parts of the operations. 	Low
<ul style="list-style-type: none"> Shut down equipment when not in use. 	<ul style="list-style-type: none"> Shutdown is used to save fuel and maintenance costs in addition to noise minimisation. 	Low
<ul style="list-style-type: none"> Fit warning lights, rather than audible sirens or beepers, on mobile equipment wherever possible. 	<ul style="list-style-type: none"> Lights or low frequency frog beepers are to be used rather than high pitched beepers to restrict noise intrusion. 	Low
<ul style="list-style-type: none"> Provide a complaints recording, investigation, action and reporting procedure. 	<ul style="list-style-type: none"> A complaints recording and investigation procedure is proposed and will be implemented and maintained. As far as is known none have been received. 	Low
<ul style="list-style-type: none"> Provide all workers with efficient noise protection equipment. 	<ul style="list-style-type: none"> All personal noise protection equipment will be provided to staff as required. 	Low
<ul style="list-style-type: none"> Minimise and conduct at the least disruptive times. 	<ul style="list-style-type: none"> Quarrying is to be conducted during the approved working hours. 	Low
<ul style="list-style-type: none"> Use transport routes that minimise community disruption. 	<ul style="list-style-type: none"> Neither the transport routes nor the scale, intensity or frequency will change. Exit is to Lovers Lane. 	

Occupational Noise

Occupational noise associated with the quarrying processes falls under the *Mines Safety and Inspection Act 1994 and Regulations 1995*.

Rural Stone has developed a Risk Based Health Management Plan as required by DMIRS and is registered under the SRS system. This covers health policies, planning, monitoring and equipment selection to minimise impacts on workers from dust, noise or vibration.

The management of occupational noise is normally handled by providing all necessary hearing protection, as well as conducting worker inductions and educational programs for all staff. Regular site audits of quarry and mining operations are normally conducted by the DMIRS.

As part of its commitment Rural Stone is pro-active with its worker safety awareness;

- by providing all necessary safety equipment such as ear protection,
- identifying sections of the plant where hearing protection is required, as well as,
- conducting induction and educational programs for its staff.

The operating noise levels around the site are regularly monitored by independent consultants in accordance with the *Mines Safety and Inspection Act 1994*, and the results communicated to the Department of Mines, Industry Regulation and Safety (DMIRS). All staff are provided with comprehensive ongoing training on noise protection as part of Rural Stone's commitment to occupational health and safety.

The DMIRS conducts Occupational Noise Audits at quarries, as part of their supervisory role.

Warning signs are used to identify areas of potential noise.

Commitments

- ***Noise levels will comply with the Environmental Protection (Noise) Regulations 1997.***

6.3 Dust Management

6.3.1 Environmental Dust

Background

Excessive dust has the potential to impact on both the workers and the adjoining land, and its potential for generation must be taken in context.

There are a number of key aspects to dust impacts;

- What is the source of particles?
- What is the potential for the particles to be disturbed?
- What is the nature of the particles and how are they likely to behave?
- What types of impacts are the particles likely to have if they move?
- What management actions can be used to mitigate or reduce dust impacts?

Most dust on site will be generated during vehicle movements.

Commonly called "dust," scientists and regulators refer to the term particulate matter (or PM) to describe the range of particles that exists in the air breathed in.

Particulate matter exists naturally in the atmosphere, eg sea-salt spray and pollens. PM can be increased due to human activities such as vehicle exhaust, industrial processes, power stations, mining, farming and wood heaters, or smoke from bushfires.

Exposure to PM can be associated with health and amenity impacts if the exposure is excessive.

The likely risk of these impacts depends on a range of factors including the size, structure and composition of the PM and the general health of the person.

Particulate matter needs to be suspended in the air to carry any distance. The particles must be smaller than sand grains, which will only carry short distances because the grains are too large to move at any more than bouncing. The particles that are able to be suspended are called Suspended Particulate Matter and the total amount of that is referred to as TSP.

Little published data is available from general mining in Western Australia even though monitoring is undertaken at some sites. There is data specifically from mining, (predominantly coal) from New South Wales (NSW Health) where particulate levels have been measured to be;

PM <2.5 microns as 2 – 5% of emissions (One micron is 1 / 1000 of 1 mm).

PM < 2.5 are invisible and called "fine particles". They are the main health issue and are caused by vehicle emissions whether they are along roads or on private land. Vehicle emissions will not occur at night or at other times when the site is not active.

PM 2.5 – PM10 microns as 15 – 45%

PM 10 (particles between 2.5 and 10 microns) are invisible and called "coarse particles". They can be breathed in, but are removed by alveoli and mucous. (NSW Health). This dust may be generated when land is cleared and topsoil disturbed or the site is subject to traffic in summer.

PM>10 microns as 50 – 70%

PM>10 is visible dust and will, based on the resource, be the vast majority of the particles.

Normally all sizes of dust are generated together, and there will be visible dust being generated when invisible dust is being formed. Therefore any visible dust present is a good sign and early indicator of a dust risk. A summary of the sources and proportions of dust is shown in; NSW EPA and NSW Ministry of Health Environmental Health Branch 2015, Review of the health impacts of emission sources, types and levels of particulate matter air pollution in the ambient air in NSW.

This is backed up by occupational monitoring through the Department of Mines Industry Regulation and Safety. Unpublished data from those quarries shows quarries are compliant or can readily be made compliant with the health and safety and community standards through normal dust management practices. See Section 1.4 Occupational Dust.

Toodyay Stone and Schist Excavations

The main risk from dust during excavation is from fine clay particles disturbed by repeated traffic on site and fine particles that are generated during transport along the access roads.

On loam soils such as this the clay stays moist throughout the year so excavation from the face or floor does not generate dust.

Through the winter months of May to September inclusive, there is little dust risk because rainfall exceeds evaporation. The rainfall is sufficient to wet the whole soil profile to depth, with excess water reaching the water table.

In summer, when evaporation exceeds rainfall, the elevated loam soils dry out and can be crushed by repeated vehicle movements. Without the traffic the clay stays in lumps that do not degrade or produce fine dust particles.

Clay from the crushed loam soils and roads can be ground very fine from repeated disturbance such as vehicle movements. Any contained sand grains are hard and are not normally reduced in size even by traffic movements.

Clay itself is not poisonous, and kaolin clay has been and is still used in some medicines.

The other source of potential dust is from crushing and screening of schist. Crushing and screening is very infrequent and none has been conducted for several years, but remains a possibility depending on market demands.

Occupational dust associated with the quarrying processes falls under the Mines Safety and Inspection Act 1994 and Regulations 1995 overseen by the Department of Mines Industry Regulation and Safety who regularly inspect the site.

Tree Belt - Buffers

There have been several studies relating to the distance dust travels from quarrying activities or gravel roads in flat open ground.

Oudwater S, 2017, *Modelling of dust emission in dimension stone quarry*, Aalto University School of Engineering, Finland showed that for drilling and other activities associated with hard rock quarries, 95% of the dust down to pM10 settles within 20 metres of the quarrying activity. The amount of dust deposited at a distance of 30 metres was around 2% of that deposited at the source of the activity.

The study also confirmed that finer dust particles (pM5) which are the most significant for health were the result of combustion engines with little being produced by the abrading of rocks.

Jones D N, L Bemede, A R F Bond, C Dexter and C L Strong, 2016, *Dust as a contributor to the road effect zone: a case study from a minor forest road in Australia*, Australian Journal of Environmental Management Volume 23, No 1 p 67 – 80 noted that dust deposition at a distance of 40 metres from a gravel road in forest varied from 8% to 30% of the deposition at the roadside depending on the level of vegetation cover. They also found that mammals were not significantly impacted by the dust compared to when the road was sealed.

In other studies dust particles have been found to be readily stopped by tree belts and distance, with which the site complies. Tree belts slow the wind and allow the dust to settle. See *Planning Guidelines Separating Agricultural and Residential Land Uses, Department of Natural Resources Queensland 1997(Pages 65 – 111)* and *Department of Health WA, 2012, Guidelines for Separation of Agricultural and Residential Land Uses* which uses the same criteria (Pages 112 – 118).

The Queensland Guidelines predominantly relate to agricultural spray drift, but based on particle size also relate to dust.

The Guidelines provide for a buffer of 300 metres for open agricultural land, dropping down to 40 metres where an effective tree belt is in place. The Western Australian Department of Health also uses the same guidelines.

The Guidelines are based on field studies and demonstrate the effectiveness of tree belts and distance in providing screening against particulate travel.

A minimum of 1000 metre buffer distances is available to the closest dwelling which exceeds the Guideline and the Queensland research.

The key Environmental Objectives for the operations are;

- Manage the potential for the generation of dust.
- Visually monitor dust levels and take steps to reduce the potential impact of dust on occupational and environmental aspects of the operation and local area.

Assessment of Dust Risk

Dust Guidelines

Dust management is an integral part of the extraction and processing of any basic raw material.

The most common form of disturbance is by mobile plant and vehicle impacts. In this local area dusty roads have the most potential to produce dust, such as the access road which is no different to any other local unsealed road.

The potential for dust emissions falls under the *Guidance for the Assessment of Environmental Factors, EPA, March 2000*. Assessments of the potential dust risk are normally made using the Land development sites and impacts on air quality, *Department of Environmental Protection and Conservation Guidelines, November 1996*.

These guidelines are still in place but are incorporated into the *DEC (DER) 2011 Guideline for Managing the Impacts of Dust and Associated Contaminants from Land Development Sites, Contaminated Sites Remediation and other Related Activities*.

The DEC (DER) in 2008 released a draft Guideline for the Development and Implementation of a Dust Management Plan.

The site has operated since 1991 and effective dust management is in place and has proven to be effective.

Even so a dust risk assessment has been completed using the DEC (DWER) 2011 Guideline.

Table 7 Dust Risk Assessment from DWER (DEC)

PART A Number	Item	Score	
		Toodyay excavation in summer	Stone Crushing and screening schist
1	Nuisance potential of the material	Very low when trafficked and untreated - 1	Medium when trafficked and untreated - 4
2	Topography and vegetation screening	Well screened - 1	Well screened - 1
3	Area of site activities	Trafficked areas are 1 to 5 hectares in area - 3	Trafficked areas are 1 to 5 hectares in area - 3
4	Type of work being undertaken	Partial earthworks - 6	Partial earthworks - 6
	Summer total without dust measures	11	14

PART B Number	Item	Score	
		Toodyay excavation in summer	Stone Crushing and screening schist
1	Distance to premises	1000 metres - 1	1000 metres - 1
2	Effect of prevailing wind	Not affected - 1	Not affected - 1
	Summer total without dust measures	2	2

Activity	Calculated Score	Allocated Risk of Dust
Toodyay Stone excavation in summer	22	Classification 1 Negligible Risk, No recommended actions or contingencies required for the dwellings. Dust management will be required for pit best practice and worker environment.

Crushing and screening schist	28	Classification 1 Negligible Risk, No recommended actions or contingencies required for the dwellings. Dust management will be required for pit best practice and worker environment.
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Occupational Dust

Occupational dust associated with the quarrying processes falls under the *Mines Safety and Inspection Act 1994 and Regulations 1995* overseen by the Department of Mines, Industry Regulation and Safety (DIRS).

Rural Stone will provide induction and protective equipment for all persons on site. The site is registered by DMIRS and is regularly inspected by DMIRS.

Actions and Management

Table 8 Dust Management

ACTIVITY	POSSIBLE RISK SEVERITY and FREQUENCY	OPERATIONAL PROCEDURES AND COMMITMENTS	RISK AFTER MANAGEMENT
EARTHWORKS			
Land Clearing, construction earthworks	Low - Occasionally to open new ground	<ul style="list-style-type: none"> No Clearing is proposed. Overburden is the only material to be moved. It will be retained for use in final land restoration and topping the screening bunds. If winds are sufficiently strong, or other weather conditions are unacceptable to negate the effects of dust management, operations will cease until conditions improve and compliance can be achieved. Visual monitoring of the visual dust is the best and fastest method of monitoring dust risk and dust generation and faster response can be achieved than alarms or monitors. If visual dust is significant then smaller particles may also be present. When visual dust becomes excessive on site actions will be taken to reduce dust by wetting down, changing the methods of operations or waiting until the adverse conditions subside. 	Low
Land restoration	Low - Once per year or less frequent	<ul style="list-style-type: none"> Land restoration is infrequent and normally conducted only once per year. Scheduled activities such as ripping, overburden and topsoil spreading will be conducted at times of low dust risk, such as during the wetter months. 	Low
EXCAVATION - PROCESSING			
Excavation	Low - Frequent	<ul style="list-style-type: none"> There are no changes to the excavation methods. Excavation will be conducted on the floor of the pit to provide maximum shelter for dust protection. Crushing and screening is very infrequent and none has been conducted for several years. but remains a possibility depending on market demands. The local surrounding vegetation acts as a partial wind break to reduce on site wind speed and therefore reduce the potential for dust lift off. The tree and vegetation buffers to the adjoining lands provide compliance with Government Guidelines. 	Low

Loading and stockpile creation	Low - Frequent and in campaigns	The only stockpiles will be small piles of Toodyay stone, bagged stone and the like, and small stockpiles of schist.	Low
TRANSPORT			
Road condition	Low - Frequent	<ul style="list-style-type: none"> The access road is gravel. Portion of Lovers Lane is sealed and Toodyay Road is sealed. All loads for transport outside the pit are covered. Rural Stone and the Shire of Toodyay will liaise as required, with respect to the access road and transport routes. 	Low
Health and Amenity		<ul style="list-style-type: none"> A readily auditable trigger of no visible dust to cross the property boundary in line with DWER Licence and best practice in WA. The trigger for dust management is the generation of visual dust. The loader operator or site controller will observe the amount of dust being generated as they are in the best position to assess dust generation and to direct remediation in consultation with the quarry manager. If visual dust is significant then smaller particles may also be present. When visual dust becomes excessive on site actions will be taken to reduce dust by wetting down, changing the methods of operations or waiting until the adverse conditions subside. On site induction training will include observation and mitigation where possible of all dust emissions. Occupational dust associated with the quarrying processes falls under the <i>Mines Safety and Inspection Act 1994 and Regulations 1995</i> overseen by the Department of Mines Industry Regulation and Safety who regularly inspect the site. The site is registered on DMIRS systems. Included in the program are personal dust monitoring assessments. If on site dust is managed, offsite dust risk is also managed. Operations will temporarily cease if conditions occur where dust cannot be managed through breakdowns or extreme weather events. The latest weather conditions will be reviewed as required to assess the potential impacts on dust risk. 	
Complaints		<ul style="list-style-type: none"> All complaints relating to dust are to be investigated immediately on receipt of a complaint. A record of all dust complaints is to be maintained together with the mitigation measures to be used to reduce the dust impacts. As far as is known there have been no complaints with respect to dust in the last ten years. 	

6.3.2 Dust Monitoring

Visual monitoring of dust is continuously used on site and is the most effective for small operations such as this. All staff are instructed to be mindful of excessive, un-necessary dust, or dust crossing the boundary. This can normally be spotted and actioned prior to the dust getting to the boundary.

Dust from wheels, crushing, screening or other operations are readily apparent to staff at the time of generation. Those staff are instructed to notify management and take actions such as using water to suppress dust or temporarily changing the operations until the dust risk/ generation reduces.

Commitments

- **No visible dust will cross the boundary of Lot 6.**
- **Dust levels on site will be minimised.**
- **Dust levels on site will comply with occupational dust levels.**

6.4 Water Management

6.4.1 Water Quality Guidance Statements

The Department of Water, Environment Regulation (DWER) WQPN 15, *Water Quality Protection Note "Extractive Industries near sensitive water resources"*, provides guidelines for quarries within catchments.

All facilities and procedures on site are designed to comply with the DWER – DMIRS Water Quality Protection Guidelines for Mining and Mineral Processing and are all complied with

- Overview
- Minesite water quality monitoring
- Minesite stormwater
- WQPN 28 Mechanical servicing and workshop
- Mine dewatering
- WQPN Landuse Compatibility in Public Drinking Water Source Areas
- WQPN 15 Extractive Industries near sensitive water resources. (Not strictly relevant to the site but the methodology is useful).

6.4.2 Water Source and Use

Water Requirements

Water used for on site dust suppression is drawn from the base of the pit as deemed necessary by the Quarry Manager to provide facilities for the wetting down of roads, hard stand and materials during processing and roads.

This water is also available for fire fighting and will continue to be used.

An elevated tank is located on site near the site office and is used as a water source for water brought to site.

Potable water will be brought to the site as required.

Operational and Process Water

In general there is little need for dust management during extraction, apart from the impact of vehicle movements on the floor, hard stand and access roads. The loam overburden stays moist.

Operational water will be similar to that used previously, being taken from the base of one of the pits.

Water storage dams in the base of the pit will supply water for on site activities such as dust suppression where possible. These do not overflow because of the combination of catchment, water use and evaporation. Other water will be sourced from a farm dam. Overall the amount of water required is minimal.

Less than 1500 kL water per year are required because of the small scale of the operations, intermittent activities on site, loam soils, minimal and low risk sorting, infrequent crushing and screening and activities conducted in winter not requiring treatment. For example no crushing or screening has been undertaken on site for several years.

Dewatering

De-watering of the pit is not necessary because the natural slope of the resource is towards the sediment settlement dams.

6.4.3 Hydrogeology

The pits exist and no changes are proposed to their previously approved footprints.

Surface Water

There is rapid surface drainage shed from the steep slopes and shallow soils. The creek lines are steep sided and runoff is rapid to the creeks.

Drainage from the pits and overburden dumps is across land to the creek lines or to internal sumps in the base of the pits.

Quartzite is a very strong rock that does not erode, hence its use in the building industry. There is therefore not likely to be any significant sediment generated apart from small amounts when soil and the thin overburden are eroded. Generally this material and water generated from it are retained within the pits.

The natural land surface drains west to Gabidine - Jimperding Brooks and then to the Avon River.

In existing and proposed pits all drainage from the active working areas and excavation is to the base of the excavation, and thus all surface water is retained on site.

There is no proposed alteration to drainage lines, and neither surface water nor ground water will be affected.

Dams do intersect the minor drainage, and capture surface water and contain water from the pits.

At the end of excavation the pit will be left as a void as occurs on other previously excavated pits in this location. The void will fill naturally with water to a balance point achieved by the balance between rainfall, evaporation, volume of the pit and use.

The site lies within water management areas, WMA/1 Avon River Management Area and SWA/1 Avon River Catchment Area.

The main pollution risks are sediments in the creeks and the minor risk of hydrocarbons.

Groundwater

Groundwater is deep below the surface, at the base of the creeks and rising slightly between the creeks. There is potential for fractured zone aquifers which will carry minor volumes of water.

No evidence of seepages or water table have been observed in the pits.

No groundwater has been encountered in this or other excavations, with water in the pits originating from precipitation. If groundwater had been encountered in the existing excavations then ongoing dewatering would be required which is not the case. With the small amount of excavation there is little risk to groundwater from any source.

Salinity

No processing water and little water for dust suppression is required therefore there will be no changes to the surface water and creek water regime on site.

6.4.4 Acid Sulfate Risk

There is no potential for acid sulfate conditions. See 2.3 Soils

The quartzite does not carry any sulfides, the stone and resources are a highly oxidised environment sitting on the edge of a ridge, no dewatering is required, no intersection of the water table is proposed and the soils are not subject to reducing conditions.

6.4.5 Protection of Catchments

Catchments

In Department of Water, Environment Regulation *WQPN 15, Water Quality Protection Note "Extractive Industries near sensitive water resources*, there are 62 recommended management of water procedures.

WQPN 15 applies to gravel, clays, hard rock and limestone. It generally permits extraction within 3 metres of the highest known water table. The Toodyay stone and schist extraction complies with the guideline separation.

Department of Water 2013, Western Australian water in mining guideline, provides guidance on extraction in mines.

The protection of surface and ground water from contamination by hydrocarbons is viewed by Rural Stone as a critically important issue in managing its environmental responsibilities at this site. The company has examined this risk and adopted a range of policies and procedures to mitigate the impact of hydrocarbon spills on the environment.

Rural Stone is committed to ensure its personnel and any contractors employed on site adopt management practices and procedures to minimise any adverse environmental impacts.

All water from the pits, is contained within the pit and is not permitted to escape to the local catchments.

Groundwater Protection

No chemicals are used apart from normal lubricants, which is similar to sand excavation, that is one of the few industries that are permitted to operate in a Priority 1 Public Drinking Water Source Area, indicating the clean nature of the activity. See Department of Water Land Use Compatibility in Public Drinking Water Areas.

Groundwater is protected by the clay within the loam overburden, being tight and an aquiclude/aquitard. The base of the pit does not intersect the water table and there are no seepages or water inflows into the pit apart from surface water.

The proposed operations comply with the practices for operating DWER Policies and Guidelines, below and above the water table.

The other measures to protect groundwater are the actions to protect surface water such as refueling and maintenance procedures. See below.

Waste Rock and Tailings Management

There is no washing of products. Subgrade materials are used for subsoil restoration or used for perimeter bunding and landform restoration.

There will be no waste rock or tailings, but there will be some interburden that will be placed in completed sections of the pit.

Any fines from the operational areas are captured by the sumps and dams located in the base of the pit.

Unauthorised Access and Illegal Dumping

The potential for rubbish to be dumped relates to authorised access to the site. Access is restricted by perimeter fencing and locked gates. Fences are maintained and upgraded as required and have been in place and successfully secure for many years.

The site is regularly patrolled and any illegal material is promptly removed and taken to an approved landfill or other suitable site, depending on the nature of the material.

Waste generated on site is recycled wherever possible and periodically disposed of at an approved landfill site. Any illegally dumped materials are to be removed promptly to an approved waste facility.

There has been no dumping of materials on site.

Solid Domestic and Light Industrial Waste

All solid domestic and light industrial waste is stored in commercial waste storage containers and/or removed to an approved landfill facility.

There is no waste disposal on site. Waste storage containers are sealed so that rainfall cannot enter and, as needed, impermeable, therefore preventing the formation of leachates or loss of fluids.

Over the past months Rural Stone has been cleaning the site, removing waste materials and sorting and tidying.

Wastewater Disposal

A serviced portable toilet system is located on Lot 6 at the support facilities.

This complies with WQPN 15 Extractive Industries near sensitive water resources.

Refuelling

Extraction of Quartzite and schist is a clean operation similar in the nature of the risk to groundwater. No chemicals are used apart from normal lubricants, which is similar to sand excavation, and sand excavation is one of the few industries that are permitted to operate in a Priority 1 Public Drinking Water Source Area, indicating the clean nature of the activity. See Department of Water Land Use Compatibility in Public Drinking Water Source Areas.

All spills are to be cleaned up in accordance with the summarised procedures following.

A list of the management actions for maintenance is provided. The actions will be used where applicable and as the opportunity presents to maintain water quality on this site.

Rural Stone have in place safety and pollution management procedures for all their operations. They also use self contained service and recovery vehicles to undertake minor servicing in the field.

Refuelling - Fuel Management Plan

No changes are proposed to the existing operations.

No significant adverse fuel or other incidents have occurred since the operations commenced.

Refuelling uses dedicated mobile fuel tankers. There will continue to be no onsite fuel storage. This method has been undertaken during past excavation activities and is the same as is used on most mine and construction sites as well as many farming properties.

All fuels and lubricants are delivered to site on a purpose built service truck or carried in tanks on a trailer or a small truck.

Refuelling is carried out in accordance with DWER – DMIRS Water Quality Protection Guidelines for Mining and Mineral Processing, Mechanical servicing and workshop facilities and Above-ground fuel and chemical storage.

All on site refueling is to take place from vehicles compliant with, and in accordance with the *Dangerous Goods Safety Act 2004* and the relevant Regulations.

Refuelling occurs in the active operational area to allow for containment if any spill did occur.

Transport chemicals in accordance with the Australian Code for the Transport of Dangerous Goods by Road and Rail (ADG Code).

Servicing and Maintenance

All major servicing of vehicles is conducted off site. Minor maintenance is carried out with dedicated trucks equipped with oil and waste recovery systems.

Maintenance and servicing uses dedicated oil and waste recovery systems and is consistent with WQPN 15 Extractive Industries near sensitive water resources.

Waste oil and other fluids derived from the routine maintenance of mobile machinery, is transported off site and disposed of at an approved landfill site via recycling contractors. Grease canisters, fuel filters, oil filters and top-up oils are stored off site.

Vehicle washdown is not used on site.

Regular inspections and maintenance of fuel, oil and hydraulic fluids in storages and lines will be carried out for wear or faults.

Servicing plant and equipment is always conducted in accordance with the required maintenance schedules.

Accidental spill containment and cleanup protocols will be implemented as necessary.

Rubbish generated is to be recycled wherever possible and periodically disposed of at an approved landfill site.

The site is maintained in a tidy manner by removing all rubbish regularly offsite.

Spill Management

In the event of a large spill the area can be bunded off with overburden and soil to contain the flow. After collection of the spill the materials are taken to an approved waste facility if there are significant amounts of hydrocarbon. No significant spills have been recorded within the past 10 years.

The main risk of contamination is the minor drips that occur during the removal of hoses etc. Minor spills are quickly degraded by soil microbial matter.

All significant spills of over 5 litres are to be reported to Rural Stone environmental department and the incident investigated, before it is remediated.

The only other risk is from a tank rupture, but tanks are designed to manage this eventuality. All significant adverse incidents (such as a fuel spill of >5 litres) in one dump, are to be recorded, investigated and remediated. A record is to be kept of incidents, and DWER and Shire of Toodyay notified within 24 hours of an incident. This is much less than the DWER requirement trigger of 100 litres.

Soils and hardstand such as those on this site are generally adsorptive. The main risk of contamination is the minor drips that occur during the removal of hoses etc. Minor spills are quickly degraded by soil microbial matter.

Soils will quickly be placed around the spill to contain it in as small an area as possible. When contained, the contaminated materials will be scooped up and removed to an approved landfill or other approved site or taken to the works site in the clay resource for burning during firing of the clay.

Spillage or leakage will be contained in plant and working areas by shutting down plant or equipment if the plant or equipment is the source of the spill (provided it is safe to do so).

Dangerous Goods and Hazardous Substances

There is no transport, storage or handling of hazardous materials involved in extraction apart from fuel.

6.4.6 Monitoring

Background

Visual monitoring of all operations will be conducted to verify water quality is not being compromised.

Oil and Grease

As no water is to be released from site, no water sample monitoring of oil and grease in the watercourses is required.

There is ongoing visual monitoring by site personal of the water in the dams and for spills within the pit. The maintenance team who service and refuel vehicles are trained to be vigilant and provide visual monitoring.

Suspended Solids

Again, as there is no release of water, there is no monitoring of surface water for suspended solids required.

Dissolved Solids and Salt

The water in captured in the sumps in the floor of the pits is fresh. Water from other sources is natural on site and therefore has no elevated salinity even if the water turns brackish at the end of summer.

Commitments

- ***There will be no additional impacts on surface water quality as a result of excavations and any processing.***



Figure 10A Old sections of the pits with natural regrowth. Reforming the dumps will cause significant temporary disturbance. In some situations it will be better to retain the dumps and add vegetation to their cover.



Figure 10B Old sections of the pits with natural regrowth. Reforming the dumps will cause significant temporary disturbance. In some situations it will be better to retain the dumps and add vegetation to their cover.

7.0 CLOSURE

7.1 Background

Quartzite and schist excavation has taken place on this site for some decades.

The old workings have been allowed to naturally revegetate and there are situations where if no further excavation is conducted, it may be better to leave the existing surface and plant in between as the altered land surface is already relatively naturalised.

At the time of closure decisions will be made on which areas are better to be left and infill planted rather than flattened to bare earth and replanted. The areas of natural revegetation demonstrate the ability of the pits to be rehabilitated.

Closure Objectives

The closure and rehabilitation is developed from a set of closure objectives that are designed to provide a local native vegetation end land use.

The closure objectives are shown in Table 10 below.

In Table 10 the methods to be used to achieve the closure and rehabilitation objectives are shown, referenced to each of the closure objectives.

In order to provide monitoring and auditing of the closure and rehabilitation objectives a set of Completion Criteria are developed in Table 11 where the monitoring and restoration procedures are listed. The Completion Criteria are provided with a number, which is listed in each table as relevant.

Occasionally with clay excavations an operation is placed under care and maintenance or has a temporary closure. In such a situation some actions have to be taken to ensure the site is safe and does not have the potential to provide additional environmental impact. The provisions for temporary closure are shown in Table 3.

As part of the development of the closure and rehabilitation an inventory of the materials on site is provided in Table 9.

The materials inventory is a checklist of the materials that might occur when extracting materials from the ground and does not necessarily indicate that such materials are present on site.

Closure Summary

The extraction of quartzite and schist is an interim use prior to reconstruction to local native vegetation.

Dieback and Weed Management in addition to monitoring and replanting failed areas is proposed.

Appropriate topsoil management is an important element in achieving successful rehabilitation on the restored surface.

Rehabilitation will progressively follow mining, with completed areas of the excavation being revegetated as soon as practicable.

The final land surface will be smoothed and sloped to be compatible with the existing natural landform of the area.

A definitive time for seeding and the planting of tube stock is not prescribed, but rather a commitment to establish the vegetation within the first autumn/winter following placement of the overburden/topsoil.

Proposed Final Contours

Final contours are discussed in Section 4.2 Final Contours.

In summary the end land surface will be in accordance with the safety considerations of the *Mines Safety and Inspection Act 1995* and the requirements and guidelines of the DMIRS; for example *Guidelines on Safety Bund Walls Around Abandoned Open Pits 1991*.

The excavated area will be formed into a self draining landform that drains to swales in the clay with no surface water running off from site.

Materials Inventory

The materials remaining at closure are natural soil materials that do not produce any remaining or lingering environmental risk.

An audit of the potential materials that may be present from mining at closure is presented below.

Table 9 Materials Inventory

Type	Comment	Treatment	Reference
Soil	Topsoil is natural and contains no detrimental materials.	None required. To be used in rehabilitation.	
Subsoils - Overburden	Subsoil clay is natural and contains no detrimental materials.	None required. Generally taken as resource.	
Waste rock and non surface material and tailings	Not present. The pit bottoms in clay which is a natural material normally occurring on the surface.	None required.	
Saline surface water	The water quality is fresh.	No treatment necessary	
Saline ground water	The water quality is fresh.	No treatment necessary	
Acidic materials and drainage	Not present. The clay does not contain sulfides and there is no risk of acidic materials developing. The quartzite does not carry acidic materials or any at risk materials. Concurs with <i>Nattaporn-Prakongkep, R J Gilkes, B Singh and S Wong, 2011, Mineralogy and chemistry of sandy soils in the Perth</i>	No treatment necessary.	Field geological examination by Landform Research

	<i>metropolitan area of the Swan Coastal Plain, Department of Environment and Conservation.</i>		
Sodic or dispersive materials	The water quality is fresh.		Field geological examination by Landform Research
Asbestos – asbestiform minerals	None present.		Field geological examination
Radioactive materials	Not present	The quartzite does not contain radioactive minerals.	Published WA Geological Survey radiometric mapping
Metallic or chemical materials	Not present	No metallic or sulfidic materials or minerals will be impacted by the proposed extraction.	Field geological examination and experience and published information.
Tailings storage	Not required		
Ablutions waste		Serviced portable toilet system is provided.	Water Management Plan
Dangerous Goods and Hazardous Materials	None will remain on closure.	There are normally no hazardous materials used apart from fuel, and servicing. The only other materials are for tasks such as weed management and are dealt with under those sections.	
	FUEL The various plant will be refueled from mobile tanker. None will remain on closure.	Any soil or other materials with drips and spills will be removed offsite to an approved waste site or location.	Water Management Plan
	SERVICE MATERIALS Only minor lubrication will be conducted on site All major servicing will be conducted offsite. None will remain on closure	Any wastes will be collected and removed from site promptly to an approved recycling or waste disposal area. Only minor servicing will be conducted on site. All major servicing will be conducted offsite.	Water Management Plan
General waste		Regularly removed from site to an approved disposal area	Water Management Plan

7.2 Closure Implementation

The following procedures will be used for final closure and rehabilitation of any stage of excavation and on completion.

As the end use is not determined at this stage revegetation will be to local native vegetation as was provided for in the previous approvals.

- The closure of completed areas of the operations will be progressive with closure of all remaining ground at the end of operations.

- Maintenance and monitoring will be conducted until completion criteria is met. A three year cut off is provided for rehabilitated soils.
- Unexpected or early closure will be completed in the same way as permanent closure below but the full rehabilitation will be completed as one operation.

Table 10 Closure and Rehabilitation Techniques

	CLOSURE OBJECTIVE	Completion Criteria	Actions for Permanent Closure of any stage or the operations.
1.0 COMPLIANCE			
1.1	All legally binding conditions and commitments relevant to mine closure and rehabilitation will be met.	1.1a 1.1b	<ul style="list-style-type: none"> • Rehabilitate any areas that are no longer required to local native vegetation. • Review the latest documentation. • Comply with legal requirements and commitments and conditions of approval. • Assess compliance with the conditions and commitments and end use. • Design the rehabilitation to comply with, and be able to achieve the completion criteria and commitments. • Compile an audit table of all conditions and commitments that relate to closure and conduct an audit of those items upon the completion of each stage of rehabilitation and annually until sign off.
2.0 LANDFORM AND SOILS			
2.1	All non natural structures, with mining will be removed.	2.1	<ul style="list-style-type: none"> • All ground once occupied such as hardstand is to be deep ripped and soils reconstructed as required. • If not required, roadbase, hardstand and any other inert materials left over from the site operations will be scraped and picked up and will be used to backfill the pit faces or reused. • The portable toilet, water tank, pallets and site office and any other structures no longer required will be removed. • Visual audit of completed ground, to verify compliance.
2.2	All wastes will be removed from site.	2.2a 2.2b	<ul style="list-style-type: none"> • Visual audit of completed ground, to verify compliance with “no contamination to be left”. • Soil testing may be required if there is evidence of adverse materials remaining such as fuel spills. • As a result of any testing remediation will be undertaken to ensure that the site is not contaminated. • Check samples will be collected to verify a lack of contamination.
2.3	The land surface will be visually similar to the surrounding landform as a depression containing a small dam.	2.3	<ul style="list-style-type: none"> • The excavated landform will be undulating with small depressions and ridges. • Where possible match the landform to the adjoining excavated and non excavated surfaces. • Slopes will be formed to make the site safe. • Push down or backfill faces and slopes. Faces and the landform are to comply with DMIRS Guidelines and be stable for the long term. • The excavated surface is to be resistant to wind and water erosion. • Visual observations of the landforms to confirm compliance.
2.4	The land surface and soils are to be capable of local native vegetation – Wandoo Woodland and shrubs.	2.4	<ul style="list-style-type: none"> • At the time of closure decisions will be made on which areas are better to be left and infill planted rather than flattened to bare earth and replanted. • The soils are to be constructed from overburden overlain by topsoil, leaf litter, vegetation fragments as available in areas of native vegetation. • Deep rip the floors and batter slopes along contour as required. Deep rip any compacted hardstand or internal roads. • At the end of the current excavation the overburden, to depths of 300 mm, followed by recovered topsoil and then the vegetation fragments (if available) will be spread across the excavated area as the key part of the final rehabilitation. • Visual observations and discussions with operators.
3.0 HYDROGEOLOGY			
3.1	The reformed surface be >2 metres above the highest groundwater table.	3.1	<ul style="list-style-type: none"> • Push down or backfill faces and slopes. • The existing and proposed floor elevation has a much greater separation than 2 metres to the water table. • Visual observations and survey of the landforms to confirm compliance.

4.0 BIODIVERSITY		
4.1	The rehabilitated areas will, in time, form sustainable local native vegetation.	<p>4.1</p> <p>Biological Hygiene</p> <ul style="list-style-type: none"> • Implement the Dieback Management Plan. • Implement the Weed Management Plan. <p>Topsoil Recovery</p> <ul style="list-style-type: none"> • During land clearing the topsoil will be pushed to the edges of the excavation and retained in low dumps, separate from the overburden. The topsoil is in variable condition but contains some weeds in edge vegetation. • Overburden removed will also be pushed to the perimeter of the pit to form perimeter bunding. • Stored topsoil is a good source of local native seed and will be used to assist in a return to local native vegetation. • When stored topsoil is used it may be diluted and mixed with fresh topsoil. <p>Revegetation</p> <ul style="list-style-type: none"> • Any weeds likely to significantly impact on the rehabilitation will be sprayed with herbicide, or grubbed out, depending on the species involved. See 5.3 Weed Management. The rehabilitated surface will be examined after the commencement of the winter rains to determine whether weed management is required, prior to revegetation. • Final ground cover rehabilitation will take place during the first winter months following the restoration earth works. <p>Native vegetation</p> <ul style="list-style-type: none"> • Methods of sourcing seed will be; <ul style="list-style-type: none"> ➢ Direct transfer of topsoil. ➢ Brushing by cutting branches of adjoining and suitable local vegetation. ➢ Sourcing and planting additional tube plants as required as a result of site trials. • Rehabilitation will take place during the first winter months following the restoration earth works of each particular section of quarry. Leaving the completed earth works for one season will reduce the success of rehabilitation by at least 50%, due to compaction effects. • Local species are to be used in revegetation, and all materials brought to the site will be dieback and weed free. • Any materials brought to the site will be dieback and weed free. • Trees/shrubs will be installed as tube plants during June - August in clumps on the rehabilitated land surface and will be provided with a 10 g tree fertiliser tablet placed beside the plant. • Tube plants are to be established in low undulations and not on the high points of furrowed soil. The planting rate is to achieve the completion criteria allowing for deaths. <p>Completion Criteria</p> <p><i>The Completion Criteria set from previous approvals is repeated below.</i></p> <ul style="list-style-type: none"> • A self sustaining cover of native vegetation. • Weed species at levels not likely to threaten the native species • A self sustaining cover of indigenous shrubs, that is capable of regenerating following fire. It should be free of weeds likely to impact on the effectiveness of the vegetation. • A minimum of 500 trees and shrubs per hectare will be established on rehabilitated dumps, roads, excavated areas and other disturbed areas. <p>Species List</p> <p style="text-align: center;"><i>Acacia acuminata</i> <i>Acacia celastrifolia</i> <i>Acacia pulchella</i> <i>Acacia saligna</i></p>

			<p><i>Allocasuarina humilis</i> <i>Allocasuarina huegeliana</i> <i>Babingtonia camphorosmae</i> <i>Banksia grandis</i> <i>Bossiaea ornata</i> <i>Bossiaea pulchella</i> <i>Bossiaea spinescens</i> <i>Calothamnus sanguineus</i> <i>Dryandra (Banksia) armata</i> <i>Dryandra (Banksia) lindleyana</i> <i>Dryandra (Banksia) sessilis</i> <i>Eucalyptus loxophleba</i> <i>Eucalyptus accedens</i> <i>Eucalyptus astringens</i> <i>Eucalyptus calophylla</i> <i>Eucalyptus wandoo</i> <i>Hakea trifurcata</i> <i>Hakea undulata</i> <i>Kennedia prostrata</i> <i>Leptospermum erubescens</i> <i>Melaleuca scabra</i> <i>Mirbelia spinosa</i> <i>Pultenaea ericifolia</i> <i>Trymalium ledifolium</i></p> <ul style="list-style-type: none"> • Observations, discussions with operators and vegetation assessment.
4.2	The re-established surface will be free from Declared or Significant Environmental weeds that could compromise the success of the rehabilitation or impact on adjoining vegetation.	4.2	<ul style="list-style-type: none"> • Inspect the site for Significant Environmental and Declared Weeds. • If found, inspect adjoining native vegetation for edge effects. • Inspect rehabilitation and the edges of access roads. • Provide weed control using the methods outlined in the Weed Management Plan. • Implement Dieback protection measures outlined in the Dieback Management Plan. • Observations, discussions with operators and vegetation assessment.
5.0 STAKEHOLDERS			
5.1	The interests of all relevant stakeholders will be considered during operations, closure planning and closure.	5.1	<ul style="list-style-type: none"> • Prior to closure, consult the stakeholders to check whether the closure planning, where possible, considers their interests and carry them out as necessary. • Consult with Shire of Toodyay and the landholder in relation to their requirements for closure. • Review the latest documentation. • Comply with legal requirements and commitments. • Closure audit.
6.0 SAFETY			
6.1	The site will be left safe for continued use a local native vegetation.	6.1	<ul style="list-style-type: none"> • Provide warning signs as required. • Provide fences, bunding and warning signs above faces as required. • Provide locked gates or access restraints as required. • Inspect all areas and ensure the land surfaces and access points, are stable to erosion from wind and water. • The disturbed land will be made safe and in compliance with the <i>Mines Safety and Inspection Act 1994</i> and DMIRS Mine Closure Guidelines. • Holes, sumps drains, ditches and the like will be filled and removed if not required for future land management. • Audit of completed ground, to verify compliance using visual observations.

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Figure 11

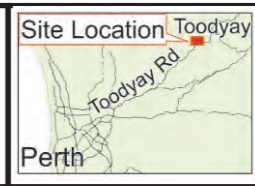
Metadata:
 Site boundaries: Positioned visually.
 Orthophoto Mosaic: Aerial Imagery 7th Jan. 2017.

GREAT SAND SUPPLIES JANUARY 2017 TOODYAY ROAD
RURAL STONE COMPANY
 SITES SURROUNDINGS - MOSAIC

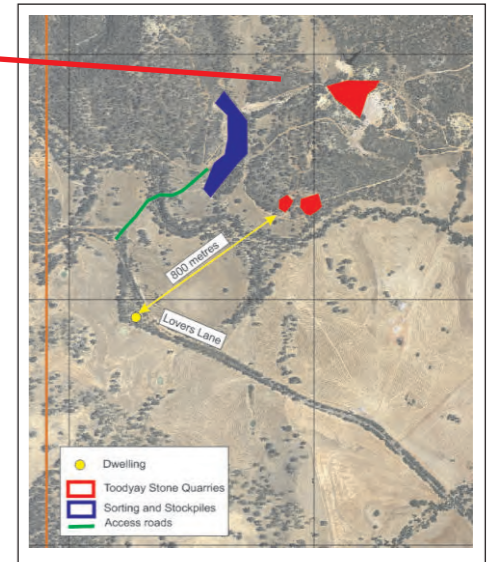
Datum: Horizontal: GDA94
 Zone: MGA Zone 50
 Vertical: AHD 71

Scale: 0 250 500m
 1 : 14 500 @ A3

end:
 Surroundings Boundary




 Project Number: 051707
 Data Location: I7_PDF_plans..
 Delivery: 08/06/2017



Basemap NRInfo

Figure 12

RURAL STONE COMPANY PTY LTD
LOT 6 LOVERS LANE TOODYAY

EXISTING AND CONCEPT FINAL CONTOURS



E: 116°23'46.22" N: -31°36'16.11"



Basemap NRInfo

EXISTING AND CONCEPT FINAL CONTOURS

RURAL STONE COMPANY PTY LTD
LOT 6 LOVERS LANE TOODYAY

Figure 13



SCHEDULE OF SUBMISSIONS

EXTRACTIVE INDUSTRY – LOT 6 LOVERS LANE, TOODYAY – RURAL STONE COMPANY

#	NAME	ADDRESS	SUMMARY OF SUBMISSION	APPLICANT COMMENTS ON SUBMISSION	DEVELOPMENT SERVICES COMMENTS ON SUBMISSION
GOVERNMENT AGENCIES/STAKEHOLDERS					
1	Western Power	GPO Box L921 Perth WA 6842	No objection.	Not requested.	Noted. Modification of proposal not required.
2	Main Roads Western Australia	PO Box 333 Northam WA 6401	No objection.	Not requested.	Noted. Modification of proposal not required.
3	Department of Water and Environmental Regulation	Swan Avon Region 7 Ellam Street Victoria Park WA 6100	No objection. Requesting a condition with respect to a water management plan.	All disturbances exist and have done for many years. There will be no disturbance to the watercourses or fringing vegetation. It does appear as if someone has constructed a dam north of the northern pit sometime between 2010 and 2014.	Noted. <u>Recommended Condition of Approval</u> Prior to any extraction works occurring, an updated water management plan is to be prepared, submitted and approved by the Shire of Toodyay in consultation with the Department of Water and Environmental Regulation. The approved plan is to be implemented in its entirety. Recommended Advice Note 1: The Water Management Plan should be prepared in accordance with relevant DWER

#	NAME	ADDRESS	SUMMARY OF SUBMISSION	APPLICANT COMMENTS ON SUBMISSION	DEVELOPMENT SERVICES COMMENTS ON SUBMISSION
				<p>That would have to be the previous operator or the previous landholder. Apart from the dam there will be no disturbances and any setbacks exist. There is no intention to change anything.</p> <p>That dam is nothing to do with Rural Stone and not part of the proposal.</p> <p>There is a water management plan in the document.</p> <p>A condition can be placed on the application to keep it moving as sorting out could take some time.</p>	<p>Water Quality Protection Notes (WQPN) and guidelines including:</p> <ul style="list-style-type: none"> • Stormwater Management Manual of Western Australia • WQPN 15: Extractive industries near sensitive water resources • WQPN 52: Stormwater management at industrial sites • WQPN 65: Toxic and hazardous substances • WQPN 6: Vegetation buffers to sensitive water resources • Operational Policy 4.3 Identifying and establishing waterways foreshore areas <p><u>Recommended Advice Note 2:</u> The proposal is also located within the Swan River and Tributaries, Avon River Surface Water Area which is proclaimed under the <i>Rights in Water and Irrigation Act 1914</i>. Therefore any works that alter or interfere with the bed or banks of a watercourse or the taking of surface water may require a permit or licence from the DWER. The proponent should therefore refer to http://www.water.wa.gov.au/licensing/water-licensing/how-toapply-for-a-licence-or-permit or contact the Swan Avon region on 6250 8000 to discuss water management options with a Licensing Officer.</p>

#	NAME	ADDRESS	SUMMARY OF SUBMISSION	APPLICANT COMMENTS ON SUBMISSION	DEVELOPMENT SERVICES COMMENTS ON SUBMISSION
					<p><u>Recommended Advice Note 3:</u> Activities such as crushing and screening during extractive industry operations, may be a prescribed premises for the purposes of Part V Division 3 of the EP Act if it is carried out at a rate that meets or exceeds the specified production or design capacity of the relevant category under Schedule 1 of the Environmental Protection Regulations 1987 (EP Regs). Category 12 or 70 prescribed premises are premises on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated. The production or design capacity of Category 12 is 50,000 tonnes or more per year and Category 70 is more than 5,000 tonnes but less than 50,000 tonnes per year. The DWER notes that the application indicates that some crushing and screening of excavated material will be undertaken and that the production capacity is likely below the threshold of 500 tonnes per year (Cat 70). However, it is not clear what the design capacity of the plant is and whether it is capable of exceeding that limit.</p>
PRIVATE					
4	Toodyay Landowner in proximity.	Name and Address Supplied	Supports the proposal.	Not requested.	Noted. Modification of proposal not required.

Our Reference: NW013961
Your Reference: A3778/6LOV/EXT1
Contact: Lexie Robson

15 March 2019

Shire of Toodyay

Dear Sir / Madam

Lot 6 Lovers Lane Toodyay – Stone Extractive Industry

Further to your referral of the aforementioned development application, Western Power has reviewed the proposal in the context of its network assets and provides the following comments and recommendation:

- (i) Any development on the subject site shall be designed and constructed to protect Western Power infrastructure and interests from potential land use conflict. Proponents should refer to <https://westernpower.com.au/safety/360-aware/industry-safety/>

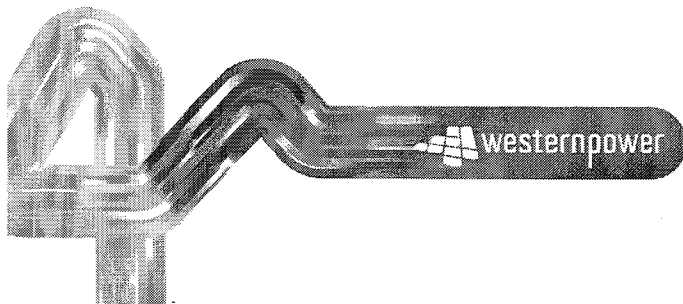
- (ii) It is the landowner's responsibility to ensure that the design and construction of any new structure on the land complies with all applicable laws including, without limitation, clearance requirements of electrical infrastructure. We recommend that you engage a suitably qualified independent person (surveyor, architect, engineer) to undertake an assessment of the proposed development to ensure that best methods of construction are utilised and compliance with all applicable laws (including clearance requirements of electrical infrastructure in general and those specified under Occupational Safety and Health Regulations 1996 (WA)).

Further information regarding easement, network safety and clearance requirements can be found on Western Power's website at <https://westernpower.com.au/safety/360-aware>.

Should you require further clarification regarding our recommendations, please call us on 13 10 87 or e-mail wapc@westernpower.com.au

Yours sincerely

Lexie Robson
Customer Service Coordinator
Customer Service



363 Wellington Street Perth 6000
GPO Box L921 Perth WA 6842
e enquiry@westernpower.com.au
westernpower.com.au



209

f 13 10 87
f (08) 9225 2660
TTY 1800 13 13 51
TIS 13 14 50

Electricity Networks Corporation
ABN: 18 540 492 861



mainroads
WESTERN AUSTRALIA

Our Ref: 01/591-06

Your Ref: A3778/6OLV/EXT1, OPA39789

19 March 2019

Shire of Toodyay
PO Box 96
Toodyay WA 6566

ATTENTION: Chief Executive Officer

Dear Sir/Madam

PROPOSED REACTIVATION OF STONE EXTRACTIVE INDUSTRY – RURAL STONE COMPANY - LOT 6 LOVERS LANE, TOODYAY.

Further to your letter of the 5 March 2019 with supporting documentation Main Roads WA provides the following comments.

The proposal advises access will be directly onto Lovers Lane and then Toodyay Road (M026). Large Trucks are only to make a left turn at the intersection of Lovers Lane and Toodyay Road. Main Roads is currently developing improvements to Toodyay Road including this intersection. This condition is to remain until the intersection is upgraded. There is currently no construction funding available for the upgrade.

The proposal advises a maximum of 1 -2 truck movements per week. Main Roads has determined from the information provided that the proposed extractive industry will not have an adverse impact on the MRWA network and therefore advises no objection to the proposal.

Yours sincerely

Janet Hartley-West
Janet Hartley-West
NETWORK MANAGER



Your ref: A3778/6LOV/EXT1

File ref: RF7765-02

PA ref: 25896

Enquiries: Bree Lyons

Tel: 6250 8035

Chief Executive Officer
Shire of Toodyay
PO Box 96
TOODYAY WA 6566

Via email – records@toodyay.wa.gov.au

Attention: Hugo de Vos – Planning Officer

Dear Sir/Madam,

Re: Reactivation of Stone Extractive Industry – Rural Stone Company – Lot 6 Lovers Lane, Toodyay

Thank you for the above referral dated 5 March 2019. The Department of Water and Environmental Regulation (DWER) has assessed the proposal and would like to provide the following advice:

Water Resource Management Advice

There are a number of waterways on the site, including the Jimperding Brook, a locally significant waterway.

The DWER notes that the Excavation Management Plan states that 'There is no proposed alteration to drainage lines, and neither surface water nor ground water will be affected', however from aerial imagery it is evident that waterways on-site have been obstructed and altered. The DWER therefore considers that stormwater management and management of the waterways has not been sufficiently addressed as part of the development application. As such, the DWER recommends the following condition:

Water Management Plan

Prior to any extraction works occurring, a water management plan is to be prepared, submitted and approved by the Shire of Toodyay in consultation with the Department of Water and Environmental Regulation. The approved plan is to be implemented in its entirety.

Swan Avon Region
7 Ellam Street Victoria Park WA 6100
Telephone: 08 6250 8000 Facsimile: 08 6250 8050
www.dwer.wa.gov.au

The Water Management Plan should include, but not be limited to; waterway buffers and management, stormwater and wastewater management, erosion and sedimentation management, fuel and chemical management, water requirements and supply, and monitoring.

The Water Management Plan should be prepared in accordance with relevant DWER Water Quality Protection Notes (WQPN) and guidelines including;

- Stormwater Management Manual of Western Australia
- WQPN 15: Extractive industries near sensitive water resources
- WQPN 52: Stormwater management at industrial sites
- WQPN 65: Toxic and hazardous substances
- WQPN 6: Vegetation buffers to sensitive water resources
- Operational Policy 4.3 Identifying and establishing waterways foreshore areas

The proposal is also located within the Swan River and Tributaries, Avon River Surface Water Area which is proclaimed under the *Rights in Water and Irrigation Act 1914*. Therefore any works that alter or interfere with the bed or banks of a watercourse or the taking of surface water may require a permit or licence from the DWER. The proponent should therefore refer to <http://www.water.wa.gov.au/licensing/water-licensing/how-to-apply-for-a-licence-or-permit> or contact the Swan Avon region on 6250 8000 to discuss water management options with a Licensing Officer.

Regulatory Services (Environment) Advice

With respect to the DWER's regulatory responsibilities under Part V of the *Environmental Protection Act 1986* (EP Act) the following advice is provided:

Activities such as crushing and screening during extractive industry operations, may be a prescribed premises for the purposes of Part V Division 3 of the EP Act if it is carried out at a rate that meets or exceeds the specified production or design capacity of the relevant category under Schedule 1 of the Environmental Protection Regulations 1987 (EP Regs). Category 12 or 70 prescribed premises are premises on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated. The production or design capacity of Category 12 is 50,000 tonnes or more per year and Category 70 is more than 5,000 tonnes but less than 50,000 tonnes per year. The DWER notes that the application indicates that some crushing and screening of excavated material will be undertaken and that the production capacity is likely below the threshold of 500 tonnes per year (Cat 70). However, it is not clear what the design capacity of the plant is and whether it is capable of exceeding that limit.

The applicant can be advised to determine whether the proposal would make the premises prescribed, therefore requiring an application for a Works Approval, by reviewing the Category specifications according to the EP Regs. Further information on licensing is available at <http://www.der.wa.gov.au/our-work/licences-and-works-approvals>. Note that planning approvals may influence DWER's determination of production or design capacity, where an approval has the effect of restricting capacity (such as constraining hours of operation).

The provided information indicates that the proposal may include clearing of native vegetation. Under section 51C of the EP Act, clearing of native vegetation is an offence unless undertaken under the authority of a clearing permit, or the clearing is subject to an exemption. Exemptions for clearing that are a requirement of written law, or authorised under certain statutory processes, are contained in Schedule 6 of the EP Act.

Exemptions for low impact routine land management practices outside of environmentally sensitive areas (ESAs) are contained in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (the Regulations). Guidelines and fact sheets on the regulation of native vegetation clearing can be found on DWER's website at <https://www.der.wa.gov.au/our-work/clearing-permits> . Applicants requiring advice on clearing permits can contact the DWER at admin.nvp@dwer.wa.gov.au or by telephone on 6364 7000 to be referred to the relevant Native Vegetation Protection Officer for assistance .

If you wish to discuss the matter further, please contact Bree Lyons on 6250 8035 or bree.lyons@dwer.wa.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Carlie Slodecki', written in a cursive style.

Carlie Slodecki
Senior Natural Resource Management Officer
Land Use Planning
Swan Avon Region

3 April 2019

SHIRE OF TOODYAY
Record Number: ICR57945
15 MAR 2019
Officer / Dept: DSO
File Number: EXTI / A3778 / 6 LON

Planning Officer

12th March 2019

Shire of Toodyay

PO Box 96

Toodyay WA 6566

Your Reference: A 3778/6 LON/EXTI CPA 39789

Dear Mr de Vos.

In reference to: Reactivation of Stone Extraction Industry - Rural Stone Company - Lot 6 Lovers Lane, Toodyay.

We do not have any objections nor adverse comments concerning this current proposal.

Thank you for your consideration in advising us of this matter.

Yours Sincerely

Haterrn Allison

PO Box 183

Toodyay WA 6566

Legislative Compliance & Technical Assessment Report

Planning and Development (Local Planning Scheme) Regulations 2015 Matters to be Considered by Local Government (clause 67 of the deemed provisions)	
Criterion	Compliance / condition required
a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	<p>Compliant.</p> <p>The proposal is consistent with the broader aims of the Scheme (<u>clause 1.6</u>), including <u>clause 3.2(g)</u> (objectives of the Rural zone) and <u>Schedule 1.2</u> (industry - extractive) – it is considered the extraction of basic raw materials at Lot 6 Lovers Lane will not unreasonably affect the natural environment or amenity in the locality of the operation during and after excavation.</p>
b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;	<p>Compliant.</p> <p>It is considered the development proposal is consistent with the requirements of orderly and proper planning. The use class 'industry – extractive' is a use in the Zoning Table of the Scheme that can be considered in the Rural zone. It is also considered the proposal is consistent with the objectives of the Rural zone.</p>
c) <i>any approved State planning policy;</i>	<p>Compliant.</p> <p>Officers have considered the proposal in the context of the following State planning policies: -</p> <ul style="list-style-type: none"> • State Planning Policy 2.5 – Rural Planning; • State Planning Policy 2.4 – Basic Raw Materials; and • State Planning Policy 4.1 – State Industrial Buffer.
g) any local planning policy for the Scheme area;	<p>Compliant. Appropriate conditions included in the Officer's Recommendation.</p> <p>Shire of Toodyay Local Planning Policy No. 7 – Extractive Industry Road Maintenance Contributions. Appropriate conditions included in the Officer's Report to cover road maintenance and rehabilitation for the life of the project.</p> <p>This Policy provides a framework for contributions by Extractive Industries to help the Shire to recover the additional costs incurred from road use that will result from that land use. The contributions consist of two components:</p>

	<ul style="list-style-type: none"> • <u>Construction and Rehabilitation</u>: Under the authority of State Planning Policy 3.6 Appendix 1 - the Shire of Toodyay may charge for the cost of upgrading any road or roads to be used by the Extractive Industry to ensure it is fit for purpose. The Shire will also charge a rehabilitation cost calculated on the rate of consumption of that road asset. • <u>Repairs and Maintenance</u>: Under the authority of the <i>Road Traffic Act 1974</i>, the Shire of Toodyay will recover the cost of repairs and maintenance of any road or roads used by the Extractive Industry. The contribution will be based on a formula adopted by the Shire of Toodyay as part of its annual adoption of fees and charges.
<p>m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</p>	<p>Compliant.</p> <p>The proposal is compatible as land in proximity of the proposal is zoned 'Rural', it is consistent with the objectives of the Shire of Toodyay Local Planning Scheme No. 4.</p>
<p>n) the amenity of the locality including the following —</p> <ol style="list-style-type: none"> i. environmental impacts of the development; ii. the character of the locality; iii. social impacts of the development; 	<p>Compliant.</p> <p>The quarry site is zoned 'Rural, and the bulk of the haulage route traverses through 'Rural' zoned land.</p> <p>With regards to environmental impacts, it is noted that the intended operation area will require the removal of the existing remnant vegetation on the lot after 10 years. The proposal was also referred to Council's environmental consultants who did not cite any major concerns regarding the proposal. The comments and advice received by Council's consultants have been incorporated as conditions of approval (i.e. Dieback Disease Management Plan, Bushfire Management Plan and Water Management Plan).</p> <p>The proposal was also referred to the Department of Water and Environmental Regulation, who requested a condition is imposed with respect to a water management plan.</p>

	<p>Social impacts identified through public consultation consists of predominantly noise, traffic and safety impacts. On-site noise generation is regulated under the Environmental Protection (Noise) Regulations 1997.</p> <p>For heavy vehicles using public roads, the relevant Federal Australian Design Requirement apply. Part of haulage route (Toodyay Rd) is an approved RAV 2 heavy vehicle route.</p>
o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;	<p>Conditions required to ensure full Compliance.</p> <p>The applicant is to comply with the relevant advice from the Department of Water and Environment Regulation.</p> <p>Officers consider a Water Management Plan, Bushfire Management Plan and Dieback Disease Management Plan should be submitted prior to commencement of the land use – this has been included as a condition of approval in the 'Officer's Recommendation' section of the Agenda Item.</p>
q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;	<p>Conditions required to ensure full Compliance.</p> <p>The land and proposed use (Extractive Industry) is appropriate.</p> <p>Suitable conditions of approval has been included in the 'Officer's Recommendation' section of the Agenda Item aimed at minimising and controlling all possible risks.</p> <p>All quarries operate under the provisions of the <i>Mines Safety and Inspection Act 1994</i> and Regulations 1995. These are administered by the Department of Mines, Industry Regulations and Safety (DMIRS).</p>
r) the suitability of the land for the development taking into account the possible risk to human health or safety;	<p>Conditions required to ensure full Compliance.</p> <p>The proposal will be required to comply with all relevant acts and legislation.</p> <p>All quarries operate under the provisions of the <i>Mines Safety and Inspection Act 1994</i> and Regulations 1995. These are administered by DMIRS.</p>
s) the adequacy of — i. the proposed means of access to and egress from the site; and	<p>Condition required to ensure full Compliance.</p>

ii. arrangements for the loading, unloading, manoeuvring and parking of vehicles;	The current access and egress arrangements require conditioning to ensure that heavy vehicles enter the public road network in an appropriate manner as large trucks are only to make a left turn at the intersection of Lovers Lane and Toodyay Road (MRWA advice). This condition is proposed to remain in place until the intersection has been upgraded by MRWA.
t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;	Compliant but also requires condition to ensure full and ongoing compliance. The haulage route is suitable as Lovers Lane is suitable for heavy vehicles, and Toodyay Road is an approved RAV route.
w) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;	Compliant but also requires condition to ensure full and ongoing compliance. It is considered the impact of the proposed quarry on the community as a whole, will be minimal. Haulage trucks will not travel through a townsite, and the Applicant has demonstrated that any off-site impacts (noise & dust) can be controlled effectively. Suitable conditions have been included in the Officer's Recommendation to ensure ongoing compliance.
x) any submissions received on the application;	Refer Attachment 3
za) the comments or submissions received from any authority consulted under clause 66;	Refer Attachment 3
State Planning Policy 2.4 – Basic Raw Materials (SPP2.4)	
<p>Cl. 5.1 – Objectives of SPP2.4 & Cl 6.7 – Planning Considerations</p> <p>The proposal is consistent with State Planning Policy 2.4 – Basic Raw Materials, enabling the extraction of existing stockpiled resources, and the rehabilitation of the land to return to natural bushland ('Rural' land use).</p> <p><i>“5.1 The Objectives of This Policy</i></p> <ul style="list-style-type: none"> • <i>identify the location and extent of known basic raw material resources;</i> • <i>protect Priority Resource Locations, Key Extraction Areas and Extraction Areas from being developed for incompatible land uses which could limit future exploitation;</i> • <i>ensure that the use and development of land for the extraction of basic raw materials does not adversely affect the environment or amenity in the locality of the operation during or after extraction;</i> • <i>provide a consistent planning approval process for extractive industry proposals including the early consideration of sequential land uses.”</i> <p>and</p> <p><i>“6.7 Planning Considerations</i></p>	

6.7.1 In determining planning proposals or applications for extractive industry, the Commission and local government may apply conditions which cover, but are not limited to, the following:

- minimise air, water, noise and visual pollution;
- stabilise excavations, stock piles and over-burden dumps;
- protect the amenity of adjacent land uses in the local community; and
- ensure the rehabilitation of the land is consistent with its long-term future use."

Shire of Toodyay – Local Planning Strategy 2018 (LPS)

The Shire's Local Planning Strategy maintains that extractive industries are an important feature of the Shire of Toodyay.

"Planning for the rural areas of the Shire must have regard to the potential for extraction of basic raw materials and accommodate suitable buffer areas between sensitive land uses and extraction sites in accordance with the provision of the WAPC's State Planning Policy No. 2.5 – Rural Planning. The priority resource and extraction sites identified in SPP 2.5 are shown on the Local Planning Strategy Map No. 3. Further, Section 6.4 of SPP2.5 guides the implementation of the provisions of the policy into local planning schemes, which has been taken into account in this Strategy and will be implemented into LPS5.

Extractive industries are a discretionary land use in the Local Planning Scheme No. 4 and this Strategy proposes to maintain this level of permissibility."

State Planning Policy 2.5 – Rural Planning (SPP2.5)

In accordance with Clause 5.12(c) of SPP2.5, where a development is proposed for a land use that may generate off-site impacts and does not meet the standard outlined in clause 5.12.1 (b), then more detailed consideration of off-site impacts may be required.

Noise emitted by quarry activities is governed by the *Environmental Protection (Noise) Regulations 1997* (the Regulations). Regulations 7, 8 and 9 cover such activities.

It is considered that noise and vibration are aspects of the proposal that is unlikely to generate off-site impacts.

SPP2.5 requires basic raw materials to be identified, protected, used in a staged manner and not impinged by competing land uses.

It is considered the proposal is consistent with the general aims and objectives of SPP2.5.

Shire of Toodyay Extractive Industry Local Law 1995

The EILL allows for its application following the subsequent development approval, being a consistent procedure for all EIL proposals. If Council determines in the affirmative, then the EILL is complied with as a matter of the Development Application & Extractive Industry Licence (EIL) application. The applicant is applying for both the Development Approval and the granting of the EIL, as per the Local Law.

The application for, and determination of the application for EIL is undertaken under 2.3 and 3.1 of the EILL.

EPA Guidance Statement No.3

The Environmental Protection Authority (EPA) lists extractive industry – hard rock/Darling Scarp under its *Separation Distances between Industrial and Sensitive Land Uses Guidelines* (2005) as a land use that may potentially affect nearby sensitive land uses. The Guidelines recommend generic buffers (for Noise, Dust, Risk) for hard rock as 500 - 1000 metres depending on the extent of processing. It is considered the proposal is compliant in this regard.

Shire of Toodyay				
List of Payments Presented to Council for Period 1 March 2019 to 31 March 2019				
Pay/Type	Date	Name	Description	Amount
IPV635	06/03/2019	Bendigo Bank	Payroll PPE 05/03/19	115,428.48
IPV636	20/03/2019	Bendigo Bank	Payroll PPE 19/03/19	109,072.72
1720	13/03/2019	Shire of Toodyay	BS Commissions Nov 18 - Feb 19	297.50
BPV3857	01/03/2019	Bendigo Bank	Transfer Fee	10.00
BPV3858	01/03/2019	Bendigo Bank	Monthly Service Fee	10.00
BPV3859	01/03/2019	Bendigo Bank	Transaction Fees Charged - Feb 19	35.55
BPV3860	01/03/2019	Bendigo Bank	Procees Fee Gst	0.14
BPV3861	01/03/2019	Benidgo Bank	Process Fee Gst	4.15
BPV3862	01/03/2019	Westnet	Morangup Library Internet	339.95
BPV3863	01/03/2019	Bendigo Bank	Bpay Monthly Biller Fee	577.83
BPV3864	02/03/2019	Commonwealth Bank	Merchant Fees	42.90
BPV3865	04/03/2019	Commonwealth Bank	Merchant Fee	59.33
BPV3866	04/03/2019	Commonwealth Bank	Merchant Fee	396.69
BPV3867	04/03/2019	Commonwealth Bank	Merchant Fee	526.18
BPV3868	05/03/2019	Commonwealth Bank	IT Hardware & Software Lease - Stdyay012	87.67
BPV3869	06/03/2019	Bendigo Bank	Bank Fee	7.48
BPV3870	07/03/2019	Commonwealth Bank	IT Hardware & Software Lease - Stdyay015	151.15
BPV3871	08/03/2019	Fuji Xerox	Photocopier Lease - Depot, Library & Visitor Centre	470.34
BPV3872	12/03/2019	CNH Industrial Capital	Iveco Truck Lease	3,207.70
BPV3873	14/03/2019	Bendigo Bank	R Koch - Credit Card Feb 19 Card Fee	4.00
BPV3874	14/03/2019	Bendigo Bank	C Luangala - Credit Card Feb 19 Mindarie Car Wash - P472 Woolworths Yanchep - IT Demo Refreshments Toodyay Bakery - IT Demonstration - Refreshments Caltex Joondalup - Car Wash & Fuel - P472 Transperth Ticket - MPD Interviews - MCS Public Transport Butler - MPD Interviews - MCS Caltex Yanchep - Fuel - P472 Toodyay Bakery - Datacom Meeting - Refreshments Puma Yanchep - Fuel - P472 Adobe Systems Subscription Woolworths Petrol Joondalup - Fuel - P472 Toodyay Bakery - Telstra Meeting - Refreshments Caltex Joondalup - Car Wash - P472 Card Fee	707.30 18.00 54.95 47.40 69.62 5.60 8.40 67.00 21.90 25.05 321.12 30.06 20.50 13.70 4.00
BPV3875	14/03/2019	Bendigo Bank	G Bissett - Credit Card Feb 19 Dunnings Toodyay - Fuel - Hire Vehicle Thrifty Car Rentals - Fuel - Hire Vehicle	463.87 86.39 324.94

Shire of Toodyay

List of Payments Presented to Council for Period 1 March 2019 to 31 March 2019

Pay/Type	Date	Name	Description	Amount	
			Airport Rentals - Insurance - Hire Vehicle	171.85	
			Caltex Mundaring - Fuel - Hire Vehicle	79.31	
			Thrifty Car Rentals - Vehicle Hire Refund	-185.68	
			Thrifty Car Rentals - Vehicle Hire Bond Refund	-200.00	
			Caltex Belmont - Fuel - P480	39.36	
			Shell Gidgeannup - Fuel - P480	64.23	
			Office of Appeals - Opalvale Licence Objection	50.00	
			City of Perth Parking - SAT Hearing	13.12	
			Mr Magic Car Wash Mundaring - P480	16.35	
			Card Fee	4.00	
BPV3876	14/03/2019	Bendigo Bank	S Scott - Credit Card Feb 19		129.88
			Lowdown Perth - Refreshments - CEO	8.00	
			Wilson Parking - CEO - MPD Interviews	30.38	
			7-Eleven Midvale - Fuel - P446	87.50	
			Card Fee	4.00	
BPV3877	14/03/2019	Bendigo Bank	S Patterson - Credit Card Feb 19		3,670.80
			BNL Supply Co - Cabinet Door Hinges - Trailer Mounted Cool Room	51.27	
			Spot Messenger - GPS Tracking of Ranger	341.66	
			International Transaction Fee	10.25	
			Transmit SMS - Harvest Ban Sms (Credit Top Up)	2,038.00	
			SAI Global - Coondle Fire Shed Project	712.54	
			Toodyay IGA - Depot - Staff Amenities	18.51	
			Puma Energy Mundaring - Fuel - P476	100.67	
			Annasagraram Pty Ltd - Car Wash - P476	18.00	
			Northam Feed & Hire - Dog & Horse Leads, Halters & Basket Muzzles	274.00	
			Frankies Auto Electrics - 5M Extension Antenna Cable	45.95	
			Jaycar Pty Ltd - Crimping Tool	55.95	
			Card Fee	4.00	
BPV3878	14/03/2019	Bendigo Bank	A Bell - Credit Card Feb 19		578.09
			Dunnings Toodyay - Fuel - P456	55.19	
			Wilson Parking - MCD - Library Reference Group	12.15	
			Curtin University - Under Tourism to Just Right Tourism - CDAO	45.00	
			Woolworths Mundaring - Thank You Gift & Wrapping Paper - Volunteers	55.99	
			Puma Energy Sawyers Valley - Fuel - P456	20.01	
			Booktopia - Books for Library & Museum	87.00	
			Coles Mundaring - Farewell Gift Cards - MPD	298.75	
			Card Fee	4.00	
BPV3879	15/03/2019	Toyota Finance	BFRPC Lease Vehicle		1,344.54
BPV3880	15/03/2019	Commonwealth Bank	Bpoint Transaction Fees		69.22

Shire of Toodyay

List of Payments Presented to Council for Period 1 March 2019 to 31 March 2019

Pay/Type	Date	Name	Description	Amount
BPV3881	15/03/2019	Fuji Xerox	Photocopier Lease - Building & Planning	155.10
BPV3882	15/03/2019	Fuji Xerox	Photocopier Lease - Administration	370.70
BPV3883	18/03/2019	Bendigo Bank	Bank Fee	10.34
BPV3884	18/03/2019	Bendigo Bank	Bank Fee	0.30
BPV3885	18/03/2019	Commonwealth Bank	IT Hardware & Software Lease - Stdyay007	353.91
BPV3886	18/03/2019	Komatsu	Komatsu Grader Lease	4,901.37
BPV3887	20/03/2019	Bendigo Bank	Bank Fees	7.15
BPV3888	21/03/2019	Bendigo Bank	Bank Fee	0.11
BPV3889	21/03/2019	Bendigo Bank	Bank Fee	0.22
BPV3890	21/03/2019	Commonwealth Bank	IT Hardware & Software Lease - Stdyay013	96.97
BPV3891	29/03/2019	Bendigo Bank	Bank Fee	7.92
12604	14/03/2019	Department of Transport	Vehicle Registration	402.75
12605	14/03/2019	Old Gaol Museum	Old Gaol Volunteer Reimbursements - Apr 19	400.00
12606	14/03/2019	Optus	Cr Wireless Broadband - Feb 19	28.95
12607	14/03/2019	Telstra Corporation Limited	Telephone Charges	2,269.74
12608	14/03/2019	Water Corporation	Water Rates & Usage - Standpipe and Shire Buildings	53,625.41
12609	14/03/2019	Synergy	Electricity Charges	5,109.40
12610	28/03/2019	Telstra Corporation Limited	Telephone Charges (includes new high speed internet charges)	5,267.19
12611	28/03/2019	Synergy	Electricity Charges	556.25
EFT25606	06/03/2019	Shire of Toodyay Salaries & Wages	Payroll Deductions	1,513.00
EFT25609	13/03/2019	Construction Training Fund	CTF Levies - Feb 19	816.30
EFT25610	13/03/2019	Department Mines, Industry Regulation & Safety	BS Levies - Feb 19	963.32
EFT25611	14/03/2019	Australia Post	Postage - Feb 19	1,135.04
EFT25612	14/03/2019	Avon Skip Bins	Empty Skip Bins - Feb 19 - Depot, Memorial Hall, Showgrounds	600.00
EFT25613	14/03/2019	Autopro Northam	Vehicle & Plant Repair Parts	2,650.67
EFT25614	14/03/2019	Ag Implements Merredin P/L	Grease Fittings - P409	160.15
EFT25615	14/03/2019	Avon Waste	Waste Collection	13,652.20
EFT25616	14/03/2019	Ampac Debt Recovery	Rates Debt Recovery Costs - Feb 19	1,155.00
EFT25617	14/03/2019	Avon Paper Shred	Shredder Bin Pickup & Destruction	150.00
EFT25618	14/03/2019	Broderick Waste Solutions Pty Ltd	Waste Transfer WTS Management F/E 26/2/19	8,580.00
EFT25619	14/03/2019	Bushfire Prone Planning	BMP to Best Practice Standard - Rec Precinct	4,842.75
EFT25620	14/03/2019	B Waddell Consulting Engineers Pty Ltd	Consultant Fees - Duke St Bridge	5,940.00
EFT25621	14/03/2019	John Butler	V/C Consignment Stock - Feb 19	15.46
EFT25622	14/03/2019	Bunnings Midland	Ranger Vehicles Tools/Equipment	826.02
EFT25623	14/03/2019	Bev Royal	V/C Consignment Stock - Feb 19	10.15
EFT25624	14/03/2019	Courier Australia	Freight	100.44
EFT25625	14/03/2019	Coates Hire	Cherry Picker Hire - CCTV & Tree Pruning	382.20
EFT25626	14/03/2019	North Metropolitan Tafe	Diploma Information & Library Training - LC	579.00
EFT25627	14/03/2019	Clever Patch	Rhyme Time/Story Time Activities Replenishment	445.30

Shire of Toodyay

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Pay/Type	Date	Name	Description	Amount
EFT25628	14/03/2019	The Cola Cafe	Refreshments - Incident #415316 - (to be recouped)	400.00
EFT25629	14/03/2019	Corsign (WA) Pty Ltd	Road Signage	277.20
EFT25630	14/03/2019	Winc Australia P/L	Stationery - Admin, Depot, Library and VC	1,694.20
EFT25631	14/03/2019	Clockwork Print	Museum Exhibition Brochures	363.00
EFT25632	14/03/2019	Alison Cromb	V/C Consignment Stock - Feb 19	52.23
EFT25633	14/03/2019	Leah Carvell	Rates Refund - A2830	1,022.85
EFT25634	14/03/2019	Classic Hire	Water Filled Barriers - Bindi Bindi Bridge	710.60
EFT25635	14/03/2019	Cundall Johnston & Partners Pty Ltd	Consultants - Rec Precinct	4,812.50
EFT25636	14/03/2019	Cameron Chisholm Nicol (WA) Pty Ltd	Project Management - Rec Precinct	71,500.00
EFT25637	14/03/2019	C & F Building Approvals	Certification of Duidgee Park Toilet Refurb	253.00
EFT25638	14/03/2019	Landgate	Land Enquires	540.51
EFT25639	14/03/2019	Daves Property Improvements	Install Decking - 6 Duke St	901.24
EFT25640	14/03/2019	Dorma Australia Pty Ltd	Service Auto Doors - Shire Buildings	1,511.86
EFT25641	14/03/2019	Datacom Systems WA	AD & Applications Transformations	5,883.33
EFT25642	14/03/2019	Dmc Cleaning Corporation Pty Ltd	Contract Cleaning & Cleaning Supplies - Feb 19	9,673.73
EFT25643	14/03/2019	De Vita Legal Pty Ltd	Legal Costs - Illegal Development, Fire Related Matter and Unauthorised Buildings	11,595.80
EFT25644	14/03/2019	Easifleet	Payroll Deductions	852.19
EFT25645	14/03/2019	Freemasons Hotel	Refreshments - MPD Farewell	133.96
EFT25646	14/03/2019	Forch Australia	Expendable Stores - vehicle consumables	467.16
EFT25647	14/03/2019	Fuji Xerox Australia Pty Ltd	Photocopier Readings - Building	19.09
EFT25648	14/03/2019	Forth Consulting Pty Ltd	Engineering Consultancy - Rec Centre	4,400.00
EFT25649	14/03/2019	Vodafone Hutchinson Australia P/L	Pager Charges - Oct 18 & Mar 19	811.80
EFT25650	14/03/2019	JR & A Hersey	Leather Welding Blanket	135.52
EFT25651	14/03/2019	Toodyay Hardware & Farm	Misc Hardware, E5 Acetylene & E Onegas S2	878.88
EFT25652	14/03/2019	H & H Architects	Aged Care Architectural Services - Butterley Cottages	412.50
EFT25653	14/03/2019	Hays Specialist Recruitment (Aust) Pty Ltd	Recruitment - MPD	5,133.33
EFT25654	14/03/2019	Hot Spot Electrical	Electrical Works - Admin	1,466.30
EFT25655	14/03/2019	Natasha Hof	Reimbursement of MR Licence Permits	108.40
EFT25656	14/03/2019	Cemeteries & Crematoria Assoc of WA	Cemetery Workshop - CSO	240.00
EFT25657	14/03/2019	Komatsu Australia Pty Ltd	Mirror Assy - P461	170.36
EFT25658	14/03/2019	Local Government Professionals Australia WA	Finance Conference - MCS	1,405.00
EFT25659	14/03/2019	Limnios & Johns Pty Ltd	Project Management - Rec Precinct	12,089.00
EFT25660	14/03/2019	Marketforce	Advert - Moondyne Festival Rd Closure & Property Sale - A1296	676.69
EFT25661	14/03/2019	LGIS (Jardine Lloyd Thompson)	Motor Vehicle Premium Adjustment 17/18	7,543.86
EFT25662	14/03/2019	Moore Stephens	Budget Workshop - FM & FO	1,683.00
EFT25663	14/03/2019	Mayday Earthmoving	Water Cart Hire - Julimar Rd	660.00
EFT25664	14/03/2019	Mountain Park on Avon	V/C Consignment Stock - Feb 19	22.50
EFT25665	14/03/2019	Casandra Mehl	Reimbursement of MR Licence Permits	108.40
EFT25666	14/03/2019	Myob Australia	MYOB Subscription - 18/3/19 - 18/3/20	846.00

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Pay/Type	Date	Name	Description	Amount
EFT25667	14/03/2019	Modus Compliance Pty Ltd	Consultants - Rec Precinct	1,320.00
EFT25668	14/03/2019	North Star Security Nominees P/L	Apr - Jun 2019 Alarm Monitoring - Admin	100.10
EFT25669	14/03/2019	Edna Norris	Rates Refund - A4699	1,559.04
EFT25670	14/03/2019	The Workwear Group	Staff Uniforms	258.50
EFT25671	14/03/2019	Open Forms Pty Ltd	Fire Permit Form Submissions 18/19	1.10
EFT25672	14/03/2019	PK Technology Pty Ltd	Install Radio - P481 & P458	3,817.05
EFT25673	14/03/2019	Perth Region Tourism Organisation Inc	2019 Travel Consumer Show Brochure Distribution	995.00
EFT25674	14/03/2019	Public Transport Authority	Transwa Ticket Sales - Feb 19	205.29
EFT25675	14/03/2019	Southern Cross Austereo Pty Ltd	Advertising - Around the Towns - Feb 19	88.00
EFT25676	14/03/2019	E & MJ Rosher P/L	Filters - P439	251.85
EFT25677	14/03/2019	Misty Rogers	V/C Consignment Stock - Feb 19	12.26
EFT25678	14/03/2019	Seton Australia	Sharps Clean Kits - Vehicles	567.60
EFT25679	14/03/2019	St John Ambulance WA	First Aid Training - BFB	120.00
EFT25680	14/03/2019	Simoco Australasia Pty Ltd	Radio Parts - P481	36.39
EFT25681	14/03/2019	Stewart & Heaton Clothing Co P/L	BFB PPE	114.69
EFT25682	14/03/2019	Seamless CMS Pty Ltd	Opencities SAAS Annual Subscription 28/2/9 - 27/2/20	27,500.00
EFT25683	14/03/2019	Moondyne Festival	Stallholders Fee - Moondyne Festival	30.00
EFT25684	14/03/2019	Sage Consulting Engineers Pty Ltd	Lighting & Electrical Engineering	11,418.00
EFT25685	14/03/2019	Natshell Pty Ltd	Surveyor - Rec Precinct	5,500.00
EFT25686	14/03/2019	Eag Electrical Airconditioning & Gas	Electrical Works - Admin, V/C, Showgrounds, Vets, Depot & P379	2,458.34
EFT25687	14/03/2019	Strategic Leadership Consulting Group	Facilitation & Writing - Corporate Business Plan	9,850.00
EFT25688	14/03/2019	Tanya Stuart	V/C Consignment Stock - Feb 19	32.71
EFT25689	14/03/2019	Toodyay Traders	Battery Powered Blower, Ammunition & Plant Parts	262.55
EFT25690	14/03/2019	Shire of Northam	Disposal of Waste- Jan 19	8,765.10
EFT25691	14/03/2019	Toodyay IGA	Staff Amenities - Feb 19	854.70
EFT25692	14/03/2019	Toolmart	Joplin Vice	736.00
EFT25693	14/03/2019	Deborah Termann	V/C Consignment Stock - Feb 19	12.00
EFT25694	14/03/2019	Toodyay Tyre & Exhaust	Repair & Replacement Tyres	4,163.60
EFT25695	14/03/2019	Toodyay Garden & Outdoor Centre	Misc Gardening Items	391.20
EFT25696	14/03/2019	Tennant Australia Pty Ltd	Brushes - P445	924.88
EFT25697	14/03/2019	Toodyay Community Resource Centre	Donation - Sponsorship International Womens Day 2019	200.00
EFT25698	14/03/2019	Valley Ford - Northam Hyundai	Mud Flaps & Scuff Plate - P425	149.37
EFT25699	14/03/2019	Veris Australia Pty Ltd	Feature Survey Pickup - Julimar & Chitty Rds & Contract Surveyor - Rec Precinct	18,436.00
EFT25700	14/03/2019	Western Australian Local Government Association	Advertising & Procurement Services for Preferred Supplier Arrangement - Enterprise Software	10,127.80 0.00
EFT25701	14/03/2019	Wurth Australia P/L	Expendable Stores	303.73
EFT25702	14/03/2019	Wright Express Aust Pty Ltd	SES Fuel Card Admin Fee	33.00
EFT25703	14/03/2019	Wheatbelt Office & Business Machines	V/C, Depot & Library Photocopier Print Readings - 14/2 - 12/3/19	863.75
EFT25704	14/03/2019	Wheatbelt Safetywear	Safety Boots	180.00

Shire of Toodyay

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Pay/Type	Date	Name	Description	Amount
EFT25705	21/03/2019	Shire of Toodyay Salaries & Wages	Payroll Deductions	1,513.00
EFT25706	21/03/2019	Australian Taxation Office	BAS Return - Feb 19	27,208.00
EFT25707	21/03/2019	Classic Hire	Portable Traffic Light Hire Bindi Bindi Rd Bridge 7/1 - 1/2/19	2,299.00
EFT25708	28/03/2019	Arm Security	Alarm Monitoring - Community Centre 1/4 - 30/6/19	118.40
EFT25709	28/03/2019	Avon Waste	Waste Collection	13,607.15
EFT25710	28/03/2019	Airborn Amusements	Aust Day - Entertainment	900.00
EFT25711	28/03/2019	Able Sales	3 Phase Gen Set 11 Kva - Fire Emergency Water	7,380.00
EFT25712	28/03/2019	Alans Auto Electrics	Repairs - P397 & P492	722.95
EFT25713	28/03/2019	Ampac Debt Recovery	Rates Debt Recovery Costs - Mar 18	2,022.80
EFT25714	28/03/2019	Broderick Waste Solutions Pty Ltd	Cartage of Waste & WTS Management F/E 26/3/19	7,135.13
EFT25715	28/03/2019	Craig Brook	Qtrly Telecomm Allowance & Monthly Members Attendance Allowance - Mar 19	1,180.33
EFT25716	28/03/2019	Beesweet Honey & Apiaries	V/C Stock	656.00
EFT25717	28/03/2019	Benjamin Bell	Qtrly Telecomm Allowance & Monthly Members Attendance Allowance - Mar 19	1,180.33
EFT25718	28/03/2019	Brick & Mortar Restoration Pty Ltd	Repair Rising Damp Repairs - Admin Records Room	8,797.91
EFT25719	28/03/2019	Child Support Agency	Payroll Deductions	760.00
EFT25720	28/03/2019	Cardno (WA) P/L	Extractive Industry Workshop - MPD	1,848.00
EFT25721	28/03/2019	Therese Chitty	Qtrly Telecomm Allowance & Monthly Members Attendance Allowance - Mar 19	1,599.58
EFT25722	28/03/2019	The Cola Cafe	Refreshments - Morangup Community Information Session	447.00
EFT25723	28/03/2019	Winc Australia P/L	Stationery	64.38
EFT25724	28/03/2019	Conplant	Service Kit - P450	898.91
EFT25725	28/03/2019	Casey Australia Tours	V/C Stock	66.00
EFT25726	28/03/2019	Judy Dow	Qtrly Telecomm Allowance & Monthly Members Attendance Allowance - Mar 19	1,180.33
EFT25727	28/03/2019	Datacom Systems WA	AD & Applications Transformations	38,186.50
EFT25728	28/03/2019	Dmc Cleaning Corporation Pty Ltd	Contract Cleaning & Cleaning Supplies - Mar 19	9,673.73
EFT25729	28/03/2019	De Vita Legal Pty Ltd	Legal Costs - Unauthorised Buildings	3,461.70
EFT25730	28/03/2019	Easy2C	VC Stock	519.75
EFT25731	28/03/2019	Ezi-Fix Welding & Handyman Services	General Mainetenace Work around Shire Buildings	1,325.00
EFT25732	28/03/2019	Easifleet	Payroll Deductions	852.19
EFT25733	28/03/2019	Frontline Fire & Rescue Equipment	BBF PPE	6,298.44
EFT25734	28/03/2019	Forch Australia	Expendable Stores	146.99
EFT25735	28/03/2019	Formbys Lawyers	Legal Costs - Easement Creation	1,046.26
EFT25736	28/03/2019	Paula Greenway	Qtrly Telecomm Allowance & Monthly Members Attendance Allowance - Mar 19	1,180.33
EFT25737	28/03/2019	Geoff Ninnes Fong & Partners Pty Ltd	Aquatics Consultants - Rec Precinct	25,000.00
EFT25738	28/03/2019	Health Insurance Fund	Payroll Deductions	176.20
EFT25739	28/03/2019	Hays Specialist Recruitment (Aust) Pty Ltd	IT Support	457.22
EFT25740	28/03/2019	Judith Ann Helm	Rates Refund - A1737	266.64
EFT25741	28/03/2019	Interfire Agencies Pty Ltd	Light Bar Brackets - P425	212.17
EFT25742	28/03/2019	Jason Signmakers	Assorted Signage	190.30
EFT25743	28/03/2019	Jaybro	Soap Dispensers	1,208.46

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Pay/Type	Date	Name	Description	Amount
EFT25744	28/03/2019	Jacaru Australia Pty Ltd	V/C Stock	762.31
EFT25745	28/03/2019	Imagepak (Kangarucci Marketing P/L	Teardrop Promotional Banner - Shire of Toodyay Logo Event	440.00
EFT25746	28/03/2019	Local Government Professionals Australia WA	Social Media for Community Development Outcomes - CCO	67.00
EFT25747	28/03/2019	James Liddle - Comnet	Service & Repairs - Depot Cable & Terminations	473.00
EFT25748	28/03/2019	Bill Manning	Qtrly Telecomm Allowance & Monthly Members Attendance Allowance - Mar 19	1,180.33
EFT25749	28/03/2019	Murray Views Pty Ltd	V/C Stock	353.54
EFT25750	28/03/2019	Major Motors P/L	Seal Kit - P513	284.55
EFT25751	28/03/2019	Mitchell & Horsley Engineering	Grader Ram Shaft - P409	858.00
EFT25752	28/03/2019	Applied Industrial Technologies Pty Ltd	Tow Hitch - P510	358.60
EFT25753	28/03/2019	The Workwear Group	Staff Uniforms	437.86
EFT25754	28/03/2019	Organic Web	Mailchimp Training - VCTL	279.20
EFT25755	28/03/2019	Onlypos	Cash Drawer Insert - V/C	63.55
EFT25756	28/03/2019	Pacific Safety Wear	Safety Boots - Depot	183.54
EFT25757	28/03/2019	Primaries	Spray Seed - Bridge Maintenance	544.04
EFT25758	28/03/2019	Pritchard Book Binders	Minute Book Binding	809.60
EFT25759	28/03/2019	Brian Rayner	Qtrly Telecomm Allowance & Monthly Members Attendance Allowance - Mar 19	3,449.83
EFT25760	28/03/2019	Scanlan Surveys	Contract Surveyor - Establishment of Rear Boundary Pegs	1,540.00
EFT25761	28/03/2019	Shopfittings Direct	3 Catalogue Stands - Shire Newletters	322.80
EFT25762	28/03/2019	Stewarts Pest Control	Rodent Treatment - Shire Buildings	1,474.00
EFT25763	28/03/2019	Sundowner Souvenirs & Promotions Pty Ltd	V/C Stock	297.75
EFT25764	28/03/2019	Eag Electrical Airconditioning & Gas	Building Aircon Repairs & Fault Finding - Grandstand	1,645.05
EFT25765	28/03/2019	Toodyay Cricket Club	Turf Wicket Maintenance & Preparation - Games 18/19	2,750.00
EFT25766	28/03/2019	Toodyay Bakery & Cafe	Refreshments - Crs Land & Building Inspections & CCTV/Telstra Meeting	171.80
EFT25767	28/03/2019	Toodyay Brook Earthmoving	Firebreak Works - Morangup Reserves	938.00
EFT25768	28/03/2019	Eric Twine	Qtrly Telecomm Allowance & Monthly Members Attendance Allowance - Mar 19	1,180.33
EFT25769	28/03/2019	Perth Traffic Training	Constuction White Card & Traffic Event Management Course - Volunteer	360.00
EFT25770	28/03/2019	Testo Pty Ltd	Calibration for Probe & Infrared Temperature Pens	172.70
EFT25771	28/03/2019	Total Green Recycling	E Waste Recycling - 1/3/19	746.46
EFT25772	28/03/2019	Vernice P/L	Screened Gravel Road Base - WTS, Julimar & River Rds	33,639.18
EFT25773	28/03/2019	Wa Hino Sales & Service	Support Spring, Shockies & Bolts - P415	1,713.81
EFT25774	28/03/2019	Rob Welburn	Qtrly Telecomm Allowance & Monthly Members Attendance Allowance - Mar 19	1,180.33
EFT25775	28/03/2019	Wheatbelt Office & Business Machines	Newsletter Copy Paper & Staples	79.20
EFT25776	28/03/2019	Wa Machinery Glass	Scratch Resistant Door - P469	1,199.00
EFT25777	28/03/2019	Wacwil Landscaping & Earthworks Pty Ltd	Patch & Reseal - Pelham Reserve, Bilya Walk Track & Remoal of Fallen Tree - Connors Cottage	5,681.50 0.00
EFT25778	28/03/2019	Wheatbelt Safetywear	Depot Staff Uniforms	102.00
EFT25779	28/03/2019	Western Tree Recyclers	Mulching - WTS	10,510.50
DD23354.1	05/03/2019	Jac Retirement Fund	Payroll deductions	975.28
DD23354.2	05/03/2019	loof Pursuit Select Personal Superannuation	Superannuation contributions	466.32

Shire of Toodyay

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Pay/Type	Date	Name	Description	Amount
DD23354.3	05/03/2019	MLC Superfund	Superannuation contributions	401.39
DD23354.4	05/03/2019	Hesta	Superannuation contributions	234.65
DD23354.5	05/03/2019	Local Government Superannuation Scheme - Pool A	Superannuation contributions	397.10
DD23354.6	05/03/2019	WA Super	Superannuation contributions	14,253.09
DD23354.7	05/03/2019	Hostplus Super	Superannuation contributions	1,795.27
DD23354.8	05/03/2019	Australian Super	Superannuation contributions	2,296.22
DD23354.9	05/03/2019	BT Lifetime Super	Superannuation contributions	95.36
DD23359.1	02/03/2019	Western Australian Treasury Corporation	Loan No. 74 - Refurbish Bendigo Bank Building	20,831.59
DD23378.1	19/03/2019	Jac Retirement Fund	Payroll deductions	975.28
DD23378.2	19/03/2019	loof Pursuit Select Personal Superannuation	Superannuation contributions	522.00
DD23378.3	19/03/2019	MLC Superfund	Superannuation contributions	462.40
DD23378.4	19/03/2019	Hesta	Superannuation contributions	234.65
DD23378.5	19/03/2019	Local Government Superannuation Scheme - Pool A	Superannuation contributions	397.10
DD23378.6	19/03/2019	WA Super	Superannuation contributions	12,190.75
DD23378.7	19/03/2019	Hostplus Super	Superannuation contributions	1,832.88
DD23378.8	19/03/2019	Australian Super	Superannuation contributions	2,228.97
DD23378.9	19/03/2019	BT Lifetime Super	Superannuation contributions	113.95
DD23391.1	27/03/2019	Western Australian Treasury Corporation	Loan No. 70 - Footbridge Refurbishment	4,113.84
DD23354.10	05/03/2019	Bendigo Superannuation Plan	Superannuation contributions	131.02
DD23354.11	05/03/2019	Colonial First Choice Employer Super	Superannuation contributions	245.90
DD23354.12	05/03/2019	National Mutual Retirement Fund	Superannuation contributions	335.48
DD23354.13	05/03/2019	AMP Financial	Superannuation contributions	130.87
DD23378.10	19/03/2019	Bendigo Superannuation Plan	Superannuation contributions	133.27
DD23378.11	19/03/2019	Colonial First Choice Employer Super	Superannuation contributions	235.81
DD23378.12	19/03/2019	National Mutual Retirement Fund	Superannuation contributions	335.48
DD23378.13	19/03/2019	AMP Financial	Superannuation contributions	189.62

Total Payments

934,461.81

IPV/BPV	243,300.05
Trust	297.50
EFT	556,649.03
DD Super	41,610.11
DD Loans	24,945.43
Muni Chqs	67,659.69
TOTAL	934,461.81

SHIRE OF TOODYAY
MONTHLY FINANCIAL REPORT
For the Period Ended 31 March 2019
LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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SHIRE OF TOODYAY
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 March 2019

	Note	2018/2019 Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Operating Revenues							
Governance		59,500	44,613	29,537	(15,076)	(33.79%)	▼
General Purpose Funding - Rates	9	6,381,727	6,381,727	6,279,294	(102,433)	(1.61%)	
General Purpose Funding - Other		985,158	747,458	732,256	(15,202)	(2.03%)	
Law, Order and Public Safety		513,402	311,552	268,961	(42,591)	(13.67%)	▼
Health		64,500	58,613	53,193	(5,420)	(9.25%)	
Housing		10,500	7,866	8,077	211	2.68%	
Community Amenities		720,900	704,757	685,300	(19,457)	(2.76%)	
Recreation and Culture		125,000	111,020	108,488	(2,532)	(2.28%)	
Transport		601,723	482,661	454,499	(28,162)	(5.83%)	
Economic Services		298,801	227,267	168,771	(58,496)	(25.74%)	▼
Other Property and Services		224,324	171,696	175,841	4,145	2.41%	
Total Operating Revenue		9,985,535	9,249,230	8,964,215	(285,015)		
Operating Expense							
Governance		(806,495)	(657,141)	(611,120)	46,021	7.00%	
General Purpose Funding		(440,623)	(256,026)	(233,011)	23,015	8.99%	
Law, Order and Public Safety		(1,281,420)	(994,584)	(956,938)	37,646	3.79%	
Health		(320,439)	(235,710)	(229,778)	5,932	2.52%	
Education and Welfare		(64,034)	(48,202)	(48,139)	63	0.13%	
Housing		(39,307)	(29,421)	(24,022)	5,399	18.35%	▲
Community Amenities		(1,293,456)	(989,765)	(929,534)	60,231	6.09%	
Recreation and Culture		(1,562,153)	(1,197,501)	(1,106,143)	91,358	7.63%	
Transport		(5,241,650)	(3,950,520)	(3,686,719)	263,801	6.68%	
Economic Services		(1,299,502)	(983,382)	(896,706)	86,676	8.81%	
Other Property and Services		(414,381)	(393,155)	(409,861)	(16,706)	(4.25%)	
Total Operating Expenditure		(12,763,460)	(9,735,407)	(9,131,973)	603,434		
Funding Balance Adjustments							
Add back Depreciation		4,480,700	3,360,474	3,308,256	(52,218)	(1.55%)	
Adjust (Profit)/Loss on Asset Disposal	8	15,687	(75,324)	(26,009)	49,315	(65.47%)	
Adjust Provisions and Accruals		0	0	3,122	3,122		
Net Cash from Operations		1,718,462	2,798,973	3,117,611	318,639		
Capital Revenues							
Grants, Subsidies and Contributions	11	1,641,580	621,268	510,628	(110,640)	(17.81%)	▼
Proceeds from Disposal of Assets	8	978,619	733,968	365,671	(368,297)	(50.18%)	▼
Total Capital Revenues		2,620,199	1,355,236	876,298	(478,938)		
Capital Expenses							
Land and Buildings	13	(1,445,616)	(269,109)	(120,229)	148,880	55.32%	▲
Infrastructure - Roads	13	(1,923,961)	(1,442,868)	(1,049,639)	393,229	27.25%	▲
Infrastructure - Parks & Recreation	13	(650,990)	(477,738)	(310,712)	167,026	34.96%	▲
Infrastructure - Footpaths	13	(15,000)	0	0	0		

SHIRE OF TOODYAY
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 March 2019

	Note	2018/2019 Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
Infrastructure - Bridges	13	(374,733)	0	0	0		
Infrastructure - Other	13	(236,738)	(79,010)	(17,944)	61,066	77.29%	▲
Plant and Equipment	13	(788,019)	(591,012)	(664,303)	(73,291)	(12.40%)	▼
Total Capital Expenditure		(5,435,057)	(2,859,737)	(2,162,827)	696,910		
Net Cash from Capital Activities		(2,814,858)	(1,504,501)	(1,286,529)	217,972		
Financing							
Proceeds from New Debentures		0	0	0	0		
Transfer from Reserves	7	328,000	18,747	0	(18,747)	100.00%	
Repayment of Debentures	10	(240,977)	(174,683)	(150,637)	24,046	13.77%	▲
Transfer to Reserves	7	(1,309,547)	(422,428)	(42,533)	379,895	89.93%	▲
Net Cash from Financing Activities		(1,222,524)	(578,364)	(193,170)	385,194		
Net Operations, Capital and Financing		(2,318,920)	716,108	1,637,913	921,805		
Opening Funding Surplus/(Deficit)	3	2,447,596	2,447,596	2,432,744		(0.61%)	
	3	128,676	3,163,704	4,070,657	921,805	28.67%	

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF TOODYAY
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 March 2019

	Note	2018/2019 Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
Operating Revenues							
Rates	9	\$ 6,381,727	\$ 6,381,727	\$ 6,279,294	(102,433)	(1.61%)	
Operating Grants, Subsidies and Contributions	11	1,995,677	1,464,424	1,369,465	(94,959)	(6.48%)	
Fees and Charges		1,292,942	1,161,694	1,133,577	(28,117)	(2.42%)	
Interest Earnings		165,000	123,744	113,829	(9,915)	(8.01%)	
Other Revenue		20,000	20,000	19,725	(275)	(1.38%)	
Profit on Disposal of Assets	8	130,189	97,641	48,326	(49,315)		
Total Operating Revenue		9,985,535	9,249,230	8,964,215	(285,015)		
Operating Expense							
Employee Costs		(4,525,248)	(3,404,921)	(3,239,805)	165,115	4.85%	
Materials and Contracts		(2,894,372)	(2,267,015)	(1,971,201)	295,814	13.05%	▲
Utility Charges		(237,723)	(178,530)	(164,155)	14,375	8.05%	
Depreciation on Non-Current Assets		(4,480,700)	(3,360,474)	(3,308,256)	52,218	1.55%	
Interest Expenses		(106,634)	(74,435)	(67,564)	6,871	9.23%	
Insurance Expenses		(256,750)	(241,655)	(272,644)	(30,989)	(12.82%)	▼
Other Expenditure		(116,157)	(98,974)	(86,030)	12,944	13.08%	▲
Loss on Disposal of Assets	8	(145,876)	(109,404)	(22,317)	87,087		
Total Operating Expenditure		(12,763,460)	(9,735,407)	(9,131,972)	603,435		
		(2,777,925)	(486,177)	(167,757)			
Funding Balance Adjustments							
Add back Depreciation		4,480,700	3,360,474	3,308,256	(52,218)	(1.55%)	
Adjust (Profit)/Loss on Asset Disposal		15,687	(75,324)	(26,009)	49,315	(65.47%)	
Adjust Provisions and Accruals		0	0	3,122	3,122		
Net Cash from Operations		1,718,462	2,798,973	3,117,612	318,639		
Capital Revenues							
Grants, Subsidies and Contributions	11	1,641,580	621,268	510,628	(110,640)	(17.81%)	▼
Proceeds from Disposal of Assets		978,619	733,968	365,671	(368,297)	(50.18%)	▼
Total Capital Revenues		2,620,199	1,355,236	876,298	(478,938)		
Capital Expenses							
Land and Buildings	13	(1,445,616)	(269,109)	(120,229)	148,880	55.32%	▲
Infrastructure - Roads	13	(1,923,961)	(1,442,868)	(1,049,639)	393,229	27.25%	▲
Infrastructure - Parks & Recreation	13	(650,990)	(477,738)	(310,712)	167,026	34.96%	▲
Infrastructure - Other	13	(236,738)	(79,010)	(17,944)	61,066	77.29%	▲
Plant and Equipment	13	(788,019)	(591,012)	(664,303)	(73,291)	(12.40%)	▼
Total Capital Expenditure		(5,435,057)	(2,859,737)	(2,162,827)	696,910		
		(2,814,858)	(1,504,501)	(1,286,529)	217,972		
Net Cash from Capital Activities							
Financing							
Proceeds from New Debentures		0	0	0	0		
Transfer from Reserves	7	328,000	18,747	0	(18,747)	(100.00%)	
Repayment of Debentures	10	(240,977)	(174,683)	(150,637)	24,046	13.77%	▲
Transfer to Reserves	7	(1,309,547)	(422,428)	(42,533)	379,895	89.93%	▲
Net Cash from Financing Activities		(1,222,524)	(578,364)	(193,170)	385,194		
Net Operations, Capital and Financing		(2,318,920)	716,108	1,637,913	921,805		
Opening Funding Surplus(Deficit)	3	2,447,596	2,447,596	2,432,744		(0.61%)	
Closing Funding Surplus(Deficit)	3	128,676	3,163,704	4,070,657	921,805		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 2: EXPLANATION OF MATERIAL VARIANCES

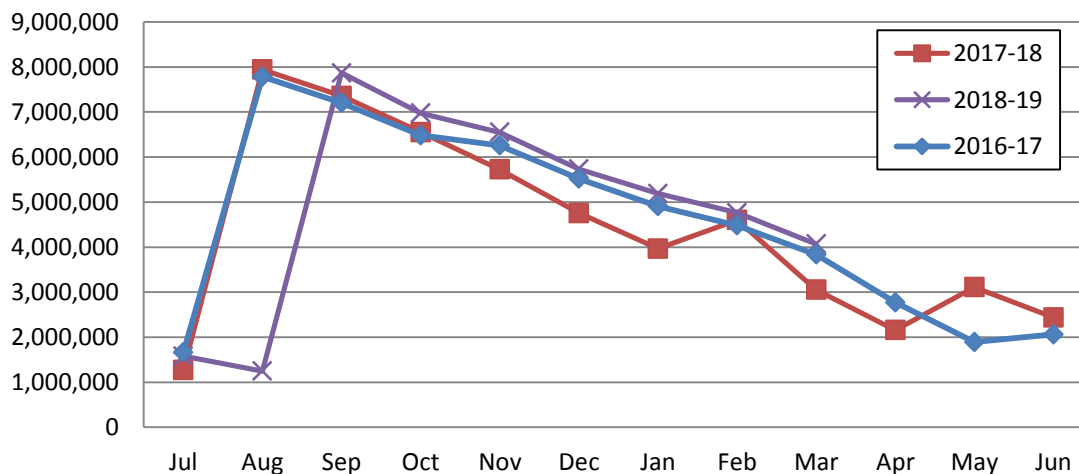
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	(15,076)	(33.79%)	▼	Timing	Administration income less than budgeted to date
General Purpose Funding - Rates	(102,433)	(1.61%)			
General Purpose Funding - Other	(15,202)	(2.03%)			
Law, Order and Public Safety	(42,591)	(13.67%)	▼	Timing	ESL Levy and CESM recoup less than budgeted to date
Health	(5,420)	(9.25%)			
Education & Welfare	0	0.00%			
Housing	211	0.00%			
Community Amenities	(19,457)	(2.76%)			
Recreation and Culture	(2,532)	(2.28%)			
Transport	(28,162)	(5.83%)			
Economic Services	(58,496)	(25.74%)	▼	Timing	Assets yet to be sold
Other Property and Services	4,145	2.41%			
Operating Expense					
Governance	46,021	7.00%			
General Purpose Funding	23,015	8.99%			
Law, Order and Public Safety	37,646	3.79%			
Health	5,932	2.52%			
Education & Welfare	63	0.13%			
Housing	5,399	18.35%	▲	Timing	Clinton St Duplex expense less than budgeted to date
Community Amenities	60,231	6.09%			
Recreation and Culture	91,358	7.63%			
Transport	263,801	6.68%			
Economic Services	86,676	8.81%			
Other Property and Services	(16,706)	(4.25%)			
Capital Revenues					
Grants, Subsidies and Contributions	(110,640)	(17.81%)	▼	Timing	Income yet to be received
Proceeds from Disposal of Assets	(368,297)	(50.18%)	▼	Timing	Sale of assets yet to occur
Capital Expenses					
Land and Buildings	148,880	55.32%	▲	Timing	Projects not yet commenced/finalised
Infrastructure - Roads	393,229	27.25%	▲	Timing	Projects not yet commenced/finalised
Infrastructure - Parks & Recreation	167,026	34.96%	▲	Timing	Projects not yet commenced/finalised
Infrastructure - Other	61,066	77.29%	▲	Timing	Projects not yet commenced/finalised
Plant and Equipment	(73,291)	(12.40%)	▼	Timing	Vehicles purchased
Furniture and Equipment					
Financing					
Loan Principal	24,046	13.77%	▲	Timing	Loan payments still pending

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 3: NET CURRENT FUNDING POSITION

		Positive=Surplus (Negative=Deficit)		
		YTD 31 Mar 2019	30th June 2019	YTD 31 Mar 2018
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	3,003,061	2,030,171	2,107,190
Cash Restricted	4	3,362,990	3,152,298	3,115,248
Receivables - Rates	6	1,476,102	673,286	1,299,862
Receivables -Other	6	49,561	55,547	140,186
Interest / ATO Receivable/Trust				
Inventories		61,013	48,220	50,019
		7,952,727	5,959,522	6,712,506
Less: Current Liabilities				
Payables		(186,748)	(549,136)	(205,658)
Provisions		(669,534)	(643,240)	(645,520)
		(856,283)	(1,192,376)	(851,178)
Less: Cash Reserves	7	(3,362,990)	(3,152,298)	(3,115,248)
Adjustment for Current Borrowings		90,340	228,744	85,439
Adjustment for Cash Backed Liabilities		246,863	219,237	222,559
Net Current Funding Position		4,070,657	2,062,829	3,054,078

Note 3 - Liquidity Over the Year



Comments - Net Current Funding Position

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Investments \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits								
Municipal		970,279				970,279	Bendigo Bank	At Call
Trust				170,473		170,473	Bendigo Bank	At Call
(b) Term Deposits								
Municipal NCD: 2906268	2.25%	606,122				606,122	Bendigo Bank	04.04.19
Municipal NCD: 2906270	2.25%	606,122				606,122	Bendigo Bank	06.05.19
Municipal NCD: 2804535	2.15%	806,013				806,013	Bendigo Bank	23.04.19
Reserve NCD: 2827636	2.65%		3,362,990			3,362,990	Bendigo Bank	10.04.19
Trust - T83	2.30%			136,100		136,100	Bendigo Bank	19.05.19
Trust - T84	2.30%			212,317		212,317	Bendigo Bank	19.05.19
Trust - T794	2.30%			106,152		106,152	Bendigo Bank	27.07.19
Trust - T100	2.30%			137,356		137,356	Bendigo Bank	27.07.19
Trust - T4	2.30%			121,316		121,316	Bendigo Bank	26.07.19
Trust - T114	2.30%			202,125		202,125	Bendigo Bank	26.07.19
Trust - T214	2.30%			47,891		47,891	Bendigo Bank	26.07.19
Trust - T458	2.30%			438,224		438,224	Bendigo Bank	26.07.19
Trust - T793	2.30%			23,239		23,239	Bendigo Bank	26.07.19
Trust - T797	2.30%			31,893		31,893	Bendigo Bank	26.07.19
Trust - T807	2.30%			120,260		120,260	Bendigo Bank	19.05.19
Trust - T805	2.30%			23,570		23,570	Bendigo Bank	14.04.19
Trust - T809	2.30%			120,000		120,000	Bendigo Bank	18.07.19
Total		2,988,537	3,362,990	1,890,917		8,242,445		

Comments/Notes - Investments

The above totals reflect the actual balance of the bank statements held at the Bank at month end. These balances will not include items such as unrepresented cheques and payments, and monies received by the Shire on the last day of the month.

Trust monies held by the Shire of Toodyay are not reflected in Note 3: Net Current Funding Position.

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

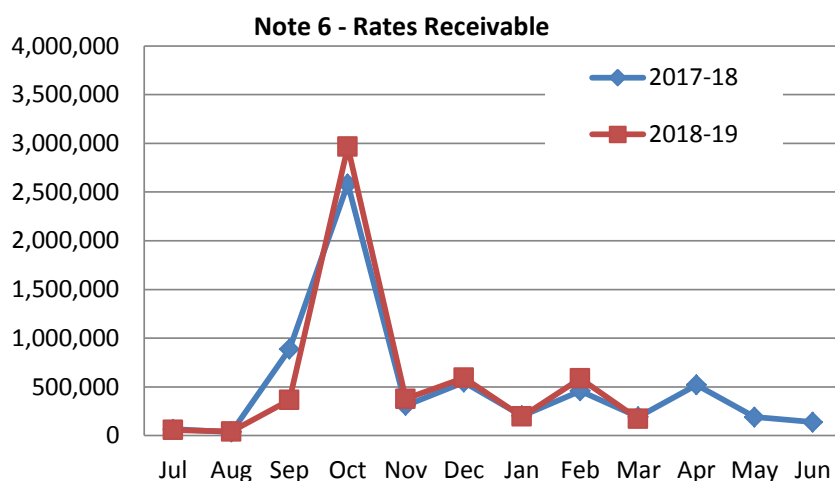
Note 6: RECEIVABLES

Receivables - Rates Receivable

Opening Arrears Previous Years
Levied this year
Less Collections to date
Equals Current Outstanding

Net Rates Collectable
% Collected

	YTD 31 Mar 2019	30 June 2018
	\$	\$
	681,435	567,647
	6,343,420	6,231,002
	(5,341,596)	(6,117,214)
	1,683,259	681,435
	1,683,259	681,435
	76.04%	89.98%



Comments/Notes - Receivables Rates

Comments/Notes - Receivables Rates and Rubbish

Current

Legal Action	158,938
Pensioners	178,365
Rates to be Waived	0
Payment Arrangement	305,229
Employee Direct Debit	1,228
Instalment Option	782,472
No Action Required	903
Properties in Recivership	31,618
Intent to Summons	0
Sale of Land LG Act S6.64	82,362
Interim Notices Issued	4,569
Current Rates	0
Properties in Credit	(65,845)

Total Current **1,479,839**

Non- Current

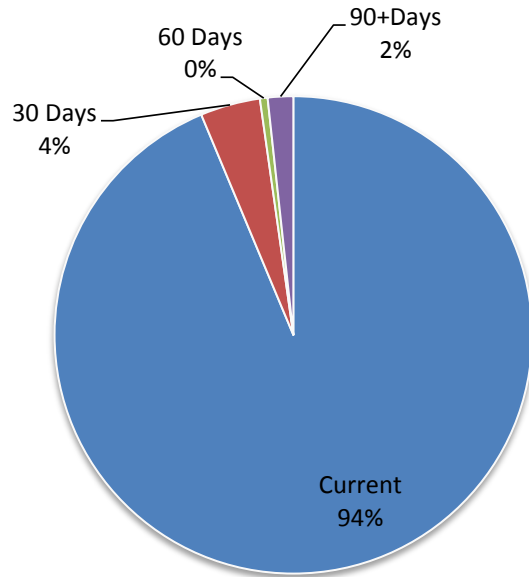
Deferred Pensioners	203,418
(not collectable till Pensioner property is sold)	
Total	1,683,257

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Receivables - General	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Receivables - General	40,002	1,733	222	735
Total Receivables General Outstanding				<u>42,692</u>

Amounts shown above include GST (where applicable)

Note 6 - Accounts Receivable (non-rates)



Comments/Notes - Receivables General

This note reflects Sundry Debtors only. It does not include other debtors such as GST due from the ATO & Pensioner Rebates due from the State.

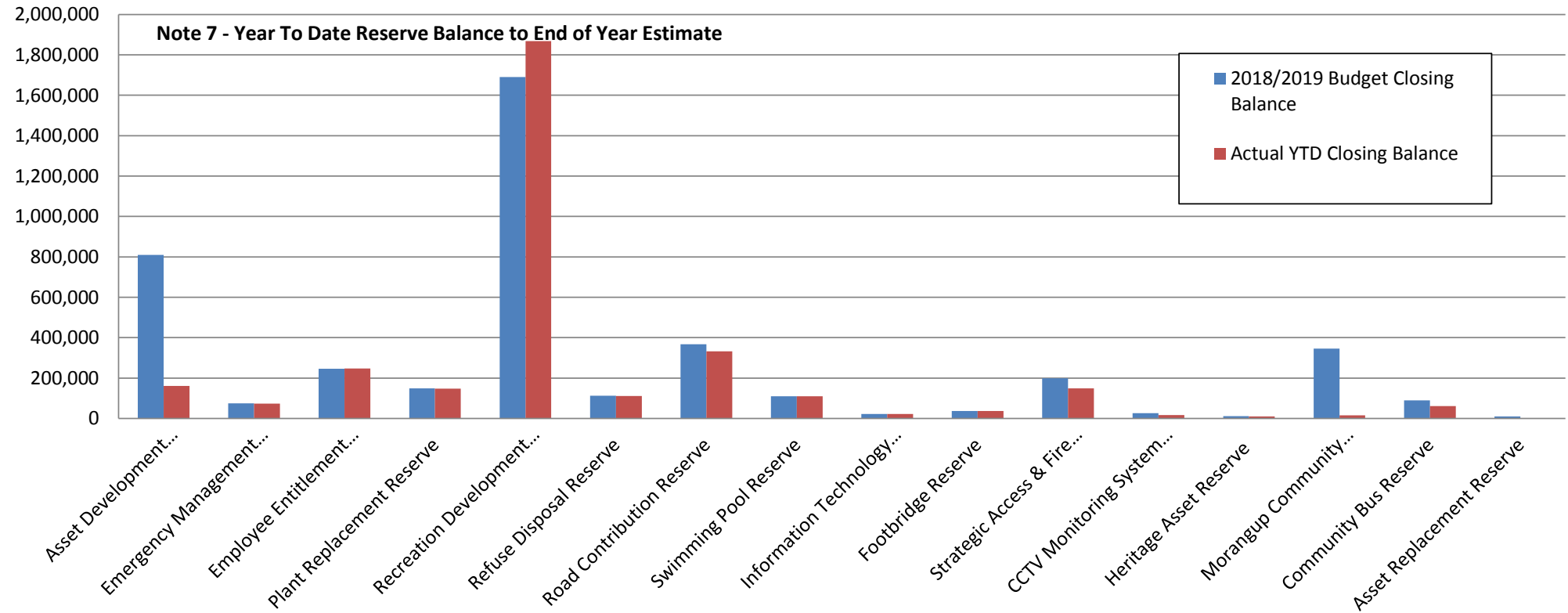
Final Letters	0
Seven Day Letters	252
Debt Collection	735
No Action Required	41,705
Payment Arrangement	0
Payroll Deductions	0
To be Written Off	0
Total Outstanding	42,692

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 7: Cash Backed Reserve

2018-19									
Name	Opening Balance	2018/2019 Budget Interest Earned	Actual Interest Earned	2018/2019 Budget Transfers In (+)	Actual Transfers In (+)	2018/2019 Budget Transfers Out (-)	Actual Transfers Out (-)	2018/2019 Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Asset Development Reserve	159,676	5,000	2,045	645,000		0		809,676	161,721
Emergency Management & Recovery Reserve	72,159	2,500	924	0				74,659	73,084
Employee Entitlement Reserve	243,741	5,000	3,122	50,000		(53,000)		245,741	246,863
Plant Replacement Reserve	145,568	4,000	1,865	0				149,568	147,433
Recreation Development Reserve	1,844,990	35,000	23,633	60,197		(250,000)		1,690,187	1,868,623
Refuse Disposal Reserve	110,493	2,000	1,415	0				112,493	111,908
Road Contribution Reserve	328,391	4,500	4,206	60,000		(25,000)		367,891	332,598
Swimming Pool Reserve	107,937	2,000	1,383	0				109,937	109,319
Information Technology Reserve	21,622	500	277	0				22,122	21,898
Footbridge Reserve	36,864	500	472	0				37,364	37,336
Strategic Access & Fire Egress Reserve	146,638	3,000	1,878	50,000				199,638	148,516
CCTV Monitoring System Reserve	16,180	350	207	10,000				26,530	16,387
Heritage Asset Reserve	10,693	500	137	0				11,193	10,830
Morangup Community Centre Reserve	15,348	500	197	330,000				345,848	15,545
Community Bus Reserve	60,159	1,000	771	28,000				89,159	60,930
Asset Replacement Reserve	0	0		10,000				10,000	0
	3,320,457	66,350	42,533	1,243,197	0	(328,000)	0	4,302,004	3,362,990

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019



SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 9: RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	2018/2019 Budget Rate Revenue \$	2018/2019 Budget Interim Rate \$	2018/2019 Budget Back Rate \$	2018/2019 Budget Total Revenue \$
Differential General Rate											
GRV Residential	12.3350	513	7,393,744	912,724	(229)	(646)	911,850	910,975			910,975
GRV - Commercial	15.6060	30	1,190,266	185,753	(2,958)		182,795	179,837			179,837
GRV - Industrial	12.3350	19	403,036	49,714			49,714	49,714			49,714
GRV - Rural	11.3950	99	1,446,380	164,815			164,815	164,815			164,815
GR V - Rural Residential	11.3950	877	12,365,080	1,409,001	723	(250)	1,409,474	1,409,946			1,409,946
UV - General	1.0880	443	99,112,000	1,083,441	(13,860)	(1,027)	1,068,554	1,053,667			1,053,667
UV Rural	0.8928	177	152,203,000	1,358,868	(1,777)		1,357,092	1,355,315			1,355,315
Sub-Totals		2,158	274,113,506	5,164,318	(18,101)	(1,923)	5,144,294	5,124,270	0	0	5,124,270
Minimum Payment	Minimum \$										
GRV Residential	1,318.00	220	1,305,480	289,960	0	0	289,960	289,960	0	0	289,960
GRV - Commercial	1,318.00	4	22,655	5,272	0	0	5,272	5,272	0	0	5,272
GRV - Industrial	1,318.00	11	55,350	14,498	0	0	14,498	14,498	0	0	14,498
GRV - Rural	1,318.00	44	408,158	57,992	0	0	57,992	57,992	0	0	57,992
GRV - Rural Residential	1,318.00	532	3,766,607	701,176	0	0	701,176	701,176			701,176
UV - General	1,318.00	114	6,953,743	150,252	0	0	150,252	150,252	0	0	150,252
UV Rural	1,318.00	0	0	0	0	0	0	0	0	0	0
Sub-Totals		925	12,511,993	1,219,150	0	0	1,219,150	1,219,150	0	0	1,219,150
				<u>6,383,468</u>			6,363,444				6,343,420
UV Pastoral Concession											0
Concession											0
Amount from General Rates							6,363,444				6,343,420
Ex-Gratia Rates							1,100				1,100
Less movement in rates in advance											
Totals							6,364,544				6,344,520

Comments - Rating Information

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

10. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-18	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual \$	2018/2019 Budget \$	Actual \$	2018/2019 Budget \$	Actual \$	2018/2019 Budget \$
Recreation & Culture								
Loan 65 - Community Centre	36,537		5,584	11,361	30,953	25,176	1,520	2,447
Loan 67 - Library Upgrade	259,204		17,955	36,503	241,249	222,701	10,451	17,482
Loan 69 - Library Upgrade	68,061		16,237	32,982	51,824	35,079	2,719	4,068
Loan 72 - Land - Rec Precinct	825,608		19,644	39,725	805,964	785,883	23,941	39,095
Loan 73 - Refurbish Courts	30,089		19,901	19,901	10,188	10,188	1,024	926
Loan 75 - Recreation Precinct	0	1,800,000	0	0		0	0	0
			0					
Transport								
Loan 70 - Footbridge	45,110		10,575	14,200	34,535	30,910	2,116	2,439
Loan 71 - Depot Stage 2	657,789		16,302	32,973	641,487	624,816	19,328	31,601
Economic Services								
Loan 64 - Visitor Centre	56,130		8,608	17,502	47,522	38,628	2,237	3,603
Other Property & Services								
Loan 63 - Bank Building	50,103		15,680	15,680	34,423	34,423	3,190	3,036
Loan 74 - Refurbish Bank Building	30,471		20,152	20,152	10,319	10,319	1,037	937
	2,059,102	1,800,000	150,637	240,979	1,908,465	1,818,123	67,564	105,634

No new debentures were raised during the reporting period.

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 11: GRANTS AND CONTRIBUTIONS

Program/Details GL	Grant Provider	Approval	2018-19 Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received	Not Received
		(Y/N)	\$	\$	\$	\$	\$	\$
GENERAL PURPOSE FUNDING								
GENERAL PURPOSE GRANT	Federal Government	Yes	468,704				351,528	117,176
ROAD IMPROVEMENT GRANT	Federal Government	Yes	270,454				202,840	67,614
Rates - Legal Expenses Recovered	Local Government	Yes	30,000				25,451	4,549
GOVERNANCE								
Recoups - Contributions, Donations & Reimburs	Local Government		7,500				7,500	0
LEGAL EXPENSES RECOVERED	Local Government		1,000				90	910
Grants - Governance	Local Government		1,000				0	1,000
Administration - Income	Local Government		40,000				15,239	24,761
Administration - Income - GST Free	Local Government		10,000				5,720	4,280
LAW, ORDER, PUBLIC SAFETY								
Fire Prevention - Grants	DFES	Yes	747,558				0	747,558
ESL Levy Recoup	DFES	Yes	161,489				91,127	70,363
CCTV	DFES	Yes	140,044				0	140,044
AWARE Grant	SEMC	Yes	4,000				4,000	0
CESM Recoups	DFES & Shire of Goomalling	Yes	102,169				90,117	12,052
Toodyay Districts SES	DFES	Yes	24,000				12,000	12,000
HEALTH								
Health Inspections Recoup	Local Government		500				0	500
HOUSING								
Recoups/Reimbursements - Aged Housing	Local Government	Yes	0				859	(859)
Recoups - Staff Housing	Local Government		500				378	122
COMMUNITY AMENITIES								
Tidy Towns	Local Government		0				909	(909)
Community Sponsorship	Local Government		5,000				0	5,000
RECREATION AND CULTURE								
Community Centre Recoups		No	1,500				1,272	228
Club Insurance		Yes	3,500				3,588	(88)

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 11: GRANTS AND CONTRIBUTIONS

Program/Details GL	Grant Provider	Approval	2018-19 Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received	Not Received
Toodyay Race Club Reimbursements		Yes	3,500				3,279	221
Recreation Precinct Contributions		Yes	0				0	0
Sport & Rec Grants		Yes	1,000				970	30
Grant Income - Writers Festival		Yes	1,500				0	1,500
Grant Income - GlamTech	Museums Australia		0				770	(770)
EMRC - AVON/IFF Festival	East Metropolitan Reg Council	Yes	30,000				30,000	0
Grants Income	East Metropolitan Reg Council	Yes	3,000				0	3,000
Sport & Rec Grants	Dept Sport & Rec		2,500				2,045	455
Events Misc			1,500				0	1,500
Grant - Heritage	Lotterywest		197,000				0	197,000
TRANSPORT								
Operating Grants - Roads	MRWA	Yes	125,490				125,490	0
MRWA Street Light Subsidy	MRWA	Yes	1,500				0	1,500
Road Maintenance Contributions	Private	Yes	100,000				47,959	52,041
Bridge	MRWA	Yes	374,733				281,050	93,683
Road Program Grant	Main Roads	Yes	530,671				344,256	186,415
Roads to Recovery Grant	Dept of Infrastructure	Yes	166,351				166,372	(21)
ECONOMIC SERVICES								
Community Directory	Avon Valley Advocate		3,000				0	3,000
Tourism & Area Promotion			3,000				1,691	1,309
OTHER PROPERTY & SERVICES								
Public Works Overheads			1,000				875	125
Workers Compensation	LGIS		12,448				12,448	(0)
Fuel Tax Credits	ATO		25,000				21,078	3,922
Bank Building Recoups	Bendigo Bank		2,000				2,047	(47)
Reimbursement - Parenting Payment Scheme	Centrelink		1,439				1,439	0
Insurance Reimbursement	LGIS		31,707				25,707	6,000
TOTALS			3,637,257	0	0	0	1,880,092	1,757,165
	Operating		1,995,677				1,369,465	
	Non-operating		1,641,580				510,628	
			<u>3,637,257</u>				<u>1,880,092</u>	

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 12: TRUST FUND

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

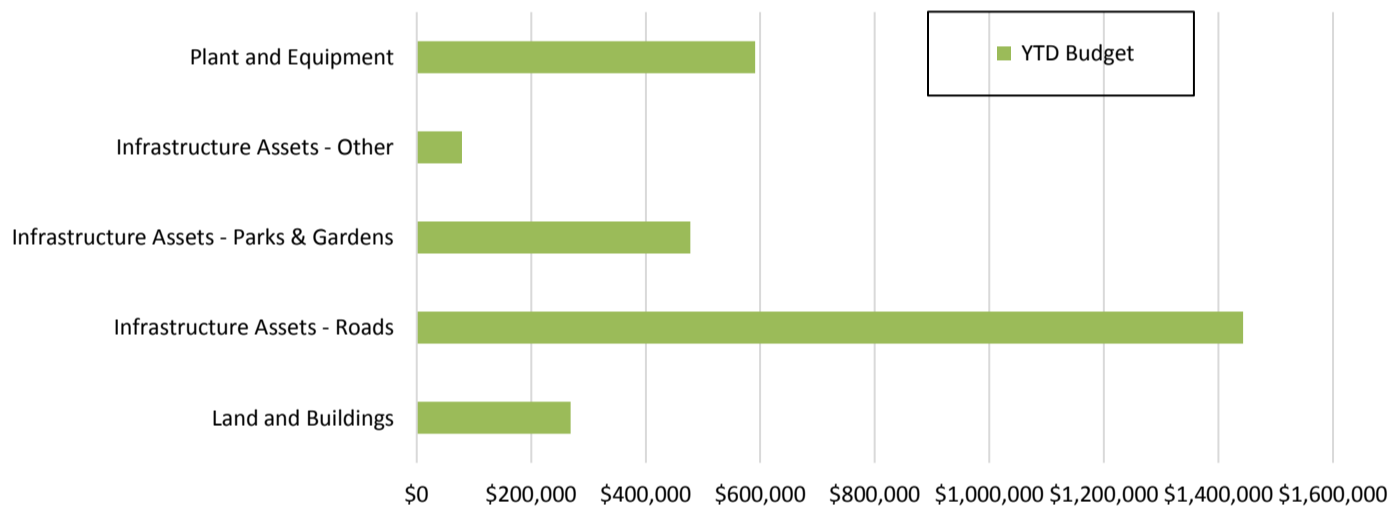
Description	Opening Balance 1 Jul 18	Amount Received	Amount Paid	Closing Balance 31-Mar-19
	\$	\$	\$	\$
Qarry rehabilitation Bonds	1,464,816	146,167		1,610,983
Housing bonds	13,525	1,000		14,525
Kerb Bonds	8,700	500		9,200
Key bonds	6,161	550		6,711
Venue Hire Bonds	8,900	6,200	(6,100)	9,000
Crossover Bonds	56,340		(2,800)	53,540
BCITF	3,368	7,046	(6,437)	3,977
Building Services	9,853	12,822	(11,578)	11,097
Library Bonds	175			175
Standpipe bonds	17,110	1,750	(1,250)	17,610
Road Construction Bonds	27,998			27,998
Other Bonds	5,644		(250)	5,394
Planning Bonds	537			537
Aged Housing Grant Funds	0			0
Swimming Pool Funds	119,007	1,253		120,260
	1,742,134	177,288	(28,415)	1,891,007

SHIRE OF TOODYAY
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 March 2019

Capital Acquisitions	Note	YTD 31 03 2019			
		YTD Actual New /Upgrade (a)	YTD Budget (d)	2018/2019 Annual Budget	Variance (d) - (c)
		\$	\$	\$	\$
Land and Buildings	13	120,229	269,109	1,445,616	(148,880)
Infrastructure Assets - Roads	13	1,049,639	1,442,868	1,923,961	(393,229)
Infrastructure Assets - Parks & Gardens	13	310,712	477,738	650,990	(167,026)
Infrastructure Assets - Other	13	17,944	79,010	96,694	(61,066)
Plant and Equipment	13	664,303	591,012	788,019	73,291
Capital Expenditure Totals		2,162,827	2,859,737	5,060,324	(696,910)

Comments and graphs

Capital Expenditure Program YTD



SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 13: CAPITAL ACQUISITIONS

% of Completion	Infrastructure Assets		Annual Budget 2018/19	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
	LAND							
	Recreation & Culture							
			0	0	0	0	0	
	Recreation & Culture Total		0	0	0	0	0	
Total Land			0	0	0	0	0	
	BUILDINGS							
	Governance							
47.5%	Admin Refurb	Q174	10,000	7,497	4,751	(5,249)		Cabinetry for reception area ordered - pending fitout
104.2%	Generator - Administration	Q175	12,500	9,369	13,025	525		Generator has been installed
0.0%	Repaint of Chambers Ceiling	Q190	5,000	3,744	0	(5,000)		Quotes being received - works not yet commenced
59.6%	Admin Brickworks & Damp Remediation	Q191	10,000	7,497	5,957	(4,043)		Remediation work have commenced
	Governance Total		37,500	28,107	23,733	(13,767)	0	
	Law, Order, Public Safety							
0.0%	Animal Management Facility	Q006	5,000	3,744	0	(5,000)		Quotes being received - works not yet commenced
7.4%	Coondle Nunile Fire Station	051253	444,716	0	32,953	(411,763)		Project underway
0.0%	Morangup Co Location Centre	051253	326,000	0	0	(326,000)		Works not yet commenced
	Law, Order, Public Safety Total		775,716	3,744	32,953	(742,763)		
	Education & Welfare							
0.7%	Butterly House - Substructure & Drainage Repairs	083300	20,000	14,994	146	(19,854)		Quotes being received - works not yet commenced
	Education & Welfare Total		20,000	14,994	146	(19,854)	0	
	Economic Services							
0.0%	Visitors Centre Floor Seal & Repaint	Q142	12,000	9,000	0	(12,000)		Quotes being received - works not yet commenced
0.0%	Connors Mill	Q195	5,000	3,744	0	(5,000)		Quotes being received - works not yet commenced
0.0%	Community Depot	Q126	5,900	4,419	0	(5,900)		Quotes being received - works not yet commenced
	Recreation And Culture Total		22,900	17,163	0	(22,900)	0	
	Recreation And Culture							
0.3%	Community Centre Renewal	Q129	34,500	25,875	110	(34,390)		Quotes being received - works not yet commenced
85.3%	Toodyay Youth Hall Renewal & Upgrade	Q130	15,000	11,250	12,800	(2,200)		Completed
3.3%	Memorial Hall Renewal	Q141	20,000	14,994	658	(19,342)		Quotes being received - works not yet commenced
2.8%	Morangup Community Centre	Q165	50,000	37,494	1,412	(48,588)		Quotes being received - works not yet commenced
104.8%	Memorial Hall Generator	Q176	7,500	5,625	7,861	361		Completed

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 13: CAPITAL ACQUISITIONS

% of Completion	Infrastructure Assets		Annual Budget 2018/19	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
9.2%	Parks & Gardens - Kitchen & Bathroom Refurb	Q192	20,000	14,994	1,846	(18,154)		Works not commenced
0.0%	Recreation Precinct Buildings	Q199	0	0	110	110		Works not to commence in 2018/19 Financial Year
48.9%	Showgrounds Pavilion	Q200	78,500	58,869	38,381	(40,119)		In progress
0.0%	Library Renovations	J038	6,000	4,500	0	(6,000)		Quotes being received - works not yet commenced
0.0%	Donegan's Cottage - Structural Repair	Q135	15,000	11,250	0	(15,000)		Quotes being received - works not yet commenced
0.0%	Wicklow Shearing Shed	Q152	12,000	9,000	0	(12,000)		Quotes being received - works not yet commenced
0.0%	Old Goal Roof Restoration	Q156	316,000	0	110	(315,890)		Project underway
	Recreation And Culture Total		574,500	193,851	63,287	(511,213)	0	
	Other Property & Services							
0.7%	Bendigo Bank	Q145	15,000	11,250	110	(14,890)		Quotes being received - works not yet commenced
	Other Property & Services Total		15,000	11,250	110	(14,890)		
	Buildings Total		1,445,616	269,109	120,229	(1,325,387)	0	
	Computer Equipment							
	Law, Order, Public Safety							
0%	CCTV - Closed Circuit Televisions Cameras - Security	053402	140,044	0	0	(140,044)		
	Law, Order, Public Safety Total		140,044	0	0	(140,044)		
	Computer Equipment - Total		140,044	0	0	(140,044)	0	
	Plant , Equip. & Vehicles							
	Transport	122202 051250		591,012 0				
89.1%	T6344 - Skid Steer		120,000		106,900	(13,100)		Plant Purchased
148.5%	T6782 Truck		80,000		118,825	38,825		Plant Purchased
158.7%	T6361 Tractor Mower		25,000		39,670	14,670		Plant Purchased
110.3%	Grader Compaction Mower		40,000		44,115	4,115		Plant Purchased
0.0%	Vertimower & Aerator		32,628			(32,628)		Not yet purchased
0.0%	Finishing Mower		11,000			(11,000)		Not yet purchased
0.0%	T4087 Pig Trailer		50,000			(50,000)		Not yet purchased
65.4%	T000 Holden Commodore		42,000		27,470	(14,530)		Vehicle Purchased
97.7%	T0001 Mitsubishi Triton		50,000		48,836	(1,165)		Vehicle Purchased
122.3%	T0026 Mitsubishi Triton		36,000		44,023	8,023		Vehicle Purchased
93.2%	T020 Holden Colorado		42,000		39,134	(2,866)		Vehicle Purchased
99.4%	T1184 SBS Vehicle		33,000		32,811	(189)		Vehicle Purchased
23.5%	1EPF060 Ford Ranger		75,000		17,597	(57,403)		Vehicle canopy purchased

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 13: CAPITAL ACQUISITIONS

% of Completion	Infrastructure Assets		Annual Budget 2018/19	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
48.9%	Stock Trailer		9,500		4,645	(4,855)		Plant Purchased
80.0%	Fork Lift Truck		25,000		19,990	(5,010)		Plant Purchased
112.0%	Forestry Mulcher		40,000		44,795	4,795		Plant Purchased
112.8%	T0023 Mitsubishi Triton		35,000		39,463	4,463		Vehicle Purchased
98.6%	Diagnostic Auto Scan Tool		6,435		6,347	(88)		Sundry plant purchased
100.0%	Hino 300 Series - Truck		0		(7,590)	(7,590)		Plant Purchased
100.0%	T0000 - Mitsubishi Pajero		35,456		37,273	1,817		Vehicle Purchased
	Transport Total		788,019	591,012	664,303	(123,716)	0	
	Plant , Equip. & Vehicles Total		788,019	591,012	664,303	(123,716)	0	
	Roads							
	Transport							
36.2%	Bejoording Road	A0001	119,093	89,298	43,168	(75,925)		50% complete - works in progress
49.4%	Julimar Road	A0004	199,038	149,106	98,357	(100,681)		95% complete - line marking outstanding
43.0%	Julimar Road	C0004	198,397	148,779	85,344	(113,053)		95% complete - line marking outstanding
116.6%	Julimar Road	E0004	186,318	139,725	217,237	30,919		As above - Funds to be reallocated to A0004 & C0004
0.0%	Munnapin Rise	B0149	85,000	63,747	0	(85,000)		Works have not yet commenced
100.9%	Fowler Road	B0119	38,386	28,791	38,730	344		100% - Works Completed
105.7%	Alan Twine Road	B0133	42,966	32,211	45,407	2,441		100% - Works Completed
100.0%	Nunile Road	C0002	285,477	214,092	285,477	(0)		100% - Works Completed
9.3%	Bejoording Road/Sheen Road	D0001	45,006	33,732	4,166	(40,840)		70% completed - works in progress
3.9%	Nunile Road/Bejoording Road	D0002	67,692	50,751	2,630	(65,062)		10% completed - works in progress
6.5%	River Road	D0010	186,472	139,833	12,171	(174,301)		5% - Design completed
0.0%	Donegan's View	D0148	80,000	60,003	0	(80,000)		Works have not yet commenced
0.0%	Church Gully Road	D0046	96,569	72,405	0	(96,569)		50% - works in progress
97.8%	Howard Road	D0085	70,944	53,190	69,414	(1,530)		100% - Works Completed
0.0%	Marri Road	D0116	60,000	45,000	0	(60,000)		Works have not yet commenced
110.5%	Ferguson Road	D0132	45,845	34,662	50,658	4,813		100% - Works Completed
107.0%	McIntosh Road	D0120	36,758	27,549	39,330	2,572		100% - Works Completed
0.0%	Toodyay Racecourse - Seal Undercover Area	J030	20,000	14,994	0	(20,000)		0% - Quote requests in progress
0.0%	Visitors Centre - Carpark & Gardens	J069	30,000	22,500	0	(30,000)		5% - works awarded and to commence end of April 2019
87.8%	Old Goal - Carpark	J070	30,000	22,500	26,342	(3,658)		100% - Works Completed
100.0%	Bulligan Road - Resheet	D0027	0	0	9,080	9,080		100% - Works Completed
100.0%	Syred Road - Resheet	D0030	0	0	11,064	11,064		100% - Works Completed
100.0%	Bull Road - Resheet	D0031	0	0	11,064	11,064		100% - Works Completed
	Transport Total		1,923,961	1,442,868	1,049,639	(905,530)	0	
	Roads Total		1,923,961	1,442,868	1,049,639	(905,530)	0	

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 13: CAPITAL ACQUISITIONS

% of Completion	Infrastructure Assets		Annual Budget 2018/19	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
	Infrastructure - Bridges							
	Transport							
0.0%	Bridge Works - Telegraph Bridge		374,733	0	0	(374,733)		Works conducted by Main Roads
	Transport Total		374,733	0	0	(374,733)		
	Infrastructure Bridges - Total		374,733	0	0	(374,733)	0	
	Infrastructure - Other							
	Law, Order & Public Safety							
17.2%	Emergency Fire Water Tanks	Q180	39,058	30,286	6,709	(32,349)	0	Not yet commenced
	Law, Order & Public Safety Total		39,058	30,286	6,709	(32,349)	0	
	Community Amenities							
0.0%	Toodyay Cemetery - Niche Wall	Q013	30,000	23,500	0	(23,500)		Obtaining Quotes
95.3%	Waste Transfer Station Fire Wall	Q188	10,000	10,000	9,525	(475)		Completed
	Community Amenities Total		40,000	33,500	9,525	(23,975)	0	
	Transport							
34.2%	Remediation	Q048	5,000	4,744	1,710	(3,290)		In progress
0.0%	Works & Services Depot	C063	12,636	10,480	0	(12,636)		Quotes being obtained
	Transport Total		17,636	15,224	1,710	(15,926)	0	
	Infrastructure Other - Total		96,694	79,010	17,944	(72,250)	0	
	Transport							
0%	Footpath	112122	15,000	0	0	(15,000)		Works not yet commenced
	Transport Total		15,000	0	0	(15,000)		
	Infrastructure Footpaths - Total		15,000	0	0	(15,000)	0	
	Infrastructure - Parks & Recreation							
	Recreation & Culture							
0.9%	Duidgee Park Toilet Upgrade	Q177	68,500	51,372	595	(67,905)		Work not yet commenced
0.0%	Duidgee Park	Q196	8,480	6,354	0	(8,480)		Work not yet commenced
61.4%	Recreation Precinct - Infrastructure Works	Q159	500,000	375,003	307,117	(192,883)		Work in progress
0.0%	Toodyay Racecourse - Water Metre	Q194	15,000	11,250	0	(15,000)		Quotes being obtained
0.0%	Showground Power Upgrade	Q201	14,000	0	0	(14,000)		Quotes obtained
0.0%	Showgrounds	Q197	19,250	14,436	0	(19,250)		Works not yet commenced
11.6%	Pelham Reserve Works	Q198	25,760	19,323	3,000	(22,760)		Works not yet commenced
	Recreation & Culture Total		650,990	477,738	310,712	(340,278)	0	
	Infrastructure Parks & Recreation - Total		650,990	477,738	310,712	(340,278)	0	

SHIRE OF TOODYAY
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ended 31 March 2019

Note 13: CAPITAL ACQUISITIONS

% of Completion	Infrastructure Assets		Annual Budget 2018/19	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
	Capital Expenditure Total		5,435,057	2,859,737	2,162,827	(2,922,204)	0	

Shire of Toodyay - Bank Reconciliation As At 31 March 2019

Municipal

Balance as per

- Financial Statement - Muni - Unrestricted - 10060010	2,052,899.81
- Financial Statement - Muni - Unrestricted - 10060050	947,711.65

Total	3,000,611.46
--------------	---------------------

Balance as per

- Bendigo - 110482809	970,279.39
NCD - 2906270	606,122.25
NCD - 2906268	606,122.25
NCD - 2804535	806,013.41

Roundings

Difference 0.00

Subtotal	2,988,537.30
----------	--------------

Adjustments (See Below)	(0.03)
Plus Outstanding Deposits - Current Month	17,897.63
Plus Outstanding Cheques - Current Month	(5,823.44)
Plus Outstanding Deposits - Previous Periods	0.00
Plus Outstanding Cheques - Previous Periods	0.00

Total	3,000,611.46
--------------	---------------------

Adjustment Breakdown

Roundings (31 May 2018)	(0.03)
-------------------------	--------

(0.03)

C Murratt

Signed: Finance Officer

1.4.19

Date

[Signature]

Signed: Finance Manager

11/4/19

Date

Shire of Toodyay - Bank Reconciliation As At 31 March 2019

Trust

Balance as per

- Financial Statement - Trust - Unrestricted - 100617100 1,891,007.45

Total	1,891,007.45
--------------	---------------------

Balance as per

- Bendigo - 110482783	170,473.24
- Bendigo - Term Deposit No: 140619784 - T84	212,316.50
- Bendigo - Term Deposit No: 145326583 - T794	106,151.75
- Bendigo - Term Deposit No: 137945127 - T100	137,356.46
- Bendigo - Term Deposit No: 140619834 - T83	136,100.32
- Bendigo - Term Deposit No: 152237145 - T214	47,981.26
- Bendigo - Term Deposit No: 152238135 - T4	121,315.59
- Bendigo - Term Deposit No: 152238176 - T114	202,124.94
- Bendigo - Term Deposit No: 152238218 - T458	438,224.44
- Bendigo - Term Deposit No: 152240818 - T793	23,239.34
- Bendigo - Term Deposit No: 152240834 - T797	31,893.11
- Bendigo - Term Deposit No: 158622798 - T805	23,570.13
- Bendigo - Term Deposit No: - T807	120,260.40
- Bendigo - Term Deposit No: 165467309 - T809	120,000.00
Roundings	(0.03)

Difference 0.00

Subtotal	1,891,007.45
-----------------	---------------------

Adjustments (See Below)	0.00
Plus Outstanding Deposits - Current Month	0.00
Plus Outstanding Cheques - Current Month	0.00
Plus Outstanding Deposits - Previous Periods	0.00
Plus Outstanding Cheques - Previous Periods	0.00

Total	1,891,007.45
--------------	---------------------

Adjustment Breakdown

0.00

C Murrats

Signed: Finance Officer

1.4.19.

Date

[Signature]

Signed: Finance Manager

11/4/19

Date

Shire of Toodyay - Bank Reconciliation As At 31 March 2019

Reserve

Balance as per

- Financial Statement - Reserve - 10075510 3,362,989.99

Total	3,362,989.99
--------------	---------------------

Balance as per

- Bendigo - NCD: 2384517 3,362,989.99

Roundings 0.00

Difference 0.00

Subtotal	3,362,989.99
-----------------	---------------------

Adjustments (See Below) 0.00

Plus Outstanding Deposits - Current Month 0.00

Plus Outstanding Cheques - Current Month 0.00

Plus Outstanding Deposits - Previous Periods 0.00

Plus Outstanding Cheques - Previous Periods 0.00

Total	3,362,989.99
--------------	---------------------

Adjustment Breakdown

0.00

C Murcott

Signed: Finance Officer

1-4-19

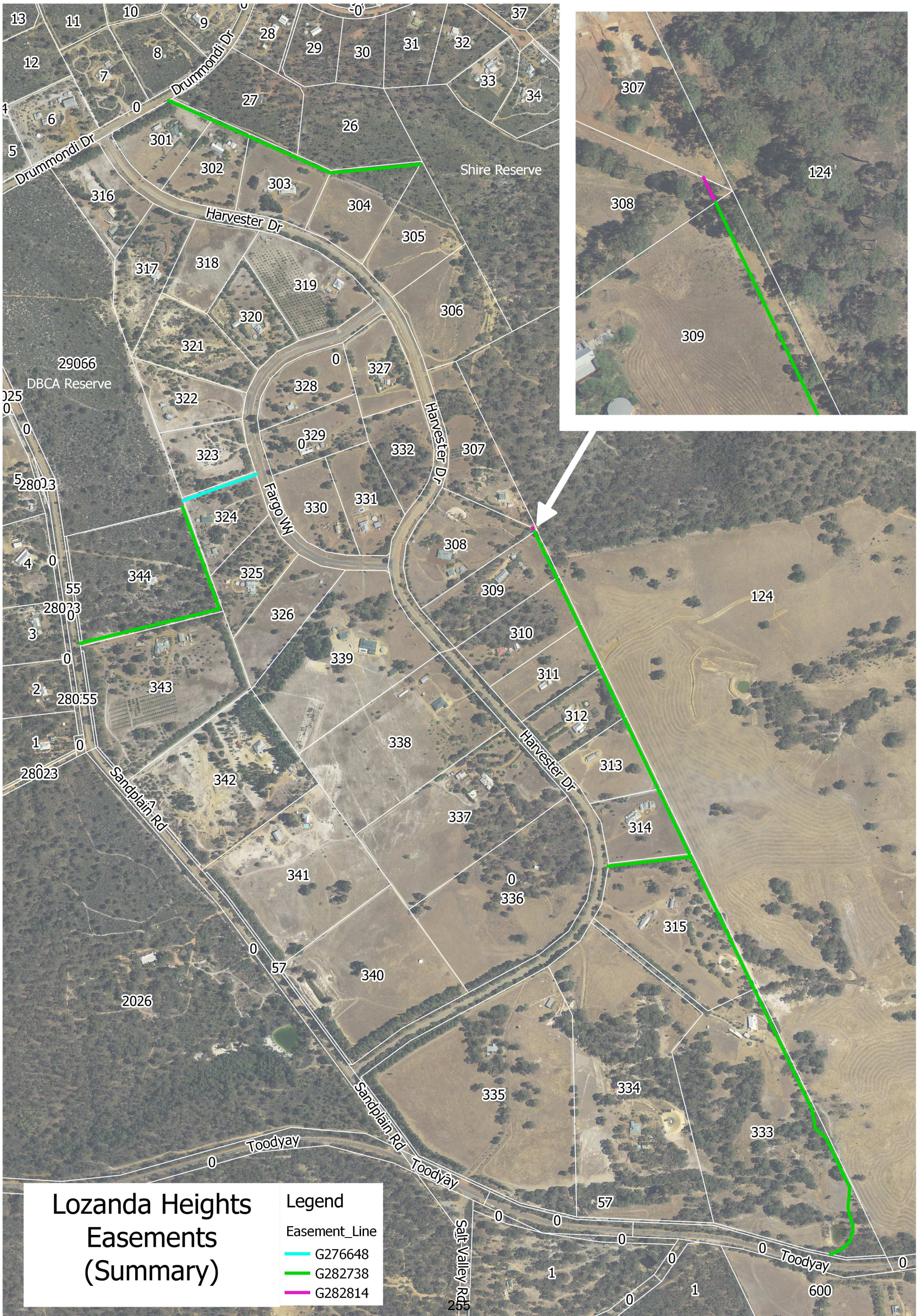
Date

[Signature]

Signed: Finance Manager

11/4/19

Date



BLANK INSTRUMENT FORM
Commissioner of State Transition

DEED OF EASEMENT

(Note 1)

WESTERN AUSTRALIA STAMP DUTY
16 Jul/96 24622503 NDP \$*****0.00
EXEMPT (SECTION 119 OF THE STAMP ACT)THIS DEED is made the 16th day of July 1996

BETWEEN:

and I both of Western Australia (the "Grantor" which expression includes them jointly and each of them severally and the registered proprietor or proprietors for the time being of the land described in Recital A or any part thereof)

AND

SHIRE OF TOODYAY of 15 Fiennes Street, Toodyay, Western Australia (the "Grantee") which expression includes its successors and assigns and its transferees in gross).

RECITALS:

- A. The Grantor is registered as the proprietor of an estate in fee simple in all that piece of land being:
 Lot 324 on Plan 21065 being the whole of the land in Certificate of Title Volume 2084 Folio 558
 (the "Land" which expression includes any part of it) which is encumbered by Mortgage G115524 (the "Encumbrance") but otherwise free of encumbrances.
- B. The Grantor has agreed to grant to the Grantee certain access rights upon the terms and conditions contained in this Deed.

OPERATIVE PART:

1. Grant of Fire Break Easement

1.1 The Grantor DOES HEREBY GRANT AND TRANSFER to the Grantee under and by virtue of the provisions of Section 33A of the Public Works Act, 1902, as amended full and free right, liberty, power and authority from time to time and at all times hereafter to enter upon that part of the Land as is coloured blue on the plan annexed to this Deed (the "Fire Break Easement") with workmen, agents and contractors employed by or having authority of the Grantee in that behalf with or without motor vehicles, engines and machines of any description for all or any of the following purposes:-

- (a) to inspect, repair and maintain the Fire Break Easement to ensure that the Fire Break Easement remains at least 6 metres in width and remains able to be traversed on foot or by vehicle at all times;
- (b) to clear any trees or shrubs or undergrowth on the Fire Break Easement or to remove any obstruction as may be necessary in the course of ensuring compliance with paragraph (a) above; and
- (c) to carry out any works and to exercise any powers pursuant to the Bush Fires Act 1954 (the "Works").

1.2 The transfer and grant in clause 1.1 is subject to the Encumbrance.

[Handwritten signatures]

2. **GRANTOR'S COVENANT NOT TO OBSTRUCT FIREBREAK**

The Grantor HEREBY COVENANTS with the Grantee that the Grantor will not obstruct, construct, erect or build or suffer to be obstructed, constructed, erected or built any building or structure on the Fire Break Easement or any part thereof or use or permit the Land to be used in such a way as to obstruct or interfere with the use of the Fire Break Easement without the consent in writing of the Grantee first had and obtained.

3. **MAINTENANCE OF FIRE BREAK**

The Grantee will bear the responsibility of repairing and maintaining the Fire Break Easement except that where the Grantor has breached clause 2 of this document the Grantee may give notice to the Grantor in writing requiring the breach to be remedied and if the breach is not remedied within 14 days of service of the notice on the Grantor the Grantee may carry out any works to remedy the breach and recover those costs from the Grantor.

4. **REGISTRATION OF THIS DEED**


The Grantor shall:

- (a) obtain the unconditional consent of all mortgagees of the Land (if any) to this Deed, and
- (b) procure the registration of this Deed at the Office of Titles, Perth before registering any application for new titles in relation to any plan of sub-division in relation to the Land to the intent that the transfer and grant in clause 1.1 shall be notified as an encumbrance on the Certificate of Title to the Land immediately following the Encumbrance.

5. **COSTS**

The Grantor shall procure the payment of:

- (a) the costs of and incidental to the preparation execution stamping and registration of this Deed and all stamp duties and registration fees payable hereon; and
- (b) any mortgagee's costs of endorsing its consent on this Deed and producing the duplicate Certificate of Title to the Land at the Office of Titles, Perth to enable the registration of this Deed as envisaged by clause 4(b).

 M.A. @

EXECUTED by the parties as a Deed:

THE COMMON SEAL of SHIRE OF TOODYAY)
was hereunto affixed by authority of a resolution)
of the Council in the presence of:)

[Handwritten Signature]

President

GEOFFRAY LESLIE LUDLOW

Name of President (Print)

[Handwritten Signature]

Shire Clerk

ROBERT MURRAY

Name of Shire Clerk (Print)



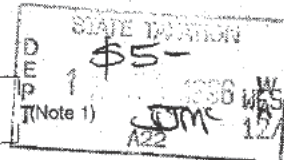
MORTGAGEE'S CONSENT

ACN _____, as Mortgagee, hereby consents to this Deed.

DATED this 10th day of JULY 1996

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DEED OF EASEMENT



THIS DEED is made the *5th* day of *September* 1996

BETWEEN:

Western Australia
(the "Grantor" which expression includes them jointly and each of them severally and the registered proprietor or proprietors for the time being of the land described in Recital A or any part thereof)

AND

SHIRE OF TOODYAY of 15 Fiennes Street, Toodyay, Western Australia (the "Grantee") which expression includes its successors and assigns and its transferees in gross).

RECITALS:

A. The Grantor is registered as the proprietor of an estate in fee simple in all that piece of land being:

- 1 Lot 310 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 426 ✓
- 2 Lot 311 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 427 ✓
- 3 Lot 312 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 428 ✓
- 4 Lot 313 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 429 ✓
- 5 Lot 314 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 430 ✓
- 6 Lot 315 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 431 ✓
- 7 Lot 333 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 432 ✓
- 8 ~~Lot 334 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 433 ✓~~
- 9 ~~Lot 335 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 434 ✓~~
- 10 ~~Lot 336 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 435 ✓~~
- 11 ~~Lot 337 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 436 ✓~~
- 12 ~~Lot 340 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 438 ✓~~
- 13 ~~Lot 342 on Plan 21006 being the whole of the land in Certificate of Title Volume 2062 Folio 440 ✓~~
- 14 Lot 301 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 541 ✓
- 15 Lot 302 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 542 ✓
- 16 Lot 303 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 543 ✓
- 17 Lot 304 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 544 ✓
- 18 Lot 309 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 549 ✓
- 19 ~~Lot 316 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 550 ✓~~
- 20 ~~Lot 317 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 551 ✓~~
- 21 ~~Lot 318 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 552 ✓~~
- 22 ~~Lot 319 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 553 ✓~~
- 23 ~~Lot 320 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 554 ✓~~
- 24 ~~Lot 321 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 555 ✓~~
- 25 ~~Lot 322 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 556 ✓~~
- 26 ~~Lot 323 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 557 ✓~~
- 27 ~~Lot 326 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 560 ✓~~
- 28 ~~Lot 327 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 561 ✓~~
- 29 ~~Lot 328 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 562 ✓~~
- 30 ~~Lot 329 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 563 ✓~~
- 31 ~~Lot 330 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 564 ✓~~
- 32 ~~Lot 331 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 565 ✓~~
- 33 ~~Lot 332 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 566 ✓~~
- 34 ~~Lot 339 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 567 ✓~~
- 35 Lot 343 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 568 ✓
- 36 Lot 344 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 569 ✓
- 37 ~~Lot 345 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 585 ✓~~



(the "Land" which expression includes any part of it) which is encumbered by Mortgage F921614 (the "Encumbrance") but otherwise free of encumbrances.

- B. The Grantor has agreed to grant to the Grantee certain access rights upon the terms and conditions contained in this Deed.

OPERATIVE PART:

1. Grant of Fire Break Easement

- 1.1 The Grantor DOES HEREBY GRANT AND TRANSFER to the Grantee under and by virtue of the provisions of Section 33A of the Public Works Act, 1902, as amended full and free right, liberty, power and authority from time to time and at all times hereafter to enter upon that part of the Land as is coloured blue on the plans annexed to this Deed, the first plan being marked "Master Plan" and the detailed plans showing dimensions of the Land coloured blue being marked as Annexures "A" to "F" (the "Fire Break Easement") with workmen, agents and contractors employed by or having authority of the Grantee in that behalf with or without motor vehicles, engines and machines of any description for all or any of the following purposes:-

- (a) to inspect, repair and maintain the Fire Break Easement to ensure that the Fire Break Easement remains at least 6 metres in width and remains able to be traversed on foot or by vehicle at all times;
- (b) to clear any trees or shrubs or undergrowth on the Fire Break Easement or to remove any obstruction as may be necessary in the course of ensuring compliance with paragraph (a) above; and
- (c) to carry out any works and to exercise any powers pursuant to the Bush Fires Act 1954

(the "Works").

- 1.2 The transfer and grant in clause 1.1 is subject to the Encumbrance.

2. GRANTOR'S COVENANT NOT TO OBSTRUCT FIREBREAK

The Grantor HEREBY COVENANTS with the Grantee that the Grantor will not obstruct, construct, erect or build or suffer to be obstructed, constructed, erected or built any building or structure on the Fire Break Easement or any part thereof or use or permit the Land to be used in such a way as to obstruct or interfere with the use of the Fire Break Easement without the consent in writing of the Grantee first had and obtained.

3. MAINTENANCE OF FIRE BREAK

The Grantee will bear the responsibility of repairing and maintaining the Fire Break Easement except that where the Grantor has breached clause 2 of this document the Grantee may give notice to the Grantor in writing requiring the breach to be remedied and if the breach is not remedied within 14 days of service of the notice on the Grantor the Grantee may carry out any works to remedy the breach and recover those costs from the Grantor.

4. REGISTRATION OF THIS DEED

The Grantor shall:

- (a) obtain the unconditional consent of all mortgagees of the Land (if any) to this Deed, and
- (b) procure the registration of this Deed at the Office of Titles, Perth before registering any application for new titles in relation to any plan of sub-division in relation to the Land to the intent that the transfer and grant in clause 1.1 shall be notified as an encumbrance on the Certificate of Title to the Land immediately following the Encumbrance.

5. COSTS

The Grantor shall procure the payment of:

- (a) the costs of and incidental to the preparation execution stamping and registration of this Deed and all stamp duties and registration fees payable hereon; and
- (b) any mortgagee's costs of endorsing its consent on this Deed and producing the duplicate Certificate of Title to the Land at the Office of Titles, Perth to enable the registration of this Deed as envisaged by clause 4(b).

EXECUTED by the parties as a Deed:

THE COMMON SEAL of)

THE COMMON SEAL of SHIRE OF TOODYAY
was hereunto affixed by authority of a resolution)
of the Council in the presence of:

[Handwritten Signature]
 GEORGE LESLIE LUDMANN
[Handwritten Signature]
 ROBERT JOHN MILLER

President
 Name of President (Print)
 Shire Clerk C. E O,
 Name of Shire Clerk (Print)



MORTGAGEE'S CONSENT

as Mortgagee, hereby consents to this Deed.

DATED this 12 day of July 1996

INSTRUCTIONS

1. This form may be used only when a "Box Type" Form is not provided or is unsuitable. It may be completed in narrative style.
2. If insufficient space hereon Additional Sheet, Form B1, should be used.
3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
4. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

NOTES

1. Insert document type.
2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult person. The address and occupation of the witness must be stated.

G 282738 E
18 Sep, 1996 08:20 Perth



REG. \$ 60.00

LODGED BY

ADDRESS

REFERENCE No.

ISSUING BOX No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY.

DUP COPY PRODUCED ISSUE TO NAB.

CF 2064/549 issued on 21/10/96
✓ R

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register Book.

INITIALS OF SIGNING OFFICER

[Handwritten initials]

[Handwritten mark] 2

REGISTRAR OF TITLES

Section 119
EXEMPT from W.A. Stamp Duty

BLANK INSTRUMENT FORM

DEED OF EASEMENT

[Signature]
(Note 1) For Certainty of Section 119

WESTERN AUSTRALIA STAMP DUTY
22/JUL/96 27571004 NDP \$*****0.00
EXEMPT (SECTION 119 OF THE STAMP ACT)
1996

THIS DEED is made the *5th* day of *September*

BETWEEN:

[Name] and *[Name]* both of *[Address]* Western Australia (the "Grantor" which expression includes them jointly and each of them severally and the registered proprietor or proprietors for the time being of the land described in Recital A or any part thereof)

AND

SHIRE OF TOODYAY of 15 Fiennes Street, Toodyay, Western Australia (the "Grantee") which expression includes its successors and assigns and its transferees in gross).

RECITALS:

- A. The Grantor is registered as the proprietor of an estate in fee simple in all that piece of land being:
Lot 308 on Plan 21005 being the whole of the land in Certificate of Title Volume 2064 Folio 548
(the "Land" which expression includes any part of it) which is free of encumbrances.
- B. The Grantor has agreed to grant to the Grantee certain access rights upon the terms and conditions contained in this Deed.

OPERATIVE PART:

1. Grant of Fire Break Easement

1.1 The Grantor DOES HEREBY GRANT AND TRANSFER to the Grantee under and by virtue of the provisions of Section 33A of the Public Works Act, 1902, as amended full and free right, liberty, power and authority from time to time and at all times hereafter to enter upon that part of the Land as is coloured blue on the plan annexed to this Deed (the "Fire Break Easement") with workmen, agents and contractors employed by or having authority of the Grantee in that behalf with or without motor vehicles, engines and machines of any description for all or any of the following purposes:-

- (a) to inspect, repair and maintain the Fire Break Easement to ensure that the Fire Break Easement remains at least 6 metres in width and remains able to be traversed on foot or by vehicle at all times;
- (b) to clear any trees or shrubs or undergrowth on the Fire Break Easement or to remove any obstruction as may be necessary in the course of ensuring compliance with paragraph (a) above; and
- (c) to carry out any works and to exercise any powers pursuant to the Bush Fires Act 1954 (the "Works").

2. GRANTOR'S COVENANT NOT TO OBSTRUCT FIREBREAK

The Grantor HEREBY COVENANTS with the Grantee that the Grantor will not obstruct, construct, erect or build or suffer to be obstructed, constructed, erected or built any building or structure on the Fire Break Easement or any part thereof or use or permit the Land to be used in such a way as to obstruct or interfere with the use of the Fire Break Easement without the consent in writing of the Grantee first had and obtained.

3. MAINTENANCE OF FIRE BREAK

The Grantee will bear the responsibility of repairing and maintaining the Fire Break Easement except that where the Grantor has breached clause 2 of this document the Grantee may give notice to the Grantor in writing requiring the breach to be remedied and if the breach is not remedied within 14 days of service of the notice on the Grantor the Grantee may carry out any works to remedy the breach and recover those costs from the Grantor.

4. REGISTRATION OF THIS DEED

The Grantor shall:

- (a) obtain the unconditional consent of all mortgagees of the Land (if any) to this Deed, and
- (b) procure the registration of this Deed at the Office of Titles, Perth before registering any application for new titles in relation to any plan of sub-division in relation to the Land to the intent that the transfer and grant in clause 1.1 shall be notified as an encumbrance on the Certificate of Title to the Land.

EXECUTED by the parties as a Deed:

THE COMMON SEAL of SHIRE OF TOODYAY)
was hereunto affixed by authority of a resolution)
of the Council in the presence of:)



[Handwritten Signature]

President

GEOFFREY LESLIE LUJEMAN Name of President (Print)

[Handwritten Signature]

Shire Clerk C.E.D

ROBERT JOHN MILNE

Name of Shire Clerk (Print)

INSTRUCTIONS

1. This form may be used only when a "Box Type" Form is not provided or is unsuitable. It may be completed in narrative style.
2. If insufficient space hereon Additional Sheet, Form B1, should be used.
3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
4. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

NOTES

1. Insert document type.
2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult person. The address and occupation of the witness must be stated.

G 282814 E

18 Sep, 1996 10:09 Perth



REG. \$ 60.00
 PRCD. \$ 30.00
 FEES \$ 90.00

LODGED BY

ADDRESS

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY.

TITLES, LEASES, DECLARATIONS ETC. LODGED HEREWITH

1. Product^N Print out. Received Items
2. _____ Nos. /
3. _____
4. _____
5. _____ Receiving Clerk *AS*
6. _____

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register Book.

INITIALS OF SIGNING OFFICER

A

3

REGISTRAR OF TITLES

EX 3 A

ENDORISING INSTRUCTION

EXAMINED

R

16748/6/92-3M-L/5696



Corporate Business Plan

2019 - 2022

Key Toodyay Statistics

- Area = 1,693 Km²
- Distance From Perth CBD = 85 Kms
- Population = 4,507
- Electors = 3,270
- Medium Age = 51
- Total Employment = 2,228
- Dwellings = 2,354
- FTE's = 54.66

The Shire of Toodyay

The 'Old Courthouse'

15 Fiennes Street (PO Box 96)
TOODYAY WA 6566

Administration: (08) 9574 9300

Works and Services Depot: (08) 9574 9360

Community Development: (08) 9574 9390

Rangers: (08) 9574 9370

Toodyay Public Library: (08) 9574 2323

Toodyay Visitor Centre: (08) 9574 9380

Email: records@toodyay.wa.gov.au

Web: <http://www.toodyay.wa.gov.au>

Visitor Centre web: www.toodyay.com

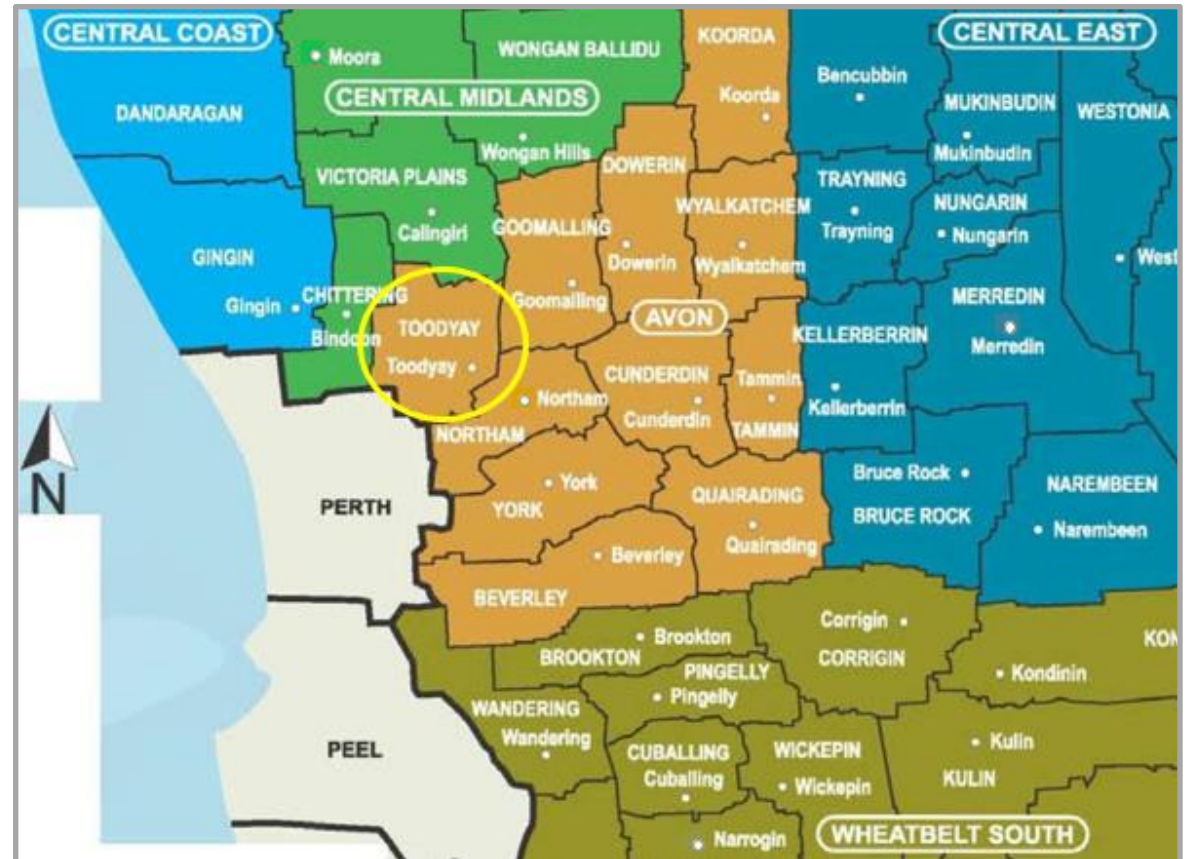


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Section 1 – Introduction Key Requirements

Understanding community needs and aspirations then integrating these with real tangible Plans - a **Corporate Business Plan**, is critical to the Shire of Toodyay because it provides us a sense of direction and outlines measurable goals that we can be held accountable to.

The Corporate Business Plan is a management tool that guides day-to-day decisions and also serves the purpose of helping us do a better job because a plan focuses the energy, resources, and time of everyone in the Shire in the same direction.

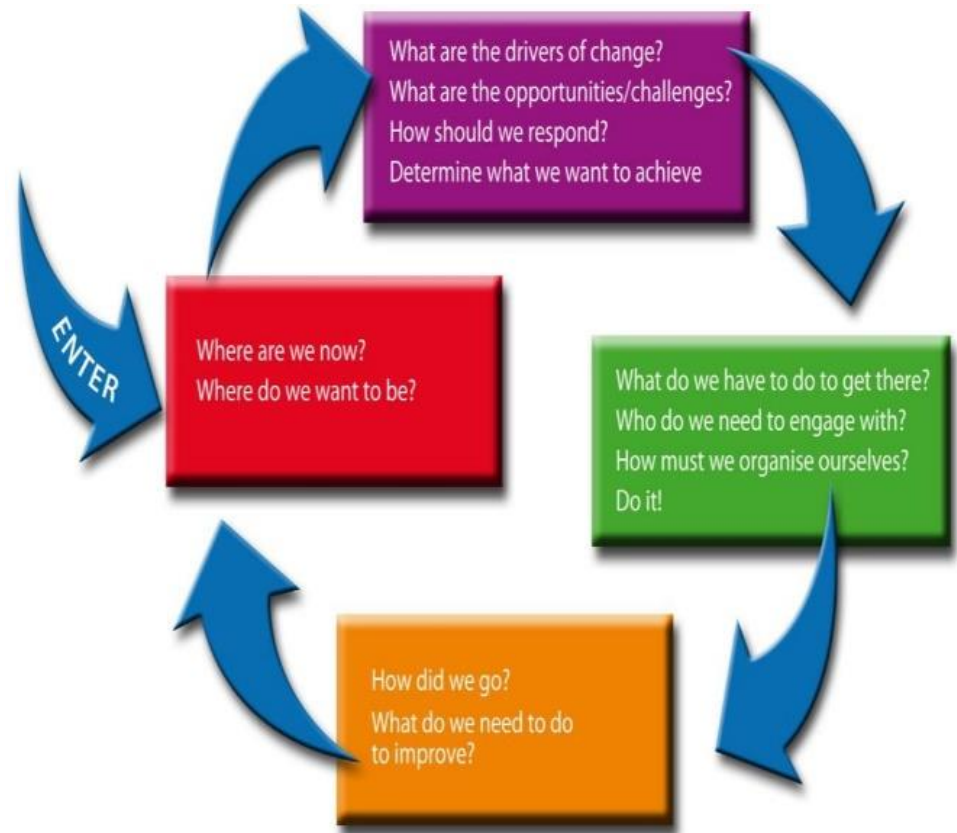
Our Council have adopted a ten (10) Year Strategic Community Plan after engaging our community. It takes into account current and future drivers for us to be cognizant of. These drivers can be external including, but not limited to, our community demographic trends, changing community needs and service expectations, legislative requirements, industry and global trends, and the economic climate in the State. Likewise the drivers may be internal like, our cost and organisational structures, skills and competencies, culture, systems and processes.

To help us finalise the Corporate Business Plan we needed to understand the drivers of change, what are our strengths, opportunities, threats and challenges.

The Plan helps us align, coordinate our activities and allocate resources and is consistent with the Department of Local Government's integrated planning framework, which is...*"A framework for establishing community priorities and linking this information into different parts of a local*

government's functions" (Integrated Planning and Reporting Framework and Guidelines). Department of Local Government, Sport and Cultural Industries (October 2010).

To implement and achieve the required performance and outcomes which are reported in our Annual Report to the community.



Section 2 - Forward from the Chief Executive Officer



I am pleased to present the Shire of Toodyay's Corporate Business Plan for the next 4 years (2019 – 2022). The Corporate Business Plan revision began in 2017 and progressed as shown in the diagram below. The integrated planning process adopted by the Shire has three distinct phases from engaging the community what they want and desire and formulating the dialogue with each other into a Strategic Community Plan that clearly links the community's aspirations with the Council's vision and long term strategy for Toodyay – **Phase 1**.

Phase 2 - is the development of a Corporate Business Plan that integrates resources with specific council plans to act as a guide to Administration to work towards and achieve the long term strategy for the Shire

Phase 3 – The Corporate Business Plan is underpinned by a series of informing strategies and plans.

The Shire of Toodyay has a number of unique challenges to deal with and resolve. We have low overall growth in the shire with a decrease in some 200 people since 2013, coupled with the median age of the Shire being 51 years brings with it many challenges as our population is aging faster than the Western Australian population.

On the economic front we're doing better with unemployment below the regional average and some 2,228 local jobs and the Gross Regional Product (GRP) for the Shire at \$141 million, a 3.7% increase since 2013. Via the Strategic Community Plan, the Corporate Business Plan will keep us focused for the years ahead.

February-March 2017	December 2017	March-May 2018	May-July 2018	August-Sept 2018	October 2018	December 2018	January – March 2019
Councillors and Senior Staff begin process of review of Community Strategic Plan	Community and staff consultation on needs and aspirations	Community consultation from workshops surveys interviews	Initial drafting of Plan elicit public feedback and submissions	Incorporate feedback from community and redraft Community Plan	Public presentation and Council adoption of Community Strategic Plan	Strategic review of current Corporate Business Plan	Adopt Corporate Business Plan and deploy

Section 3 – Our Service Offering to the Community

The Shire of Toodyay provides an extensive range of services to our community which fall into the following programs as prescribed under the Local Government (Financial Management) Regulations 1996.

GOVERNANCE

Objective: To provide a decision making process for the efficient allocation of scarce resources.
Activities: Administration and operation of facilities and services to members of the Council. Other costs that relate to the assisting of elected members and ratepayers on matters which do not relate to specific Council services. The creation and implementation and ongoing development of policies, procedures, strategic and other long term plans including financial.

GENERAL PURPOSE FUNDING

Objective: To collect revenue to allow for the provision of services.
Activities: Rates, general purpose government grants and interest revenue.

LAW, ORDER AND PUBLIC SAFETY

Objective: To provide services to help ensure a safer community.
Activities: Supervision of various by-laws, fire prevention, emergency services and animal control.

Section 3 - Our Service Offering to the Community continued....

HEALTH

Objective: To provide an operational framework for good community health.
Activities: Food quality and control, pest control and operation of the Medical Centre.

EDUCATION AND WELFARE

No allowance for income and expenditure has been made for this program.

HOUSING

Objective: Ensure adequate housing.
Activities: Maintenance of staff housing and other Shire owned rental properties.

COMMUNITY AMENITIES

Objective: To provide services required by the community.
Activities: Rubbish collection services, operation of the waste transfer station, environmental protection, administration of the local planning scheme, community sponsorship and maintenance of cemeteries.

Section 3 - Our Service Offering to the Community continued...

RECREATION AND CULTURE

Objective: To establish and manage efficiently, infrastructure and resources which will help the social wellbeing of the community.
Activities: Maintenance of halls, recreation facilities and reserves, operation of library/s, heritage facilities and cultural activities.

TRANSPORT

Objective: To provide effective and efficient transport infrastructure and services to the community.
Activities: Construction and maintenance of roads, bridges, street lighting and depot maintenance.

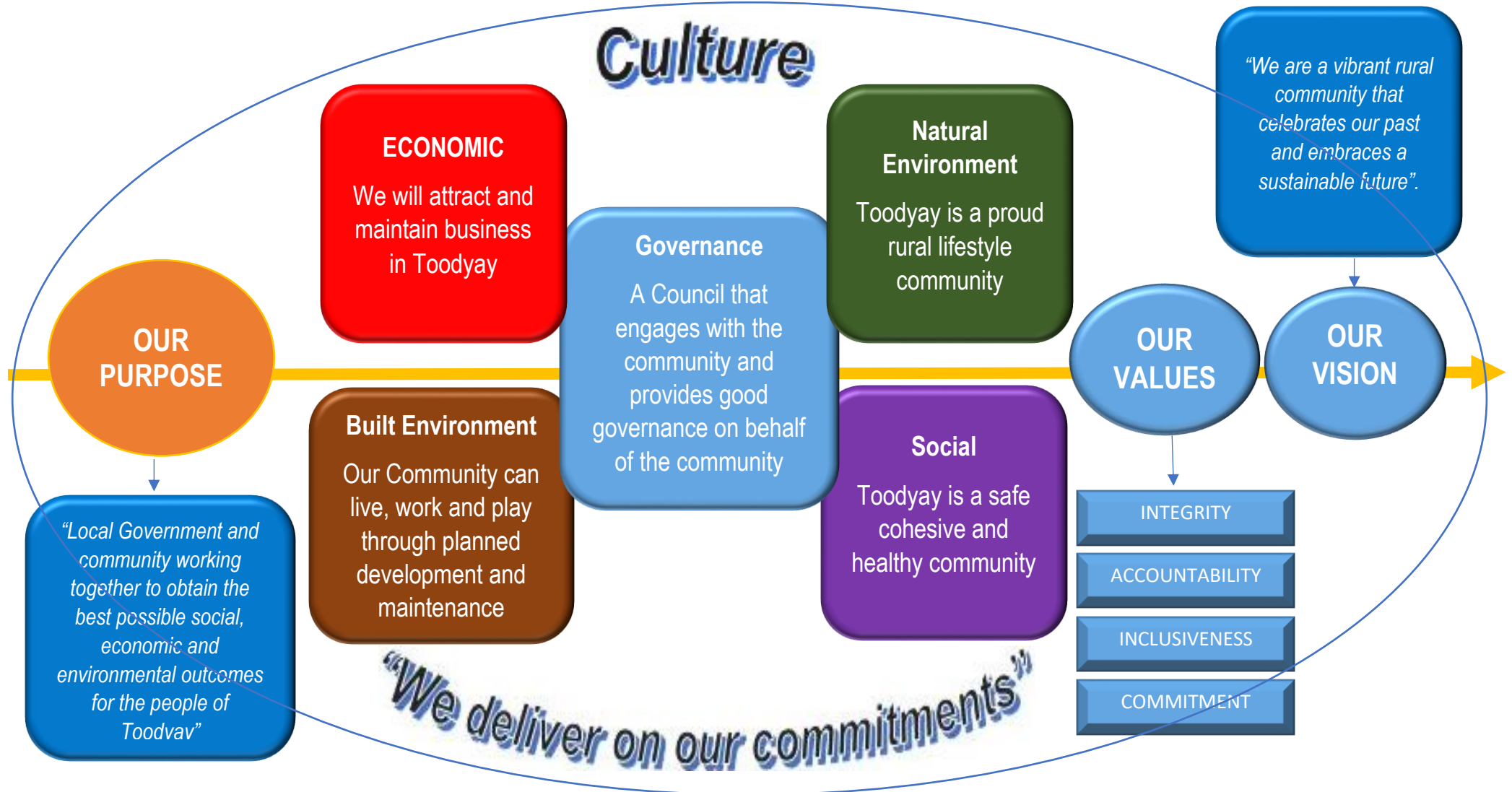
ECONOMIC SERVICES

Objective: To promote the Shire and improve its economic wellbeing.
Activities: The regulation and provision of tourism, area promotion, economic development, building control, weed control and water standpipes.

OTHER PROPERTY AND SERVICES.

Objective: To monitor and control Council's overheads operating accounts and unclassified works/services.
Activities: Private works, public works overheads, plant operation costs.

Section 4 – Plan on a Page – Toodyay Vision 2022



Section 5 – Shire of Toodyay Purpose

Vision

“We are a vibrant rural community that celebrates our past and embraces a sustainable future”.

Purpose

“Local Government and community working together to obtain the best possible social, economic and environmental outcomes for the people of Toodyay”.

Values

Integrity:	<i>“We behave honestly to the highest ethical standards”.</i>
Accountability:	<i>“We are transparent in our actions and accountable to the community”</i>
Inclusiveness:	<i>“We are responsive to the community and we encourage involvement by all people”.</i>
Commitment:	<i>“We translate our plans into actions and demonstrate the persistence that produces results”.</i>

Section 6 – What we found by asking

The Corporate Business Planning process directs the Shire to achieve the requirements of the *Local Government Act 1995* (as Amended). Section 1.3 “In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity”. This is commonly known as the triple bottom line and with governance the quadruple bottom line.

This was undertaken by engaging the Toodyay Community to understand their wishes, needs and desires now and into the future. We have called these the Community Goals.

From the broad goals we can then distil the most important things into community Themes. From these themes we can develop our strategies and tactics to respond in a timely way to our community thereby **“creating a safe, cohesive and healthy community”**.

Quadruple Bottom Line	Economic	Governance	Social	Natural Environment	Built Environment
Community Goals	Help protect rural lifestyles and local jobs	Restricted revenue base and increasing customer demands impacts on rates	Sense of community and community engagement	Protect our unique environment	Our buildings, roads and transport
Community Themes	<ul style="list-style-type: none"> Support local businesses Support local employment Improve Avon Link Remove red tape Seek tourism potential 	<ul style="list-style-type: none"> Transparency and openness Community cohesion Compliance Elected member leadership 	<ul style="list-style-type: none"> Build recreation Build swimming pool facilities Support local events Engage youth and aging Create inclusion plan 	<ul style="list-style-type: none"> Improve building designs Protect Shire environment Create sense of peace Ensure safe roads Protect town heritage Improve waste management 	<ul style="list-style-type: none"> Upgrade footpaths Encourage ‘Avon Link’ Develop public transport for youth/aged access Build recreational facility Improve access to river Advocate for internet coverage

Section 7 – Strategic Community Plan at a glance – Shire of Toodyay

Vision: We are a vibrant rural community that respects our environment, celebrates our past and embraces a sustainable future.				
Social Our community wellbeing and connection	Economic Business and jobs in the community	Natural environment Protecting where we live	Built environment Our buildings, roads and transport	Governance The way the Shire leads and operates
Strategic outcomes				
<i>Toodyay is a safe, cohesive and healthy community.</i>	<i>We will attract, develop and maintain business in Toodyay.</i>	<i>Toodyay is a proud, rural lifestyle community with many natural assets including ecosystems that are maintained and protected for future generations.</i>	<i>Our community can live, work and play through planned development and maintenance.</i>	<i>A Council that engages with the community and provides good governance on behalf of the community.</i>
Objectives				
<p>O 1: Maintain and develop services that meet the requirements of our diverse community.</p> <p>O 2: Facilitate community safety and wellbeing.</p> <p>O 3: Support the development of places and spaces for recreation, learning, art and culture.</p>	<p>O 1: Encourage and support investment into new and existing businesses in Toodyay.</p> <p>O 2: Promote Toodyay as a tourism destination.</p> <p>O 3: Encourage economic diversification.</p>	<p>O 1: Preserve and protect our natural assets for future generations.</p> <p>O 2: Ensure sustainable operating practices.</p>	<p>O 1: Ensure safe and sustainable transport options.</p> <p>O 2: Ensure our built environment meets community needs.</p> <p>O 3: Improve processes to support the built environment.</p>	<p>O 1: Provide accountable and transparent leadership for the community.</p> <p>O 2: Consistently improve our governance practices.</p> <p>O 3: Ensure rigorous organisational systems.</p>
Measures to be assessed and reported to Council and the community				
<ul style="list-style-type: none"> - Level of community satisfaction with services offered, through repeat surveys of established baselines. 	<ul style="list-style-type: none"> - Satisfaction with business support services offered by the Shire. - Growth in local employment. - Growth in tourism visits. 	<ul style="list-style-type: none"> - Annual reporting on the quality of Shire controlled nature reserves. - Annual reporting on the implementation of the Environmental Management Strategy. 	<ul style="list-style-type: none"> - Condition of Shire assets. - Community satisfaction with public spaces. - Condition of Shire controlled heritage assets. 	<ul style="list-style-type: none"> - Community satisfaction with the Shire's responsiveness. - Improving Net Promoter Scores for the Shire. - DLGSCI financial health indicator.

Section 8 – Key Performance Indicators

To ensure progress against the Community Strategic Plan, adopted by Council, we have developed this Corporate Business Plan to drive and align the Administration of the Shire towards achievement of the community and Council's needs, wants and aspirations. It also focusses us on the parameters that will trend our improvement efforts and results.

To further assist administration measure our achievements, a suite of qualitative and quantitative key performance indicators have been developed to track and trend our progress over time. The purpose of metrics and key performance indicators (KPIs) is to measure the performance of the solutions, 'Strategies,' we have identified to meet the expressed needs and wishes outlined by the Community in the Community Strategic Plan.

We use key metrics to measure different aspects of business activity at a specific point in time. KPIs embody strategic objectives and measure performance against a specific target. These targets are defined in strategic planning or budget sessions and have a range of performance indicators. KPIs are the detailed specifications that are used to track business objectives.

We have set 'Leading' indicators that may help us predict the outcome of our process and our eventual achievement of our vision:

"We are a vibrant rural community that celebrates our past and embraces a sustainable future".

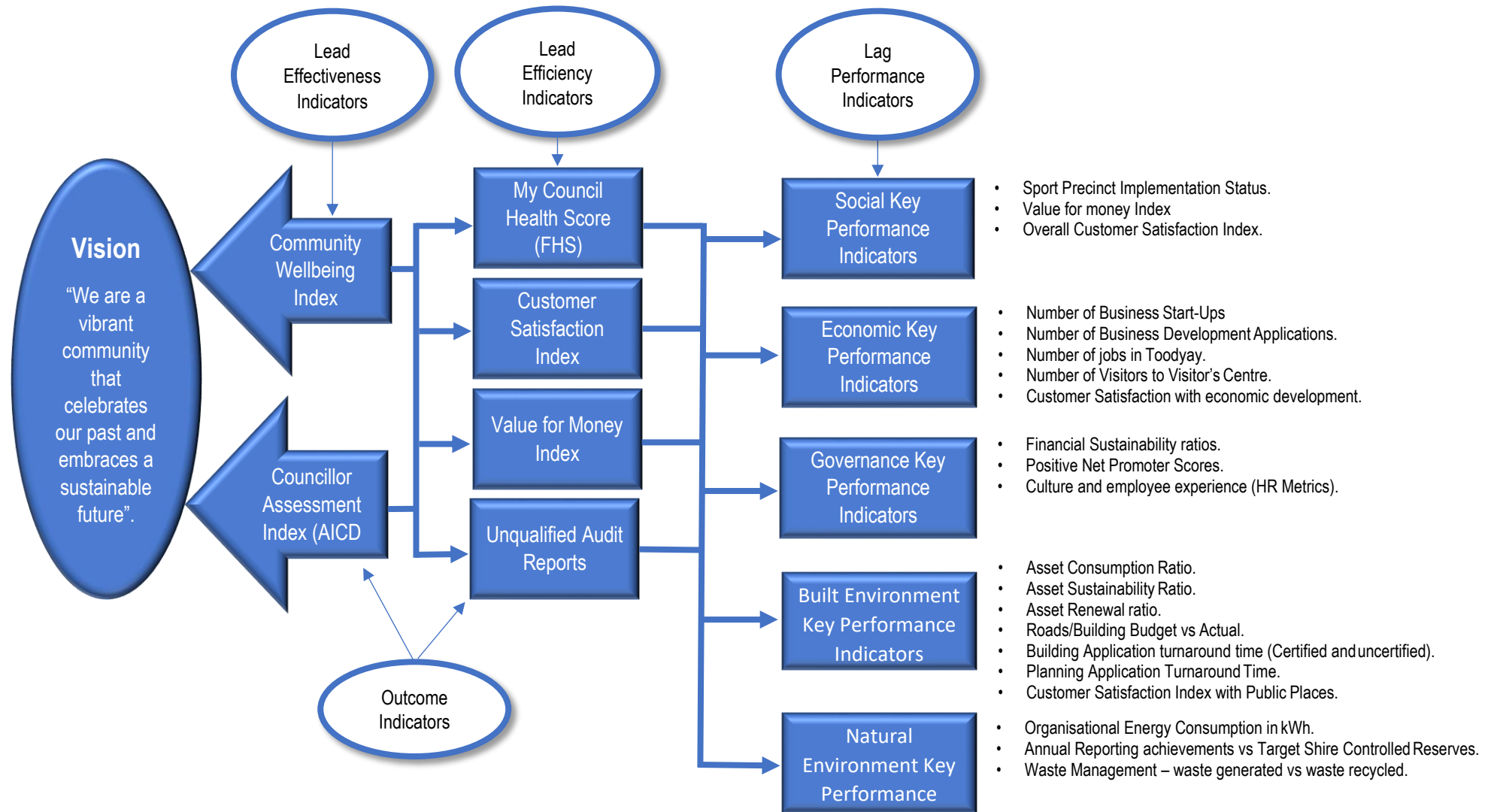
We also have cascaded our metrics with 'Lagging' indicators that present our success, or outline our opportunities for improvement.

Key Efficiency and Effectiveness Indicators for Toodyay have also been identified through this process being:

- Social – the Community Wellbeing Index, Employment
- Economic – The Employment Self Sufficiency Index.
- Natural Environment – Environmental Management Strategy (achievement of Environmental Management Strategy).
- Built Environment –Asset Rankings.
- Governance – the Financial Health Score.

A *Cause and Effect* chart of performance indicators is graphically shown in the next slide. The chart shows that there is a direct link between the lagging indicator with the lead outcome indicator – poor performance at one level will lead to potentially not achieving the outcome (lead Indicator) at another level. Causation therefore, or *cause and effect* is simply an action with a reaction. When an event or result occurs, its effect impacts the course of the organisational performance, often changing the character or later performance dramatically.

Section 8.1 – Key Performance Indicator Cause and Effect Chart



Section 9 – How we will respond

9.1 Goal – Social “Our Community Wellbeing and Connection”

Strategic Outcome – “Toodyay is a safe, cohesive and healthy Community”.

Objective 1 – “Maintain and develop services that meet the requirements of our diverse community”

Council Adopted Strategies to achieve Objective	RO	Shires response to make it happen	2019	2020	2021	2022
S1.1: Develop the Sport and Recreation Precinct, including aquatic facilities.	CEO	<ul style="list-style-type: none"> Continue advocacy for grant funding; develop project implementation plan and implement as part of the Stage 1 Sport and Recreation Precinct Plan. 	●	●		
S1.2: Support development of community groups and sponsorships.	MCD	<ul style="list-style-type: none"> Continue annual community sponsorship process. Develop, through engagement, a Reconciliation Action Plan. 	●	●	●	●
S1.3: Build partnerships that strengthen our community wellbeing.	MCD	<ul style="list-style-type: none"> Develop ‘Wellbeing Survey’ process to identify wellbeing metrics which can be benchmarked with other local Governments, identify gaps with a view to close identified gaps in community wellbeing. 		●		
	MPD	<ul style="list-style-type: none"> Develop and implement Public Health Plan. 		●	●	
S1.4: Continue services and facilities to support senior residents.	MCD	<ul style="list-style-type: none"> Review, update and implement ‘Age Friendly’ Plan. Assist with the Development of walk trail plan. 	●	●	●	●
S1.5: Build services and facilities to support our younger residents.	MCD	<ul style="list-style-type: none"> Implement Youth Plan. Assist with development of walk and mountain bike trails. 	●	●	●	●

Objective 2 – “Facilitate Community safety and wellbeing”

S2.1: Implement, or lobby, for safety initiatives in the community.	MCD	<ul style="list-style-type: none"> Adopt and implement ‘Safe Toodyay Plan’. Implement ‘Choose Respect Campaign’. 	●	●	●	●
S2.2: Partner with health, medical and aged care service provided by others.	MCD	<ul style="list-style-type: none"> Develop and implement Dementia Friendly Plan. 	●	●	●	●
S2.3: Collaborate with fire and emergency services, law and order programs and other volunteer services.	MWS	<ul style="list-style-type: none"> Develop and implement ‘Bushfire Risk Management Plan’. 	●	●		
	MWS	<ul style="list-style-type: none"> Complete the Coondle-Nunile Volunteer Bushfire Brigade fire shed relocation and upgrade. 	●	●		
	MWS	<ul style="list-style-type: none"> Complete the Morangup co-located Incident Control Centre. 	●	●		
	MCS	<ul style="list-style-type: none"> Continue budgetary funding supporting emergency volunteer services 	●	●	●	●
	MCS	<ul style="list-style-type: none"> Upgrade Shire CCTV. 	●	●		
	MPD	<ul style="list-style-type: none"> Maintain Shire CCTV. 		●	●	●

9.1 Goal – Social “Our Community Wellbeing and Connection”

Strategic Outcome – “Toodyay is a safe, cohesive and healthy Community”.

Objective 3 – “Support the development of places and spaces for recreation, learning, art and culture”.

Council Adopted Strategies to achieve Objective	RO	Shires response to make it happen	2019	2020	2021	2022
S3.1: Continue to support community focused facilities and services.	MPD CEO	<ul style="list-style-type: none"> Expand Morangup Community Centre. Continue construction of Sport and Recreation Precinct Project into Stage 2. 	●	●	●	●
S3.2: Support and encourage growth in events that utilise the talents of the community.	MCD	<ul style="list-style-type: none"> Continue with Shires ‘Events Calendar’. 	●	●	●	●
S3.3: Utilise the river spaces more effectively as a natural recreation facility.	MWS MWS	<ul style="list-style-type: none"> Develop, fund and implement the ‘Riverwalk Way Plan’. Develop walk and mountain bike trails and integrate with the Riverwalk Way Plan. 		●	●	●
S3.4: Maintain open space for recreation and connection.	MWS MWS MCD	<ul style="list-style-type: none"> Create a Parks and Reserves Master Plan for Key Shire spaces. Complete Management Plans for every Shire controlled reserve and implement. Develop a Public Art Policy for the Shire. 	●	●	●	●

9.1.1 Goal – Social Key Performance Indicators (KPIs)

The following KPIs have been identified to monitor progress against the Goals

Goal Area - Efficiency and Effectiveness Indicator	<ul style="list-style-type: none"> Community Satisfaction and Wellbeing Index (as measured by regular survey).
Goal Area monitoring and accountability KPIs	<ul style="list-style-type: none"> Overall Customer Satisfaction Index. Value for money Index. Sport and Recreation Precinct Project Status.

9.2 Goal – Economic “Protect rural lifestyles and local jobs”

Strategic Outcome – “We attract, develop and maintain business in Toodyay”.

Objective 1 – “Encourage and support Investment into new and existing businesses in Toodyay”

Council Adopted Strategies to achieve Objective	RO	Shires response to make it happen	2019	2020	2021	2022
S1.1: Promote environmentally sustainable development that is consistent with our rural setting.	MPD	<ul style="list-style-type: none"> Complete the Shire’s Local Planning Scheme No 5 and ensure relevant Policies support that. 		●		
S1.2: Work collaboratively with business stakeholders to minimise impediments.	CEO	<ul style="list-style-type: none"> Review Local Law on extractive industries. 		●		
S1.3: Encourage new businesses and new business sectors to come to Toodyay.	CEO	<ul style="list-style-type: none"> Review and update the Toodyay Economic Development Plan 			●	
S1.4: Seek to maximise local purchasing and local content into shire works and projects.	CEO CEO	<ul style="list-style-type: none"> Create and maintain Local Suppliers Register. Support and promote #Toodyay First – Buy Local Campaign. 	● ●	● ●	● ●	● ●

Objective 2 – “Promote Toodyay as a Tourism destination”

S2.1: Develop successful and collaborative partnerships that support the Tourism Strategy.	MCD	<ul style="list-style-type: none"> Implement Tourism Strategy. 	●	●	●	●
S2.2: Support focus on boosting overnight experiential tourism.	CPD MCD	<ul style="list-style-type: none"> Improve overflow camping facilities at the sportsground. Develop a Tourism Stakeholder Reference Group Plan. 	● ●			
S2.3: Advocate for infrastructure to support tourism.	CEO	<ul style="list-style-type: none"> Lobby for investment in tourism infrastructure 	●	●	●	●
S2.4: Support development of arts, culture, heritage and environmental tourism.	MPD MPD MPD MCD MCD	<ul style="list-style-type: none"> Review the Heritage Strategy and implement findings. Review and update the Clinton Street Heritage Precinct Plan. Replace the Newcastle Gaol Museum Roof. Support the involvement of arts in Tourism. Develop the Convict Depot Walk. 			● ●	● ●

9.2 Goal – Economic “Protect rural lifestyles and local jobs”

Strategic Outcome – “We attract, develop and maintain business in Toodyay”.

Objective 3 – “Encourage economic diversification”

Council Adopted Strategies to achieve Objective	RO	Shires response to make it happen	2019	2020	2021	2022
S3.1: Advocate for increased opportunities for premium food production.	CEO	<ul style="list-style-type: none"> Support the Chamber of Commerce and Industry (TCCI) ‘Food Trail Strategy’. 	●	●	●	●
S3.2: Engage with local manufacturing, building and construction sectors.	CEO	<ul style="list-style-type: none"> Facilitate engagement with key stakeholders. 	●	●	●	●
S3.3: Facilitate participation in digital Economy and knowledge intensive enterprises.	CEO	<ul style="list-style-type: none"> Develop Social Media Policy and Guidelines which includes continued use of social media and digital platforms. 	●	●	●	●

9.2.1 Goal – Economic Key Performance Indicators (KPIs)

The following KPIs have been identified to monitor progress against the Goals

Goal Area - Efficiency and Effectiveness Indicator	<ul style="list-style-type: none"> Percentage of local jobs filled by local people.
Goal Area monitoring and accountability KPIs	<ul style="list-style-type: none"> Number of Visitors to the Visitor’s Centre. Number of jobs in Toodyay Number of Business Start-ups. Number of Business Development Applications. Customer Satisfaction with Economic Development (as determined by survey).

9.3 Goal – Natural Environment “Protecting where we live”

Strategic Outcome – “Toodyay is a proud, rural lifestyle community with many natural assets including ecosystems that are maintained and protected for future generations”.

Objective 1 – “Preserve and protect our natural assets for future generations”

Council Adopted Strategies to achieve Objective	RO	Shires response to make it happen	2019	2020	2021	2022
S1.1: Help protect and enhance the river ecosystem including the riparian vegetation.	MPD CEO	<ul style="list-style-type: none"> Review and Implement the Environmental Management Strategy. Continue to lobby relevant government agencies. 	● ●	● ●	● ●	● ●
S1.2: Support the mitigation of adverse environmental impact to biodiversity and natural ecosystems throughout the Shire.	MPD	<ul style="list-style-type: none"> Continue with Planning Controls and Policy development. 	●	●	●	●
S1.3: Enhance and protect biodiversity and natural ecosystems in Shire controlled reserves.	MWS MPD	<ul style="list-style-type: none"> Implement Reserve Management Plans. Develop a Biodiversity Strategy to protect flora and fauna within the district. 	● ●	● ●	●	●
S1.4: Reduce the extreme weather impacts through emergency management planning.	CEO CEO	<ul style="list-style-type: none"> Continue support for the Local Emergency Management Committee and Bush Fire Advisory Committee and continue funding for the Community Emergency Services Manager. Implement Local Emergency Management Arrangements. 	● ●	● ●	● ●	● ●
S1.5: Develop strategies to interpret and utilise the natural environment for recreation, eco-tourism and land conservation.	MWS MWS	<ul style="list-style-type: none"> Initiate improvements to Pelham Reserve. Construct the River-walk way. 	●	●		● ●

Objective 2 – “Ensure sustainable operating practices”

S2.1: Embed environmental awareness into operational decisions to better understand and minimise impacts on natural ecosystems, erosion and sediment inflows to waterways.	MWS	<ul style="list-style-type: none"> Mitigate environmental impacts through design and infrastructure projects. 	●	●	●	●
S2.2: Continue to implement Environmental Management Strategy.	MPD	<ul style="list-style-type: none"> Continue as planned. 	●	●	●	●
S2.3: Support resources and opportunities that minimise waste and improve recycling.	CEO	<ul style="list-style-type: none"> Continue implementation of Regional Waste Minimisation Plan. 	●	●	●	●
S2.4: Introduce targeted initiatives to reduce our carbon footprint.	MPD	<ul style="list-style-type: none"> Continue to investigate options to reduce the Shire’s carbon footprint. 			●	
S2.5: Support conservation protection covenants and Policies.	MPD	<ul style="list-style-type: none"> Continue review of Policies to ensure they remain relevant to invite natural environment outcomes. 	●	●	●	●

9.3.1 Goal – Natural Environment Key Performance Indicators (KPIs)

The following KPIs have been identified to monitor progress against the Goals

Goal Area - Efficiency and Effectiveness Indicator

- Achievements in line with Environmental Management Strategy and other guiding documents.

Goal Area monitoring and accountability KPIs

- Waste Management – Waste Generated vs Waste Recycled.
- Organisation Energy Consumption in kWh.
- Annual Reporting on achievement vs targeted activities on Shire controlled reserves.

9.4 Goal – Built Environment “Protecting where we live”

Strategic Outcome – “Our community can live, work and play through planned development and maintenance”.

Objective 1 – “Ensure safe and sustainable transport options”

Council Adopted Strategies to achieve Objective	RO	Shires response to make it happen	2019	2020	2021	2022
S1.1: Apply metrics to local road upgrades and maintenance to ensure best practice value expenditure.	MWS	<ul style="list-style-type: none"> Integrate metrics and service standards to capital and maintenance planning. 	●	●	●	●
S1.2: Continue to invest in local road infrastructure	MWS MCS MWS	<ul style="list-style-type: none"> Continue implement Capital and Maintenance Plans as per LTFP. Monitor the financial sustainability ratios (Health Score Asset Metrics). Update Road Preservation Plan 	● ● ●	● ● ●	● ● ●	● ● ●
S1.3: Continue advocacy for investment in State road systems.	CEO	<ul style="list-style-type: none"> Advocate and lobby as required. 	●	●	●	●
S1.4: Improve footpaths and streetscapes.	MWS MWS MWS	<ul style="list-style-type: none"> Develop Streetscape Plan. Update Shared Path Plan. Develop walk and mountain bike trails. 	● ●	 ● 	● ●	 ●
S1.5: Advocate for improved public transport options for residents.	CEO	<ul style="list-style-type: none"> Continue advocacy as required 	●	●	●	●

Objective 2 – “Ensure our built environment meets community needs”

S2.1: Encourage diverse housing and development options.	MPD	<ul style="list-style-type: none"> Complete the Shire Local Planning Scheme No 5 and relevant Policies. 		●		
S2.1: Upgrade local infrastructure to cater for seniors.	CEO MWS	<ul style="list-style-type: none"> Advocate for improvements to Pedestrian Railway crossings in Toodyay. Implement infrastructure requirements in the ‘Age Friendly’ Plan. 	● ●	● ●	● ●	● ●
S2.3: Ensure appropriate facilities to engage and retain young people.	MCD MCD	<ul style="list-style-type: none"> Collaborate with the Community Resource Centre in respect to youth engagement. Continue to advocate for age appropriate facilities for young people. 	● ●	● ●	● ●	● ●
S2.4 Reinforce our heritage vision in local planning scheme review.	MPD	<ul style="list-style-type: none"> Implement the Heritage Strategy and integrate with the review of the Shire Local Planning Scheme No 5 and relevant Policies. 			●	●
S2.5: Enhance and maintain our parks, gardens and public greens.	MWS	<ul style="list-style-type: none"> Create and implement Maintenance Plans for specific spaces. 		●	●	●

9.4 Goal – Built Environment “Protecting where we live”

Strategic Outcome – “Our community can live, work and play through planned development and maintenance”.

Objective 3 – “Improve processes to support the built environment”

Council Adopted Strategies to achieve Objective	RO	Shires response to make it happen	2019	2020	2021	2022
S3.1: Adjust regulatory processes to be more enabling and accessible.	MPD	<ul style="list-style-type: none"> Upgrade and build disability access to identified public toilets and public buildings as specified in the Disability Access and Inclusion Plan (DAIP). 		●	●	●
S3.2: Implement asset rationalisation and consolidation.	CEO	<ul style="list-style-type: none"> Continue with the rationalisation of Council built assets. 	●	●		

9.4.1 Goal – Built Environment Key Performance Indicators (KPIs)

The following KPIs have been identified to monitor progress against the Goals

Goal Area - Efficiency and Effectiveness Indicator	<p>As per Asset Management Plan:</p> <ul style="list-style-type: none"> Infrastructure Asset Rating. Building Asset Rating. Plant and Equipment Asset Rating.
Goal Area monitoring and accountability KPIs	<ul style="list-style-type: none"> Asset Consumption Ratio. Asset Sustainability Ratio Asset Renewal Funding Ratio. Roads Budget vs Actual. Buildings Budget vs Actual. Building Applications turnaround time (Certified and uncertified). Planning Applications turnaround time. Customer Satisfaction Index with Public Places.

9.5 Goal – Governance “Responsible and responsive civic leadership”

Strategic Outcome – “A Council that engages with the community and provides good governance on behalf of the community”

Objective 1 – “Provide accountable and transparent leadership for the community”

Council Adopted Strategies to achieve Objective	RO	Shires response to make it happen	2019	2020	2021	2022
S1.1: Use Strategic Community Plan as a blueprint for Council policy development and decisions.	CEO	<ul style="list-style-type: none"> Adopt and implement the Corporate Business Plan. Implement and review informing strategies. 	● ●	● ●	● ●	● ●
S1.2: Complete the development of a new Local Planning Scheme No. 5 and related Policies.	MPD	<ul style="list-style-type: none"> Complete the Shire Local Planning Scheme No 5 and relevant Policies. 		●		
S1.3: Provide clear and engaged leadership on behalf of the community.	CEO CEO	<ul style="list-style-type: none"> Finalise the Community Engagement Strategy. Ongoing monitoring and update of the Risk Register. 	● ●	●	●	●
S1.4 Increase communication on advocacy undertaken for services and initiatives that benefit.	CEO	<ul style="list-style-type: none"> Continue to lobby Government agencies to support the Shire. 	●	●	●	●

Objective 2 – “Consistently improve our governance practices”

S2.1: Build a positive culture of engagement between the Shire and its community.	CEO	<ul style="list-style-type: none"> Implement the Community Engagement Strategy. 		●	●	●
S2.2: Improve internal and external communication to maximise transparency.	CEO CEO	<ul style="list-style-type: none"> Continue organisational team briefings for staff. Complete Communication Plan. 	●	● ●	●	●
S2.3: Ensure appropriate induction and skills for all elected members.	CEO CEO CEO	<ul style="list-style-type: none"> Review and improve Councillor induction program with facilitation and legal practitioners input. Review Councillor Information Bulletin for adequacy and appropriate content. Participate in the Australian Institute of Company Directors Best Practice Review. 	● ●	●	●	● ●

9.5 Goal – Governance “Responsible and responsive civic leadership”

Strategic Outcome – “A Council that engages with the community and provides good governance on behalf of the community”

Objective 3 – “Ensure rigorous organisational system”

Council Adopted Strategies to achieve Objective	RO	Shires response to make it happen	2019	2020	2021	2022
S3.1: Maintain long term financial (LTFP) and resourcing plans.	MCS	<ul style="list-style-type: none"> Continue to test assumptions and update the current LTFP. Continue to review and update Asset Management Plans and other informing strategies. 	●	●	●	●
S3.2: Operate to best practice management in all areas.	CEO	<ul style="list-style-type: none"> Implement and monitor the HR Operational Plan to ensure a well resourced, skilled and effective workforce. 	●			
	CEO	<ul style="list-style-type: none"> Continue routine Policy and procedures review. 	●	●	●	●
	CEO	<ul style="list-style-type: none"> Continue to review and update governance practices via the shire’s compliance calendar. 	●	●	●	●
S3.3: Ongoing review of customer service and satisfaction.	CEO	<ul style="list-style-type: none"> Undertake a regular Customer Satisfaction and Wellbeing survey against Shire products and service offerings on a periodic basis to set targets and actions. 	●	●	●	●
S3.4: Embed innovation in information and communication technologies.	CEO	<ul style="list-style-type: none"> Continue implementation of ICT upgrades and review document Information management. 	●	●	●	●
	CEO	<ul style="list-style-type: none"> Review dedicated Councillor Extranet system. 		●		
	MCS	<ul style="list-style-type: none"> Develop and Implement the ICT Strategy. 	●	●	●	●

9.5.1 Goal – Governance Key Performance Indicators (KPIs)

The following KPIs have been identified to monitor progress against the Goals

Goal Area - Efficiency and Effectiveness Indicator	<ul style="list-style-type: none"> MyCouncil Financial Health Score (FHS). Results of Compliance Audit Return/s. Unqualified Financial Audit Reports. Councillor self-assessment through AICD Index.
Goal Area monitoring and accountability KPIs	<ul style="list-style-type: none"> Financial Sustainability Ratios Positive Net Promoter Scores Culture and Employee experience (HR Metrics)

Section 10 – Revenue by Program

	2018/19	2019/20	2020/21	2021/22	2022/23
	Budget	Budget	Budget	Budget	Budget
	\$	\$	\$	\$	\$
Revenue					
Governance	59,500	60,809	62,147	63,514	64,911
General purpose funding	7,437,013	8,231,795	8,430,841	8,634,894	8,843,939
Law, order, public safety	373,358	381,044	389,427	397,994	406,750
Health	64,500	65,919	67,369	68,851	70,366
Housing	10,500	10,731	10,967	11,208	11,455
Community amenities	720,900	736,760	752,969	769,534	786,464
Recreation and culture	125,000	127,024	129,093	231,207	133,367
Transport	175,128	175,128	178,981	182,918	186,943
Economic services	197,000	201,334	205,763	210,290	214,917
Other property and services	115,500	118,041	120,638	123,292	126,004
Total	9,278,399	10,108,584	10,348,194	10,693,703	10,845,115

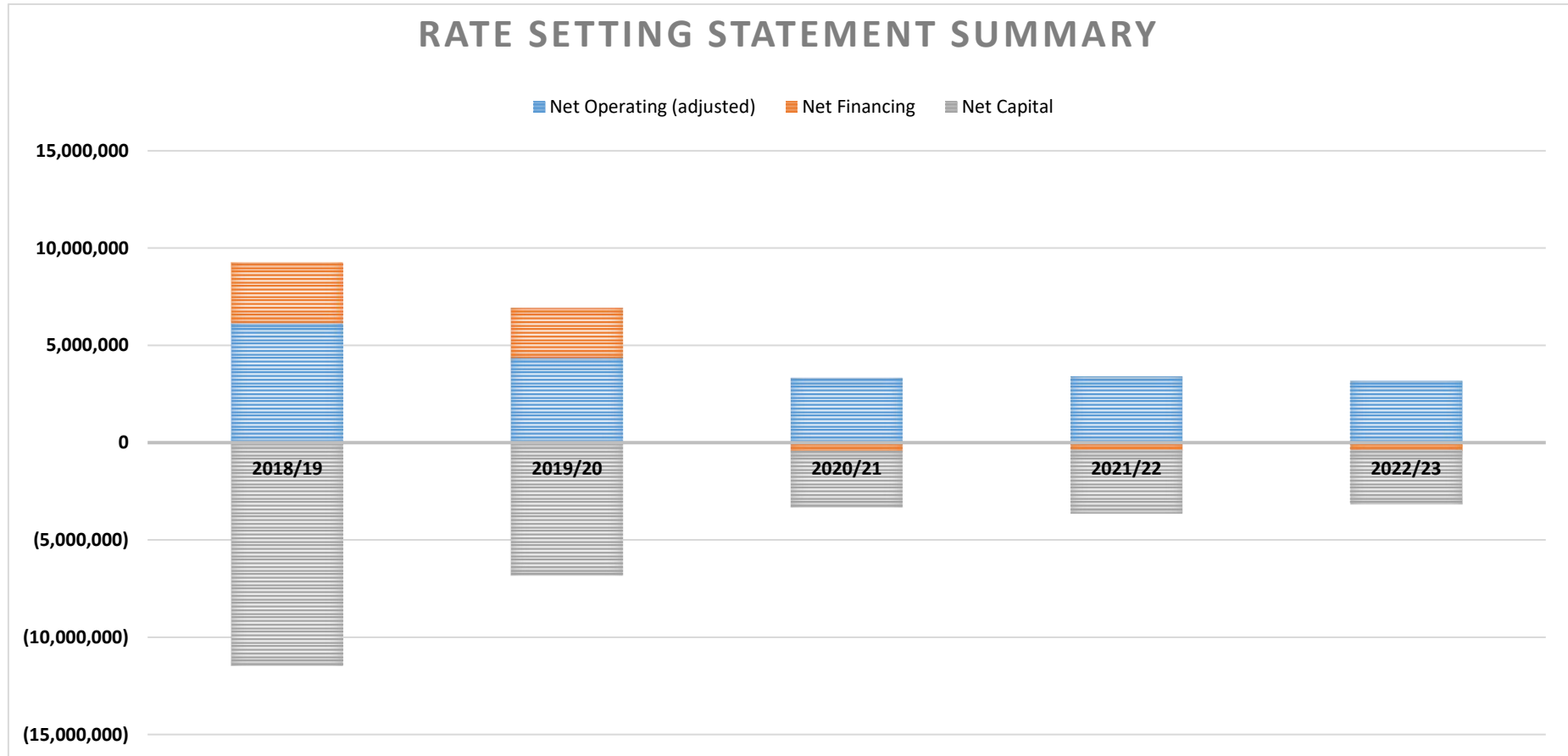
Section 11 – Expenditure by Program

	2018/19 Budget	2019/20 Budget	2020/21 Budget	2021/22 Budget	2022/23 Budget
EXPENSES EXCLUDING FINANCE COSTS	\$	\$	\$	\$	\$
Governance	(813,077)	(863,131)	(856,339)	(868,500)	(863,048)
General purpose funding	(440,623)	(333,675)	(339,916)	(329,342)	(336,128)
Law, order, public safety	(1,239,420)	(1,144,678)	(1,165,077)	(1,175,435)	(1,196,774)
Health	(295,939)	(289,340)	(294,650)	(296,533)	(302,135)
Education and welfare	(64,034)	(63,876)	(65,210)	(64,674)	(66,097)
Housing	(39,307)	(46,160)	(46,470)	(46,787)	(47,112)
Community amenities	(1,300,252)	(1,296,849)	(1,324,800)	(1,341,850)	(1,370,819)
Recreation and culture	(1,465,415)	(1,667,573)	(1,784,885)	(1,883,897)	(1,916,456)
Transport	(4,481,610)	(4,174,562)	(4,355,522)	(4,373,891)	(4,462,256)
Economic services	(1,183,766)	(1,156,906)	(1,180,782)	(1,187,393)	(1,211,906)
Other property and services	(323,411)	(378,094)	(386,145)	(385,213)	(393,785)
Total	(11,646,854)	(11,414,844)	(11,799,795)	(11,953,514)	(12,166,516)
FINANCE COSTS					
Recreation and culture	(136,422)	(175,855)	(221,059)	(208,937)	(196,989)
Transport	(34,040)	(31,701)	(29,040)	(26,509)	(24,654)
Economic services	(3,603)	(2,362)	(1,043)	0	0
Other property and services	(3,973)	(1,054)	(876)	0	0
Total	(178,038)	(210,972)	(252,018)	(235,446)	(221,642)
OPERATING ACTIVITIES					
(profit) on asset disposal	(101,685)	(1,760)	0	(33,141)	(115,058)
Loss on asset disposal	194,752	0	47,137	0	0
Depreciation on assets	3,706,700	3,584,114	3,666,836	3,628,898	3,646,677
Grand Total	(8,025,125)	(8,043,462)	(8,337,840)	(8,593,203)	(8,856,540)

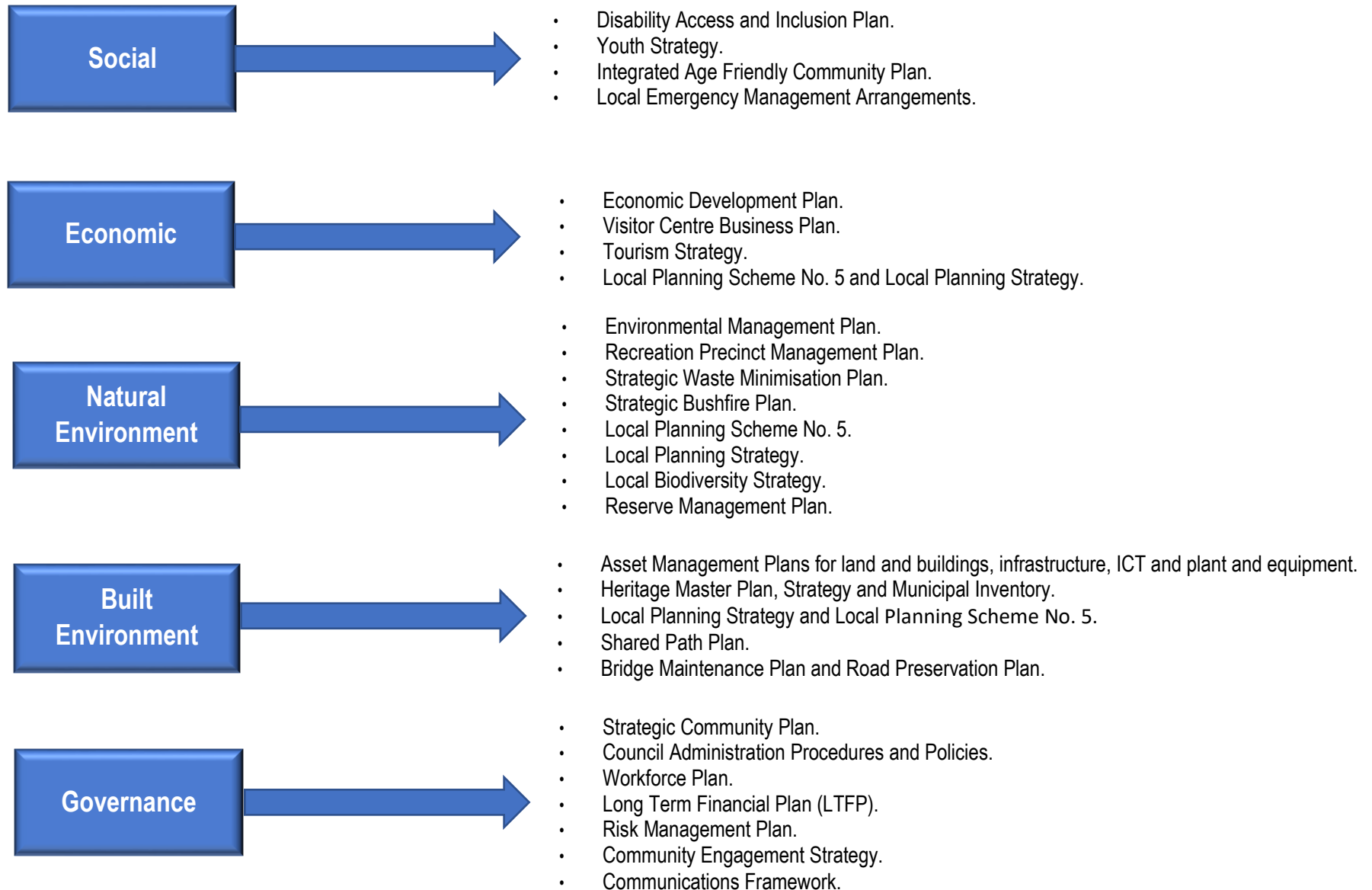
Section 12 – Capital, Asset Improvement and Major Projects

	2018/19	2019/20	2020/21	2021/22	2022/23
	Budget	Budget	Budget	Budget	Budget
	\$	\$	\$	\$	\$
Governance	58,000	75,500	25,500	251,500	20,500
Law, Order, Public Safety	773,308	48,180	385,911	409,841	32,880
Health	0	21,000	6,000	8,000	30,000
Education & Welfare Services	20,000	0	0	0	0
Housing	0	19,000	39,000	14,000	44,000
Community Amenities	48,000	0	0	0	112,000
Recreation And Culture	9,133,021	4,401,987	176,000	290,500	178,500
Transport	2,803,026	2,601,599	2,582,983	2,637,989	2,795,654
Economic Services	22,900	8,000	10,000	0	10,000
Other Property And Services	700,000	73,500	70,000	80,000	80,000
Finance & Borrowing	301,176	336,609	342,730	288,328	301,576
Total	13,859,431	7,585,375	3,638,124	3,980,158	3,605,110

Section 13 – Rates Setting Statement Summary



Section 14 – Resourcing and Informing Plans



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From: Councillor Rayner
Sent: Wednesday, 27 March 2019 7:58 AM
To: Stan Scott
Subject: ICR58268 - Fwd: Resignation

Hi Stan

CFI and file.

Cr Rayner
Sent from my iPad

Begin forwarded message:

From: Councillor Brook <cr.brook@toodyay.wa.gov.au>
Date: 26 March 2019 at 4:01:46 pm AWST
To: Councillor Rayner <cr.rayner@toodyay.wa.gov.au>
Subject: Resignation

Hi Cr Rayner,

Due to my current circumstances I need to tender my resignation from council with effect 01/04/2019.

I apologise for the inconvenience caused by this as I have enjoyed my time on council and feel I am letting the community down.

I wish it to be known that I am not leaving because of any negative feelings towards anyone on the council or the administration, but purely due to personal reasons that I have to move away from the state for a period of time.

Regards Cr Brook

Sent from my iPad



Shire of Toodyay HERITAGE ADVICE

Place Name	Public Toilets - Toodyay Mural Project
Location	Corner of Duke Street North and Charcoal Lane, Toodyay
Date	18 April 2019
Advice Note	07

ISSUE

The Shire of Toodyay has received an application for the painting of a mural that is to be located on a wall of the public toilets on the corner of Duke Street North and Charcoal Lane, Toodyay. The Shire has requested heritage advice as the place is within the Central Toodyay Heritage Area.

As part of the advice the Shire has specifically requested comment on the use of colours noting the colour palette.

BACKGROUND

The public toilets is a single storey building with cream painted exterior walls and a green corrugated steel gable roof.

The building is located to the rear of the town hall and adjacent to a c1970s utilitarian telephone exchange building.

SIGNIFICANCE

The public toilets building is not listed in the Shire's Municipal Heritage Inventory; however, the building is located within the Central Toodyay Heritage Area and is therefore subject to the Local Planning Policy No.20.

The Local Planning Policy No.20 describes the significance of the Central Toodyay Heritage Area as the following:

Central Toodyay Heritage Area comprises areas north and south of the railway line and is bound by the Avon River, though it extends northwards along Telegraph Road. Majority of the area, excluding the special precincts, presents a predominantly single storey residential setting of a similar scale, materials, roof forms and site application, with a varying degree of heritage significance. The cumulative effect of the scale, massing, texture, materials, colour and detail of individual buildings and their sites provide visual characteristics which have formed in distinctive periods from the early town establishment in the 1860s and 1870s, through to the twentieth century, clearly demonstrating the residential aesthetics of the periods.

PROPOSAL

A mural is proposed to be painted on a wall of the public toilets building to celebrate Toodyay's National Tidy Town Award in 2015.

There are three mural options proposed. All three options depict bright and vibrant colours, depicting flora and fauna that is reminiscent of the Toodyay area.

LOCAL PLANNING POLICY- CENTRAL TOODYAY HERITAGE AREA

4.4.14. The colours to be used in all commercial development will have regard to the following criteria:

- a. The colours used in an existing building and in neighbouring properties in the streetscape. Colours should respond to the original colours used or a contemporary interpretation of those colours. Guidance may be taken from the colour palette adopted as part of the Shire of Toodyay Townscape Enhancement Concept Plan;
- b. Colours selected from heritage ranges will be acceptable;
- c. For new buildings, sympathetic modern colours may be acceptable;
- d. Colours which take their inspiration from local, natural elements such as tree leaves, bark and soils may also be appropriate;
- e. The use of bright or garish colours in large areas visible from the street is not permitted; and
- f. Feature brickwork should not be painted.

4.4.15. The colours to be used in heritage places, including places on the State Register of Heritage Places, the Shire of Toodyay Municipal Inventory of Heritage Places or any Heritage List of a Local Planning Scheme, should be based on the original colours used in the building based on paint scraping.

Although the mural is not technically a sign LPP20 provides guidance on colours of signs and the impact on cultural heritage values.

All signs within the Central Toodyay Heritage Area are required to comply with the following principles (5.4.1):

- a. Signs shall not be a dominant feature and shall complement the building and streetscape in which it is located;
- b. Signs shall be of a size, nature, colour and position so that the architectural characteristics of a building remain the dominant element of the building;
- c. Signage must respect and not cover important architectural detail on historic buildings;
- d. Signage should respect the heritage values of the building and streetscape on which it is located, however does not need to attempt to recreate a historic character through the use of "olde" lettering or other imitation styles;
- e. The signs shall be attached to a building in a manner which does not compromise the structural integrity or heritage values of the building;
- f. All signs shall be designed, constructed, finished, installed and maintained to a standard compatible with its surroundings, including buildings, landscaping and other signs; and
- g. Background colours used in signs shall be white or cream or colours from the colour palette adopted as a part of the Shire of Toodyay Townscape Enhancement Concept.

AVAILABLE DOCUMENTATION

- Graphic images of the three (3) mural options.
- 17 April 2019 email from Stan Scott, Chief Executive Officer, Shire of Toodyay

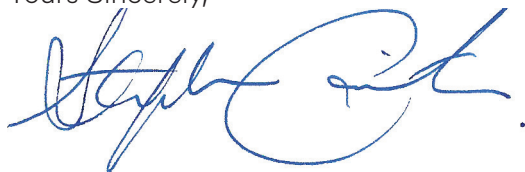
ADVICE

The following heritage advice has been prepared after reviewing the proposal and the cultural heritage values of the Central Toodyay Heritage Area:

- The public toilet building is located on the south-west corner of Duke Street North and Charcoal Lane opposite to the c1970s utilitarian telephone exchange building. To the south and west of the building is a public car park;
- The public toilet building is not individually listed in the Shire of Toodyay's Municipal Heritage Inventory; however, it is located within the Central Toodyay Heritage Area;
- Murals are defined as a painting or other work of art executed directly on a wall. This mural proposal is in the public domain;
- The recommended mural (as well as the other mural choices) is colourful, vibrant and abstract;
- It is noted that murals in other locations, such as Melbourne laneways, are regarded as elements that add interest and colour to the streetscapes and towns for visitors and the local community. It is also noted that murals are not necessarily permanent works and maybe replaced or repainted in the future;
- The building is located on a site that is not a landmark or a focus within the Heritage Area;
- LPP20 advises that colours and signs should not be the dominant feature and shall complement the building and streetscape;
- Notwithstanding that the proposal (with regard to colours) is not in keeping with all of the guidelines in LPP20 and the heritage colour palette it is my professional opinion that the mural, as art in the public domain, will not negatively impact on the cultural heritage values of the Central Toodyay Heritage Area; and
- Further, it is my opinion, that the mural with its proposed colour palette will be an attraction in its own right and will add colour and vibrancy to its location within the Central Toodyay Heritage Area and is supported.

Please do not hesitate to contact me on 0457 309 201 or email (stephen@stephencarrickarchitects.com.au) if any clarification of this advice or any additional information is required.

Yours Sincerely,



Stephen Carrick
Director

From: Greg Warburton

Date: 18 April 2019 at 9:28:16 pm AWST

To: <cr.rayner@toodyay.wa.gov.au>

Subject: Agenda Item for Next Council Meeting

Good Evening Brian,

I wouldn't normally do this but here is the public submission I'm sending in relation to item 9.1.3 "Toodyay Tidy Towns Mural Project". The Tidy Towns Committee feel very strongly about it!

Dear Councillors,

The Toodyay Tidy Towns Committee opposes the Officer's recommendation for a number of reasons. Neither submission has responded adequately to the brief. For example, there is NO Tidy Towns/ Sustainable Community theme, no heritage buildings, Red Gum tree, Avon River, rolling hills or Canola crop and not a hint of the National Tidy Towns Award which ironically inspired the mural project in the first place. The subject material does not evoke Toodyay. In fact, the Ferguson/Cowie design features a Silver-eye Bird, a common species ranging across most of southern Australia and New Zealand. This bird is considered a pest to the orchard industry and unlikely to be perched on a wheat stalk. Ferguson/Cowie have also included Eucalyptus caesia which does not even occur naturally in the Toodyay Shire. To the viewer, the rest of the mural is ill defined, seemingly unrepresentative and meaningless blocks of colour. Similarly, the Brenton See design has no identifiable Toodyay elements and certainly no relevance to the advertised brief. We have such a rich pallet of Toodyay specific subject material it seems inconceivable not to capitalise on this. The Toodyay Tidy Towns Committee request that Council allow a more representative selection panel to re-examine the mural submissions.

Greg Warburton

This fact sheet outlines a range of land use planning considerations relevant to the establishment, expansion or modification of basic raw material operations in Western Australia.

This fact sheet has been prepared to assist planners implement [State Planning Policy 2.5: Rural Planning](#).

What are basic raw materials?

Basic raw materials (BRM) include sand (including silica sand), clay, hard rock, limestone (including metallurgical limestone), gravel and other construction and road building materials. It also includes material such as limesand and gypsum, used to ameliorate agricultural land.

BRM proposals fall under the provisions of the [Planning and Development Act 2005](#) when extraction occurs on private (freehold) land.

The Western Australian Planning Commission (WAPC)'s [State Planning Policy 2.4: Basic Raw Materials](#) (SPP 2.4) and [BRM Applicants' Manual](#) are available to assist applicants and planning officers.

Design and operation

BRM operations include, but are not limited to:

- clearing and stockpiling vegetation, top soil and overburden;
- pit creation and dewatering;
- staged excavation of BRM;
- processing of BRM including crushing, screening, washing, blending or grading;
- wastewater treatment;
- an average of 2-6 truck movements per hour, depending on the scale of the operation;
- refuelling, cleaning and servicing of vehicles and machinery;
- warehousing and/or stockpiling of BRM; and
- rehabilitation of closed pits.

Lifespan of a project: All BRM operations have an estimated lifespan based on the amount of BRM available and the proposed rate of extraction. Decision-makers need to be aware of the life of the operation, and the proposed extraction rate per year.

Operating hours: Operating hours of a BRM site will vary, but operations generally occur between 5am and 5pm, 6 days a week. Major infrastructure projects may result in operations on Sunday and/or increased truck movements. Operating hours may be a condition of approval.

Pit design: BRM proposals may include plans for several pits staged over the lifespan of the operation. Smaller pits may achieve better environmental outcomes as the removed top soil is returned within a shorter time period. Pit rehabilitation generally follows excavation, however decision-makers need to be aware of the proposed arrangements.

The Department of Parks and Wildlife (DPaW) has produced [Guidelines for the Management and Rehabilitation of Basic Raw Material Pits 2008](#).

Planning context

In determining proposals for an extractive industry, consider:

- management of air, water, noise and visual impacts;
- location and stability of excavations, stock piles and overburden dumps;
- amenity of adjacent land uses in the local community; and
- rehabilitation of the land consistent with its long-term future use.

Conservation values: BRM operations have the potential to disturb native vegetation, including Declared Rare Flora (DRF) and priority flora, as well as threatened and priority fauna species. Clause 51C of the [Environmental Protection Act 1986](#) outlines circumstances when the clearing of native vegetation is permitted.

Water and availability: Water is needed for cleaning machinery and trucks, domestic uses and in processing. Access to scheme water is usually required. BRM operations may impact on nearby surface water and groundwater resources.

[Water Quality Protection Note 15](#), produced by the Department of Water (DoW), contains information on operations near sensitive water resources.

Dewatering may be included in the proposal. DoW's [Water Quality Protection Note 13](#) provides best management practices for the dewatering of soils. A licence to dewater or to gain access to water may be required under the [Rights in Water and Irrigation Act 1914](#).

Buffers: Buffer distances are influenced by: site characteristics; the proposed location of infrastructure, access routes, pits and stockpiles; and the extraction method.

Guidance Statement: Separation Distances (2015), produced by the Department of Environmental Regulation (DER), and the Environmental Protection Authority's **Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses (2005)** include recommendations for separation distances from sensitive land uses.

Buffers are also required to protect water quality in nearby waterways and wetlands. The buffer will depend on the design and layout of the premises, the risk of water contamination, and the technology and management measures used to protect the waterway or wetland.

Further information on how to determine a buffer can be found in [State Planning Policy 2.5: Rural Planning](#).

Transport management: Extractive industries have the potential to impact on the road network and its users. Consider the following:

- Is the road suitable to support the number of truck movements?
- Is the proposal's access located on a straight section of a road with sufficient sight distance either side?
- Will trucks be able to cross the road safely?
- Does the road require upgrading?

Visual impacts: Preserving existing vegetation can assist in minimising impacts on views from roads, adjoining properties and other key viewing locations. DPaW recommends a vegetative screen of at least 150m between adjoining roads and pits. The WAPC's

[Visual Landscape Planning in WA \(2007\)](#) contains detailed guidance on addressing visual impacts, including ways to minimise the visibility of operations.

Noise and vibration: Noise from BRM extraction is subject to the [Environmental Protection Act 1986](#) and the [Environmental Protection \(Noise\) Regulations 1997](#). As excavation work may require blasting, the consideration of blasting areas will assist in defining appropriate buffers to reduce disturbance to any neighbouring sensitive land uses.

Dust: Dust can be generated in a number of ways including:

- blasting and extraction
- stockpiling of material
- transport movements
- soil erosion

Impacts to sensitive land uses can be reduced through vegetation screens, 'best practice' site management practices, and appropriate buffers.

Management plans: A management plan may accompany a BRM proposal and would typically address:

- site description and analysis;
- consideration of statutory and strategic planning;
- management and operations of the proposal;
- consideration and management of impacts on amenity;
- biosecurity measures to prevent the spread of weeds and diseases; and
- environmental impact assessment and management.

Critical elements of management plans may also be addressed as conditions of approval.

Environmental licensing and works approval: Under sections 52 and 53 of the [Environmental Protection Act 1986](#) a works approval is required for the construction of prescribed premises or to carry out certain work on existing prescribed premises.

BRM extraction is not listed in [Schedule 1](#) of the [Environmental Protection Regulations 1987](#). However some associated operations (e.g. screening, washing, crushing grinding, sizing or separation of material) may be prescribed and require authorisation under Part 3 Division 2 of the [Environmental Protection Act 1986](#).

In [Guidance Statement: Land Use Planning \(2015\)](#), DER outlines its policy of assessing applications under Part V Division 3 of the [Environmental Protection Act 1986](#) concurrently with applications for planning approval and making a determination once relevant planning decisions have been made.

FACTSHEET