



Ordinary Council Meeting

Minutes

27 August 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 28 August 2019.



Stan Scott
CHIEF EXECUTIVE OFFICER

Confirmed Minutes

These minutes were confirmed at a meeting held on 24 September 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 17.*

Shire of Toodyay

ORDINARY COUNCIL MEETING – 27 AUGUST 2019

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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	
Cr B Manning	
Cr E Twine	
Cr R Welburn	

Staff

Mr S Scott	Chief Executive Officer
Ms A Bell	Manager Community Development
Mr K Nieuwoudt	Manager Planning & Development
Mr S Patterson	Manager Works and Services
Mr H de Vos	Planning Officer
Mr R Koch	CESM
Mr J Hansen	Bushfire Risk Management Planning Coordinator
Mrs M Rebane	Executive Assistant

Visitors

B Keens	M Sinclair-Jones	H Appleby	C Greaves
B Ruthven	P Ruthven	F Panizza	S Pearce
J Hart	P Hart	R Madacsi	L Graham
S McClelland	M Leggett		

2.1 APOLOGIES

Nil

2.2 APPROVED LEAVE OF ABSENCE

Nil

2.3 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Rayner requested that he be granted Approved Leave of Absence from 1 September 2019 to 14 September 2019 inclusive.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 196/08/19

MOVED Cr Dow

That the Application for Leave of Absence by Cr Rayner from 1 September 2019 to 14 September 2019 inclusive be granted.

MOTION CARRIED 8/0

Cr Twine requested that he be granted Approved Leave of Absence from 3 September 2019 to 13 September 2019 inclusive.

MOTION/COUNCIL RESOLUTION NO. 197/08/19

MOVED Cr Chitty

That the Application for Leave of Absence by Cr Twine from 3 September 2019 to 13 September 2019 inclusive be granted.

MOTION CARRIED 8/0

3. DISCLOSURE OF INTERESTS

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

Cr Dow declared a Closely Associated Persons Interest, pursuant to Section 5.62 of the Local Government Act 1995, in relation to Agenda Item 10.3.2 Lozanda Heights Easements. The nature of her interest is that her brother-in-law owns property backing onto the Lozanda Heights easement.

Cr Rayner declared an Impartiality Interest, pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, in relation to Confidential Agenda Item 15.1 – BFAC Recommendation – FCO Appointment, as I am a current FCO and have been re-nominated. The extent of my interest is that I receive as an FCO, a \$100 fuel voucher.

4. PUBLIC QUESTIONS

4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary Meeting of Council held on 23 July 2019, the following questions were taken on notice.

B Foley

Summary of Question Two

I understood there was going to be ongoing shoulder work on Bindoon Dewar's Pool Road, it did not happen last year which was most likely due to the road having to be redone due to poor standard of work. Is the shoulder work going to be restarted? The shoulders of this road in various sections is in poor state.

There were no planned works along Bindoon-Dewar's Pool Road last financial year 2018/19. In 2017/18 there was a budget allowance to undertake shoulder works which was later expanded to include some resealing works along Bindoon-Dewar's Pool Road. This took place with the shoulder works being selective to address the areas considered the worst. If there are further concerns with the condition of the shoulders of Bindoon-Dewar's Pool Road, the Shire can inspect and undertake any necessary remedial works.

4.2 PUBLIC QUESTION TIME

R Madacsi

Summary of Question One

In relation to the Advisory Groups Policy:

- (a) In the interests of transparent and effective processes and decision making in the public interest, and the opportunity to engage the community, why is it proposed Advisory Group meetings are closed to the public?

The Shire President took this question on notice.

- (b) Why does the Policy intend to endorse the CEO and Shire President instead of Council to decide Advisory Group agendas, timetables, termination of a committee member and closure of an Advisory Group, instead of this being the provenance of the Advisory Committee, with recommendations to Council?

The Shire President took this question on notice.

Summary of Question Two

What outcome is sought to change the Code of Conduct just prior to election whilst a State Government Review is uncompleted?

The Shire President took this question on notice.

P Ruthven

Summary of Question One

Why is the list of payments not included for approval in the Agenda for this meeting?

The Auditors are coming in to the Shire to do the Internal Audit and therefore the list of payments was delayed.

Summary of Question Two

The *Local Government (Financial Management) Regulations 1996*, regulation 13, covers payments from the municipal fund and the CEO's duties in relation to these.

Section 1 of regulation 13 states that a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

- (a) the payee's name; and
- (b) the amount of the payment; and
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

Has this list been prepared as, if not, this is a breach of the financial regulations and the CEO's duties under this regulation?

A list of accounts has not been prepared for this meeting.

M Sinclair Jones

Summary of Question One

In relation to Agenda Item 10.5.5 Correspondence from the Department of Local Government and in particular the Officer comment about the Office of the Auditor General Performance Audit Action Plan. If the Toodyay Herald was the "media organisation" referred to in this report, then the inference that no effort was made to find out from the Shire why it was not published on the website is incorrect. I did find the Action Plan on your Council website under Master Plans. In the Management Comment the words "The Shire will address findings 3, 5 and 6 of this management letter to develop policy" are stated. Will the Council, in its published Auditor General Performance Audit Action Plan please include what the nature of the management letter findings 3, 5 and 6 was to provide context to members of the public?

The Shire President took the question on notice.

B Keens

Summary of Question Five

Why haven't the minutes of the Museum Advisory Committee Meeting in August 2019 not been published and brought to this meeting because the Committee was quite vocal about remaining a Committee of Council.?

The minutes were signed off last Friday. Although there may have been commentary recorded in the minutes, there were no recommendations made by the Committee at their August 2019 meeting. The feedback of the Museum Advisory Committee was considered in relation to the Agenda Item 10.5.2 you are referring to.

5. LOCAL GOVERNMENT STANDARDS PANEL – SANCTION ORDERS

5.1 Cr Brian Rayner

Cr Brian Rayner has been found by the Local Government Standards Panel to have committed one breach of the *Local Government (Rules of Conduct) Regulations 2007*.

The Local Government Standard's Panel has ordered that:-

1. *Councillor Brian Rayner, a Councillor for the Shire of Toodyay publicly apologise to the Toodyay Progress Association, as specified in paragraph 2 and 3 below.*
2. *On the ordinary council meeting first occurring after the expiration of 28 days from the date of service of this Order on him, Councillor Rayner shall:*
 - (a) *attend the relevant ordinary council meeting;*
 - (b) *ask the presiding person for his or her permission to address the meeting to make a public apology to the public;*
 - (c) *make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and*
 - (d) *address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address:*

SP 2018 - 111 - Cr Rayner to publicly apologise;

"I advise this meeting that:

- (i) A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the *Local Government (Rules of Conduct) Regulations 2007 (WA)* at the Ordinary Council Meeting of the Shire of Toodyay held the 24 April 2018 when I attributed a comment made by Mr Geoffrey McDonald-Appleby to the Toodyay Progress Association.

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- (ii) The Panel found that I breached the *Shire's Standing Orders Local Law 2008* Regulation 4 of the said Conduct Rules in that such attribution was objectionable.
- (iii) I accept that I should not have attributed the relevant comments to the Toodyay Progress Association.
- (iv) I now apologise to the Toodyay Progress Association."

Cr Rayner made the above apology at 4.19pm on Tuesday 27 August 2019.

5.2 Cr Benjamin Bell

At its meeting on 26 April 2019, the Panel found that Councillor Benjamin Bell, a councillor for the Shire of Toodyay (“the Shire”) committed 1 minor breach of Regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) (“the Regulations”) when he made statements in an article in the December 2018 edition of The Toodyay Herald newspaper (“the Minor Breach”).

The Panel orders pursuant to section 5.110(6)(b)(ii) of the Act that, in relation to the Minor Breach of regulation 7(1)(b) of the Regulations, Cr Bell make a public apology.

The Local Government Standard’s Panel has ordered that:-

1. Councillor Benjamin Bell, an elected member for the Shire of Toodyay publicly apologise, as specified in paragraphs 2 and 3 below.
2. On the ordinary council meeting first occurring after the expiration of 28 days from the date of service of this Order on him, Councillor Benjamin Bell shall
 - (a) attend the relevant ordinary council meeting;
 - (b) ask the presiding person for his or her permission to address the meeting to make a public apology to the public;
 - (c) make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and
 - (d) address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address:

SP 005 of 2019 - Cr Bell to publicly apologise;

“I advise this meeting that:

- i. A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened *the Local Government (Rules of Conduct) Regulations 2007 (WA)* when I wrote an article that was published in the December 2018 edition of Toodyay Herald newspaper with negative allegations that:
 - (a) implied that the Shire of Toodyay had not acted in accordance with proper process;
 - (b) alluded to something underhand taking place within Council; and
 - (c) were recklessly made using language that would arouse suspicion and uncertainty.
- ii. The Panel found that I breached regulation 7(1)(b) of the said Regulations by making comments that caused damage to the

reputation of the local government and did not treat others with respect and fairness.

- iii. I accept that I should not have made relevant comments in the article.

It is noted that Cr Bell's Public Apology was printed in the August 2019 edition of the Toodyay Herald on Page 10 (below);

Page 10 THE TOODYAY HERALD August 2019

PUBLIC APOLOGY BY CR BENJAMIN BELL

A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I wrote an article that was published in the December 2018 edition of Toodyay Herald newspaper with negative allegations that:

- a. implied that the Shire of Toodyay had not acted in accordance with proper process;
- b. alluded to something underhand taking place within Council;

c. were recklessly made using language that would arouse suspicion and uncertainty.

The Panel found that I breached regulation 7(1)(b) of the said Regulations by making comments that caused damage to the reputation of the local government and did not treat others with respect and fairness.

I accept that I should not have made relevant comments in the article. I apologise to the public and my fellow Councillors and the Shire of Toodyay.

It is noted that this advertisement in the Toodyay Herald was in lieu of making a public apology at the August 2019 Ordinary Council Meeting.

Note: Cr Bell did not make a public apology at the August 2019 Ordinary Council Meeting.

6. CONFIRMATION OF MINUTES

6.1 Ordinary Meeting of Council held on 23 July 2019

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 198/08/19

MOVED Cr Welburn

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 23 July 2019 be confirmed subject to an amendment being made as follows:

At Item 9.4.1 List of Payments June 2019 (Resolution No. 169/07/19) the word "May" be amended to read "June".

MOTION CARRIED 8/0

6.2 Special Meeting of Council held on 25 July 2019

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 199/08/19

MOVED Cr Dow

That the Unconfirmed Minutes of the Special Meeting of Council held on 25 July 2019 be confirmed.

MOTION CARRIED 8/0

6.3 Agenda Briefing held on 20 August 2019

Cr Twine moved the Officer's Recommendation.

Cr Dow seconded the motion.

Clarification was sought.

The motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 200/08/19

MOVED Cr Twine

SECONDED Cr Dow

That the Notes of the Agenda Briefing held on 20 August 2019 be received.

MOTION CARRIED 8/0

6.4 Confidential Items

6.4.1 Quarterly Strategic Council Forum held on 13 August 2019

Cr Welburn moved the Officer's Recommendation.

Cr Greenway seconded the motion.

Clarification was sought.

The motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 201/08/19	
MOVED Cr Welburn	SECONDED Cr Greenway
That the Confidential Notes from the Strategic Council Forum held on 13 August 2019 be received.	
MOTION CARRIED 7/1	

6.4.2 Agenda Briefing held on 20 August 2019

OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION COUNCIL RESOLUTION NO. 202/08/19	
MOVED Cr Dow	
That the Confidential Notes from the Agenda Briefing held on 20 August 2019 be received.	
MOTION CARRIED 8/0	

7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

7.1 PETITIONS

Nil

7.2 DEPUTATIONS

Nil

7.3 PRESENTATIONS

Nil

7.4 SUBMISSIONS

S McClelland addressed Council regarding Agenda Item 10.2.1 Lot 143 (#83) Bejoording Road, Bejoording – 3 to 6 Dog Application (Keeping of 3 dogs). [*Refer to the attachments to the Minutes*].

F Panizza addressed Council regarding Agenda Item 10.5.2 Committees of Council Review.

B Ruthven addressed Council regarding Agenda Item 10.5.2 Committees of Council Review. [*Refer to the attachments to the Minutes*].

8. BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)

Nil.

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER (without discussion)

9.1 PRESIDENT'S REPORT

Nil

10. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS

10.1 COMMUNITY DEVELOPMENT

10.1.1 Safer Toodyay Strategic Plan

Date of Report:	14 August 2019
Name of Applicant / Proponent/s:	Safer Toodyay – Secretary Wayne Clarke
File Reference:	SAF 1
Author:	A Bell – Manager Community Development
Responsible Officer:	A Bell – Manager Community Development
Previously Before Council:	RESOLUTION NO. 166/09/17 13 August 2019 – Strategic Meeting of Council 26 September 2017 – Council Meeting
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Executive
Attachments:	1. Safer Toodyay Strategic Plan
Voting Requirements:	Simple Majority

PURPOSE OF THE REPORT

To endorse the Safer Toodyay Strategic Plan, which was presented at the August 2019 Strategic Meeting.

BACKGROUND

The Committee has been working through their previous plan and have now completed the updates to their Strategy to assist in making Toodyay a safer place.

CONSULTATION IMPLICATIONS

Mr Wayne Clarke – Secretary of Safer Toodyay presented the Strategic Plan to Council at the August Strategic Meeting.

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

S2.1 Implement, or lobby, for safety initiatives in the community.

Adopt and implement "Safe Toodyay Plan".

POLICY IMPLICATIONS

There are no adverse policy implications envisaged from this report.

FINANCIAL IMPLICATIONS

As this plan progresses there may be a need for Council to consider expenditure via budget process, and or the need for support towards external grant funding.

LEGAL AND STATUTORY IMPLICATIONS

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

RISK IMPLICATIONS (including DAIP)

This proposal does not contain any notable risk implications.

SOCIAL IMPLICATIONS

This an opportunity for the Shire of Toodyay to partner with the Safer Toodyay Committee and others involved in the Committee to help make the Shire of Toodyay a safer place.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

OFFICER COMMENT / DETAILS

A great opportunity to work in partnership with others in the community.

Following the Agenda Briefing meeting on 20 August 2019, the below listed information was supplied giving a brief history of further strategies from the Safer Toodyay Committee.

At the Agenda Briefing held on 20 August 2019 questions were raised in respect to previous strategies by the Committee; this information is provided below:

SaferToodyay WA was previously known as the Toodyay Community Safety & Crime Prevention Committee.

When the Committee first applied for funding, it was the Toodyay Community Safety and Crime Prevention Committee. When they became incorporated, they changed the name from Committee to Association. When the original plan was submitted, the plan was put together by Allen Clabaugh and Wayne Clarke with the help of the Office of Crime Prevention. Barry Vose was Chairperson at the time. After that Mr Clabaugh took over as Chair from Barry Vose. The Association evolved from the original Safer WA committee of 1998 to the Safer Toodyay Committee. Wayne Clarke continues as the Secretary of that Committee.

The plan in 2010 went to the Council Forum but there are no records it was actually endorsed by Council through an Ordinary Council Meeting. A copy of the 2010 and the 2015 plans are on record, but they were not officially presented to Council for endorsement.

The last resolution made by Council in September 2017 included a point 4 which stated "The Toodyay Community Safety and Crime Prevention Plan 2015-2020 be resubmitted to Council for endorsement following the review"

OFFICER'S RECOMMENDATION

1. That Council endorses the Safer Toodyay Strategy.
2. That any financial commitment arising from any actions in the Strategy will be subject to Council's budget constraints.

Cr Dow moved the Officer's Recommendation as follows:

- 1. That Council endorses the Safer Toodyay Strategy.**
- 2. That any financial commitment arising from any actions in the Strategy will be subject to Council's budget constraints.**

Cr Chitty seconded the motion.

Cr Manning moved an amendment to the motion as follows:

That at Point 2 instead of the word "constraints" the word "processes" be inserted.

Cr Dow accepted the amendment.

Cr Chitty accepted the amendment.

Clarification was sought in relation to the substantive motion.

Debate commenced.

Cr Chitty moved a Permissible Procedural Motion as follows:

That the Debate in relation to the substantive motion for Agenda Item 10.1.1 Safer Toodyay Strategic Plan be adjourned to 4.10pm at the September 2019 Ordinary Council Meeting in accordance with Part 10.1 (c) of the Shire of Toodyay Standing Orders Local Law 2008.

Cr Manning foreshadowed an amendment as follows:

At Point 1 the word "receives" replace the word "endorses"

The CEO advised that only one motion can be considered at one time.

Further advice was provided in regard to the adjournment of debate (10.2 (1) of the Standing Orders) by the CEO.

Cr Rayner seconded the motion.

The motion was put.

PROCEDURAL MOTION/COUNCIL RESOLUTION NO. 203/09/19

MOVED Cr Chitty

SECONDED Cr Rayner

That the Debate in relation to the substantive motion for Agenda Item 10.1.1 Safer Toodyay Strategic Plan be adjourned to 4.10pm at the September 2019 Ordinary Council Meeting in accordance with Part 10.1 (c) of the Shire of Toodyay Standing Orders Local Law 2008.

VOTES EQUALLY DIVIDED 4/4

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

MOTION CARRIED 5/4

In accordance with the Shire of Toodyay Standing Orders Local Law Clause 10.7(b) (ii) the names of the Members who have spoken on the matter are as follows:

Cr Bell; and

Cr Manning.

10.1.2 Small Business Friendly

Date of Report:	14 August 2019
Name of Applicant / Proponent/s:	Small Business Development Corporation
File Reference:	ECO 6
Author:	A Bell – Manager Community Development
Responsible Officer:	S Scott – Chief Executive Officer
Previously Before Council:	13 August 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. Information Brochure – Small Business Friendly; 2. Sample of Reporting to Small Business Development Corporation; 3. Copy of Small Business Charter; 4. Listing of other Local Governments Small Business Activities; and 5. General information brochure.
Voting Requirements:	Simple Majority

PURPOSE OF THE REPORT

For Council to authorise the Chief Executive Officer to proceed with the application process for the Shire of Toodyay to become Small Business Friendly.

BACKGROUND

Information has been received from the Small Business Development Corporation on this initiative. (Attachment 1).

This initiative has been in place for a few years with other Local Governments already working in partnership with the Small Business Development Corporation and their local businesses by improving – communication, development approval processes and streamlining payments to small businesses that they engage with.

Adoption of this initiative would involve all Departments of the Shire. It is meant to become a part of our everyday business activities.

Listed below are the standard activities which are already a part of our workings.

1. *On-time payment policy – are all invoices paid within 30 days? Yes - The Shire has two payment runs each month.*

2. *Business advisory group* – the Shire has Representatives (Staff and Councillors) who attend the monthly Chamber of Commerce Meetings.
3. *Dispute handling* – endeavoured to be worked through via normal Shire business undertakings, however should matters not be able to be worked through, it can be referred to SAT.

There are further flexible activities to be considered. These other further activities which the Council/Shire would need to work through and support, are then added to the reporting back to the Small Business Development Corporation (**Attachment 2**).

If adopted by Council the President and CEO would sign off on this agreement with the Shire then committing to the Charter to be Small Business Friendly (See **Attachment 3**).

In (**Attachment 4** are samples of what other Local Governments are undertaking via the Small Business Friendly Program).

For Councillors general information (**Attachment 5**) is a brochure sharing the overview of all that the Small Business Development Corporation undertakes.

CONSULTATION IMPLICATIONS

Discussions have taken place at the Managers Meetings along with further discussions with the Development Services and Corporate Services Team members for their input into current practices.

This would be a whole organisation undertaking.

This item was also presented to Council at the August Strategic Meeting.

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

S1.2 Work collaboratively with business stakeholders to minimise impediments.

POLICY IMPLICATIONS

There are no adverse policy implications envisaged from this report.

FINANCIAL IMPLICATIONS

There are no adverse policy implications envisaged from this report.

LEGAL AND STATUTORY IMPLICATIONS

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

Not a legal nor statutory implication but there is a simple report card back to the Small Business Development Corporation twice a year, on the progress of

agreed outcomes. (See Report Card Template – Attachment 2). These outcomes will be worked through via the Chief Executive Officer and the Senior Management Team.

These reports can be presented to Council for general information update at a couple of the Strategic Meetings through the year.

RISK IMPLICATIONS (including DAIP)

There are no adverse risk implications.

SOCIAL IMPLICATIONS

This an opportunity for the Shire of Toodyay to partner with the Small Business Development Corporation and local businesses.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

OFFICER COMMENT / DETAILS

Similar to our Age, Dementia and Inclusion “Friendly” programs/activities, this Small Business Friendly is a type of filter which can be applied to our daily workings and to assist in helping Small Business in the Shire through improvement to our communication, processes and support.

OFFICER’S RECOMMENDATION

That Council authorise the Chief Executive Officer to enter into the Small Business Friendly initiative through the Small Business Development Corporation.

Cr Twine moved the Officer’s Recommendation.

Cr Welburn seconded the motion.

Clarification was sought.

Debate commenced.

The motion was put.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION NO. 204/08/19

MOVED Cr Twine

SECONDED Cr Welburn

That Council authorise the Chief Executive Officer to enter into the Small Business Friendly initiative through the Small Business Development Corporation.

MOTION CARRIED 7/1

10.2 PLANNING AND DEVELOPMENT

10.2.1 Lot 142 (#83) Bejoording Road, Bejoording – 3 to 6 Dog Application (Keeping of 3 Dogs)

Date of Report:	22 July 2019
Name of Applicant / Proponent/s:	S McClelland
File Reference:	A1232/142BEJ
Author:	T. Prater – Development Support Officer
Responsible Officer:	K Nieuwoudt – Manager of Planning and Development
Previously Before Council:	No
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Executive
Attachments:	1. Location Plan; and 2. Schedule of Submissions
Voting Requirements:	Simple Majority

PURPOSE OF THE REPORT

To consider an application for the keeping of 3 dogs at Lot 142 Bejoording Road, Bejoording.

BACKGROUND

The owner is seeking approval to have 3 dogs in total (i.e. 3 Ridgeback crosses).

Lot 142 Bejoording Road, Bejoording has an area of 5ha and is zoned 'Rural Residential' under the Shire's Local Planning Scheme No 4. A Location Plan is attached (refer **Attachment 1**).

CONSULTATION IMPLICATIONS

External Consultation

Consultation was undertaken in accordance with Council's Policy No. A15 – Keeping of 3 to 6 Dogs. All adjoining landowners within a 50 metre radius of the subject land were given 24 days to lodge a written submission on the application (advertised from 21st June 2019 until 15th July 2019).

Five landowners were contacted with two submissions being received. Both submissions were objections to the third dog.

Details of the submissions received and the officer's responses can be found in the Schedule of Submissions in **Attachment 2**.

Internal Consultation

The application was referred internally to the Shire's Ranger Services. The Rangers' recommendation is reflected under 'Officer Comment / Details' section of this report.

STRATEGIC IMPLICATIONS

There are no adverse strategic implications envisaged from this report.

POLICY IMPLICATIONS

Administration Policy A.15 – Keeping of 3 to 6 Dogs, applies to this proposal. As objections were received during the public consultation period, it is required to be referred to Council for consideration.

LEGAL AND STATUTORY IMPLICATIONS

Section 26 of the *Dog Act 1976* outlines the limitations on dog numbers. The Act allows for local government to create Local Laws to control the number of dogs on a property.

Clause 3.2(3) of the Shire of Toodyay Dogs Local Law, which is made pursuant to the *Dog Act 1976*, outlines that Council may approve more than two dogs on a property. Administration Policy A.15 – Keeping of 3 to 6 Dogs, provides clarification on how this clause from the Local Law is applied.

The application complies with the Act and the Shire's Dogs Local Law.

RISK IMPLICATIONS

There are no adverse risk implications for the Shire of the recommendations of this report.

SOCIAL IMPLICATIONS

The keeping of animals which can be difficult to contain on an owner's property, or animals that may create excessive noise levels, may have potential to negatively impact upon the adjoining landowners.

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 for the keeping of 3 dogs on Lot 142 (#83) Bejoording Road, Bejoording, can be considered under the provisions of A.15 – Keeping of 3 to 6 Dogs.

In October 2017, an application for 3 dogs was refused at this property due a dog attack on neighbouring stock and inadequate measures to keep the dogs on the property. The dog responsible for the attacks was removed from the property by Rangers.

A new application was submitted in June 2019, the Rangers conducted a yard inspection and found the property and owner have undergone some positive changes.

Council's Rangers advise the dogs are all in great physical condition and the mental state of the dogs is much better than when the property was inspected in 2017. The dog enclosure is well fenced with adequate water and shade provided. This enclosure will be used when the owner is not home. Additionally each dog is fitted with a boundary collar for when the owner is at home.

Council's Rangers recommend that this application be approved and the owner is given an opportunity due to her changed attitude towards being a responsible dog owner, and knowing that the consequences of not being responsible may result in the euthanasia of a dog should it be involved in an attack on people or livestock.

It is recommended that a variation allowing the additional dog be supported.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 205/08/19

MOVED Cr Greenway

That Council permit the keeping of (3) three dogs on Lot 142 Bejoording Road, Bejoording, subject to the following conditions:

1. All dogs must be confined to the property and kept under control by the following means:
 - (a) Fencing and gates on the premises or a portion of the premises where the dogs are to be contained, must be of a suitable type, height and construction to prevent the dogs at all times from passing over, under or through it, or
 - (b) an approved electronic confinement.
2. Any proven complaints regarding the dogs offending against the *Dog Act 1976* will result in the permit being revoked and the number of dogs having to be reduced to a maximum of two (2) within fourteen (14) days.
3. All dogs must be registered and registration must be maintained.
4. The approval only applies to the following dogs:

Name	Breed	Sex	Reg. No	Age	Colour
Shadow	Ridgeback x	F	1900049	4yrs	Brown
Gypsy Lady	Ridgeback x	F	1900498	3yrs	Brown
Khloe	Ridgeback x	F	L0679	4yrs	Brown

5. Upon the death or disposal of one or more of the above dogs, the permit will cease and the number of dogs permitted will revert to the lesser number.
6. The local government needs to be notified in writing of the dogs' details and any change to details, this includes change of address and/or change of ownership.

MOTION CARRIED 7/1

10.3 WORKS AND TECHNICAL SERVICES

10.3.1 Bushfire Risk Management Plan, Endorsement - Mitigation Activity Fund, Appointment of Contractor

Date of Report:	5 August 2019
Name of Applicant / Proponent/s:	J Hansen
File Reference:	FIR3
Author:	J Hansen - Bushfire Risk Management Planning Coordinator
Responsible Officer:	S Patterson - Manager Works and Services
Previously Before Council:	N/A
Author's Disclosure of Interest:	N/A
Nature of Council's Role in the matter:	Executive
Attachments:	1. BRMP (Bushfire Risk Management Plan); and 2. Appendices to Plan.
Voting Requirements:	Absolute majority

PURPOSE OF THE REPORT

To consider the endorsement of the Bushfire Risk Management Plan (BRMP) for the Shire of Toodyay and to authorise the CEO to sign the BRMP on behalf of the Shire.

This report also requests council to authorise the CEO to utilise the State Government common use agreement to source a suitable contractor to implement the treatments as detailed within the BRMP.

EXECUTIVE SUMMARY

The BRMP is a living document that Local Governments are required to produce under the State Hazard Plan for Fire (Westplan Fire). It details the risk from bushfire to identify assets and allows treatment remedies to be applied and records maintained of all works done. Once approved by OBRM (Office of Bushfire Risk Management), it also qualifies the Shire as eligible to apply for funding under the MAF (Mitigation Activity Fund).

Once funding is allocated, there is a limited time window to get these treatments completed or risk having to repay the funds. To this end, council is asked to approve the use the Department of Fire and Emergency Services Approved Mitigation Contractors List. This is permitted in accordance with regulation 11(2) (e) of the Local Government (functions and General) Regulations 1996 but needs to be approved by council.

BACKGROUND

Under the *State Hazard Plan for Fire (Westplan Fire)* an integrated Bushfire Risk Management Plan (BRM Plan) is to be developed for local government areas with significant bushfire risk. This BRM Plan has been prepared for the Shire of Toodyay in accordance with the requirements of *Westplan Fire* and the *Guidelines for Preparing a Bushfire Risk Management Plan (Guidelines)*. The risk management processes used to develop this BRM Plan are aligned to the key principles of *AS/NZS ISO 31000:2009 Risk management – Principles and guidelines*, as described in the Second Edition of the *National Emergency Risk Assessment Guidelines (NERAG 2015)*. This approach is consistent with the policies of the State Emergency Management Committee, specifically the *State Emergency Management Policy 3.2 and State Emergency Management Prevention and Mitigation Procedure 1*.

This BRM Plan is a strategic document that identifies assets at risk from bushfire and their priority for treatment. The Treatment Schedule sets out a broad program of coordinated multi-agency treatments to address risks identified in the BRM Plan. Government agencies and other land managers responsible for implementing treatments participate in developing the BRM Plan to ensure treatment strategies are collaborative and efficient, regardless of land tenure.

In 2018, Toodyay was identified as an eligible Local Governments and was incorporated into the BRMP Project and funding provided. Since then, numerous stakeholders throughout the Shire have been consulted, as well as a number of Government Agencies to identify assets and critical infrastructure and assess them against bushfire risk.

The BRPC (Bushfire Risk Planning Coordinator) is a Shire based position, which is fully funded by DFES. This position was created to assist the Shire in developing this plan in order to meet its obligations under the *State Hazard Plan for Fire (Westplan Fire)*.

With reference to the second request of this report, the use of the State Government common use agreement to source a suitable contractor to implement the treatments as detailed within the BRMP.

Now that the BRMP has been reviewed and approved by the Office of Bushfire Risk Management (OBRM) the Shire is now eligible to apply to the Mitigation Activity Fund (MAF) for monies to complete the identified treatments within the Shire. The following limitations are among the reasons that council is requested to utilise this provision.

This funding is only available for the financial year in which it is awarded; the next round opens in mid-August 2019).

There is limited appropriate time available to do these types of works (little can be done during High Fire Danger periods and conversely when the ground becomes saturated).

Sourcing a contractor with the appropriate equipment, skills and availability is extremely difficult. Often in a season of large Bushfire outbreaks these qualified contractors are often seconded by DFES to assist fighting wildfires throughout

the State, this naturally has a greater priority than mitigation works. Hence our window again decreases whilst they are called away.

Under the Shire's Purchasing Policy F.3 Section 3 the appointment of a contractor to do the works would require a tender process unless one of the exemptions at 6.1 applies. 6.1(3) allows exemption for purchasing under State Government Common Use agreements.

Therefore, for the reasons outlined above, it is recommended that the procurement of a suitable contractor be undertaken through the Department of Fire and Emergency Services Approved Mitigation Contractors List. This is permitted in accordance with regulation 11(2) (e) of the Local Government (functions and General) Regulations 1996 but needs to be approved by council.

CONSULTATION

Government Agencies (DFES, DBCA, Parks and Wildlife Service);

Service Providers (Education Department and Arc Infrastructure);

Local Community Groups (Toodyay Naturalist Club, Toodyay Friends of the River, Caring for Avon River Environment);

Local Shire Staff (Reserves Management Officer, CESM); and

The Department of Local Government, Sport and Cultural Industries has confirmed that the Shire can utilise the DFES Approved Mitigation Contractors List, subject to the DFES list having been subject to a selection/vetting process. Therefore, council can approve the use of the DFES Approved Mitigation List to source a suitable contractor.

STRATEGIC IMPLICATIONS

A key point of the *Shire's Strategic Community Plan* is to ensure:

A "Healthy, safe and cohesive community". The BRMP was identified as a priority community service. This will clearly be addressed with the adoption of the BRMP and will benefit the community into the future.

A key point of the Shire's Corporate Business Plan is to ensure:

Improving the fire safety for established subdivisions

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

As per obligations under section 2.2.7 of the State Hazard Plan for Fire (Interim Dec 2018) (Westplan Fire) an integrated Bushfire Risk Management Plan is to be developed for Local Government areas with significant bushfire risk.

Local Government (Functions and General) Regulations 1996.

Regulation 11(2) (e) provides that:

Tenders do not have to be publically invited according to the requirements of this division if the supply of the goods or services is to be supplied or obtained

through the government of the state or the commonwealth or any of its agencies, or by a local government or a regional local government.

RISK IMPLICATIONS (including DAIP)

Should council decide not to endorse the BRMP it would place the Shire in default of its obligations under Westplan Fire. Should Council decide not to endorse the use of the State Government common use agreement to source a suitable contractor, the Shire will most likely be unable to conduct the required mitigation works in the specified time and would therefore be required to return the funds at the end of the 2019 / 2020 Financial year, without the guarantee of being re allocated these funds at a later date.

SOCIAL IMPLICATIONS

There are no adverse social implications envisaged from this report.

ENVIRONMENTAL IMPLICATIONS

All mitigation works will be subject to pre assessment for any clearing permits and the contractor advised of the requirement to conduct all works to mitigate any drainage issues.

ECONOMIC IMPLICATIONS

There are no adverse economic implications envisaged from this report.

OFFICER COMMENT / DETAILS

The author's appointment as BRPC (Bushfire Risk Management Planning Coordinator) to the Shire was specifically to assist the Shire in developing this document (the BRMP) and to conduct the associated assessments, thereby identifying assets at High, Very High and Extreme risk. Developing strategies to mitigate these risks and then source funding to assist or complete these treatments.

Once the funding is secured, his role is to then ensure an appropriate contractor is engaged and these works completed in a timely manner by supervising these works.

At the end of the financial year, he will submit an acquittal to the funding body and if any works are not completed, arrange for the unused funds to be returned, hence the time critical component of this undertaking.

It is the author's opinion that council should endorse the BRMP and additionally allow the use of the Department of Fire and Emergency Services Approved Mitigation Contractors List, which is permitted in accordance with regulation 11(2) (e) of the *Local Government (Functions and General) Regulations 1996* but needs to be approved by Council.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 206/08/19

MOVED Cr Dow

That Council:

1. Endorse the Bushfire Risk Management Plan (BRMP) for the Shire of Toodyay and authorise the CEO to sign the BRMP on behalf of the Shire.

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2. Authorise the CEO to utilise the State Government common use agreement, by using the Department of Fire and Emergency Services approved contractors list, to source a suitable contractor to implement the treatments as detailed within the BRMP

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

10.3.2 Lozanda Heights Easements

Cr Dow declared a Closely Associated Persons Interest, pursuant to Section 5.62 of the Local Government Act 1995, in relation to Agenda Item 10.3.2 Lozanda Heights Easements. The nature of her interest is that her brother-in-law owns property backing onto the Lozanda Heights easement.

Cr Dow stated that "As a consequence there may be a perception that my impartiality on the matter may be affected. I will therefore declare that I will consider the matter on its merits and vote accordingly."

Date of Report:	13 August 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, 94/04/19
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Executive
Attachments:	<ol style="list-style-type: none"> 1. Attachment A – Easements Summary Map 2. Attachment B – Deed of Easement G282738 3. Attachment C – Deed of Easement G282814 4. Attachment D – Strategic Review of Bushfire Policy Report (on-line) http://www.toodyay.wa.gov.au/Council/Shire-Documents 5. Attachment E – Guidelines for Planning in Bushfire Prone Areas E – 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; 6. <i>Attachment F – Certificates of Title Lots 301-304, 308-315 and 333 Harvester Drive.</i> 7. <i>Attachment G – Landholder Feedback – Schedule of Submissions.</i>
<i>Confidential Attachments</i>	
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

At the April 2019 Ordinary meeting of Council, Council considered a report, regarding the future of Easements G276648, G282738, and G282814 in the Lozanda Heights subdivision. Resolution adopted a proposed position (to extinguish easements) as a basis for seeking landholder feedback, prior to the matter being brought back to Council for determination.

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 & 308-315 & 333 Harvester Drive, Lot 324 Fargo Way and Lot 344 Sandplain Road.

In 2009, council resolved (570/09/09) to end the 'Strategic Firebreak' arrangements as part of a review of fire break requirements. This resolution was amended by subsequent resolution in 2010 (792/07/10). Further details regarding these resolutions were provided in the April 2019 report to Council and may be viewed in the meeting's minutes.

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 consistent 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) were initially contacted by three owners/occupiers of properties on Harvester Drive seeking explanation of the status of the easement/their responsibilities. This contact from land owners,

prompted the investigation which resulted in the report/recommendation considered by council at the April 2019 Ordinary Meeting.

As an outcome of the April Ordinary Meeting, owners of properties encumbered by Easements G276648, G282738, and G282814 were written to requesting feedback on a proposal to extinguish the easements. Responses were received from 9 of the 15 owners. The schedule of submissions is provided for Council as a confidential attachment.

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

While the Officer's primary recommendation can be conducted under existing budget allocations, the Officer's Alternate recommendation has potential additional costs estimated at \$20,000.

It is possible that the issues similar to Harvester Drive easements could exist elsewhere in the Shire. Therefore Council should consider the possible flow on financial effects that decision made with regard to this issue may bear in setting a precedent for future like situations, particularly when considering the Officer's Alternate Recommendation.

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 are potential competing interests between the wording of 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.

One landholder, in their correspondence with the Shire has foreshadowed legal proceedings against the Shire should this matter not be settled in a timely manner.

RISK IMPLICATIONS (including DAIP)

If the issues identified in this report are not addressed, there may be an ongoing requirement and cost to the Shire in maintaining the subject easements so this would include the need to remove, or have landholders remove, current obstructions across the easements which would likely be a point of contention given the overall support to extinguish.

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 G282738 & G282814 within the Lozanda Heights Subdivision (See attachment A for location/map).

Please note: Both, the April report considered by Council and the related background to this report mentions easements over Lot 324 (31) Fargo Way (G276648) and Lot 344 (144) Sandplain Road (part G282738). Following landholder feedback and subsequent investigation it was confirmed the easements over both these lots previously extinguished and hence do not factor in the recommendation of this report.

Easements G282738 & G282814 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-D) place responsibilities on the grantor (land holder) not to block or restricted access, and the grantee (Shire) to maintain a trafficable surface.

The report considered by Council at the April 2019 meeting provides detail of the justification for recommending extinguishment of the easement, and as such is not repeated here. This covered safety issues relating to dead ends, inappropriately placed fencing and width not supportive of contemporary Fire Service Access Routes (FSAR) standards. It also outlined the lack of strategic benefit of an easement which mimics the subdivision road layouts, and overlap with the Shire of Toodyay Fire-break Notice issued under Section 33 of the Bushfires Act.

Analysis of Landholder Feedback

Of the 8 items of feedback received from Harvester Drive properties, following the Shire's request for commenting stemming from April's resolution 94/04/19, all but one could be deemed supportive of extinguishment of the relevant easement.

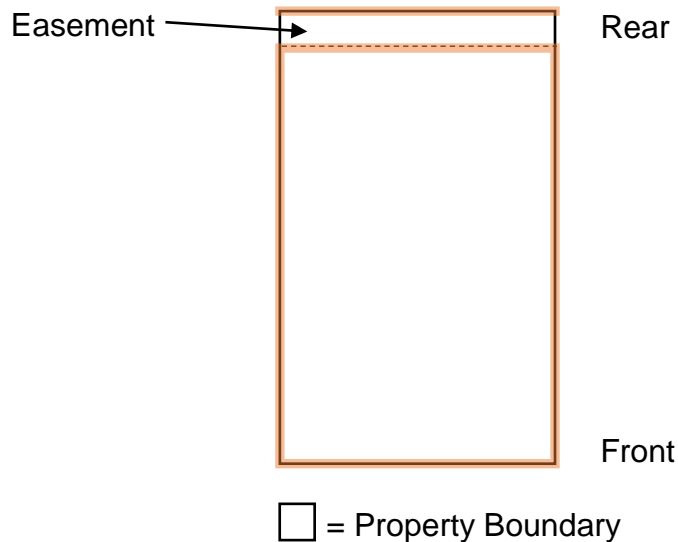
There was also majority support for the Shire to conduct final maintenance grading as part of the overall extinguishment process.

As foreshadowed in the Officer's April 2019 report to Council the topic of fencing has been raised in correspondence. Three submissions raised fencing as an issue, two of which could be deemed as a condition of the respondent.

There are a number of factors to consider regarding fencing. The first is that the Deed of Easements do not dictate any fencing as a requirement of the easement. Thus the easement could exist both without any fencing, or fully fenced (so long as the fence did not obstruct the easement). Like any other

property the decision to install fencing, and hence the maintenance there of lies with the landholder/neighbouring landholder.

However the officer does acknowledge that the resulting layout of fencing on the effected properties has likely to have been influenced by the existence of the easement. The diagram below is a schematic of a typical fencing layout for rear of property easements.



The existence of an internal fence, and the absence of side boundary fencing extending to the rear of the property could be reasonably assumed to be influenced by the existence of the easement. Thus there may be grounds in these instances, for Council to consider assisting landholders removing the internal fence and extending existing side boundary fencing to the rear boundary. Costs associated with providing such works would be approximately \$6,000. This could be funded out of existing budget allocations with minimal impacts on other planned works. Providing these remedial works as an option to resident's forms part of the Officer's primary recommendation.

However, two of the respondent's specifically indicate only the rear boundary fence as concern, requesting the Shire replace the rear boundary fence. It is possible that the remaining respondent raising a fencing question could be seeking the same. The extent or alignment of rear fencing in the above situation is not influenced or necessitated by the easement. In all cases the adjoining land holdings are private (not Shire) and could not be considered party to a shared boundary.

It should also be noted that of the three respondents raising fencing as an issue, one does not currently have a rear boundary fence and the remaining two are in extremely poor condition. One respondent sighted lack of easement maintenance, by the Shire as the reason the rear boundary fence was in poor condition. Inspection of the rear boundary fence of this property revealed that vegetation falling from the neighbouring property has caused substantial damage to this fence. Any damage stemming from vegetation growth and or falling from within the easement was negligible.

While substantial portions of rear fencing along the subject properties could be considered good condition, it is reasonable to assume that more than the three properties would request replacement if Council elected to go down this path. It is estimated that full replacement value of rear fencing along the entire easement alignment would be approximately \$20,000. This amount would not be able to be covered within existing budget allocations, and is not included in the officer's primary recommendation. However, due to the issue being raised during consultation an alternate officer's recommendation includes these works as an option to landholders subject to increased budget allocation of \$20,000.

It is possible that the issues similar to Harvester Drive easements could exist elsewhere in the Shire. Therefore Council should consider the possible flow on financial effects that decision made with regard to this issue may bear in setting a precedent for future like situations, particularly when considering the Officer's Alternate Recommendation.

Summary/Recommended Position

Given the overall positive feedback regarding Council's proposed position to extinguish the easements, the Officer now moves to recommend that Council firm the proposed position into an actionable undertaking by the Shire administration to pursue extinguishment of easements G282738 & G282814.

It is the Officer's primary recommendation that council resolve to extinguish easements G282738 and G282814 and offer the following optional remediation works to land holders:

1. Final easement surface maintenance grade.
2. Extension of side boundary fencing (where balance of side fence exists) to rear boundary of property.
3. Removal of internal fencing along the easement boundary.

These works can be carried out within the existing Strategic Egress and Access budget allocation for 2019/20.

The Officer also provides an Alternate Officer's recommendation which included the above but also offer's replacement or repair of rear boundary fencing where an internal easement fence exists, subject to an additional budget allocation of \$20,000. This could be drawn from the Strategic Fire Access and Egress Tracks Reserve. The purpose of the Strategic Fire Access and Egress Tracks reserve is for the implementation and maintenance of strategic access and egress track which this work could be interpreted as consistent with that purpose; it would be preferable to advertise a change of use in accordance with section 5.11 of the Act.

In considering the Officer's Alternate recommendation, Council should consider the precedent this sets, should there be other similar easement situations requiring to be addressed by the Shire.

OFFICER'S RECOMMENDATION

That Council:

1. Approve the extinguishment of easements G282738 and G282814 over

Lots 301-304, 308-315 and 333 Harvester Drive;

2. As part of the above offer landholders of Lots 301-304, 308-315 and 333 Harvester Drive optional final surface maintenance grading of the easement;
3. As part of the above offer landholders of Lots 301-304, 308-315 and 333 Harvester Drive optional Removal of internal fencing along the easement boundary; and
4. As part of the above offer landholders of lots 301-304, 308-315 and 333 Harvester Drive extension of side boundary fencing (where balance of side fence exists) to rear boundary across easement to be extinguished.

OFFICER'S ALTERNATE RECOMMENDATION

That Council:

1. Approve the extinguishment of easements G282738 and G282814 over Lots 301-304, 308-315 and 333 Harvester Drive;
2. As part of the above offer landholders of Lots 301-304, 308-315 and 333 Harvester Drive optional final surface maintenance grading of the easement;
3. As part of the above offer landholders of Lots 301-304, 308-315 and 333 Harvester Drive optional Removal of internal fencing along the easement boundary;
4. As part of the above offer landholders of Lots 301-304, 308-315 and 333 Harvester Drive extension of side boundary fencing (where balance of side fence exists) to rear boundary across easement to be extinguished; and
5. Provide additional \$20,000 budget allocation in support of offering landholders of Lots 301-304, 309-315 and 333 Harvester Drive replacement or repair of rear boundary fencing where internal fencing along the easement boundary exists.
6. That Council advertise its intention to utilise \$20,000 from the Strategic Fire Access and Egress Reserve for this activity.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 207/08/19

MOVED Cr Welburn

That Council:

1. Approve the extinguishment of easements G282738 and G282814 over Lots 301-304, 308-315 and 333 Harvester Drive;
2. As part of the above offer landholders of Lots 301-304, 308-315 and 333 Harvester Drive optional final surface maintenance grading of the easement;

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3. As part of the above offer landholders of Lots 301-304, 308-315 and 333 Harvester Drive optional Removal of internal fencing along the easement boundary; and
4. As part of the above offer landholders of lots 301-304, 308-315 and 333 Harvester Drive extension of side boundary fencing (where balance of side fence exists) to rear boundary across easement to be extinguished.

MOTION CARRIED 8/0

10.4 CORPORATE SERVICES

Nil

10.5 EXECUTIVE SERVICES

10.5.1 October 2019 Meetings Schedule Review

Date of Report:	14 August 2019
Name of Applicant / Proponent/s:	Shire of Toodyay
File Reference:	MTG7, MTG8
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:	1. Copy of Advert
Voting Requirements:	Simple majority

PURPOSE OF THE REPORT

To consider endorsing the revised schedule of October 2019 Council Meetings.

EXECUTIVE SUMMARY

In lieu of the local government Ordinary Elections in October 2019 the Administration seeks Council's endorsement in relation to changing the meeting dates in October 2019.

BACKGROUND

The Shire of Toodyay Ordinary Council Meetings (OCM) are scheduled to occur on the 4th Tuesday of each calendar month except for December (which occurs on the 3rd Tuesday).

This means that the October 2019 OCM will be held on 22 Oct 2019; three days after the Ordinary Election.

Previously we have arranged for a Special Meeting on the Monday following the election to swear in new Councillors. We have also arranged Council inductions for new Councillors to occur around the same time.

Although there has been no requirement for new Councillors to attend information sessions prior to the election or to undertake any training after the election, recent changes to the Local Government Act now mean that the candidate induction and elected member training requirements will come into effect on gazettal of regulations; ensuring that universal training is in place for

the upcoming election. All candidates, including those standing for re-election, must now complete the induction prior to their nomination.

The induction module will be available on the department's website shortly. As a result of these arrangements the training gap may be less.

This year there is opportunity for us to modify our meeting arrangements for October 2019 to make the transition as smooth as possible for new elected members.

CONSULTATION

This item was included in the CEO's update at the Strategic Forum held on Tuesday 13 August 2019.

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

New legislative provisions mean participation in prescribed training is mandatory. The public notice of meetings is in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*.

The specific requirements for the publication of local and State-wide notices is being removed from Section 1.7 of the Local Government Act and will be included in regulations. A local public notice will require a notice to be published on the local government's official website and via at least three of the following mediums:

- in a newspaper that circulates generally throughout the district (if available)
- on a State Government website;
- on a social media platform;
- published in a newsletter or newsletters available to the majority of residents throughout the district;
- exhibited on a notice board at every local government office and library within the district; or
- Electronic mail distribution list.

A state-wide notice will require local governments to publish the notice in a newspaper that circulates throughout the State, in addition to the requirements of a local public notice.

RISK IMPLICATIONS (including DAIP)

If new elected members are not given an adequate induction or sufficient preparation time the following risks may apply:

They may feel disaffected or excluded;

New members may not feel equipped to participate in meetings.

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

Legislative amendments to the *Local Government Act 1995* will impose new requirements on newly elected or re-elected Councillors. There will also be some prescribed changes that have effect when regulations are gazetted.

In order to make it easier for newly elected members post-election it is proposed that Council postpone both the Agenda Briefing and the Ordinary Council Meeting by one week.

The amendments once agreed to by Council will be advertised through local public notice so the public are aware of the change in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 208/08/19

MOVED Cr Chitty

That Council endorse the revised schedule of October 2019 Council Meetings as follows:

Dates	Detail
Sat 19 October 2019	Local Government Election
Tues 22 October 2019 commencing 3.00pm Special Meeting	Swearing in of new Councillors; Election of President and Deputy; and Allocation of Seats
Tues 22 October 2019 commencing 4.00pm Agenda Briefing	Include discussion of committees and appointments
Tues 29 October 2019 commencing 3.00pm Special Meeting	Allocation of membership of committees Appointments to represent Council
Tuesday 29 October 2019 commencing at 4.00pm Ordinary Council Meeting	Deferred Ordinary Council Meeting

MOTION CARRIED 8/0

10.5.2 Committees of Council Review

Date of Report:	14 August 2019
Name of Applicant / Proponent/s:	Shire of Toodyay
File Reference:	MTG7, MTG8
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:	<ol style="list-style-type: none"> 1. Advisory Groups and Committee Book Terms of Reference; and 2. Advisory Groups Policy; and 3. Schedule of Submissions.
Voting Requirements:	Simple majority

PURPOSE OF THE REPORT

To consider formally closing various Committees of Council and adopting a NEW framework that includes an Advisory Groups and Committee Book Terms of Reference and an Advisory Groups Policy.

EXECUTIVE SUMMARY

The Shire has followed the same path in respect to holding Committees of Council consistently for the last eight years. This report asks Council to consider a new framework for 2020.

BACKGROUND

Council were asked to consider whether or not to continue with the current Committees of Council framework at their Strategic Forum held on 13 August 2019.

Currently, the framework consists of two types of Committees as follows:

1. Standing Committees that meet on a set schedule; and
2. Occasional Committees that meet as required.

Although these Committees of Council perform a useful means for addressing particular issues, they also require formal minutes and agendas which includes adherence to and application of the *Shire of Toodyay Standing Orders Local Law 2008*.

Over the last few years there have been a few occasions where a less formal process has proven more effective (e.g. Museum Advisory Committee and

Environment Advisory Committee have both held workshops separate to the their formal Committee Meetings).

Council has also in the past established “working groups” that have been held in a less formal manner such as the Avon Link, Butterly Cottages, Foggarthorpe, and an Entry Statement Working Group.

Another option that Council has available to it is to consider the current framework of the Quarterly Strategic Forum. In 2019 the Council Forum model was amended and rebadged as a “strategic” forum to be held on a quarterly basis.

In 2020 it is proposed that the program of the Strategic Forum is amended to include an update from the Managers of the various departments (i.e. Planning and Development, Corporate Services, Community Development and Works and Services) in relation to current projects, and programs.

The update would also include a question time so that members can ask Managers ad-hoc questions about current projects and the progress of works programs, etc.

This model would be used *instead of* providing this update through Committees of Council and may necessitate the commencement time being brought back by one hour to accommodate the inclusion in the program.

CONSULTATION

Following the Strategic Forum the Senior Management Executive Group met on 14 August 2019 to consider options in respect to the restructure of Council Committees.

STRATEGIC IMPLICATIONS

There are no adverse strategic implications envisaged from this report.

POLICY IMPLICATIONS

Council Policy 0.4 Museum Collection and Conservation Management, would need to be amended in order to remove consultation with the Museum Advisory Committee.

The NEW “Advisory Groups Policy” that covers the guidelines for establishment and operation of the Shire of Toodyay’s Advisory Groups of Council as well as the requirements for what happens in respect to recommendations from Advisory Groups needs to be considered and adopted, with or without amendment. This policy is taken from the City of Vincent who was the inspiration for developing this policy for use by the Shire of Toodyay.

FINANCIAL IMPLICATIONS

There are no adverse financial implications envisaged from this report.

LEGAL AND STATUTORY IMPLICATIONS

Section 5.8 of the *Local Government Act 1995* provides for the establishment of committees of 3 or more persons. Sections 5.9 and 5.10 provide for the types of committees and Appointment of Committee Members.

The public notice of meetings is in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996* which states as follows:

Section 5.8 of the *Local Government Act 1995* provides for the establishment of committees of three or more persons. Sections 5.9 and 5.10 provide for the types of committees and membership.

Advisory Groups are not established under Section 5.8 of the Local Government Act 1995. They do not have delegated authority from Council.

Advisory Groups will also be closed to the public.

A new Council Policy (**Attachment 2**) titled "Advisory Groups Policy" contains guidance for establishment and operation of the Shire of Toodyay's Advisory Groups of Council, and is presented for Council's consideration.

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

The Advisory Groups and Committee Book Terms of Reference details the proposed restructure of Advisory Groups and Committees of Council, and includes the WAC, MAC, and CPTAC (**Attachment 1**) together with a policy for Advisory Groups (**Attachment 2**).

The Terms of Reference has been prepared following discussion at the Strategic Forum held on 13 August 2019 at which time the Committees of Council were categorised into two groups as follows:

Category One: Essential Committees of Council

Audit Committee (AC)

Bush Fire Advisory Committee (BFAC):

Local Emergency Management Committee (LEMC):

Local Recovery Committee

Category Two: Other Committees of Council

Works Advisory Committee (WAC)

It was reported at the Strategic Forum that whilst the discussions that happened around the table seemed useful, the meetings themselves were more a Q&A session about programs the Works and Services Team was undertaking as well as an opportunity for community members to hand in works requests. Therefore, it is proposed that this committee be formally closed.

In its place, the Manager Works and Services will provide updates to Council at the Strategic Council forums on a quarterly basis – therefore this committee may not be required as a formal Committee of Council.

Museum Advisory Committee (MAC)

It was reported at the Strategic Forum that the membership of the committee had been consulted with in respect to possible closure of the committee. Council Policy was referred to during the discussion. The accession into and out of the Museum Collection is done by the CEO (through a delegation of Council) and the Museum Curator is sub-delegated. Matters such as these would have to continue and the delegation itself would require amendment if the committee is discontinued.

The option of making this committee a Friends of the Museum Advisory Group were considered however given that the members often assist the Museum Curator outside of the committee structure in any case, it is proposed that this committee be formally closed.

In its place, the Manager Community Development will provide updates to Council at the Strategic Council forums on a quarterly basis – therefore this committee may not be required as a formal Committee of Council.

Community and Public Transport Advisory Committee

At the Strategic Forum several questions were raised in relation to what the future focus of the group will be given that the Community Bus will be purchased in the second half of the financial year 2019/2020.

Public Transport within the state is the responsibility of the Public Transport Authority of which services by Transwa (for rail transport) are reviewed periodically. The position of the local government is advocacy, and groups like Roadwise, the friends of the Avon Link, already exist in the community at arm's length of the Shire should we need information or assistance in lobbying the state or federal governments.

The Shire hosts, and is an active member on the Toodyay Road Community Reference Group set up by Main Roads to ensure community input for the Toodyay Road upgrade project.

The Shire is also part of the Avon subgroup which is part of the Wheatbelt North Regional Road Group. This group gets together regularly to discuss funding for roads of regional significance, State and Federal Black Spot Projects and commodity route funding are all managed through RRG processes.

The Shire also has a representative on the Toodyay Road Liaison Committee which at times speaks about general broad matters related to roads and transport.

In relation to liaison specified in the current purpose of the CPTAC we do have representatives who attend Avon Midland Country Zone Meetings and we do work with other local governments through our Avon Regional Organisation of Councils – AROC group. Agendas and Minutes of the Zone Meetings and the AROC meetings are posted on the Council hub,

which all Councillors have access to. AROC Minutes are also available on the Shire of Toodyay website.

Further to this, Council has made resolutions in 2016 and 2018 in terms of public transport as follows:

Council Resolution 139/12/16

That Council confirm that the Lobbying Priorities of the Shire of Toodyay are as follows:

- (a) Sport and Recreation Precinct;
- (b) Avon Link Enhancement Project;
- (c) Toodyay Bypass / Heavy Haulage Route; and
- (d) The Duke Street Pedestrian Overpass.

Council Resolution No. 30/02/18

That Council:

1. Notes the outcomes of the Transwa Route Rationalisation Report produced by Transwa; and
2. Continues to lobby all relevant Ministers and Members of Parliament to seek improved public transport services including but not limited to:

Seeking increased rail link and road coach services to compliment the current services;

Working with the City of Swan to aggregate demand between Morangup and near Metro locations such as Gidgegannup to support a bus and or coach service; and

Working with other Local Governments and WALGA (including through the Avon Midland Country Zone) to help address regional public transport issues.

It is proposed that this committee be formally closed.

In its place, the CEO can include in his update to Council quarterly, and immediately following Ordinary Council Meetings, any information in respect to lobbying or advocacy that has taken place in respect to public transport and road transport matters. Therefore this committee may not be required as a formal Committee of Council.

Environmental Advisory Committee

This committee has had a purpose set by Council. The main aim has been to provide advice on the implementation of the Environmental Management Strategy. As a Committee it did not have delegated authority.

Councillors who were members of the Committee pass feedback from the Committee to Councillors at the Strategic Forum during their updates.

A less formal committee structure would be useful. This committee has technically been operating at their meetings like an Advisory Group. This

report seeks to formalise that by restructuring it as an Advisory Group to be known as the “Environmental Advisory Group”.

Information could also be filtered to Councillors on behalf of the Environment Advisory Group by the Manager Planning and Development in a report on a quarterly basis to the Strategic Forum that would be part of the CEO Update.

Items that require a Council decision will be brought to Council by the CEO through an Officer Report in the Executive Services Section of the Agenda.

The main reason for the change is to allow the group to be a little more self-directing.

As Councillors were concerned that the Community Members of the Environment Advisory Committee might object to being revamped into becoming an “Advisory Group” an email was sent to the “community” members of the Environment Advisory Committee to seek their view. Responses are summarised in a Schedule of Submissions (Attachment 3). Some responses from the Committee are also noted below:

Mr B Foley: was ok with the Committee becoming an Advisory Group so long as Clause 4.3(a) of the Advisory Groups Policy is defined somehow because the way it reads is that members can submit items but it is up to the CEO to put them onto the Agenda. There was a concern that items thought important from the Committee wouldn’t even make it to the Agenda, and that they would not be able to have free flowing discussion at their meetings, as they informally enjoy now, about matters to do with the purpose of their Advisory Group status.

Mr Frank Panizza: stated in an email that he supports the outline of what the Environmental Advisory Group goals and responsibilities are which he believes are well set out but believes the EAC’s purpose is best achieved through the current Standing Committee structure. In the email he made some points which are responded to in the schedule of submissions attached.

We advised Mr Panizza that we had spoken with Mr Foley because clause 4.3(a) of the Policy needed further clarification in the Officer Report.

It was pointed out in the email (as a response) to Mr Panizza that *“As you are aware, your committee held workshops separately to holding meetings with the assistance of the responsible person who was the Manager Planning and Development. The CEO will still sign off the agenda for the meetings. I believe that this clause is the reason it is written. The EAC has never been open to the public and it has never had its minutes (except when recommendations are made to Council) made public. If you look at 4.4(d) this will change this for the better.”*

**Note: Mr Panizza’s gave his permission to include this content into the agenda.*

Mrs Jo Hart: provided some points for a response and are contained in the Schedule of Submissions with responses (**Attachment 3**).

Bethan Lloyd: stated via email that she had read the policy and others comments, and endorsed the comments by Frank and Jo, stating that unless these points can be addressed then the committee should be left as it is. However, following further discussion via email with Bethan she understood that if there was an opportunity to be less formal within the committee structure that seems ok, however noted that once we adopt an advisory group format we can't step up to a more strict format if needed.

Mr W Clarke: was contacted for a view and provided the following response:

"The responses to Frank's email have allayed most of the fears that I would have had, had I not seen them. I'm also conscious of the fact that where the community are seen to be 'sidelined' in what is placed in the agenda it may invoke public criticism. I realise this change will help streamline your work in putting the agendas together, and as long as there is an opportunity to provide input prior to the agenda being distributed - I would be happy.

I think I've been on every community environment committee the Shire has ever had and hope my contributions have been worthwhile. However I don't believe the committee recommendations have ever changed or shaped the Shire's attitudes towards the environment in a meaningful way. I hope I'm wrong, and that a re-structure will change that.

Although I have made it known that I won't be nominating again I have a fear that there are some areas where I have some expertise - such as waterways management - that may not get attention in future deliberations. Hence I am having second thoughts - but need convincing to re-nominate."

The change in decision-making from "by resolution with voting" to "by consensus with points of difference or contention noted" will better serve the Advisory Group. While Council ultimately has to decide by resolution, there is more opportunity for advisory groups in general to canvas more than one viewpoint in their advice to Council.

Once the Advisory Groups Policy and Advisory Groups and Committee Book Terms of Reference is adopted the Administration, through the office of the CEO, can go about contacting current community representatives, and prepare for the lead-up to the October 2019 Ordinary Election.

The appointment of members to the Essential Committees and the Environmental Advisory Group as outlined in the Advisory Group and Committee Book Terms of Reference and Advisory Groups Policy would occur after the Ordinary Election.

After the Agenda Briefing held on 20 August 2019, the report has been updated.

The main point of difference with respect to a Committee of Council and an Advisory Group will be that the Advisory Group will not be expected to adhere to the Shire of Toodyay Standing Orders Local Law 2008. Committees of Council must adhere to the Standing Orders. The Terms of Reference has been amended to reflect this.

Advisory Group meetings may be less formal which means there can be free flowing discussion and an exchange of ideas at these types of meetings.

In retrospect some of the Committees of Council, and particularly the Environment Advisory Committee, have been, to an extent, conducting their meetings informally in any case. However, acceptance by Council of the Terms of Reference and Advisory Groups Policy will provide a set of guidelines to the informality.

OFFICER'S RECOMMENDATION

That Council:

1. Formally closes (abolishes) the Museum Advisory Committee, effective immediately;
2. Formally closes (abolishes) the Community and Public Transport Advisory Committee Meeting, effective immediately;
3. Formally closes (abolishes) the Works Advisory Committee, effective immediately;
4. Changes the name of the Environmental Advisory Committee to the Environmental Advisory Group;
5. Adopts the Policy titled "Advisory Groups Policy" as attached;
6. Adopts the Advisory Groups and Committee Book Terms of Reference as attached/amended.

Cr Welburn moved the Officer's Recommendation as follows:

That Council:

1. **Formally closes (abolishes) the Museum Advisory Committee, effective immediately;**
2. **Formally closes (abolishes) the Community and Public Transport Advisory Committee Meeting, effective immediately;**
3. **Formally closes (abolishes) the Works Advisory Committee, effective immediately;**
4. **Changes the name of the Environmental Advisory Committee to the Environmental Advisory Group;**
5. **Adopts the Policy titled "Advisory Groups Policy" as attached;**
6. **Adopts the Advisory Groups and Committee Book Terms of Reference as attached/amended.**

Cr Greenway seconded the motion.

Clarification was sought.

Cr Greenway foreshadowed an amendment to the motion as follows:

That Point 5 and Point 6 be deferred to the September Council Meeting.

Cr Welburn sought leave to withdraw the motion under Standing Orders 9.15 (1).

MOTION/COUNCIL RESOLUTION NO. 209/08/19

MOVED Cr Welburn

SECONDED Cr Greenway

That the motion be withdrawn in accordance with Standing Orders 9.15 (1).

MOTION CARRIED 8/0

Cr Welburn moved an alternate motion as follows:

That the matter of the “Committees of Council Review” be deferred to the September 2019 Ordinary Council Meeting.

Cr Greenway seconded the motion.

Clarification was sought.

The motion was put.

ALTERNATE MOTION/COUNCIL RESOLUTION NO. 210/08/19

MOVED Cr Welburn

SECONDED Cr Greenway

That the matter of the “Committees of Council Review” be deferred to the September 2019 Ordinary Council Meeting.

MOTION CARRIED 8/0

The Officer’s Recommendation in relation to the Committees of Council review was deferred to the September Council Meeting because there were substantial changes to the documents as a result of input from existing committee members and Council needed more time to consider the final recommended documents.

10.5.3 Code of Conduct Members

Date of Report:	14 August 2019
Name of Applicant / Proponent/s:	Shire of Toodyay
File Reference:	MTG7, MTG8
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:	1. DRAFT Code of Conduct – Members; and 2. Availability of Information – DLG FAQs page.
Voting Requirements:	Simple majority

PURPOSE OF THE REPORT

To consider the adoption of the Code of Conduct for Members as an interim policy until Council resolves otherwise.

EXECUTIVE SUMMARY

The Code of Conduct underpins the standards and behaviours that elected members are held to by the organisation and the community at large. It also supports a number of Council documents which should be read in conjunction with the Code of Conduct.

With changes to the current form of “Code of Conduct” pending passage of the Bill through Parliament, it may be prudent to either consider an interim Code of Conduct for Members in lieu of the impending October 2019 Ordinary Elections.

BACKGROUND

The Shire of Toodyay has had its Code of Conduct under review for the last few years. Whilst technically it is still current, the anomalies within the Code of Conduct are as follows:

There are terms like “staff” and “staff member” used interchangeably. The Act refers to “employees”;

There are terms like “Elected Member” and “Councillors” which requires a choice of one to be consistent;

The code is missing the mention of “minor misconduct” from the PSC legislation which came in 2015;

The gift provisions are completely wrong;

No mention of the role of code of conduct gift provisions

No mention of multiple gift disclosures, nor a possible requirement for a relevant person disclosing a gift twice; and

The descriptions of the types of interests that can be disclosed does not include non-financial interests.

The Shire has been informed through governance circulars that the Code of Conduct is subject matter of the Local Government Legislation Amendment Bill 2019. The Bill contemplates creation of Codes of Conduct for Elected members that include provisions of the current Rules of Conduct Regulations. The Bill also contemplates that the CEO will determine a separate Code of Conduct for employees.

CONSULTATION

Governance circulars have indicated that it may be prudent to delay any review of a Code of Conduct. This is because WALGA, LG Professionals and the Department of Local Government, Sport and Cultural Industries are on a Working Group preparing for the new Codes of Conduct following the passage of the Local Government Legislation Amendment Bill 2019.

Templates will be available for future guidance via the WALGA and Department websites however we have verbally been advised that it will not occur until mid to late November 2019.

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

Section 5.103 of the Local Government Act 1995 currently states that:

(1) Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.

[(2) *deleted*]

(3) Regulations may prescribe codes of conduct or the content of, and matters in relation to, codes of conduct and any code of conduct or provision of a code of conduct applying to a local government under subsection (1) is of effect only to the extent to which it is not inconsistent with regulations.

[Section 5.103 amended: No. 49 of 2004 s. 55; No. 1 of 2007 s. 10.]

Section 34E. Code of conduct prescribed from the Local Government (Administration) Regulations 1996 states that "*Regulations 34F (Disclosure of Gifts) and 34G (Disclosure of Contributions to Travel) are prescribed as a code of conduct for the purposes of section 5.103(3).*"

[Regulation 34E inserted: Gazette 4 Mar 2016 p. 653.]

RISK IMPLICATIONS (including DAIP)

There are no adverse risk implications except Councillors should be aware that the Code of Conduct is subject matter of the Local Government Legislation Amendment Bill 2019. The Bill contemplates creation of Codes of Conduct for Elected members that include provisions of the current Rules of Conduct Regulations. The Bill also contemplates that the CEO will determine a separate Code of Conduct for employees.

With changes to the current form of Codes of Conduct pending proclamation of the changes, it may be prudent to delay any more thorough review of the Code of Conduct.

WALGA, LG Professionals and the Department of Local Government, Sport and Cultural Industries are on a Working Group preparing for the new Codes of Conduct and we anticipate templates will be available for future guidance.

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 main reason why this Code of Conduct for Members is being put up for consideration by Council is so that it can be attached as an addendum to the NEW Advisory Groups Policy and NEW Advisory Groups and Committee Book Terms of Reference.

The Code of Conduct review has been underway for a number of months in anticipation of the upcoming changes to the Local Government Act. The Department of Local Government Circulars are available through the Department of Local Government, Sport and Cultural Industries website at this link: <https://www.dlgsc.wa.gov.au/local-government/local-governments>

From now on, the circulars will be forwarded on to Council via email as and when they are received. The F.A.Q. sheet from the Department's website at <https://www.dlgsc.wa.gov.au/local-government/strengthening-local-government/public-consultations/local-government-act-review/priority-reforms> which details the priority reforms being undertaken in relation to the Local Government Act 1995 is attached (**Attachment 2**).

The Code of Conduct for Members is a 'stand alone' Shire of Toodyay document. The document was drafted by the Shire's Compliance and Communications Officer with the content researched using a number of different Local Governments, all of whom are moving towards a regulatory approach to elected member behaviour and conduct. The content is supported by the Local Government Act and will be reviewed and updated as necessary.

It would be advantageous to use this Code of Conduct as an interim policy until the Department's working group comes up with a model Code of Conduct to be used thereafter. The reason for this is so that after the election, when the

induction takes place for any new (or existing) Councillors that have been elected, we may be able to have up to date records for them as part of their induction documents.

As the previous report (10.5.2 Committees of Council Review) contains a Terms of Reference document for Advisory Groups and Committees as well as the Advisory Group Policy, the latter states at Clause 5.2 that the Shire's Code of Conduct shall apply to members of the Advisory Groups.

OFFICER'S RECOMMENDATION

That Council adopt the Code of Conduct – Members, as attached, as an interim policy until Council resolves otherwise.

Cr Chitty moved the Officer's Recommendation.

Cr Welburn seconded the motion.

Clarification was sought.

Debate commenced.

The motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 211/08/19

MOVED Cr Chitty

SECONDED Cr Welburn

That Council adopt the Code of Conduct – Members, as attached, as an interim policy until Council resolves otherwise.

MOTION LOST 0/8

The Officer's Recommendation was lost due to Council taking the view that it would be better to wait until the new mandatory Code of Conduct is regulated by the government.

10.5.4 Live Streaming and Recording Policy

Date of Report:	14 August 2019
Name of Applicant / Proponent/s:	Shire of Toodyay
File Reference:	PCY2
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:	1. DRAFT Shire of Toodyay Policy for live streaming and recording.
Voting Requirements:	Simple majority

PURPOSE OF THE REPORT

To consider adopting the Live Streaming and Recording Policy subject to a live streaming and recording system being installed into the Council Chambers.

EXECUTIVE SUMMARY

In lieu of obtaining funds for the purchase of a system that could be used to “live stream and/or record Council Meetings” a Policy has been drafted, as Council requested in March 2019.

BACKGROUND

Council made a resolution in March 2019 in respect to live streaming and recording of Council Meetings as follows:

In line with Council's commitment to engage with its community by enhancing accessibility to Council decision making, that the CEO prepare a draft Live

Streaming and Recording Policy, using the City of Swan's Live Streaming and Recording Policy POL-C-166 as a starting point, for presentation to Council at its April 2019 Ordinary Council Meeting.

CONSULTATION

The draft policy was tabled at the August 2019 Strategic Forum held on 13 August 2019.

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

When the budget was passed it did not include the purchase of equipment to be used in regard to being able to “live stream and/or record Council Meetings.”

Given that in this financial year, and perhaps next financial year also, there is a priority of other projects taking precedence Council may decide to adopt the Policy subject to a system being in place.

Alternatively Council may seek to defer the policy altogether, given that there is no funding this year for the purchase of a system fit for the purpose of recording or live streaming Council Meetings.

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

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 attached DRAFT Policy for live streaming and recording has been put together by looking at the City of Swan policy.

The policy is succinct, and along the lines of our *Shire of Toodyay Standing Orders Local Law 2008*.

Once a system for live streaming and recording is sourced, and expenditure for the equipment is provided, a procedure would need to be worked out administratively in respect to how the system is utilized. The how of using the system would be dependent upon the system and would probably be more along the lines of a user guide.

The Agenda Briefing was held on 20 August 2019. A question was asked about the costs of equipment and installation of the equipment to run a live streaming and recording system.

Information that has been able to be obtained in relation to respond to the question is provided as follows:

- (1) A Governance Support Officer from City of Swan indicated (over the phone on 21 August 2019 at 10.44am) that the system that they use for live streaming and recording, installed in 2018, cost approximately \$38,000 (for the equipment and install) and \$15,000 per year thereafter for external hosting of the live streaming portion of the system that is installed. The

system installed only has one camera that is pretty basic. The Officer stated that there are some other local governments that have more cameras connected to their system that will of course have more functionality.

- (2) The minutes of the Town of Victoria Park from April 2019 indicate that their system to record and live stream council meetings (approved in April 2019) incurred an approximate initial capital cost of up to \$30,000, which included provision and installation of hardware, and an ongoing annual cost of \$15,000 which included support, hosting and recording. The report also stated that there was to be a further associated cost of upgrading the microphone system in the Council Chamber at a cost of up to \$35,000, as the current system had been incompatible with live-streaming hardware.
- (3) An Officer from the City of Bunbury indicated via email at 1.53pm on 21 Aug 2019 the following:

The last upgrade we had was around 3 years ago and cost around \$65k. We believe \$85k would have allowed a complete upgrade of all technical components, including cameras, microphone, controlling unit, back end, etc.

The streaming service we utilize costs us around \$5k per annum. We use 5Stream for this service.

Maintenance agreement with equipment supplier would be around \$6k per annum.

- (4) The Town of Port Hedland indicated via email at 3.16pm on 21 Aug 2019 the following:

If we set up a system we would need a budget of approximately \$60,000;

The budget would need to include as a minimum \$5,000 for microphones/speakers to be purchased as well;

In November 2017 the Town started live streaming using the cheapest alternative possible which is recording (using the camera of an iPhone) the meeting and live streaming it to Facebook. The way they have done it is they purchased a tripod for approximately \$100 and because the I-Phone is plugged straight into the computer system through WIFI they did not need a sim card. They have 4G hook up and they stream to Facebook.

I was advised that they did it the cheap way because they were unsure at whether the spending of \$60,000 was going to be worth the money, considering their population of approximately \$5,000 people at the time and the likelihood that a small percentage of 10-15% of people may have tuned in on Facebook to watch the proceedings.

With regards to the Town of Port Hedland livestreaming Council meetings, you can have a look at Policy 1/015 Recording of Council and Committee Meetings (point 2), and it can be accessed via the following link:

https://www.porthedland.wa.gov.au/Profiles/porthedland/Assets/ClientData/Document-Centre/Policies/Individual Policies/1_015_Recording_of_Council_and_Committee_Meetings_-_V03_-_Adopted_22_November_2017.pdf

Following information being provided by the Town of Port Hedland our Shire of Toodyay IT Coordinator provided the following option that can be considered by Council:

“Using existing internet technology that everyone (rate payers) have access to and should be familiar with, YouTube has live streaming as does Facebook (using Facebook however would mean that people would need an account already setup and accessible, YouTube is just an internet application that can be easily accessed from any Windows PC or Mac on any tablet or mobile device).

If we purchase a good quality camera with a microphone (or we try and connect it up to the Bosch PA System (not sure if this is achievable) we could then mount the camera on top of the TV so it has the view of the whole of the Council Chambers (but it will show a few back of heads); we could also mount another at the back of the room and have 2 feeds.

We then apply for a YouTube live stream after creating our own Shire of Toodyay channel (I believe this to be free, but will need to check), we then use that link and post it on our website so that members of the public can access the live feed and they can then watch it from where ever they are.

Total cost would be well under \$1,000, and this would be for a 4K camera, send out the highest quality feed and let people choose as to how they watch it.

The only problem I can see would be how good the mic is, it certainly may struggle and so therefore if we can connect up to our Bosch PA System with a direct feed then it will work great. So the system does support it at the moment we use a wireless mic so an external mic certainly could work.”

OFFICER’S RECOMMENDATION

That Council adopts the Live Streaming and Recording Policy as attached, subject to a method to live stream and record Council Meetings being put in place, within current budget parameters, at the discretion of the CEO.

The Presiding Member advised that two emails had been put onto the tables at 4.00pm, prior to the starting time of the meeting, in relation to this report. [*Refer to the attachments to the minutes*].

Cr Bell moved the Officer’s Recommendation as follows:

That Council adopts the Live Streaming and Recording Policy as attached, subject to a method to live stream and record Council Meetings being put in place, within current budget parameters, at the discretion of the CEO.

Cr Dow seconded the motion.

Clarification was sought.

Cr Manning moved an amendment to the motion as follows:

That the words in yellow be replaced with the words “a decision by the Council to proceed with live streaming and recording of Council Meetings.”

Cr Welburn seconded the amendment.

The amendment was put.

AMENDMENT/COUNCIL RESOLUTION NO. 212/08/19

MOVED Cr Manning

SECONDED Cr Welburn

That the words in yellow be replaced with the words “a decision by the Council to proceed with live streaming and recording of Council Meetings.

AMENDMENT CARRIED 7/1

The substantive motion was put.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION NO. 213/08/19

MOVED Cr Bell

SECONDED Cr Dow

That Council adopts the Live Streaming and Recording Policy as attached, subject to a decision by the Council to proceed with live streaming and recording of Council Meetings.

MOTION CARRIED 6/2

10.5.5 Correspondence from the Department of Local Government

Date of Report:	19 August 2019
Name of Applicant / Proponent/s:	Shire of Toodyay
File Reference:	MTG7
Author:	S Scott – Chief Executive Officer
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
Public Attachment:	<ol style="list-style-type: none"> 1. Correspondence dated 23 July 2019. 2. Correspondence dated 26 July 2019; and 3. Correspondence dated 29 July 2019.
Voting Requirements:	Simple Majority

PURPOSE OF THE REPORT

To receive correspondence that has come in from the Department of Local Government, Sport and Cultural Industries.

BACKGROUND

Council resolved at the June 2018 OCM (Resolution No. 122/06/18) as follows:

That the CEO submit a report to Council at each Ordinary Council Meeting detailing correspondence of a Local Government governance nature or non-compliance matters between the Shire of Toodyay and the Government of Western Australia's Department of Local Government, Sport and Cultural Industries (including with the relevant Minister) since the report to the previous Ordinary Council Meeting

CONSULTATION IMPLICATIONS

Nil

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 IMPLICATION

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

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

Correspondence was received from the Minister for Local Government; Heritage; Culture & the Arts dated 23 July 2019 in relation to correspondence we had sent to them on 2 July 2019 (**Attachment 1**). A response to their correspondence was sent on 26 July 2019 as follows:

“Further to your letter dated 23 July 2019, I wish to point out that the Shire’s Action Plan is available on our Shire’s website at the following link:

<http://www.toodyay.wa.gov.au/Council/Shire-Documents/Master-Plans?BestBetMatch=action%20plan|d13b95b2-5146-4b00-9e3e-a80c73739a64|4f05f368-ecaa-4a93-b749-7ad6c4867c1f|en-AU>

It was also available publicly, through the Ordinary Council Meeting Agenda from Thursday 11 July 2019. An excerpt of our July 2019 Council Meeting is attached for your reference also.

We trust that the above has met the requirement.”

As a response had not been received from the Minister’s Office, contact was made with them, where it was discovered that the “matter” was under investigation and the reason for the matter being investigated was because a query had been asked of the department from a “media organisation”. No comment was provided as to why an Officer from the Department or a person from the media organisation would not have made a phone-call to the Shire as to whether the report was on the website and how to locate it. No further information was provided by the Department over the phone, however it was made clear to them that if they required it, audit trails could be provided directly to them that would reveal that the action plan had in fact been posted on the Shire of Toodyay website on 2 July 2019.

Correspondence has also been received, on two separate occasions from the Acting Manager of Legislation and Regulatory Support (Department of Local Government, Sport and Cultural Industries) in relation to Complaints of Minor Breach No. SP 2018-111 and SP 2019-005 (**Attachments 2 and 3**). These pieces of correspondence are linked to the Apologies contained in Item 5 of the Agenda – Local Government Standards Panel Sanction Orders.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 214/08/19

MOVED Cr Twine

That Council receive the correspondence:

1. **(Attachment 1)** from the Minister for Local Government's Office in relation to the Office of the Auditor General Performance Audit Action Plan Report.
2. **(Attachments 2 and 3)** from the Acting Manager of Legislation and Regulatory Support (Department of Local Government, Sport and Cultural Industries) in relation to Complaints of Minor Breach No. SP 2018-111 and SP 2019-005.

MOTION CARRIED 7/1

10.6 COMMITTEE REPORTS

10.6.1 Intra & Inter Town Bus Services

Date of Report:	14 August
Name of Applicant / Proponent/s:	Community & Public Transport Advisory Committee
File Reference:	COC 16
Author:	A Bell – Manager Community Development
Responsible Officer:	S Scott – Chief Executive Officer
Previously Before Council:	21 May 2019 Agenda Briefing Meeting 13 August 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. Copy of report minutes from CPTAC meeting held on 7 February 2019 (including attachments); 2. Copy of report minutes from CPTAC meeting held on 2 May 2019 (including attachments); and 3. Copy of West Australian article on Swan Valley Bus.
Voting Requirements:	Simple Majority

PURPOSE OF THE REPORT

Council to consider if it wishes to enter into providing Intra and Inter Town Bus services. The provision of Drivers would also need to be considered.

BACKGROUND

For Council to receive the minutes and attachments of the Community and Public Transport Advisory Committee (CPTAC) and consider recommendations made at their meeting held on 2 May 2019. (**Attachment 1**).

This item was presented to Council at their Agenda Briefing held on 21 May 2019 with the request for this item to be returned to Council at the next Strategic Meeting should the decision be made by Council to purchase a new Community Bus.

A decision was made by Council at the June 2019 Council Meeting to proceed with the purchase of a new 12 seater Community Bus.

A report was also presented to the August 2019 Strategic Meeting giving Council the opportunity to review and discuss the provision of these transport services.

In accordance with Council Policy A 17 – Council consideration of Committee Recommendations “Recommendation from Council Committees will be considered by Council at the earliest opportunity”.

At the Community and Public Transport Advisory Committee Meeting held on 2 May 2019 a recommendation was made to Council as follows:

MOTION/CPTAC RESOLUTION NO. 05/05/19	MOVED B Neville
The Community and Public Transport Advisory Committee recommend to Council the following:	
That Council:	
1. develop a survey and business case in relation to whether the community wants an Intra-Town Bus Service; and	
2. Authorise the CEO to liaise with the Public Transport Authority in respect to the provision of, by the PTA, an Intra-Town Bus Service.	
MOTION LOST 4/2	

MOTION/CPTAC RESOLUTION NO. 06/05/19	MOVED Cr Manning
The Community and Public Transport Advisory Committee recommend to Council the following:	
That Council considers using a Community Bus for the purposes of an Intra-Town Bus Service subject to Council proceeding with the acquisition of a Community Bus.	
MOTION CARRIED 6/0	

CONSULTATION IMPLICATIONS

Details on providing an Intra/Inter town bus service in partnership with the PTA were forwarded onto the Manager of Community Development to seek further information from the Public Transport Authority (PTA). The Manager of Community Development spoke with Matthew Saliacus (contact details forwarded through from Mr Bob Neville – Committee Member).

Following the phone conversation an email was sent with response received to confirm details on these services. (Attachment 2).

The PTA advised it would be cost prohibitive for the PTA for them to consider this type of service for Toodyay. They would also need to see “real” usage numbers, not survey feedback to consider any future requests to supply this type of service.

STRATEGIC IMPLICATIONS

Shire’s Strategic Community Plan:

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.

S1.5 Advocate for improved public transport options for residents.

Shire's Corporate Business Plan:

S1.5 Advocate for improved public transport options for residents – Continue advocacy as required.

POLICY IMPLICATIONS

There are no adverse policy implications envisaged from this report.

FINANCIAL IMPLICATIONS

Costs for the provision of intra and inter town bus services via the Shire/Council is unknown at this stage. There would be the on-going costs, as well as either payment to Drivers or if utilising Volunteer Drivers there would still be costs associated with clearances, driver training, and uniforms. A Shire staff member would also need to undertake tasks associated with this service - co-ordination of roster for Drivers, bookings, maintenance schedules etc.

Council would need to consider if they wish this service to be free for residents or a fee payable (which would then need all Drivers to have F Class Drivers Licences).

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

There are no adverse social implications envisaged from this report.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

OFFICER COMMENT / DETAILS

Research from other Local Governments have unfortunately not proven to be positive. These type of services do come at a cost to the Local Governments. Others who have trialled these services (even in a larger populated areas) have not continued due to lack of numbers.

The latest, although not community related but tourism related is the Swan Valley Hop on Hop Off bus service. This service as of June 2019 ceased due to costs and lack of numbers. (Attachment 3).

Chittering does operate a once a week Shopper Bus to take people to Midland and on alternative weeks to Joondalup. The bus (at the time of researching) was driven by a Councillor and Community Member – both passionate about the service. It does come at a cost to the Shire with \$30,000 allocated in the budget for running costs.

Another bus service that was being trialled was the one in the Shire of Northam, however feedback has been from Wundowie shop keepers that by operating this service to the Northam shops it is taking away their customers.

There are currently other service providers (Silver Chain, Avivo, Toodyay Locals Who Care, St. John Ambulance, Life Long Learning Tours, The Miners Run, and Avon Trike Tours – all who currently operate various types of transport options).

Another option for someone in the Community looking at a small business development option may wish to research an Uber or Taxi service for the area which would assist those looking for employment/small business opportunity, as well as those who may be needing other independent on demand options for transport.

OFFICER'S RECOMMENDATION

That Council does not enter into the provision of an Inter and/or Intra Bus Service/s.

Cr Welburn moved the Officer's Recommendation as follows:

That Council does not enter into the provision of an Inter and/or Intra Bus Service/s.

Cr Chitty seconded the motion.

Clarification was sought.

Cr Twine moved an amendment to the motion as follows:

That the words "at this time" be inserted at the end of the sentence.

Cr Greenway seconded the amendment.

Clarification was sought in regard to the amendment.

The amendment was put.

AMENDMENT/COUNCIL RESOLUTION NO. 215/08/19

MOVED Cr Twine

SECONDED Cr Greenway

That the words "at this time" be inserted at the end of the sentence.

AMENDMENT LOST 3/5

Further clarification was sought.

Debate continued.

The motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO.216/08/19

MOVED Cr Welburn

SECONDED Cr Chitty

That Council does not enter into the provision of an Inter and/or Intra Bus Service/s.

MOTION CARRIED 7/1

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Councillor Bell – Notice of Motion – Recruitment of New CEO

Date of Report:	16 August 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:	The CEO has an interest in anything affecting CEO Recruitment.
Nature of Council's Role in the matter:	Executive
Attachments:	Nil.
Voting Requirements:	Simple majority

PURPOSE OF THE REPORT

Cr Bell has given Notice of the following motion:

That Council notes the following sequential process steps adopted by the Shire of Augusta Margaret River at their Ordinary Council Meeting in 10 October 2018 in relation to the appointment of a new CEO for that Shire.

1. *Conduct a Councillor workshop facilitated by an external facilitator and attended by the Recruitment Consultant to establish and understand the specific capabilities that are being sought of a new CEO*
2. *Conduct a review of the CEO Position Description with Councillor input*
3. *Finalise the Selection Criteria for the Position from Position Description review*
4. *Develop an application package in conjunction with the Shire HR Unit*
5. *Finalise the draft contract or employment*
6. *Finalise the salary range that the position will be publicly advertised at (Required under LG Act)*
7. *Finalise the term of the contract e.g. 3-5 years*
8. *Finalise the advertisement for the position and the range of advertising to be undertaking in newsprint and on-line formats.*

9. *Advertising of position – The recruitment consultant will coordinate and conduct the advertising of the position including conducting an extensive executive search to identify potential candidates and invite them to apply, answer any enquiries from prospective applicants and receive applications.*
10. *Refine a longer list of applicants to be finalised with Councillor participation into a short-list for interview of candidates who meet the selection criteria*
11. *Develop an appropriate list of questions and a process for interview in consultation with Council*
12. *Coordinate interviews including preliminary interviews if required*
13. *Arrangement of final interviews and presentations to the Council*
14. *Arranging/conducting psychometric testing if required by Council*
15. *Conducting checks on the preferred candidate - Referee and qualification checking, google search, industry feedback, medical and police clearances*
16. *Briefing Council on the capabilities of the preferred candidate and facilitate Council's negotiation of remuneration package for successful candidate Negotiating contract (at Council direction) with the preferred candidate*
17. *Following Council selection of the preferred candidate, communicating offer of employment and informing unsuccessful applicants*
18. *Finalising contract of employment*
19. *Finalise section report to Council*
20. *Council Resolution to appoint new CEO*

BACKGROUND

Council has appointed the present CEO on a temporary contract until 22 July 2020 and will need to determine its recruitment process in due course.

CONSULTATION IMPLICATIONS

There are no notable consultation implications.

STRATEGIC IMPLICATIONS

There are no notable strategic implications envisaged from this report.

POLICY IMPLICATIONS

Changes to the *Local Government Act* will require Council to adopt a policy on CEO Recruitment when new regulations are drafted.

FINANCIAL IMPLICATIONS

Apart from the requirements that will be set out in the regulations Council may wish to seek the advice of a recruitment consultant on the most effective recruitment and selection process.

LEGAL AND STATUTORY IMPLICATIONS

The Shire of Toodyay Standing Orders Local Law prescribes the manner in which motions of notice are to be given. The provision of notice by Councillor Bell is in accordance with said requirements.

Clause 4.4(6) of the Shire of Toodyay Standing Orders Local Law states,

'A motion of which notice has been given is to lapse unless:

- (a) the Member who gave notice of it, or some other Member authorised by the originating Member in writing, moves the motion when called on; or*
- (b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.*

The *Local Government Legislation Amendment Act 2019* introduced the following new provisions to the *Local Government Act*: While these changes have not yet been proclaimed they will likely be in effect when Council recruits its next CEO.

Section 22 introduces the following provisions (with effect when proclaimed):

5.39A. Model standards for CEO recruitment, performance and termination

- (1) Regulations must prescribe model standards for local governments in relation to the following —
 - (a) the recruitment of CEOs;
 - (b) the review of the performance of CEOs;
 - (c) the termination of the employment of CEOs.
- (2) Regulations may amend the model standards.

5.39B. Adoption of model standards

- (1) In this section —

model standards means the model standards prescribed under section 5.39A(1).
- (2) Within 3 months after the day on which regulations prescribing the model standards come into operation, a local government must prepare and adopt* standards to be observed by the local government that incorporate the model standards.

* *Absolute majority required.*
- (3) Within 3 months after the day on which regulations amending the model standards come into operation, the local government must amend* the adopted standards to incorporate the amendments made to the model standards.

* *Absolute majority required.*
- (4) A local government may include in the adopted standards provisions that are in addition to the model standards, but any additional provisions are of no effect to the extent that they are inconsistent with the model standards.

- (5) The model standards are taken to be a local government's adopted standards until the local government adopts standards under this section.
- (6) The CEO must publish an up-to-date version of the adopted standards on the local government's official website.
- (7) Regulations may provide for —
 - (a) the monitoring of compliance with adopted standards; and
 - (b) the way in which contraventions of adopted standards are to be dealt with.

5.39C. Policy for temporary employment or appointment of CEO

- (1) A local government must prepare and adopt* a policy that sets out the process to be followed by the local government in relation to the following —
 - (a) the employment of a person in the position of CEO for a term not exceeding 1 year;
 - (b) the appointment of an employee to act in the position of CEO for a term not exceeding 1 year.

** Absolute majority required.*

- (2) A local government may amend* the policy.

** Absolute majority required.*

- (3) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (4) The CEO must publish an up-to-date version of the policy on the local government's official website.

RISK IMPLICATIONS (including DAIP)

There are no notable risk implications in noting the processes used by another Local Government.

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 Department is in the process of drafting regulations which will come into effect at the same time as Section 22 of the Local Government Legislation Amendment Bill is proclaimed.

While Council may note processes used by other Shires, it would be wise to become too wedded to a particular process until the regulations are in place.

Further the particular process adopted may well reflect the recommendations of a particular selected consultant.

COUNCILLOR BELL'S NOTICE OF MOTION

That Council notes the following sequential process steps adopted by the Shire of Augusta Margaret River at their Ordinary Council Meeting in 10 October 2018 in relation to the appointment of a new CEO for that Shire.

- 1. Conduct a Councillor workshop facilitated by an external facilitator and attended by the Recruitment Consultant to establish and understand the specific capabilities that are being sought of a new CEO*
- 2. Conduct a review of the CEO Position Description with Councillor input*
- 3. Finalise the Selection Criteria for the Position from Position Description review*
- 4. Develop an application package in conjunction with the Shire HR Unit*
- 5. Finalise the draft contract or employment*
- 6. Finalise the salary range that the position will be publicly advertised at (Required under LG Act)*
- 7. Finalise the term of the contract e.g. 3-5 years*
- 8. Finalise the advertisement for the position and the range of advertising to be undertaking in newsprint and on-line formats.*
- 9. Advertising of position – The recruitment consultant will coordinate and conduct the advertising of the position including conducting an extensive executive search to identify potential candidates and invite them to apply, answer any enquiries from prospective applicants and receive applications.*
- 10. Refine a longer list of applicants to be finalised with Councillor participation into a short-list for interview of candidates who meet the selection criteria*
- 11. Develop an appropriate list of questions and a process for interview in consultation with Council*
- 12. Coordinate interviews including preliminary interviews if required*
- 13. Arrangement of final interviews and presentations to the Council*
- 14. Arranging/conducting psychometric testing if required by Council*
- 15. Conducting checks on the preferred candidate - Referee and qualification checking, google search, industry feedback, medical and police clearances*
- 16. Briefing Council on the capabilities of the preferred candidate and facilitate Council's negotiation of remuneration package for successful candidate Negotiating contract (at Council direction) with the preferred candidate*
- 17. Following Council selection of the preferred candidate, communicating offer of employment and informing unsuccessful applicants*

18. *Finalising contract of employment*
19. *Finalise section report to Council*
20. *Council Resolution to appoint new CEO*

Cr Bell moved the above Notice of Motion.

Cr Chitty objected to the motion.

Cr Greenway seconded the motion.

Clarification was sought.

Debate commenced.

Further clarification was sought.

The motion was put.

COUNCILLOR BELL'S NOTICE OF MOTION/COUNCIL RESOLUTION NO. 217/08/19

MOVED Cr Bell

SECONDED Cr Greenway

That Council notes the following sequential process steps adopted by the Shire of Augusta Margaret River at their Ordinary Council Meeting in 10 October 2018 in relation to the appointment of a new CEO for that Shire.

1. Conduct a Councillor workshop facilitated by an external facilitator and attended by the Recruitment Consultant to establish and understand the specific capabilities that are being sought of a new CEO
2. Conduct a review of the CEO Position Description with Councillor input
3. Finalise the Selection Criteria for the Position from Position Description review
4. Develop an application package in conjunction with the Shire HR Unit
5. Finalise the draft contract or employment
6. Finalise the salary range that the position will be publicly advertised at (Required under LG Act)
7. Finalise the term of the contract e.g. 3-5 years
8. Finalise the advertisement for the position and the range of advertising to be undertaking in newsprint and on-line formats.
9. Advertising of position – The recruitment consultant will coordinate and conduct the advertising of the position including conducting an extensive executive search to identify potential candidates and invite them to apply, answer any enquiries from prospective applicants and receive applications.
10. Refine a longer list of applicants to be finalised with Councillor participation into a short-list for interview of candidates who meet the selection criteria
11. Develop an appropriate list of questions and a process for interview in consultation with Council

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12. Coordinate interviews including preliminary interviews if required
13. Arrangement of final interviews and presentations to the Council
14. Arranging/conducting psychometric testing if required by Council
15. Conducting checks on the preferred candidate - Referee and qualification checking, google search, industry feedback, medical and police clearances
16. Briefing Council on the capabilities of the preferred candidate and facilitate Council's negotiation of remuneration package for successful candidate Negotiating contract (at Council direction) with the preferred candidate
17. Following Council selection of the preferred candidate, communicating offer of employment and informing unsuccessful applicants
18. Finalising contract of employment
19. Finalise section report to Council
20. Council Resolution to appoint new CEO

MOTION CARRIED 6/2

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

Nil

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

Note: This section refers to Standing Orders 6.1 Questions on notice by Members.

On 4 August 2019, Cr Bell sought responses 16 questions, the responses of which are in *blue* as follows:

13.1. ICR61233 - Resolution Number 83/03/19

At the March 2019 Council Meeting, Council carried Resolution Number 83/03/19 that required the CEO to prepare a draft Live Streaming and Recording Policy for presentation to Council at its April 2019 Ordinary Council Meeting. Could the CEO please provide an explanation as to why he failed to present a draft Live Streaming and Recording Policy at the April 2019 Council Meeting, and why he has failed to present such a draft policy at any subsequent Council Meeting please?

The matter was deferred because of other more pressing priorities. Given the fact that Council approved the budget without approving the purchasing of equipment fit for the purpose of live streaming and recording of Council Meetings it was considered a low priority.

13.2. ICR61233 - Ringa Bridge

Could the CEO confirm what budget would be required to replace the damaged deck members of Ringa Bridge and, in turn, make the bridge a safe and accessible tourist attraction (in accordance with the conclusion of B. Waddell Consulting Engineers' 26 October 2018 report)?

An Officer Report went to the February 2019 Ordinary Council Meeting (OCM). At that meeting the matter was deferred to the Quarterly Strategic Council Forum on 14 May 2019.

Following the February 2019 OCM, Shire Officers approached contractors seeking options for the future of the bridge and to obtain budget estimates for any possible works.

The budget you are referring to in your question was for Option 3. The budget would have included Addressing structural concerns with the bridge including replacing the damaged decking and fence off either end of the bridge. This would have allowed people to walk under the bridge but not on top of.

Option 3 total estimated cost was \$510,000+ plus \$5,000 per annum for annual maintenance.

Please note that the budget for Ringa Bridge was contained in the 2019/20 Annual Budget, adopted on 25 July 2019, for fencing and signage - \$13,000.

13.3. ICR61233 - Memorial hall gen set

Could the CEO confirm that the location / positioning / installation of the diesel-powered generator located at the rear of the Memorial Hall fully complies with all the relevant legislation / regulations please?

I asked our Senior Building Surveyor to look into the compliance of the unit. Western Power have been contacted and they have stated that the Generator complies with AS3010, 2017, Electrical Installations of Generating sets. The Senior Building Surveyor looked up all Building Requirements and believes that it complies with the Building Code of Australia Volume 1, 2016. So in short I believe the Generator set at the rear of the Memorial Hall is compliant.

13.4. ICR61233 - Memorial hall gen set



Could the CEO confirm that the operation of the diesel-powered generator located at the rear of the Memorial Hall, whose exhaust is located immediately below an open roof cavity, does not pose any risk to community members inside the hall please?

Mr Peter Edward, Senior Building Surveyor and Mr Allan Giles, Building Maintenance Officer attended the site on Wed 7 Aug 2019. They reported the following: "We started up the generator and noticed if a person was standing under the rear portico they would be able to smell Diesel exhaust.

Although the diesel powered generator is only for use in emergencies, a 2100 mm long length of exhaust pipe was ordered and fitted on 8 August 2019 to the existing exhaust to address any public concern in relation to the matter. A photograph is supplied herein.

13.5. ICR61233 - Stand pipe – Northam Road

Could the CEO confirm that pump feeding water to the water storage tank at the stand pipe located near the Toodyay – Northam roads is fully operational please? If this pump is not currently fully operational, how long has the pump been out of

regular operation and when does the Shire intend to address this matter?

The pump feeding the water tank has been out of operation for approximately 2 to 3 months. Repairs have been ordered. In the meantime, the standpipe still remains fully operational.

13.6. ICR61233 - Burgess and Son Consulting

The list of payments include in the July 2019 Council Meeting includes payment EFT26255 to Burgess and Sons Consulting for \$11,900.

- (a) Can the CEO confirm that one of the services Burgess and Sons Consulting offer is private investigation?

No the Consultant does not provide that service. The services provided are HR/Business Consulting for local government.

- (b) Can the CEO confirm that Burgess and Sons Consulting provided private investigation services to the Shire of Toodyay?

The Consultant provides investigation services with respect to HR / Business Consulting for local government.

- (c) Can the Shire President confirm who, from the Shire of Toodyay, authorised Burgess and Sons Consulting to undertake private investigation services for the Shire?

The CEO authorised the appointment with the concurrence of the Shire President and Deputy Shire President.

- (d) Can the Shire President confirm what budget COA the Burgess and Sons Consulting costs were assigned to in the Shire of Toodyay accounts?

The budget for consulting costs was assigned to GL 041212.

- (e) Can the Shire President confirm that the Shire of Toodyay has received a report from Burgess and Sons Consulting regarding the outcome of their investigation?

Yes report has been received.

- (f) Can the Shire President confirm when the Council will receive a complete and unabridged copy of the report prepared by Burgess and Sons Consulting regarding the outcome of their investigation?

Council were appraised of the findings of the report via email from Cr Therese Chitty on 14 June 2019.

- (g) Can the Shire President confirm whether the Shire of Toodyay undertook their own investigation of the matter prior to engaging the services of Burgess and Sons Consulting?

Yes the Shire of Toodyay Administration undertook their own investigation.

- (h) If the Shire did not undertake their own investigation of the matter prior to engaging the services of Burgess and Sons Consulting, why didn't they?

[Refer to above response.](#)

13.7. ICR61233 - Body cameras to be worn by Shire employees

As the Shire of Toodyay intends to equip some of its employees with body cameras in the current financial year, could the CEO please?

- (a) Detail Shire of Toodyay's official policy on the operation of body cameras worn by Shire employees, and the storage / distribution of data obtained from such body cameras?

[The Shire of Toodyay Council Adopted a Risk Management Council Policy at an Ordinary Council Meeting held on 25 November 2014 \(Resolution No. 344/11/14\). In terms of the operation of body cameras worn by Shire employees, this is part of HR & Occupational Safety and Health Procedures, not required to be adopted by Council.](#)

- (b) Confirm that such a policy has been approved by Council; and

[Refer to the above response.](#)

- (c) Confirm that the Shire's policy is available for the public to view via the Shire's website?

[Yes the Risk Management Policy is available on the website.](#)

13.8. ICR61233 - Legal fees – amount

Could the CEO confirm the total amount the Shire of Toodyay spent on legal fees during each of the following years please?

- (a) 2015-16 financial year
(b) 2016-17 financial year
(c) 2017-18 financial year
(d) 2018-19 financial year

[Please see information in table below at question 13.9.](#)

13.9. ICR61233 - Legal fees – law firms

Could the CEO provide a breakdown of the amount the Shire paid its various lawyers during each of the 2015/16, 2016/17, 2017/18, 2018/19 financial years according to legal firm please?

Please see information in table below

Year	Civic Legal	McLeods	Altus & Appeals	De vita Legal	Kott Gunning	Cleveland & Co	Formbys	Oswald Legal	RJ Price
2015/2016	\$333,744.79	\$105.48	\$9,982.50	\$0.00	\$0.00	\$797.17	\$0.00	\$0.00	\$22,308.00
2016/2017	\$145,400.50	\$0.00	\$9,751.50	\$1,133.00	\$0.00	\$0.00	\$0.00	\$1,540.00	\$5,720.00
2017/2018	\$11,696.85	\$1,218.67	\$9,432.50	\$54,078.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2018/2019	\$275.00	\$0.00	\$14,932.50	\$70,720.10	\$5,599.44	\$0.00	\$1,046.26	\$0.00	\$0.00

13.10. ICR61233 - Toodyay Race Course

How much does the Shire of Toodyay receive in fees / charges / rates/ etc. each year from the Toodyay Race Club?

The Toodyay Race Club has a 21 year lease on the premises expiring in 2032.

The Race Club pays \$110 per annum for the lease of the facilities.

The Race Club reimburses the Shire of Toodyay for the cost of insuring all buildings located on Racecourse Road.

The insurance reimbursement depends on valuations of the property and figures provided by our insurers.

13.11. ICR61233 - Ownership of tennis courts

Is the Shire of Toodyay the owner of the tennis courts? If so, where are the court and facility hire fees listed within the Schedule of Fees and Charges - 2019/20 please?

The Shire of Toodyay owns the buildings located at the Tennis courts however the courts are the property of the Tennis Club which they obtained via a grant. The Tennis Club reimburses the Shire for the cost of the insurance relating to the buildings.

13.12. ICR61233 - Reimbursement of insurance fees

(a) Can the Shire President provide some insight as to why the Shire reimbursed the Tennis Club's insurance costs (item 113214) in each of the following financial years please?

- (i) 2013/14,
- (ii) 2014/15,
- (iii) 2015/16 and
- (iv) 2016/17

The Shire of Toodyay has not ever reimbursed the Tennis Club for insurance.

- (b) Could the Shire President provide some insight as to why the Shire ceased reimbursing the Tennis Club's insurance costs from the 2017/18 financial year please?

Refer to response above

13.13. ICR61233 - Test and Tag invoices

Could the CEO confirm that two payments EFT26114 and EFT26006 listed in the Minutes of the June 2019 Council Meeting are correct and are indeed two separate invoices for two separate jobs please?

The two payments relate to 6 separate invoices. These invoices were for the testing and tagging of equipment in all shire buildings

13.14. ICR61233 - Dog injury – Shire vehicle

Could the CEO confirm that the Shire is working cooperatively and in a positive, supportive manner with the Toodyay resident whose dog was accidentally injured by a Shire vehicle whilst that vehicle was being driven on a rate payer's property?

Yes the CEO was informed of the incident and the Shire of Toodyay is working cooperatively with the resident.

13.15. ICR61233 - Valuer Generals report

When does the Shire President anticipate that Council will receive a copy of the Valuer Generals report, which (according to the Agenda of the Special Meeting of Council on 25 July 2019) was received by the Shire's administration prior to the 25 July 2019 meeting, and which also appears to the document that underpins the Shire's proposed 2019/20 rate increase?

The Shire of Toodyay did not receive a Valuer General's report but rather "property schedules" that outline the property details, and updated valuations. We received a letter from the Valuer Generals Office. This can be provided to Council.

13.16. ICR61233 – Community Newsletter

- (a) What does the Shire charge a company / organisation / individual for advertising in the Toodyay Community Newsletter?
- (b) Is this charge per column centimetre?
- (c) Is this cost included in the Schedule of Fees and Charges in the Shire's 2019/20 Annual Budget?

The Shire of Toodyay supports not-for-profit organisations and community groups. We do not charge anything for advertising in the Toodyay Community Newsletter. We have had quite a large number of queries from businesses to include advertising in the Toodyay Community Newsletter but to date we haven't entered into any such arrangement.

**14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF MEETING**

14.1 MEMBERS

Nil

14.2 EMPLOYEES

Nil

15. CONFIDENTIAL BUSINESS

In accordance with Standing Orders 5.2 (1) the CEO recommended to the Shire President that the meeting or part of a meeting be closed to members of the public.

The Presiding Member requested a motion be moved in accordance with Standing Orders 5.2 (2) that the meeting be closed to the public.

MOTION/COUNCIL RESOLUTION NO. 218/08/19

MOVED Cr Welburn

1. That, in accordance with Standing Orders Clause 5.2 (2), Council close the meeting to members of the public at 5.53pm to allow the part of the meeting that deals with confidential business to continue behind closed doors in accordance with Section 5.23 (2)(b) of the *Local Government Act 1995*; and
2. That in accordance with Standing Orders Clause 5.2 (5) while the resolution under sub-clause 5.2 (2) remains in force, the operation of Standing Orders Clause 7.9 is to be suspended until the Council or the committee, by resolution, decides otherwise.

MOTION CARRIED 8/0

In accordance with Standing Orders 5.2 (3) the Presiding Member directed everyone to leave except the Members; the CEO, CSM and Executive Managers and Staff as specified by the Presiding Member.

Cr Rayner declared an Impartiality Interest, pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, in relation to Confidential Agenda Item 15.1 – BFAC Recommendation – FCO Appointment, as I am a current FCO and have been re-nominated. The extent of my interest is that I receive as an FCO, a \$100 fuel voucher.

Cr Rayner stated that “as a consequence, there may be a perception that, my impartiality on the matter may be affected. I will therefore declare that I will leave the room while this matter is being considered. Cr Chitty will assume the chair in my absence.”

Cr Rayner departed Council Chambers at 5.55pm.

All members of the public departed the Council Chambers at 5.55pm.

In light of the Presiding Member being unavailable (as per Section 5.34(b) of the Local Government Act 1995), Cr Chitty, Deputy Presiding Member assumed the Chair in accordance with Section 5.34 of the Local Government Act 1995.

15.1 BFAC Recommendation – FCO Appointments

BUSH FIRE ADVISORY COMMITTEE RECOMMENDATION/COUNCIL RESOLUTION NO. 219/08/19

MOVED Cr Welburn

That Council appoint FCO's as follows:

Appointment of (to Position)

1. Craig Stewart (Chief Bush Fire Control Officer)
2. Rowan Hunter (Deputy Bush Fire Control Officer 1)
3. Robert Koch (Deputy Bush Fire Control Officer 2)
4. Garry Forsyth (Bush Fire Control Officer)
5. John Hansen (Bush Fire Control Officer)
6. Kim Maddrell (Bush Fire Control Officer)
7. Brian Rayner (Bush Fire Control Officer)
8. Ian MacGregor (Bush Fire Control Officer)
9. Nick Griggs (Bush Fire Control Officer)
10. Jens-Dieter Bartels (Bush Fire Control Officer)
11. Charles Wroth (Bush Fire Control Officer)

MOTION CARRIED 7/0

MOTION/COUNCIL RESOLUTION NO. 220/08/19

MOVED Cr Dow

That Council move from behind closed doors and the operation of Standing Orders Clause 7.9 is resumed.

MOTION CARRIED 7/0

The Shire President, Cr Rayner, entered Council Chambers at 5.57pm.

The Council Chambers were re-opened at 5.57pm. The Deputy Shire President did not read aloud Resolution No. 219/08/19 for the benefit of the public gallery as the gallery did not return to the Council Chambers.

Cr Rayner assumed the Chair at 5.58pm.

16. NEXT MEETINGS

AROC Meeting	2 September 2019
Environment Committee	3 September 2019
Community Meeting (Bejoording – 6.30pm)	4 September 2019
Audit Committee	5 September 2019
Agenda Briefing	17 September 2019
Council Meeting	24 September 2019

17. CLOSURE OF MEETING

Cr Rayner, Shire President, declared the meeting closed at 5.59pm.

Attachments to Minutes

Ordinary Council Meeting

Tuesday 27 August 2019

SUBMISSIONS

S McClelland addressed Council regarding Agenda Item 10.2.1 Lot 143 (#83) Bejoording Road, Bejoording – 3 to 6 Dog Application (Keeping of 3 dogs).	1
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10.3.2 Lozanda Heights Easements - continued

Confidential Attachments – supplied to Council as a Separate Confidential Minuted Item (SCMI)

6. Attachment F . Certificates of Title Lots 301-304, 308-315 and 333 Harvester Drive.	SCMI
7. Attachment G . Landholder Feedback . Schedule of Submissions.	SCMI

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Nil

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26 August 2019

Shire of Toodyay,
Toodyay, 6556

Dear Sirs,

Re Application for Licence for three dogs
to the Shire of Toodyay, June 2019

Firstly, the reason I have applied for a licence for three dogs on my property is because my son, who has been working away for a few years, has recently returned home along with his dog.

I have had a look at the Agenda for the ordinary Council meeting to be held on Tuesday, 27 August, 2019 and have read the report by the Ranger, Chris Summers.

I would like to address a couple of areas of that report:

The dog in the alleged sheep attack in 2017 was seized and surrendered in 2017. She was a new addition to the property. The other two dogs in the application I made in October 2017 were dogs I had had from puppies who have since died.

This application is to cover three different dogs which, as far as I know, have not been the cause of any complaints. Two of these dogs I got as puppies and do not plan to get any more.

... due to her changed attitude...

I was in a relationship for quite a few years that turned toxic and volatile and although the person left my property five years ago, the vindictiveness and harassment continued and left me disadvantaged mentally, emotionally and financially. It only lessened when two consecutive VRO's were granted by the Northam Court.

Today I have a more positive and optimistic attitude and am running and expanding my own business. I have attached two business referees for your consideration.

During the last twelve months, Mr Summers and I have had reason to consult in relation to my current situation and appreciate his advice and thank him for his help.

Thank you for your time and I look forward to receiving a favourable answer.

Yours sincerely,

Samara McClelland

To whom it may concern

Samara McClelland has been a valued customer of [redacted] for many years.

Samara has always strived to improve her situation in life by working hard and doing her best at whatever task she has taken on.

I have always found Samara to be trustworthy and true to her word.

Thank you for your time and please feel free to contact me on the number above should you require further clarification.

26th August 2019

To Whom It May Concern,

Samara McClelland of iClean is contracted to do the necessary cleaning of all our computers, terminals, printers, scanners and ancillary equipment. I have found her to be very efficient at this and also very obliging to the point of cleaning our equipment out of hours to suit the business. I would not hesitate to recommend her to others.

22nd August, 2019

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Audit Committee

Purpose

The purpose of the Audit Committee is in accordance with regulation 16 of the *Local Government (Audit) Regulations 1996*.

The Audit Committee is required to be established by Council in response to the provisions of Section 7.1A of the *Local Government Act 1995* – composition is to be no less than three elected members and any number of other persons provided that the ‘majority’ of members are members of the Council. *absolute majority decision

The CEO and Shire employees are not appointed as voting members of the committee.

This implies that the CEO and shire employees can be members of the committee but without voting rights. THIS IS CONTRARY TO THE ACT, which in 7.1A states:

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

To remove any possible ambiguity or misinterpretation, the excerpt from the Act should be included in the audit committee’s terms of reference.

The term for a ‘Standing Committee’ of the Council is ongoing. The Committee will need to be formally re-appointed by Council following each Local Government Election.

Terms of Reference

The duties and responsibilities of the committee will be:

1. Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits and matters related to financial management;
2. Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions;
3. Liaise with the CEO to ensure that the local government does everything in its power to:
 - (a) assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and
 - (b) ensure that audits are conducted successfully and expeditiously;
4. Examine the reports of the auditor after receiving a report from the CEO on the matters to:
 - (a) determine if any matters raised require action to be taken by the local government; and
 - (b) oversee the implementation of any action so determined in respect of those matters;
5. Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time;
6. Review the scope of the internal audit plan and program and its effectiveness;

7. Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or CEO;
8. Review the level of resources allocated to internal audit and the scope of its authority;
9. Review reports of internal audits, monitor the implementation of recommendations made by the audit and review the extent to which Council and management reacts to matters raised;
10. Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs;

As I have been advised by the CEO that the shire does not do internal audits, points 6-10 are currently redundant and should be removed.

However, the Local Government Operational Guidelines No 9, Section 3, states, "The audit committee needs to form an opinion of the local government's internal audit requirements and recommend a course of action that ensures any internal audit processes adopted are appropriate, accountable and transparent."

Furthermore, the Guidelines state that it is desirable for an internal auditor to have a direct line of communication to the audit committee.

11. Review the local government's draft annual financial report, focusing on:
 - (a) accounting policies and practices;
 - (b) changes to accounting policies and practices;
 - (c) the process used in making significant accounting estimates;
 - (d) significant adjustments to the financial report (if any) arising from the audit process;
 - (e) compliance with accounting standards and other reporting requirements; and
 - (f) significant variances from prior years.
12. Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed;
13. Address issues brought to the attention of the committee, including responding to requests from Council for advice that are within the parameters of the committee's terms of reference;
14. Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference following authorisation from the Council;

Clause 14 should be removed as it adds nothing.

Many of the items listed in these terms of reference require the audit committee to seek information. This requirement for the audit committee to have to go to council to seek authorisation to obtain information is simply going to delay any recommendations by at least a month, ie after the next council meeting. It is also likely to require special meetings of the audit committee as the committee only meets quarterly.

Also, the requirement to go through the CEO limits the autonomy of the audit committee.

As stated in the Operational Guidelines, Section 3, "The deliberations and recommendations of the committee must be independent and autonomous ...".

15. Review the annual Compliance Audit Return and report to the council the results of that review,
16. Having regard to the culture and capability of the organisation, consider the CEO's reviews of the appropriateness and effectiveness of the local government's systems and procedures

in regard to risk management, internal control and legislative compliance, required to be provided to the committee, and report to the council the results of those reviews:

- (a) Monitor and advise the CEO when the CEO is carrying out functions in relation to a review of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance;
- (b) Oversee the implementation of any action required following receipt of the review of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance;
- (c) Monitor and advise the CEO when the CEO is carrying out functions in relation to a review of the appropriateness and effectiveness of the financial management systems and procedures;
- (d) Oversee the implementation of any action required following receipt of a review of the appropriateness and effectiveness of the financial management systems and procedures.

Committee Membership Composition (section 7.1A *Local Government Act 1995*)

- (a) Four elected members (two primary and two deputy)

This does not make sense. It suggests that only two elected members are on the audit committee and deputies would substitute when a primary member is not available.

This would CONTRAVENE THE ACT, 7.1A, which states:

- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

** Absolute majority required.*

Furthermore, this contradicts the second paragraph of this document which correctly states that there are to be no less than three elected members on the committee.

Neither the Act, nor the Regulations, makes provision for deputy members of the committee.

- (b) Any number of other persons provided that the 'majority' of members are members of the Council;
- (c) The CEO and Shire employees are not appointed as voting members of the committee.

The CEO and shire employees are not appointed as members, voting or otherwise. To appoint employees to the committee would CONTRAVENE THE ACT.

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From: @vincent.wa.gov.au>
Sent: Monday, 26 August 2019 2:09 PM
To:
Subject: IAM61751 - RE: OAM44232 - Live Streaming and Recording costs - assistance please
SynergySoft: IAM61751

Hi

Here are some of the key details form the quote the City received. The City uses Interstream and they have been good. I hope this assists.

Webcast & Hosting Service

Monthly Billing Video Streaming Service		Video Streaming Council meetings per Month \$ (EX GST)
Streaming Service Monthly Charge		\$1,260.00
GST Component		\$126.00
Total (including GST)		\$1,386.00

Equipment Price Summary	Equipment firm Price \$ (EX GST)	Plus Additional Installation Expenses
3 only Panasonic HD PTZ (Pan Tilt Zoom , Cameras with 1.8 X (4.3-73.8) Lens. This system allows up to 18 preset positions per Camera.	\$12,813.00	Nil
Four Channel Video / Audio M ixer plus additional Media Player	\$ 2,140.00	Nil
Travel Expenses for Equipment Installation, supervision & Training	N/A	\$3,260.00
Total Excluding GST	\$14,953.00	\$3,260.00

Kind Regards

Manager Governance, Property and Contracts

City of Vincent 

T (08) 9273 6038 |

Engaging | Accountable | Making a Difference

From: Tony Brown @walga.asn.au>
Sent: Monday, 26 August 2019 6:48 AM
To:

SynergySoft: IAM61758

The issue of live streaming of Council meetings is quite complicated.

In Local Government it is a real split-camp right across Australia on this subject with transparency advocates going one way while privacy and process people go in the other direction. The nightmare of Fol requests and/or video clips going "viral" showing Councillors being over-enthusiastic in their attack or defence of agenda items is an actual concern.

I am aware of the City of Joondalup carrying out live streaming.

I asked our ICT Manager to provide some info on this subject and he provided the following;

"Along with some skills required to run the show, internet speed, hosting/broadcasting costs and the kit in the room are all super-important and inter-dependent considerations. A policy, particularly if published externally, needs to be 100% supportable. Not streaming a meeting when it's a scheduled event can bring all sorts of grief... My personal preference for a resource-challenged deployment would be to record and publish rather than trying to live-stream. If they can't afford the proper kit, the alternative is to engage someone who knows how to aim, focus and get reasonable audio from more modest equipment."

You can get ballpark figures for hosted live services from someone like Redback <https://www.redbackconnect.com.au/> or from Gerry Murphy from BeingThere www.beingthere.com.au. The costs add up pretty quickly if not carefully managed and, even with the professional vendors, "technical glitches" are still common where the professionals aren't actually onsite and in control of the variables."

You could simply put out a RFP using our eQuotes tool

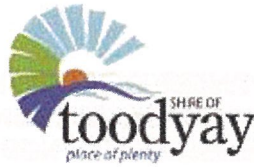
I understand that the City of Cockburn has recently gone to market for delivery of this service so they would probably be good to talk to. You could contact Gail Bowman at Cockburn, details below.

Gail Bowman
Executive Manager Strategy & Civic Support | Strategy & Civic Support
P 08 9411 3444

I hope this is of assistance

Kind Regards

Tony



Agenda Briefing Notes

20 August 2019

Unconfirmed Notes

These notes were approved for distribution on 22 August 2019.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

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 27 August 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 27 August 2019

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Shire of Toodyay

AGENDA BRIEFING 20 AUGUST 2019

NOTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Cr Rayner, Shire President, declared the meeting open at 4.06 pm.

2. RECORDS OF ATTENDANCE/APOLOGIES

Cr B Rayner	Shire President
Cr T Chitty	Deputy Shire President
Cr B Bell	
Cr J Dow	
Cr P Greenway	<i>arrived at 4.08pm</i>
Cr B Manning	
Cr E Twine	
Cr R Welburn	

Staff

Ms A Bell	Manager Community Development
Mr J Hansen	Bushfire Risk Management Planning Coordinator
Mr R Koch	CESM
Mr K Nieuwoudt	Manager Planning & Development
Mr S Patterson	Manager Works and Services
Mrs N Rodger	Acting Manager Corporate Services
Mrs M Rebane	Executive Assistant

Visitors

J Hart
P Hart

2.1 APOLOGIES

Mr S Scott	Chief Executive Officer
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2.2 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
 FROM MEETING HELD ON 20 AUGUST 2019

2.1 APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Name	From Date	To Date
Cr Rayner	1 Sept 2019	14 September 2019
Cr Twine	Dates	To be advised
Cr J Dow	Dates	To be advised

3. DISCLOSURE OF INTERESTS

Item Name	Item No.	Name	Type of Interest	Nature of Interest
BFAC Recommendations FCO Appointment	15.1	Cr Rayner	To be advised	To be advised
Lozanda Heights Easements	10.3.2	Cr J Dow	To be advised	To be advised

Cr Greenway entered Council Chambers at 4.08pm.

4. PUBLIC QUESTIONS

4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary Meeting of Council held on 23 July 2019, the following questions were taken on notice.

B Foley

Summary of Question Two

I understood there was going to be ongoing shoulder work on Bindoon-Ö, æq Pool Road most likely due to the road having to be redone due to poor standard of work. Is the shoulder work going to be restarted? The shoulders of this road in various sections is in poor state.

There were no planned works along Bindoon-Ö, æq Pool Road last financial year 2018/19. In 2017/18 there was a budget allowance to undertake shoulder works which was later expanded to include some resealing works along Bindoon-Ö, æq Pool Road. This took place with the shoulder works being selective to address the areas considered the worst. If there are further concerns with the condition of the shoulders of Bindoon-Ö, æq Pool Road, the Shire can inspect and undertake any necessary remedial works.

4.2 PUBLIC QUESTION TIME

Nil

5. LOCAL GOVERNMENT STANDARDS PANEL – SANCTION ORDERS

5.1 Cr Brian Rayner

Cr Brian Rayner has been found by the Local Government Standards Panel to have committed one breach of the *Local Government (Rules of Conduct) Regulations 2007*.

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1. *Councillor Brian Rayner, a Councillor for the Shire of Toodyay publicly apologise to the Toodyay Progress Association, as specified in paragraph 2 and 3 below.*
2. *On the ordinary council meeting first occurring after the expiration of 28 days from the date of service of this Order on him, Councillor Rayner shall:*
 - (a) *attend the relevant ordinary council meeting;*
 - (b) *ask the presiding person for his or her permission to address the meeting to make a public apology to the public;*
 - (c) *make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and*
 - (d) *address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address:*

SP 2018 - 111 - Cr Rayner to publicly apologise;

- | |
|--|
| <p>%Á[ç] çã ^Á[ç] Á[ç] ^ ^ ç * Á[ç]K</p> <ol style="list-style-type: none">(i) A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) at the Ordinary Council Meeting of the Shire of Toodyay held the 24 April 2018 when I attributed a comment made by Mr Geoffrey McDonald-Appleby to the Toodyay Progress Association.(ii) V@Á[ç] ^ Á[ç] ^ } áÁ[ç]Á[ç]!^ã&@áÁ[ç]Á[ç]Á[ç]Á[ç] áã * Á[ç] Orders Local Law 2008 Regulation 4 of the said Conduct Rules in that such attribution was objectionable.(iii) I accept that I should not have attributed the relevant comments to the Toodyay Progress Association.(iv) Á[ç] , Á[ç] [[* á ^ Á[ç] Á[ç] [[á æ Á[ç] [* ! ^ • • Á[ç] • [&á[ç] } ÈÁ |
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5.2 Cr Benjamin Bell

At its meeting on 26 April 2019, the Panel found that Councillor Benjamin Bell committed 1 minor breach of Regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) in an article in the Toodyay Herald newspaper with negative allegations that:

The Panel orders pursuant to section 5.110(6)(b)(ii) of the Act that, in relation to the Minor Breach of regulation 7(1)(b) of the Regulations, Cr Bell make a public apology.

The Panel orders that:

1. Councillor Benjamin Bell, an elected member for the Shire of Toodyay publicly apologise, as specified in paragraphs 2 and 3 below.
2. On the ordinary council meeting first occurring after the expiration of 28 days from the date of service of this Order on him, Councillor Benjamin Bell shall
 - (a) attend the relevant ordinary council meeting;
 - (b) ask the presiding person for his or her permission to address the meeting to make a public apology to the public;
 - (c) make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and
 - (d) address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address:

SP 005 of 2019 - Cr Bell to publicly apologise;

A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I wrote an article that was published in the December 2018 edition of Toodyay Herald newspaper with negative allegations that:

- i. A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I wrote an article that was published in the December 2018 edition of Toodyay Herald newspaper with negative allegations that:
 - (a) implied that the Shire of Toodyay had not acted in accordance with proper process;
 - (b) alluded to something underhand taking place within Council; and
 - (c) were recklessly made using language that would arouse

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AGENDA BRIEFING NOTES
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suspicion and uncertainty.

- ii. The Panel found that I breached regulation 7(1)(b) of the said Regulations by making comments that caused damage to the reputation of the local government and did not treat others with respect and fairness.
- iii. I accept that I should not have made relevant comments in the article.

It is noted that Cr Ó'Connell's article in the 2019 edition of the Toodyay Herald on Page 10 (below);

It is noted that this advertisement in the Toodyay Herald was in lieu of making a public apology at the August 2019 Ordinary Council Meeting.

SHIRE OF TOODYAY
AGENDA BRIEFING NOTES
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6. CONFIRMATION OF MINUTES

No changes were put forward in relation to these minutes.

6.1 Ordinary Meeting of Council held on 23 July 2019

OFFICER'S RECOMMENDATION

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 23 July 2019 be confirmed subject to an amendment being made as follows:

1. At Item 9.4.1 List of Payments June 2019 (Resolution No. 169/07/19) the word "to be" be deleted.

6.2 Special Meeting of Council held on 25 July 2019

OFFICER'S RECOMMENDATION

That the Unconfirmed Minutes of the Special Meeting of Council held on 25 July 2019 be confirmed.

6.3 Agenda Briefing held on 20 August 2019

OFFICER'S RECOMMENDATION

That the Notes of the Agenda Briefing held on 20 August 2019 be received.

6.4 Confidential Items

6.4.1 Quarterly Strategic Council Forum held on 13 August 2019

OFFICER'S RECOMMENDATION

That the Confidential Notes from the Strategic Council Forum held on 13 August 2019 be received.

7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

6.1 PETITIONS

Nil

6.2 DEPUTATIONS

Nil

6.3 PRESENTATIONS

6.3.1 Agenda Briefing Discussion – Item 10.3.1 about the Bush Fire Management Plan, Endorsement – Mitigation Activity Fund, Appointment of Contractor.

John Hansen provided a verbal overview in relation to the Officer Report contained in the Agenda. He gave an overview about the work being undertaken for the bushfire risk management plan.

Presenter Comments as follows:

- < The rest of the plan lies in the software only accessible to users . containing the assets within the area, the risk ratings, and recommendations for treatment to minimise the risks to bring down to a more acceptable level.
- < The majority of the working part of the plan is built into the software. The information is not included in the document because once presented to Council it becomes public and the document itself contains confidential information.
- < OBRM have already approved the Shire of Toodyay Bushfire Risk Management Plan.
- < Funding opened last week and we now have six weeks to put a submission forward.
- < Liaison work has been undertaken to identify any major areas of concern to put forward into the request for funding to get works done.
- < Council to endorse plan.
- < Council to give permission to use the state government common usage agreement allowing us to instead of putting large funding opportunity to tender process which could take 3 months to go through the state government agreement allows us to appoint a contractor from a defined list (prepared by the DFES).
- < In order to get on the list those contractors have to meet a standard of requirements with DFES.

Questions asked / Points raised as follows:

- < **Question:** In respect to Royalties for Regions funding . how much in the pot do we have access to?

Response: *There is more in the pot than we can apply for. It is not a case of the pot running short, or at least it is highly unlikely. This program has been going for the last four years however there are now a lot of other local*

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governments who are also making applications for this funding. Success is not determined on the size of the application. It is based on the need of the application. The funding body will have access to the software as we will make sure they have authorisation.

< Question: Who is authorised to use the software?

Response: *At this stage the CESM does not have access but the RMO and CESM will have their own access code. At present only I, (John Hansen) has access.*

< Question: Why are we only endorsing part of a document?

Response: *the document does refer to information in there. The treatments are in the software. Reports can be done at any stage to put what the actual treatments are going to be but it is not the treatments that are being approved. it is the plan as a whole. The treatments will be revised. it is a living document.*

< Question: When you get to the end of the document you do wonder what the actual plan is. Because nothing in the document appears to indicate what assets we need to be aware of and whether those assets require action to be taken to protect and also there is no indication of the treatment or works to be undertaken to protect the assets. The information about what assets identified is part of plan or not?

Response: *technically it is part of the plan but the document refers to the assets that are contained in the software. Because a lot of the information is confidential and not in the public domain it is very easy to create a report. The document is a context document. a snapshot of the way Toodyay is here at this moment in time in terms of bush fire risk. The treatment of assets is contained only within the living document.*

< Question: Does this council get to approve the assets identified and what treatments are carried out? If not, who makes that call?

Response: *those decisions are made by me and the CESM in terms of rating of the property. done by the software (BFRM Software Proprietary System). Alga rhythms in software are based on information we put in. e.g. if doing an assessment on the shire building we have to put in how close is bush to the office. Then ascertain the degree of slope. Questions are in the*

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software. It is not based on a personal judgement. Information is put in about fuel loads and at the end of it the software will then calculate the risk rating. If a property comes up as high, very high or extreme it falls into the category of requiring treatment. Because in Toodyay we have a high exposure to bush fire threat we have concentrated on the extreme in the initial outset. Those funds are only available for this financial year. By the time we get the funding we have to acquit the funding before 30 June next year. Physically it is not possible to do everything. When we finish at 30 June next year another application will be required to be made, and so on and so on. Any funding not used has to be returned.

- < Question: When you apply for funds you identify what work needs to be done. Will we as Council get the report showing how much money is received and what it is being spent on?

Response: when we get the draft funding the CEO will get the agreement and at the end of the day if Council is interested we can print reports of what we plan on doing and track them through. In my past experience in Beverly, York and Northam we have never been requested to provide this information to Council.

- < Question: (Clarification) has this all been to the Department and they are happy with it?

Response: Yes.

- < Question: Is it 100% funded?

Response: Yes. We make sure we acquit it directly.

- < Question: (Clarification) I take it that we need to approve it because it is not Council money?

Response: Yes it is not Council money, nor ratepayer money. It is money from the government.

- < *Point raised: An update was given at the recent LEMC meeting and they were very happy about what work had been done so far.*

- < Question: With the common use agreement and contractors being approved. What are we talking about?

Response: essentially we are asking Council to approve the common use agreement written by the state government. It says that provided you meet certain requirements you can appoint a contractor from a list which must meet certain requirements. The list

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has to come from the federal and / or state government and has to be a list that has been vetted by one of those departments. Because we are in the fire world the DFES is being used as it is specifically for their contractors they use internally for mitigation and contractors were called up also prior to this report being written, who are on DFES list. They have the right experience, machinery and have been vetted.

This helps us because most local procurement policies . will be way in excess of 3 quotes but because time frame restricted. There are limitations on quality and types of contractors out there. In terms of quality and experience of contractors we are using this system tender process.

< **Question:** Can you still seek competitive quotes?

Response: *I can see where you are coming from but the reason we do not seek quotes from within the list is because the list specifies the same rate. Would be great to have six contractors to choose from but there just aren't the numbers out there. It is very limited. Getting anyone from out of the town creates extra costs with transporting of machinery.*

< **Question:** With no equity in the number of contractors available and the workplace expanding . do we use local people?

Response: *when we say local some have worked here before and live in Bakers Hill. I have had to chat with contractors to make them aware of the work so they can make allowances for time in their own schedules, as they already have tight schedules themselves. It is not done for expediency. It is done out of necessity.*

6.4 SUBMISSIONS

Nil

8. BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)

Nil

9. 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).

10. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS

10.1 COMMUNITY DEVELOPMENT

10.1.1 Safer Toodyay Strategic Plan

Questions and Points raised as follows:

< Question: V@Á } qÁ@Áá•cÁ Á@Á |æ •Á ÁÁÁ

Response: from what I understand there was a draft report that CEO and MCD reviewed and updated but]!ã!Á Á@ÁÁ[} qÁ } [, ÁÁá ^ Á@Á |æ •Á ^!Á Á@ÁÁÁÁ through Council.

< Question: If there were previous plans how did Council endorse them? There are things in the plan that require the Shire to spend money. Should we just be receiving this plan or noting the plan |æ@Á@ÁÁÁ } á[|•ã * +?

Response: That is entirely correct. It is to give support to the document however it would have to be where other items have been dealt with through that committee further input would have to be done. The presentation was done at the Strategic Forum. This was to be brought back to the Council process. Happy to take back to the Committee and bring back to Council. If they support the plan then going into the future there may be grant funding c@Á@^Á&æ Áá] |Á{!Á, æ@Á[^ } &æ Á%Á |ã &æ |^Á support of the Safer Toodyay Strategic Plan.

10.1.2 Small Business Friendly

Questions and Points raised as follows:

< Question: Page 31 . attachments . the strategies to achieve the goal. Do we have someone or enough man hours to spare to do everything required?

Response: That is something that is a sample template of a report, showing what we can do. The attachments on pages 35 through to 40 you will see the list of other local governments and what they choose to do. Our Management team has discussed this and we will still have to discuss what we can resource to do within what we are already doing. We are already working with the Chamber of Commerce and building better relationships with small businesses. So long as we work out on the operational level with the strategic meetings we do if we go ahead with this this could be one of the reports we do.

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Question: Is it necessary and are we getting feedback from small business that there is an issue? Are we

Response: *Nothing has been received through the Community Development Role. We have good communication and networking. One of my staff members is a member of the Chamber of Commerce. We support and work in with local businesses and the Chamber in respect to tourism promotion. This is a way of formalising what we are already doing and seeing if we can improve our own processes. There is also support available from the Small Business Development Corporation if we do this.*

Question: If there are issues out there I would assume whether there have been concerns from small business owners about delay or difficulty in getting planning approvals.

Response: *Through the Chair I have (Manager Planning and Development) not received any complaints from any small businesses in Toodyay. We have a fairly good working relationship with small businesses. We do have statutory time frames in respect to turnaround times for applications. I have not received any complaints from the time I commenced here in March 2019.*

Question: Becoming Small Business Friendly. Is it so that we can get their help or assistance with grant funding?

Response: *I did not hear anything about grants. At this stage it is purely assistance and information from them.*

Question: If there is no issue we are trying to resolve in terms of the plan are we putting extra workload on community development staff to implement this plan?

Response: *Not from the conversations we have had with the Community Development Team and on the Executive Management level. There are a few minor details we can work through. By doing this we can let small businesses in town know we are small business friendly.*

Question: Y we?

Response: Yes

10.2 PLANNING AND DEVELOPMENT

10.2.1 Lot 142 (#83) Bejoording Road, Bejoording E 3 to 6 Dog Application (Keeping of 3 Dogs)

Questions and Points raised as follows:

< Question: Is the Ranger aware of the submissions that have been received?

Response: Yes he is and he has also assisted in preparing responses to the submissions.

< Question: Why does the report not mention that in here?

Response: *There is a paragraph saying Rangers are aware of it*

< Question: There seems to be nothing in here about the reply from the Rangers. It is not clear from the document that there has been a big turnaround and well improved but from the submissions it does not appear that anything has happened in the correspondence between the neighbours. Have the people who put in the submissions fully aware of the caring and keeping of these dogs?

Response: *I will take this question on notice.*

The response will be provided in the Confidential Agenda Briefing Notes.

< Question: is the third dog there already?

Response: *Yes.*

< Question: Does this mean the owner ignored the fact that they had to have their dog removed earlier?

Response: *No time was given for the Officer to respond.*

< Question: All young dogs are of the same breed. Was there a reason as to why they needed this number?

Response: *I will take this question on notice.*

The response will be provided in the Confidential Agenda Briefing Notes.

< Question: At the bottom of page 11 it says that in Oct 17 an application for 3 dogs was refused due to a dog attack on neighbouring stock and at the time there were inadequate measures to keep the dog away from that neighbouring property. Did that occur prior to them bringing that item to Council? What happened to the Dog? Did it come back? Is it one of the 3 dogs they have now?

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Response: *I will take this question on notice. (Note: This question was answered in the confidential discussion later in the meeting).*

- < **Question:** When they talk about the owner had undergone some positive changes and the mental state of the dogs was much better. How do they work out the mental state of the dogs and the changed attitude of the owner?

Response: *I will take this question on notice. (Note: This question was answered in the confidential discussion later in the meeting).*

- < **Question:** I googled ridgeback and it said they were a hunting dog, but also a nice dog. Even with boundary collars. Are they hunting dogs and should you really have such dogs when submissions have been made by other people about them.

Response: *I will take this question on notice.*

Response to question taken on notice as follows:

In the *Dog Regulations 2013*, the Ridgeback is not classified as a dangerous/restricted dog breed. Based on the application submitted, the Shire of Toodyay was to approve the application.

- < **Question:** the reference to each dog boundary collar for when the owner is not at home. conditions approved electronic confinement. Do the collars work?

Response: ***Manager Planning and Development***
I believe they do work but that depends on how well that boundary fence is implemented around the house. The collars will be right on the boundary. This will be right around the house.

- < **Manager Works and Services**
My short answer is that collars do work but they work on a battery life system. Also, a wire runs around the fence and it is connected to the system. If the wire breaks or the battery fails the system will not work. I can answer the questions already asked but in doing so I may inadvertently divulge information.

- ◁ Question: There is no reference in the report as to the dogs barking. One of the reasons we limit dogs is excessive noise levels. Do the Rangers have a view on the noise issue?

Response: when it comes to noise caused by dogs the process of assessment is via complaint by a neighbour. When this occurs the Rangers visit the property. They get details. A barking diary is used as a form of evidence. If the dogs bark eight hours a day the resident can record that. The reality is that there is no such evidence. Dogs bark by nature. A lot of residents affected by barking will tend to exaggerate how much a dog (or dogs) bark when they come to a property. A lot of residents affected by barking will tend to exaggerate how much a dog (or dogs) bark when they come to a property until now. If it had have been an ongoing issue we would have expected to have heard of it by now.

The Shire President ruled that we go behind closed doors – at 4.54pm to discuss confidential business.

[Note: Cr Dow was asked to move it . but this is an Agenda Briefing and the President can rule it.]

The Manager Works and Services provided information in relation to the matter.

The Shire President ruled that we come from behind closed doors at 5.01pm.

[Note: Although not required, the Shire President asked Cr Dow to move that and asked for consensus of those members in the room. It was carried 8/0.]

10.3 WORKS AND TECHNICAL SERVICES

10.3.1 Bushfire Risk Management Plan, Endorsement - Mitigation Activity Fund, Appointment of Contractor

Refer to page 7.

10.3.2 Lozanda Heights Easements

Questions and Points raised as follows:

- ◁ Question: If we do a deal with these particular landowners and we agree to repair their rear fencing this may lead to other people seeking the same arrangement. At this stage how many of the strategic fire breaks have not been extinguished. Can you identify a dollar amount and how many are still out there?

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Response: *Easements exist in this situation. There is not a list that exists in the Landgate data set so there is no such record. Easements and individual titles searches have to be done on every single property. There are about three other easements I am aware of and would like to investigate but if there are any more beyond that it is a who knows situation.*

< **Question:** Did the Council keep records over the years of strategic fire breaks?

Response: *Let us not confuse strategic fire breaks or easements. They were done away with in 2009. A lot of them were on crown land and Shire land. It is not going to be every case that there was an easement in place where a strategic fire break would have existed. There are about five that exist.*

< **Question:** Y adjoining landowner have to contribute? Is the \$20,000 to be shared between both land owners?

Response: *You are talking about the alternate recommendation which looks at the situation of rear boundary fences. You are correct that boundary fences are a 50/50 split between landholders assuming that the Shire foots the bill 100% on that.*

< **Question:** I noticed that the Shire had a reserve behind part of those blocks so the Shire would be responsible for that?

Response: *No there is no Shire reserve. There is a gap on the map which I know is a bit confusing in the middle. There is no common boundary where the easement exists.*

< **Question:** In respect to the nature of the easements; although one easement is running over a lot of properties I am assuming these were created at the time the land was subdivided and when the subdivision plan went through. Under the transfer of land act extinguishing the easements cannot be done without the approval of the owner of the land. Does that mean we need their approval?

Response: *Yes absolutely that is the process.*

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< Question: How do we maintain the easement?

Response: *If we cannot extinguish them we will be required to retain them. It is not all or nothing. We already have had one property dropped off of it. We can drop off properties with agreement by the landowner and if we do have one or two properties that then does minimise the amount of money to be spent on maintaining the easement that serves no purpose.*

< Question: how does that work? Does that mean that the owner will put up fences? How will they get access into it?

Response: Fences already exist. If we decide not to officially extinguish this we have to start pulling down fences that owners have put up. The feedback received does support the removal of the easements . with some people requesting conditions as part of the removal. If we start reversing decisions made by the landholders the problem could become worse. If there are land-lock easements it must be at the [, } ^!q permission we can come on the property to do the work.

< Question: You have eight and seven of those have agreed.

Response: *Three of these properties have foreshadowed fencing works is proposed as a condition of the work being done. They are looking at fencing as being part of a deal. It could be argued that we should not be touching fencing because ~~it~~ outside the deed of easement but having said that the typical layout of fencing; the report provides information about fencing.*

10.4 CORPORATE SERVICES

No reports

10.5 EXECUTIVE SERVICES

10.5.1 October 2019 Meetings Schedule Review

Clarification was sought as to what the original date was of the Agenda Briefing for the October 2019 Council Meeting.

10.5.2 Committees of Council Review

Questions and Points raised as follows:

- < Question: The back of the Terms of Reference document contains the WAC, the MAC and the CPTAC. The U~&^!q ÁÚ^& { { ^} áæá } Á ææ • Á these committees will be disbanded. Why are they included in the document?

Response: *They were included in the document because Council has not yet made the decision to change the format of the Committees. The detail was left in the document as a means of indicating what those committees would look like if changed to Advisory Groups.*

- < Question: What are the differences between a Committee of Council and an Advisory Group?

Response: **(Manager Planning and Development)** *Committees are established under the Local Government Act but the Advisory Groups are not made under those provisions of the Local Government which is the reason why a policy is also included with the Officer Report, á áæá * Á @æá @ Áæ • Á !{ ææá } * ^{ ^ } • Áæ^ Á*

The process is the only thing that is different. Council will have an oversight over the advisory groups but those groups will not make any formal recommendations to the Council. Normally what happens is that where a meeting occurs by a Committee that was formed under the Local Government Act they get to make recommendations to the Council that need to be ratified by full Council. If they are not obliged even though they have members on those Committees of Council, only the full Council can ratify any recommendations the Committees have made. With the Advisory Groups they will be making less formal recommendations to Council and the formality of the recommendations made by the Committees will be put forward to Council by the CEO and Executive Management Team.

The question can be taken on notice to provide further information within the body of the report.

Response: **(Manager Community Development)** *the policy was taken from the Town of Vincent. This is how their Council establishes Advisory Groups. As the Manager Planning and Development has already indicated, how Committees of Council operate is quite regulated, particularly as those Committees have to adhere to the Standing Orders Local Law. Moving to the*

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use of an Advisory Group means that the meetings can be less formal.

- < Question: Page 106 advisory group members for the current Works Committee and whether it becomes an advisory group or is disbanded. Clarification sought as to its existence in the Terms of Reference document.

Response: *The Terms of Reference to be amended as follows.*

- < Points raised: Dealing with two different issues. Does it perform a function? Should it be formal or informal?

- < Question: Environmental Committee . quite a few strong community people in that . would they be disappointed if

Response: *Further feedback will be provided for the upcoming Council Meeting.*

10.5.3 Code of Conduct Members

Questions and Points raised as follows:

- < Question: Page 117 dot points under 2.1. Should it say at dot point three after the words local government, elected

Response: *This dot point will be clarified. I believe it is taken as a direct quote out of the legislation. It will be taken on notice.*

Response to question taken on notice as follows:

Clause 2.1 (Basic Principles) in the **Code of Conduct Members** is taken as a direct quote from the Local Government (Rules of Conduct) Regulations 2007 which reads as follows:

3. General principles to guide the behaviour of council members

- (1) General principles to guide the behaviour of council members include that a person in his or her capacity as a council member should -
 - (a) act with reasonable care and diligence; and
 - (b) act with honesty and integrity; and
 - (c) act lawfully; and
 - (d) avoid damage to the reputation of the local government; and

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- (e) be open and accountable to the public; and
- (f) base decisions on relevant and factually correct information; and
- (g) treat others with respect and fairness; and
- (h) not be impaired by mind affecting substances.

(2) The general principles referred to in subregulation (1) are for guidance of council members but it is not a rule of conduct that the principles be observed.

< Question: We have had a code of Conduct since 2007. We have been told in the background that the code has been under review. How come it has taken so long? If copied in to those circulars? The report states that under the new legislation changes, the model local government codes of conducts are likely to come into effect in November so within three months of adopting this Code of Conduct for Members as an interim policy there would be a requirement of Council to adopt a new Code of Conduct that complies with the model. Why are we putting the interim COC up to Council now?

Response: *The reason for the Code of Conduct for Members (COC) being put up now is partially due to the previous report about Committee of Council. The Terms of Reference Document states that the document is to be read in conjunction with the Code of Conduct for Members. A lot of work has been done on the Code of Conduct so we wanted to put the COC to Council now. Circulars can be provided to Council as an attachment to this report.*

< Question: Where did this model come from? Who drafted the model and why is there a pressing need to change the Code of Conduct? (put in some of what was said)

Response: *(Executive Assistant) I am not sure where the model came from. The Compliance Officer drafted the Code of Conduct (COC). I can speak with the Officer and ask them to provide extra information into the U-3^1qAU^][!c that will also respond to the questions that you have raised.*

The aim of putting this to Council was so that an interim policy could be put in place prior to the election.

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This is so that when the new Councillors are inducted we would have the new terms of reference for the committees, and the new interim COC so that they have information available to them that is not outdated or incorrect. We are aware that the Department of local government has a working group that is working on the model for codes of conduct however their work will not be available until sometime in November, but the elections are happening in October.

10.5.4 Live Streaming and Recording Policy

Points raised as follows:

- ◁ Question: How much will it cost us and over what period of time would the equipment be purchased?

Response: *That question will be responded to in the Officer Report in the revised Agenda as extra information.*

10.5.5 Correspondence from the Department of Local Government (TABLED at 5.44pm)

Question asked as follows:

- ◁ Question: The one about the Audit Action Plan . so we had it on our website. Someone contacted the department and the us before they wrote the letter.

Response: *(Executive Assistant) Yes. I called the department to seek clarification about their letter. The report is correct. That was what the Department advised.*

10.6 COMMITTEE REPORTS

10.6.1 Intra & Inter Town Bus Services

No questions.

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

11.1 Councillor Bell Notice of Motion Recruitment of New CEO (TABLED 5.47pm)

Points raised as follows:

- ◁ Question: Why is it necessary?

Response: *Cr Bell brought to notice so we can start discussing it and it is not missed after the election.*

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

Nil

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

Not discussed.

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

14.1 MEMBERS

14.2 EMPLOYEES

15. CONFIDENTIAL BUSINESS

The Shire President ruled that the Agenda Briefing move behind closed doors at 5.51pm.

Shire President declared an interest in the following report for the note of those present.

15.1 Bush Fire Advisory Committee Recommendations

CESM provided an overview of the attachment provided.

The Shire President ruled the meeting come from behind closed doors at 5.57pm.

16. NEXT MEETINGS

AROC Meeting	2 September 2019
Environment Committee	3 September 2019
Community Meeting (Bejoording)	4 September 2019
Audit Committee	5 September 2019
Agenda Briefing	17 September 2019
Council Meeting	24 September 2019

17. CLOSURE OF MEETING

There being no further business, the Shire President, declared the meeting closed at 6.00pm.

TOODYAY
COMMUNITY
SAFETY & CRIME
PREVENTION PLAN
2019 - 2029

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SaferToodyay Strategic Plan [Draft]

Introduction

This strategic plan is a SaferToodyay initiative with the purpose for setting a clear direction for a holistic, whole-of-community approach to safety and crime prevention in Toodyay.

SaferToodyay originated in 1999 as the Toodyay Safer WA (Local) Committee and has evolved over the years through several restructurings. SaferToodyay develops and supports projects based on the theme of 'local solutions for local problems' and its membership has included as many as twelve different strategically-focused organisations from within the local community. The resulting grassroots community spirit of cooperation has been commended by government agencies operating in the field and some of the more recent committee achievements include support of elderly safety issues, assistance to strengthen family cohesion, and the encouragement of youth in building their own future.

This strategic plan is a supporting plan to the Shire of Toodyay Strategic Community Plan 2028 and aims to:

- € provide the Shire and community of Toodyay with an overview of current safety and crime prevention issues;
- € enable Council to make informed decisions regarding safety and crime prevention priorities;
- € provide evidence to support the sourcing of funding as it becomes available from both the Federal and State Government; and
- € enable a process of efficient and effective decision-making and resource-allocation for the management of safety and crime prevention issues

The Plan will achieve these aims by:

- € providing a clear statement of purpose (goals) and priorities for key actions and priorities (how they are achieved);
- € providing an operational framework to identify key stakeholders who are pivotal to the delivery of strategic plan priorities;
- € providing a clear statement of purpose and priorities for potential partners or other potential stakeholders; and by
- € identifying potential resources to fund delivery of strategic plan priorities

The foundation of the Plan is based on the five key goals of the WA Government '*Community Safety and Crime Prevention Plan*'. They are:

- € Supporting families, children and young people;
- € Strengthening communities and revitalizing neighbourhoods;
- € Targeting priority offences;
- € Reducing repeat offending; and
- € Designing out crime and using technology

These key goals are outlined in the 'ACTION PLAN' and are broken into two categories - core (blue) and strategic (green). These categories have been developed using the same system of identification and action as the previous plans.

Other data in this plan are a result of community consultation, Australian Bureau of Statistics demographic data, WA Police crime statistics, previous crime prevention activities that have been undertaken, benchmarking, and research.

Vision

Our vision is that of a diverse and inclusive community that is a safe place to live, work, and visit, providing a safe and promising future for all people in our community

Mission

Our mission is to develop a safe, crime-free community through collaborative planning, community action, and policy advocacy

Safety and Crime Prevention

Community safety refers to the quality of life attained in a safe society in which the protection and security of the public is maintained. It refers to a society in which the rights and responsibilities of individuals, families and communities are properly balanced. A high level of community safety will enable Toodyay residents, business owners, and visitors to pursue all aspects of their lives without fear or hindrance from injury, accidents, crime, or anti-social behaviour.

A Community Safety and Crime Prevention Strategy includes people's *perceptions* of safety - their feelings - as well as the actual level of safety, as indicated by objective measures of accidents, injuries, crime, and victimisation.

Crime prevention is the range of strategies that are implemented by individuals, law enforcement, communities, and businesses that are designed to target the various social and environmental factors that increase the risk of crime, disorder and victimisation. The purpose of crime prevention is to reduce and deter crime and criminals.

Safety and crime prevention go hand in hand and are conceptually synergistic in several ways. For example, a crime-free community is a safer community and measures designed to reduce crime, such as improved street lighting or installation of a CCTV system, also improve community safety. A safe community is one in which people are able to pursue, and obtain, the fullest life possible without fear or hindrance from crime and disorder.

Demographics / Data Gathering

Since the purpose of this Plan is to support the Shire of Toodyay Strategic Community Plan 2013-2023 much of the included demographic information is derived from the SoT SCP 2023 which in turn is referenced in this plan.

Shire of Toodyay

The Shire of Toodyay borders the north-eastern edge of the Perth Metropolitan Region and adjoins the City of Swan and Shire of Mundaring to the south, the Shires of Northam and Goomalling to the east, the Shire of Victoria Plains to the North and the Shire of Chittering to the west. The Shire covers an area of 1,693 square kilometres and is situated at a gateway of the Avon Valley. The Toodyay townsite is situated approximately 85 kilometres from the Perth CBD.

Settlement is consolidated primarily around the Toodyay townsite or accommodated within one of the rural residential subdivisions located throughout the Shire. The Shire represents the localities of Bejoording, Bindoon Training Area, Coondle, Culham, Dewar's Pool, Dumbarton, Hoddys Well, Julimar, Moondyne, Morangup, Nunile, Toodyay, Wattening and West Toodyay.

The Shire is built on a solid agricultural foundation and along with neighbouring Shires, it plays a key role as a transport and logistics hub for the Avon subregion. In recent years tourism, retail and lifestyle sectors have become economically important to the region.

The key industries employing people are metal ore mining, local government administration, education, supermarkets and hospitals. The significant workforce in metal ore mining reflects the popularity of the Shire as a base for 'Fly in Fly out' workers.

Toodyay today

Toodyay is a declared *historic town* with many buildings dating back to the mid 19th century. The townsite area has a convict history, reflected in many of these buildings. The town itself consists mainly of retail outlets and services, with a number of dwellings along its main street.

The Perth to Adelaide standard gauge rail divides the town into two precincts, separating the Shire Administration from the commercial centre. The railway also provides for commuter services to the Perth CBD, and its suburbs.

The historic aspects of Toodyay - and its close proximity to Perth - attract many visitors, especially on the weekend and public holidays. It is also an interesting diversion for interstate visitors traversing the Great Eastern or Great Northern Highways. Tourism includes a good proportion of overseas visitors, many of whom are connecting their family history with Toodyay's past.

Strategic Context

Over the past four years, the key demographics for Toodyay indicate:

- € a static population base, living in more dwellings with smaller household sizes; and
- € significant changes in age structure with less young people, less mid lifers and significantly more aged people.

Continuing pressure on jobs and employment

Estimated Resident Population

- € 4,546 in 2017
- € Increase of 1.3% since 2011

Number of Dwellings

- € 2,354 in 2016
- € Increase of 4.2% since 2011

Households Size

- € 2.23 average household size in 2016
- € Decline of 5.9% since 2011

Median Age

- € 51 years in Toodyay
- € 36 years in Western Australia

Changes in Age Structure, 2011 - 2016

- € 5 – 19 year olds decline of 20%
- € 40 – 44 year olds decline of 35%
- € 55 – 59 year olds increase of 28%
- € 65 – 69 year olds increase of 76%

Employment and Jobs

- € Total labour force of 2,015 in 2016
- € Unemployment increase of 2.5% since 2011
- € Median weekly household income
- € \$1,164 - \$1,393 Regional WA Household financing

Crime Statistics

Type of Offence	Toodyay	West Toodyay	Morangup
Homicide	-	-	-
Sexual Offences	-	-	-
Assault (Family)	7		-
Assault (Non-Family)	4	-	-
Threatening Behavior (Family)	2		-
Threatening Behavior (Non-Family)	3	-	-
Deprivation of Liberty	-	-	-
Robbery	-	-	-
Dwelling Burglary	1	-	1
Non-Dwelling Burglary	2	-	
Stealing of Motor Vehicle	1	-	1
Stealing	12	1	1
Property Damage	5	-	2
Arson	-	-	-
Drug Offences	18	-	1
Graffiti	-	-	-
Fraud and Related Offences	1	-	1
Breach of Violence Restraint Order	3	-	-
Total of Selected Offences	59	1	7

Above table provided by the WA Police for the first half of the 2018/2019 year

Safety and Crime Prevention Strategies and Initiatives

Safety Strategies and Initiatives

- € Annual safety review - *Safety forum*
- € Toodyay RoadWise
- € Neighbourhood Watch and Safer Streets initiative
- € Improve public perceptions of community safety
- € Raise awareness and deliver community education on local laws and compliance legislation regarding public safety
- € Safety for Seniors initiative
- € Stay On Your Feet initiative for seniors
- € Know Injury campaign (Injury Control Council WA)
- € Dementia Friendly Toodyay initiative
- € Safe City Education Project for schools
- € Senior Abuse Awareness initiative

Crime Prevention Strategies and Initiatives

- € annual crime prevention review - *Crime Prevention forum*
- € situational crime prevention strategy
 - § ongoing campaigns
 - § forums and workshops
- € address new and emerging crime problems
 - § reporting crime initiative
 - § publicise crime reporting initiatives
 - § encourage the community to report criminal activity
 - § eyes on the street campaign
- € graffiti management plan
- € Dob in a hoon campaign
- € business security campaign
- € keep it secure - *Don't take a holiday from home security*
- € industrial area graffiti audit
- € online graffiti report
- € vehicle security - *move it or lose it*
- € Look, Lock, Lleave
- € is your home secure? - *community checklist program*
- € security incentive subsidy scheme [?]
- € targeting property offence

Supporting families and young people

- € expand the Choose Respect program
 - § school
 - § sporting groups
 - § local businesses
 - § community groups
- € Blue Light youth camps
- € suicide prevention initiative
- € targeting violence and anti-social behaviour
- € initiatives to target alcohol and drug abuse

- € establish an alcohol accords initiative
- € youth-centric activities
- € youth leadership group
- € areas for youth association and activities
- € encourage community-wide family activities

Strengthening communities and revitalising neighbourhoods

- € encourage civic pride and responsibility
- € encourage local residents to take ownership of their neighbourhoods
- € encourage local residents to report issues
- € encourage activity in local parks and spaces
- € research and utilise the delivery of quality initiatives that foster local community action and engagement
- € build our community's confidence in Toodyay as a safe and secure community for at-risk / more vulnerable community groups
- € know your neighbour campaigns (example: Huddy Well "Howdy Neighbour" initiative)
- € implement an '*Eyes on the Street*' campaign
- € celebrate your community - neighbour day
- € neighbourhood Watch initiative

Reducing repeat offending

- € establish a program designed to enable a reduction in re-offending among those who have already engaged in criminal or anti-social behaviour
- € work with the Toodyay Police to find opportunities to change behavioural patterns
- € involve Holyoake in developing programs to assist with rehabilitation

Designing out crime and using technology

- € promote CPTED (Crime Prevention Through Environmental Design) principles amongst local residents and business owners
- € audit the CCTV requirements that are necessary for crime prevention and safety
- € establish a CCTV maintenance, update, and operations plan
- € establish a CCTV budget for procurement, maintenance, operations, and updates
- € incorporate CPTED principles in community planning
- € utilise designing out crime principles
 - § target hardening
 - § clear sightlines and natural surveillance
 - § safe movement, good connections, and access
 - § good lighting
 - § eliminate entrapment spots
 - § walkable streets that encourage activity and social interaction

Plan Maintenance

This plan has been developed to cover a ten-year period. Maintenance of the plan is envisaged to occur after five years however if it is necessary to make changes the plan has the flexibility to do so. The names of agencies and organisations may (and possibly will) change over the life of the plan however there is room to cope with those changes.

Summary

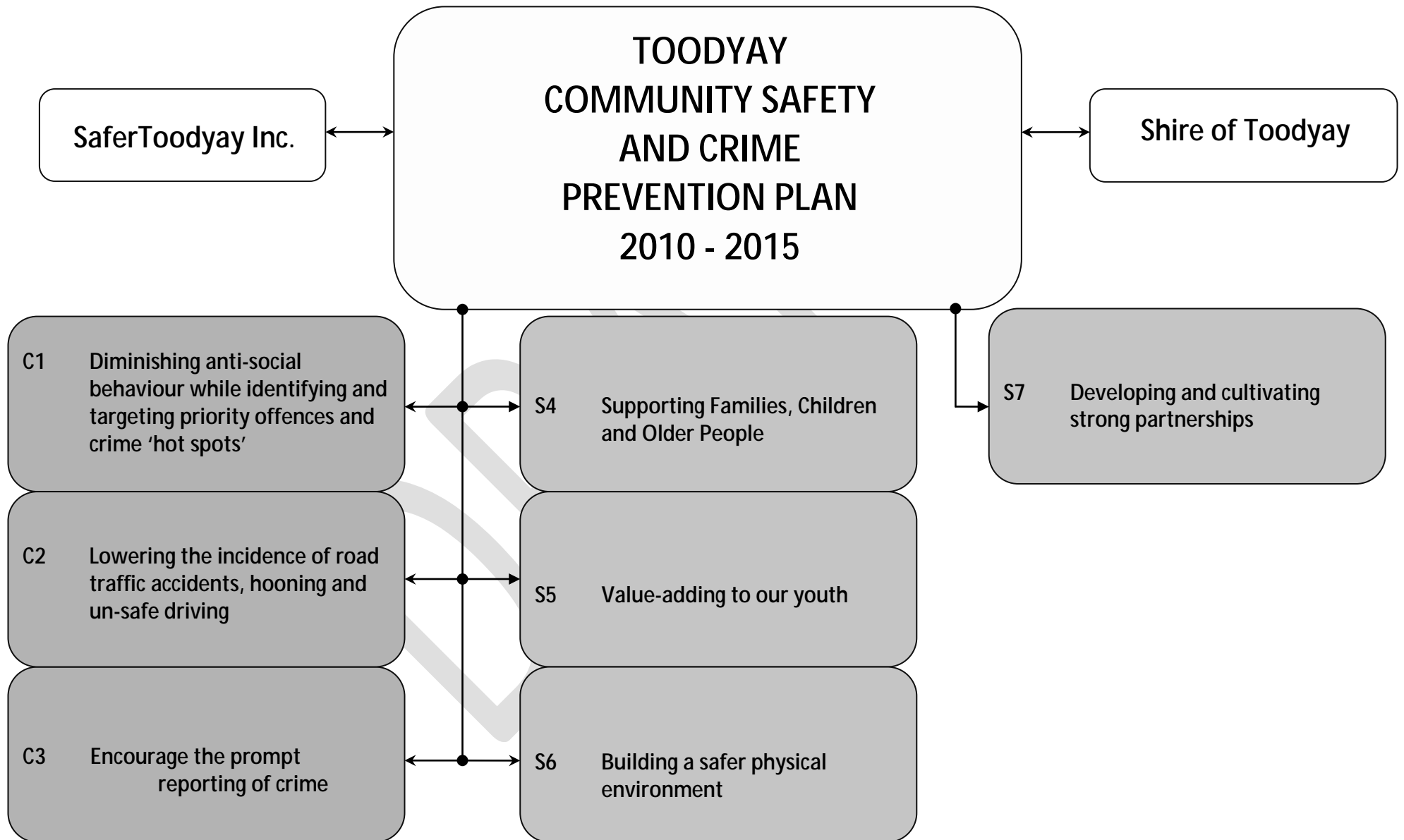
The *Toodyay Community Safety and Crime Prevention Plan* is a cooperative venture between SaferToodyay, the police, local government, government agencies and the community. It is necessary that it is a '*living document*' in a changing social and physical environment.

This plan incorporates many strategies that have already been addressed, or that are currently under way. In this sense it provides a '*checks and balances*' approach to the Plan. Both the State and Federal Government provided significant funding to the Shire in 2019. This gave the Shire the opportunity to upgrade the CCTV and build facilities that will create entertainment opportunities for both children and young adults.

Endorsement of the updated Plan by the Shire of Toodyay is critical to the Plans success. A review will be undertaken in five years - or as necessary - to guarantee its success.

DRAFT

ACTION PLAN



Statement of Purpose and Actions - GOALS		Operational Framework – HOW WE GET THERE				
Priority C1		Diminishing anti-social behaviour while identifying & targeting priority offences & crime 'hot spots'				
C1	Statement of Purpose & Actions		Operational Framework			
	Key priorities	Actions	Key stakeholders and partners	Expected Outcomes	Resources	Evaluation
1.1	Maintain an alcohol policy and management plan to support an holistic approach to prevent and manage alcohol problems, and provide alcohol-free events	<ul style="list-style-type: none"> € promote a Liquor Accord with licensed premises, and with sporting venues € promote Holyoake services € promote other drug and alcohol services € educate adults in sporting bodies about underage drinking € encourage sporting bodies to appoint 'skippers' 	<p>Key Agency: Toodyay Police</p> <p>Partnership with:</p> <ul style="list-style-type: none"> € Toodyay Hotels € Liquor store € Toodyay Club € Sporting clubs € Bolgart Hotel € Holyoake 	<ul style="list-style-type: none"> € Strive to reduce anti-social behaviour within & from licensed premises € Marked reduction in street drinking € Hooning reduced after hotel closing time € Hotel patrons behavioural patterns change, particularly in motor vehicles after leaving premises € Number of alcohol-related road accidents are reduced 	<ul style="list-style-type: none"> € WAPOL € MHC € Licensees € Holyoake 	<ul style="list-style-type: none"> € Liquor Accord struck € reduction in alcohol related offences € implementation of Accord and initiatives
1.2	Raise awareness about drug and alcohol-related issues and strategies	<ul style="list-style-type: none"> € place information about local drug & alcohol services in strategic places around town, & in newsletters for parents & community € obtain up-to-date data to distribute to the community € distribute in appropriate places 	<p>Key Agency: WCDST</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € MHC € Holyoake 	<ul style="list-style-type: none"> € greater awareness of the health issues that result from drug & alcohol use and abuse € awareness of and access to support services € material is easy to read and understand € children & young people are made aware of drug & alcohol related issues 	<ul style="list-style-type: none"> € MHC € WCDST € SDERA € Holyoake 	<ul style="list-style-type: none"> € brochures are being accessed € types of brochures taken indicative of use € number of brochures distributed

Statement of Purpose and Actions - GOALS			Operational Framework – HOW WE GET THERE			
C1	Statement of Purpose & Actions		Operational Framework			
	Key priorities	Actions	Key stakeholders and partners	Expected Outcomes	Resources	Evaluation
1.3	Reduce the level of graffiti and vandalism within the community with: € zero tolerance approach € prompt removal of graffiti € community education in the prompt reporting of offences/offenders € volunteer taskforce set up to remove graffiti € installation of CCTV	€ deter offenders and education of reporting of offences on graffiti hotline € business' apply anti-graffiti coatings to areas impacted	Key Agency: Toodyay Shire, In partnership with: € Toodyay Police € the community € businesses € State Graffiti Taskforce	€ State Graffiti Taskforce € volunteer taskforce € Crime Stoppers € Graffiti Hotline € graffiti trailer is not needed as regularly	€ number of volunteers assisting with graffiti removal € reduced repair of public assets € increase in reporting € local taskforce set up	€ reduction in the level of graffiti and vandalism within the community
1.4	Introduce CHOOSE RESPECT into the community	€ purchase the Choose Respect package € have both the TDHS and the Shire sign up for this program € approach all businesses, sporting clubs and community groups to participate € promote Choose Respect at public events	Key Agency: SaferToodyay In partnership with: € TDHS € Toodyay Shire € community groups & clubs € businesses € Toodyay Police	€ respect is shown to teachers € bullying, including cyber-bullying, is significantly reduced € public officers and retail staff are respected € respect for property is shown by eliminating vandalism € road rage is eliminated	€ Choose Respect Inc package	€ community has decided on a 'Choose Respect' path € TDHS report on the impact of Choose Respect at school € police report no instances of abuse of public officers and retail staff € community and Shire reports of vandalism diminished

Statement of Purpose and Actions - GOALS			Operational Framework – HOW WE GET THERE			
Priority C2		Lowering the incidence of road traffic accidents, hooning and unsafe driving				
C2	Statement of Purpose & Actions		Operational Framework			
	Key priorities	Actions	Key stakeholders and partners	Expected Outcomes	Resources	Evaluation
2.1	Support a local RoadWise Committee	<ul style="list-style-type: none"> € Toodyay RoadWise a subcommittee of SaferToodyay € <i>Keys for Life</i> program instigated € RoadWise page on SaferToodyay website 	<p>Key Agency: WALGA</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € Toodyay Police € Toodyay Shire € community 	<ul style="list-style-type: none"> € development of projects that embrace safe roads, safe road use, safe speeds € development of projects that educate young drivers € website includes resources for RoadWise 	<ul style="list-style-type: none"> € assistance from the Road Trauma Trust Fund € Community Road Safety Grants Program 	<ul style="list-style-type: none"> € RoadWise Committee established € reduction in the number of road fatalities within our community
2.2	Reduce hooning and other unsafe driving	<ul style="list-style-type: none"> € zero tolerance by Police! € education of the community to promptly report these actions to the Police € promote new anti-hoon legislation € promotion of '<i>Dob in a Hoon</i>' reporting € consequences of 'hooning' advertised in the Herald € encourage the community to report instances of 'hooning' to Crime Stoppers 	<p>Key Agency: Toodyay Police</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € The community at large € RoadWise Committee 	<ul style="list-style-type: none"> € reduce number of reports of hooning and unsafe driving € reduction of Court appearances € local newspaper produces articles on hooning & consequences 	<ul style="list-style-type: none"> € WAPOL € local newspaper 	<ul style="list-style-type: none"> € number of target operations by Police € number of hoons reported € number of newspaper articles € improved road accident statistics

Statement of Purpose and Actions - GOALS			Operational Framework – HOW WE GET THERE			
Priority C3		Encourage the prompt reporting of crime				
C3	Statement of Purpose & Actions		Operational Framework			
	Key priorities	Actions	Key stakeholders and partners	Expected Outcomes	Resources	Evaluation
3.1	Establish a NHW subcommittee of SaferToodyay	<ul style="list-style-type: none"> € source current Neighbourhood Watch materials from the State NHW Coordinator, and distribute € promote the principles of Neighbourhood Watch € communicate with the State Office of NHW emphasising the existence of NH and Rural Watch locally 	<p>Key Agency: SaferToodyay</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € NHW State Office € Toodyay Police € the community, both residents and weekenders 	<ul style="list-style-type: none"> € community engages in NHW activities and principles € a more 'neighbourly' approach taken in areas of 'un-neighbourly' problems € community reports crime through the SaferToodyay website 	<ul style="list-style-type: none"> € assistance from NHW State Office € signage and other promotional materials € local newspaper support with promotion 	<ul style="list-style-type: none"> € number of signs and promotional material distributed € number of newspaper articles
	Establish area groups	<ul style="list-style-type: none"> € advertise for volunteer area managers 	<p>In partnership with:</p> <ul style="list-style-type: none"> € SaferToodyay € Toodyay Shire 	<ul style="list-style-type: none"> € Area managers provide resources to their local community 	<ul style="list-style-type: none"> € Area manager has a list of active participants 	<ul style="list-style-type: none"> € Community involved in area groups
3.2	Arson identification and reporting	Continue to promote Crime Stoppers, its success and the anonymity of reporting a crime.	<p>Key Agency: Toodyay Police</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € DFES € Toodyay Shire (through Bush Fire Brigades) 	<ul style="list-style-type: none"> € the community living in a safe environment € that perceived 'fear' in the community will be eradicated 	<ul style="list-style-type: none"> € promotion of Crime Stoppers € educate the community not to fear reporting crime 	<ul style="list-style-type: none"> € number of reports received € number of promotional activities

Statement of Purpose and Actions - GOALS			Operational Framework – HOW WE GET THERE			
C3	Statement of Purpose & Actions		Operational Framework			
	Key priorities	Actions	Key stakeholders and partners	Expected Outcomes	Resources	Evaluation
3.3	<p>Redevelop a Toodyay Local Alert Register</p>	<ul style="list-style-type: none"> € apply for funding to develop a website with associated emails and reporting mechanisms € develop a Local Alert Register connected to the website € website to have links to Toodyay Police, Victim Support Service, Crime Stoppers, DFES 	<p>Key Agency: SaferToodyay</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € Toodyay Police € Fire Brigades & DFES € Toodyay Shire € local community € DoC-CPFS 	<ul style="list-style-type: none"> € contact may be made to Shire, Police, Wheatbelt Men’s Health, Crime Stoppers, Victim Support, Parent Helpline, Children’s Helpline, etc € Email or SMS message provided to all those registered regarding an incident € Police are able to access and utilise the register € Local ‘Help Line’ data included 	<ul style="list-style-type: none"> € funding to establish the website together with someone to develop it € SaferToodyay Committee members available to send out alerts 	<ul style="list-style-type: none"> € website has a counter to log number of hits € increased number of local registered members € increased number of volunteers to maintain site € Facebook page developed and volunteer to update

Statement of Purpose and Actions - GOALS			Operational Framework – HOW WE GET THERE			
Priority S4		Supporting Families, Children and Older People				
S4	Statement of Purpose & Actions		Operational Framework			
	Key priorities	Actions	Key stakeholders and partners	Expected Outcomes	Resources	Evaluation
4.1	Reduce family violence	<ul style="list-style-type: none"> € promote the 'Freedom From Fear' campaign against domestic violence € provide information on help for victims and perpetrators € provide a resource for people with issues & fears that could lead to self-harm or suicide € provide signage in strategic places on help-lines for DV and self-harm 	<ul style="list-style-type: none"> € Key Agency: € DoC-CPFS € In partnership with: € Toodyay Police € AYCFS € DOH € WCDFVS € MHC € VSS 	<ul style="list-style-type: none"> € reduction in the number of victims of domestic violence € reduction in the number of Police call-outs 	<ul style="list-style-type: none"> € DoC-CPFS € DFC € DOH € FVS (see VOC) € VOC € VSS 	<ul style="list-style-type: none"> € police statistics show a reduction in domestic violence € support services show similar trends
			<ul style="list-style-type: none"> In partnership with: € Wheatbelt Men's Health € Beyond Blue € Men's Shed € WCDST 	<ul style="list-style-type: none"> € provision of a better pathway to follow for people with depression and/or anxiety or other fears 	<ul style="list-style-type: none"> € DOH € WMHU € Toodyay Men's Shed 	<ul style="list-style-type: none"> € Incidences of self-harm or suicide in Toodyay reduced
4.2	Build on the school-safe programme	<ul style="list-style-type: none"> € children identify the people they can trust € reporting made easy for young children € develop an 'anti-bullying' strategy - <i>It's cool to report a bully</i> 	<ul style="list-style-type: none"> Key Agency: DCP In partnership with: € TDHS € TCCI 	<ul style="list-style-type: none"> € children will have safe havens where they can go if worried about their safety 	<ul style="list-style-type: none"> € Safety houses to be identified and accredited 	<ul style="list-style-type: none"> Number of safety houses have been identified, evaluated & children are aware of their location

Statement of Purpose and Actions - GOALS			Operational Framework – HOW WE GET THERE			
S4	Statement of Purpose & Actions		Operational Framework			
	Key priorities	Actions	Key stakeholders and partners	Expected Outcomes	Resources	Evaluation
4.3	Identify and implement programmes for 'Families at Risk'	<ul style="list-style-type: none"> € instigate and implement programs that nurture strong relationships between parents and children € develop a reporting mechanism for bullying, sexual assault and violence € parenting workshops to be encouraged through TCRC € develop an 'anti-bullying' strategy – <i>'It's cool to report a bully'</i> 	<p>Key Agency: DoC-CPFS</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € WAPOL € WCDFVS € SaferToodyay € DoC-H € AYCFS € DOJ 	<ul style="list-style-type: none"> € a healthy home environment for young people to grow up in € fostering a trusting relationship between parents and children 	<ul style="list-style-type: none"> € DoC-CPFS € AYCFS 	<ul style="list-style-type: none"> € program for <i>Families at Risk</i> are being implemented in Toodyay € number of workshops held
4.4	Target neighbourhood violence <ul style="list-style-type: none"> € reduce the number of community/neighbour disputes and or violence € encourage 'meet the neighbour, afternoon tea or BBQ (perhaps members of fire brigades might take this idea on before the commencement of the fire season) 	<ul style="list-style-type: none"> € develop a programme to support and change attitudes between neighbours € introduce an annual 'Meet your neighbour' project € article in the Toodyay Herald on meeting up with your neighbours 	<p>Key Agency: SaferToodyay</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € Toodyay Shire € DFC € Toodyay Police € Bush Fire Brigades € NHW € Choose Respect 	<ul style="list-style-type: none"> € significantly decrease the number of incidents between neighbours that require Police attendance € neighbours will help each other in emergency situations € provide education on the benefits of respecting each other € community safety is increased 	<ul style="list-style-type: none"> € DFC € NHW € CPCLU € advertising costs 	<ul style="list-style-type: none"> € police callouts to incidents involving neighbours are reduced significantly € worked during the 2009 bushfire – needs to be expanded

Statement of Purpose and Actions - GOALS			Operational Framework – HOW WE GET THERE			
S4	Statement of Purpose & Actions		Operational Framework			
	Key priorities	Actions	Key stakeholders and partners	Expected Outcomes	Resources	Evaluation
4.5	Encourage community pride through the 'Tidy Towns' campaign	<ul style="list-style-type: none"> € encourage community groups to Adopt a Road in the Shire € encourage the reporting of littering € campaign to have a deposit system for bottles and cans 	<p>Key Agency: Keep Australia Beautiful Committee (KABC)</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € community groups € individuals € Toodyay Shire 	<ul style="list-style-type: none"> € Residents take pride in Toodyay, and in doing so respect their neighbours 	<ul style="list-style-type: none"> € KABC € Waste Authority 	<ul style="list-style-type: none"> € Toodyay Shire won the National Tidy Towns competition € number of litter reports € must keep the momentum up!
4.6	Educate Senior's about crime and safety issues	<ul style="list-style-type: none"> € twice-yearly morning teas with older citizens and the Police € inform emergency services on the location of Seniors and the disabled for assistance during emergencies (such as bushfires) [privacy?] 	<p>Key Agency: SaferToodyay</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € Toodyay Police € DoC-Seniors € NHW € Insurance Council of WA € DFC € DoC-CPFS 	<ul style="list-style-type: none"> € older citizens have a greater knowledge on how to keep safe € emergency services are aware of the location of isolated Seniors/disabled persons € reduced fear of crime € reduced perception of crime in Toodyay € Seniors aware of what Elder Abuse is, and are prepared to report it without fear of retribution 	<ul style="list-style-type: none"> € small budget to put on a morning tea € Toodyay Shire assistance € local business sponsors € Op Shop support 	<ul style="list-style-type: none"> € number of morning teas held € number of participants € number of Senior's safety information data distributed
4.7	Provide greater safety and security for the disabled	<ul style="list-style-type: none"> € encourage Shire to provide better access to public places for the disabled € promote provision of facilities for the disabled in all new developments 	<p>Key Agency: SaferToodyay</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € Toodyay Shire € DoC-DS 	<ul style="list-style-type: none"> € the disabled have the same opportunities as the general community € the Shire consider the disabled in all planning for public spaces 	<ul style="list-style-type: none"> € DoC-DS € CPCLU € NDIS 	<ul style="list-style-type: none"> € the disabled feel safe living in Toodyay € no accidents reported to Police or the Shire involving the disabled in public spaces

Statement of Purpose and Actions - GOALS			Operational Framework – HOW WE GET THERE			
Priority S5		Value-adding to our youth				
S5	Statement of Purpose & Actions		Operational Framework			
	Strategies Identified	Actions	Key Stakeholders	Expected Outcomes	Resources	Evaluation
5.1	Reduce youth boredom, and its consequences	<ul style="list-style-type: none"> € lobby Shire Council to employ a <i>Youth Officer</i> Employed € Form a YAC € Identify youths with leadership potential € Assist these youths to form a YAC € Youth reps on SaferToodyay 	Key Agency: SaferToodyay In partnership with: <ul style="list-style-type: none"> € DCP € AYCFS Department for Communities € Toodyay Shire € Baptist Church Youth Group 	<ul style="list-style-type: none"> € Youth of Toodyay have a sense of 'ownership' of their issues € Activities coordinated by youth for youth 	<ul style="list-style-type: none"> € Small financial assistance for running costs € Meeting facility 	<ul style="list-style-type: none"> € Shire employment of a dedicated Youth Officer € YAC meeting on a regular basis € Youth representative attending SaferToodyay meetings
		<ul style="list-style-type: none"> € undertake a regular Youth Needs Analysis € collaborative Youth Development € support youth-driven community activities € workshops with youth to develop projects € provide education to the wider community on the role of youth € on-going consultation with youth re: activities and events 	In partnership with: <ul style="list-style-type: none"> € YAC € DoC-CPFS € AYCFS € Toodyay Shire € DOH € DLGSCI 	<ul style="list-style-type: none"> € an idea of what the youth themselves see as their needs € a rapport is developed between youth and their peers € the voice of youth is not given token acknowledgement, but is taken seriously € reduction in anti-social behaviour and graffiti € increased participation in sport/art/social activities € youth assist to drive activities they are interested in 	<ul style="list-style-type: none"> € CPCLU € Toodyay Shire € DLGSCI € funding for specialised activities 	<ul style="list-style-type: none"> € Youth Needs Analysis undertaken € number of workshops held to develop projects € youth have trust and are working with adults on projects for the betterment of their community € increase in targeted activities

Statement of Purpose and Actions - GOALS			Operational Framework – HOW WE GET THERE			
S5	Statement of Purpose & Actions		Operational Framework			
	Strategies Identified	Actions	Key Stakeholders	Expected Outcomes	Resources	Evaluation
5.1 (cont)		<ul style="list-style-type: none"> € create and maintain 'Youth Space' € identify an area where youths can meet safely 	In partnership with: <ul style="list-style-type: none"> € YAC € TDHS € DoC-CPFS € AYCFS € DoC € Toodyay Shire € CPCLU 	<ul style="list-style-type: none"> € Youth & young adults meet and socialise in an established area that is free from harassment 	<ul style="list-style-type: none"> € Toodyay Shire allocated space € OCP € Lotterywest € Recreation Centre 	<ul style="list-style-type: none"> € Community see youth as an asset to Toodyay € Youth hub identified
5.2	Toodyay Shire support for youth activities	<ul style="list-style-type: none"> € Lobby the Shire Council to increase its commitment to youth & include them in the 'Plan for the Future' 	Key Agency: Toodyay Shire In partnership with: <ul style="list-style-type: none"> € YAC 	<ul style="list-style-type: none"> € Youth are included in Toodyay's 'Plan for the Future' document, with youth facilities such as a recreation centre 	<ul style="list-style-type: none"> € Toodyay Shire 	<ul style="list-style-type: none"> € Youth are valued & included in the 'Plan for the Future' document

Statement of Purpose and Actions - GOALS			Operational Framework – HOW WE GET THERE			
Priority S6		Building a safer physical environment				
S6	Statement of Purpose & Actions		Operational Framework			
	Strategies Identified	Actions	Key Stakeholders	Expected Outcomes	Resources	Evaluation
6.1	Shire to adopt and implement 'Crime Prevention Through Environmental Design' principles	<ul style="list-style-type: none"> € Identify crime 'hotspots' € seek assistance from the CPTED programme € Introduce 'Designing Out Crime' (DOC) principles in all developments of public places € adopt the DOCrime Planning guidelines as a working or policy document € embed the principles of DOC as a working practice in the planning and building responses of the Council € develop planning guide-lines for the effective management of public places € review of current public places to determine if they meet guidelines 	<p>Key Agency: Toodyay Shire</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € CPCLU € CPTED € Subdivision developers € Toodyay Police 	<ul style="list-style-type: none"> € all hotspots in the Shire are redesigned € parks and gardens are developed with safety in mind € all new subdivisions and public places are designed to prevent opportunities for criminal activities € developers are cognisant of the guidelines prior to submitting development plans € safety audits are conducted annually and overseen by an Audit Committee € Shire staff undertake DOC training € undertake safety audits € establish an Audit Panel to oversee safety audits € an up-to-date review of all safety issues in the Shire is undertaken 	<ul style="list-style-type: none"> € CPTED funding € CPCLU resources and training € developers costs € Toodyay Shire € DOC Guidelines 	<ul style="list-style-type: none"> € All new areas developed (both public and private) utilise DOC principles € Plans submitted to Shire incorporate DOCrime principles € Shire staff are trained in DOC principles € Audit panel established € Safety audits of public places carried out annually

Statement of Purpose and Actions - GOALS			Operational Framework – HOW WE GET THERE			
S6	Statement of Purpose & Actions		Operational Framework			
	Strategies Identified	Actions	Key Stakeholders	Expected Outcomes	Resources	Evaluation
6.2	Increase safety of open spaces, in particular parks, gardens & recreational areas and car parks	<ul style="list-style-type: none"> € install security cameras in known 'hot spots' € install lighting in areas poorly lit 	<p>Key Agency: Toodyay Shire</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € SaferToodyay € Toodyay Police 	<ul style="list-style-type: none"> € parks and gardens are developed with safety in mind € improved surveillance of parks and gardens, particularly after dark € install lighting at skate park € install lighting in other hotspots around town 	<ul style="list-style-type: none"> € CPCLU funding € other sources of funding to be sought (Royalties for Regions, etc.) 	<ul style="list-style-type: none"> € no incidents of unsafe activities reported € perception of crime reduced € number of lights installed € number of times camera footage is used for incidences or offences

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Statement of Purpose and Actions - GOALS			Operational Framework – HOW WE GET THERE			
Priority S7		Developing and cultivating strong partnerships				
S7	Statement of Purpose & Actions		Operational Framework			
	Strategies Identified	Actions	Key Stakeholders	Expected Outcomes	Resources	Evaluation
7.1	Implement strategies identified within the plan and monitor their success	<ul style="list-style-type: none"> € develop an appropriate Monitoring and Evaluation (M&E) Programme € develop a set of criteria for the Monitoring and Evaluation of the Plan € facilitate regular progress meetings with key representatives of the community’s strategic partners in order to ensure that the Community Safety and Crime Prevention Plan remains effective and relevant to the community’s needs 	<p>Key Agency: SaferToodyay</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € CPCLU € Toodyay Police € Toodyay Shire 	<ul style="list-style-type: none"> € implementation of the Community Safety and Crime Prevention Plan € progress of plans activities are effectively monitored € a continual Improvement focus is adopted with the plan € annual review of the Plan € independent review will provide a more balanced evaluation € emerging trends/needs to be included in Plan 	<ul style="list-style-type: none"> € SaferToodyay € CPCLU 	<ul style="list-style-type: none"> € number of strategies implemented € amount of funding secured € reduction in crime € reduction in anti-social behaviour, particularly with youth € annual community perception survey € reduced perception of crime showing in surveys, including youth € independent review group
7.2	Identify stakeholders in the community that a partnership will benefit	<ul style="list-style-type: none"> € approach appropriate businesses and stakeholders € conduct an annual survey 	<p>Key Agency: SaferToodyay</p> <p>In partnership with:</p> <ul style="list-style-type: none"> € local businesses € other stakeholders 	<ul style="list-style-type: none"> € All sections of the community feel empowered by being involved 	<ul style="list-style-type: none"> € CPCLU € Toodyay Police 	<ul style="list-style-type: none"> € number of new members assisting or contributing to CSCPP

Abbreviations & Acronyms used in this plan

ABBREVIATION	NAME
AYCFS	Avon Youth, Community and Family Services
CPTED	Crime Prevention Through Environmental Design
CPCLU	WAPOL Crime Prevention and Community Liaison Unit
CSCPP	Community Safety and Crime Prevention Plan
DFES	Department of Fire and Emergency Services
DLGSCI	Dept Local Government, Sport & Cultural Industries
DoC-CPFS	Dept of Communities - Child Protection & Family Support
DoC-DS	Dept of Communities - Disability Services
DoC - Housing	Dept of Communities - Housing
DET	Dept of Education and Training
DOC	Designing Out Crime
DOH	Dept of Health
DOJ	Dept of Justice
MHC	Mental Health Commission
NHW	Neighbourhood Watch
SDERA	School Drug Awareness and Road Awareness Program
TCCI	Toodyay Chamber of Commerce and Industry
TCRC	Toodyay Community Resource Centre
TDHS	Toodyay District High School
VOC (FVS)	Victims Of Crime (also Family Violence Service)
VSS	Victim Support Service
WACHS	Western Australian Country Health Service
WAPOL	Western Australian Police
WCDFVS	Women's Council for Domestic and Family Violence Service
WCDST	Wheatbelt Community Drug Service Team
WMHU	Wheatbelt Men's Health Unit
YAC	Youth Advisory Council



Small Business Friendly

An initiative of the Small Business
Development Corporation



Is **your** local government small business friendly?

smallbusiness.wa.gov.au



Small Business
Development Corporation

SBDC working with local government to support small business

Accounting for 97 per cent of all businesses in Western Australia, small business has a significant impact on our economy – small business is big business!

Small business owners (and operators) create local employment, provide essential goods and services and help create attractive, liveable communities. The right mix of small businesses can create a sense of vibrancy and attract people to live, work and visit.

Local governments can have a significant influence over how attractive their area is for businesses to set up, and established enterprises to grow. They also play a key role in the lifecycle of a small business; in fact most of the interactions business owners have with government are at a local level.

To help build stronger, more productive relationships between small business and local government, the Small Business Development Corporation (SBDC) has developed the Small Business Friendly Local Governments initiative. The initiative aims to recognise local governments that are working to support their small business communities.

IN WESTERN AUSTRALIA

97%

of businesses employ fewer than 20 staff

There are almost

214,200

small businesses

45%

of employees in the private sector are employed by small business



Build your economy through local enterprise

How you can be involved

To participate in the initiative, we're asking you to sign a Charter – to formally commit to the initiative and to your small business community.

Taking part in the initiative means you have committed through the Charter to work with, and support, small businesses by adopting three 'standard' activities and at least three 'flexible' activities (ones that suit your particular organisation and community).

Standard activities

In response to some of the most common issues small business owners face in dealing with their local government the initiative involves engaging in standard activities that include:

- adopting a policy to pay invoices from small business suppliers within 30 days
- establishing an advisory group to better understand the needs of small business
- introducing an internal process to handle any disputes arising between your organisation and small business clients

Flexible activities

We understand that each local government area differs in size, demographics and geography, so you can choose at least three additional activities that best suit your circumstances. These may include, but are not limited to:

- surveying local small businesses to assess their needs
- accepting online payments
- introducing deemed approvals
- simplifying processes and forms
- providing more small business information on your website
- improving communication and customer service
- encouraging 'buy local' shopping campaigns
- supporting business incubators or start-up spaces
- offering contracts to local small business suppliers
- introducing an economic development team
- facilitating small business forums and events

Your selected activities need not necessarily impose an additional burden on your resources. We can help you to develop ideas that will work best for your organisation.

Reporting

We understand there are many demands on your time, so reporting involves nothing more onerous than completing a simple report card twice a year.

Promoting

After committing to the initiative, it's your opportunity to let everyone know that you are 'small business friendly'. You'll be able to use the Small Business Friendly Local Governments logo on your print and online publications, and display a one page overview of the Small Business Charter, personalised for your organisation. We'll also list your organisation on our website and in other marketing material associated with the initiative.

Being small business friendly doesn't have to be onerous or expensive - little changes can often have a big impact.

Document Control

Document Name	Bushfire Risk Management Plan	Current Version	4
Document Owner	Shire of Toodyay CEO	Issue Date	DD/MM/YYYY
Document Location	Shire Offices	Next Review Date	DD/MM/YYYY

Document Endorsements

The Shire of Toodyay Council endorses that the Bushfire Risk Management Plan (BRM Plan) has been reviewed and assessed by the Office of Bushfire Risk Management as compliant with the standard for bushfire risk management planning in Western Australia, the *Guidelines for Preparing a Bushfire Risk Management Plan*. The Shire of Toodyay is the owner of this document and has responsibility, as far as is reasonable, to manage the implementation of the BRM Plan and facilitate the implementation of bushfire risk management treatments by risk owners. The endorsement of the BRM Plan by The Shire of Toodyay Council satisfies their endorsement obligations under section 2.2.7 of the *State Hazard Plan for Fire (Interim, Nov 2017)* (formerly *Westplan Fire*).

Local Government	Representative	Signature	Date
The Shire of Toodyay	Stan Scott CEO		

Amendment List

Version	Date	Author	Section
V1	02/11/2017	John Hansen	Entire Document
V2	03/04/2018	John Hansen and Tyron McMahon	Post Quality Assessment
V3	30/05/2019	John Hansen	OBRM feedback
V4	13/08/2019	John Hansen	OBRM+ A.Marston feedback

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1. Introduction

1.1 Background

Under the *State Hazard Plan for Fire* (formerly *Westplan Fire*) an integrated Bushfire Risk Management Plan (BRM Plan) is to be developed for local government areas with significant bushfire risk. This BRM Plan has been prepared for the Shire of Toodyay in accordance with the requirements of the *State Hazard Plan for Fire* and the *Guidelines for Preparing a Bushfire Risk Management Plan* (Guidelines). The risk management processes used to develop this BRM Plan are aligned to the key principles of *AS/NZS ISO 31000:2009 Risk management Principles and guidelines* (AS/NZS ISO 31000:2009), as described in the Second Edition of the *National Emergency Risk Assessment Guidelines* (NERAG 2015). This approach is consistent with the policies of the State Emergency Management Committee, specifically the *State Emergency Management Policy 3.2 and State Emergency Management Prevention and Mitigation Procedure 1*.

This BRM Plan is a strategic document that identifies assets at risk from bushfire and their priority for treatment. The Treatment Schedule sets out a broad program of coordinated multi-agency treatments to address risks identified in the BRM Plan. Government agencies and other land managers responsible for implementing treatments participate in developing the BRM Plan to ensure treatment strategies are collaborative and efficient, regardless of land tenure.

1.2 Aim and Objectives

The aim of the BRM Plan is to document a coordinated and efficient approach toward the identification, assessment and treatment of assets exposed to bushfire risk within The Shire of Toodyay

The objective of the BRM Plan is to effectively manage bushfire risk within The Shire of Toodyay in order to protect people, assets and other things of local value. Specifically, the objectives of this BRM Plan are to:

- ◁ Guide and coordinate a tenure blind, multi-agency bushfire risk management program over a five-year period;
- ◁ Document the process used to identify, analyse and evaluate risk, determine priorities and develop a plan to systematically treat risk;
- ◁ Facilitate the effective use of the financial and physical resources available for bushfire risk management activities;
- ◁ Integrate bushfire risk management into the business processes of local government, land owners and other agencies;
- ◁ Ensure there is integration between land owners and bushfire risk management programs and activities;
- ◁ Monitor and review the implementation of treatments to ensure treatment plans are adaptable and risk is managed at an acceptable level.

1.3 Legislation, Policy and Standards

The following legislation, policy and standards were considered to be applicable in the development and implementation of the BRM Plan.

1.3.1 Legislation

- ◁ *Bush Fires Act 1954*
- ◁ *Emergency Management Act 2005*

- ◁ *Fire Brigades Act 1942*
- ◁ *Fire and Emergency Service Act 1998*
- ◁ *Conservation and Land Management Act 1984*
- ◁ *Environmental Protection Act 1986*
- ◁ *Environmental Protection and Biodiversity Conservation Act 1999*
- ◁ *Wildlife Conservation Act 1950*
- ◁ *Aboriginal Heritage Act 1972*
- ◁ *Metropolitan Water Supply, Sewerage and Drainage Act 1909*
- ◁ *Country Areas Water Supply Act 1947*
- ◁ *Building Act 2011*
- ◁ *Bush Fires Regulations 1954*
- ◁ *Emergency Management Regulations 2006*
- ◁ *Planning and Development (Local Planning Scheme) Regulations 2015*

1.3.2 Policies, Guidelines and Standards

- ◁ National Emergency Risk Assessment Guidelines (NERAG) (Second Edition 2015)
- ◁ State Emergency Management Policy and Procedures
- ◁ State Hazard Plan for Fire (Interim) (formerly Westplan Fire)
- ◁ State Planning Policy 3.7: Planning in Bushfire Prone Areas
- ◁ State Planning Policy 3.4: Natural Hazards and Disasters
- ◁ Guidelines for Planning in Bushfire Prone Areas (2017)
- ◁ Western Australian Emergency Risk Management Guidelines (OEM 2015)
- ◁ Guidelines for Plantation Fire Protection (DFES 2011)
- ◁ Firebreak Location, Construction and Maintenance Guidelines (DFES)
- ◁ Bushfire Risk Management Planning Guidelines for preparing a Bushfire Risk Management Plan (2015)
- ◁ AS/NZS ISO 31000:2009 - Risk management Principles and guidelines
- ◁ AS 3959-2009 Construction of buildings in bushfire-prone areas
- ◁ Building Protection Zone Standards (DFES)

1.3.3 Other Related Documents

- ◁ National Strategy for Disaster Resilience
- ◁ National Statement of Capability for Fire and Emergency Services (AFAC 2015)
- ◁ Public Service Circular No. 88 Use of Herbicides in Water Catchment Areas (Dept. of Health 2007)
- ◁ Code of Practice for Timber Plantations in Western Australia (Forest Products Commission 2006)
- ◁ Shire of Toodyay Strategic Community Plan 2013 – 2023
- ◁ Shire of Toodyay Corporate Business Plan 2015 – 2019
- ◁ Shire of Toodyay Risk Management Policy November 2014
- ◁ Local Emergency Management Arrangements 2016
- ◁ Local Emergency Management Plan for the Provision of Welfare Support Northam District (2016)
- ◁ Shire of Toodyay - Annual Fire Break Notice
- ◁ Toodyay District High School - Responding to Bush Fire (2017)
- ◁ Assessment of the Conservation value of roadside vegetation in the Shire of Toodyay (1990)

- ◁ Strategic review of Bushfire policy – Bushfire Prone Planning (Nov 2015)
- ◁ Shire of Toodyay Environmental Management Strategy (Feb 2015)
- ◁ Shire of Toodyay Municipal Inventory and Heritage List (Dec 2012)
- ◁ Chatcup fire report Toodyay (Feb 2007)
- ◁ FESA Investigation of house losses - Toodyay Fire (2009)
- ◁ Toodyay Bridge Inventory (Main Roads Sept 2017)
- ◁ Avon Valley Response Plan 2017 – 2018
- ◁ Bindoon Defence Training Area Bushfire Management Plan 2016 – 2020
- ◁ Shire of Toodyay Local Planning Scheme No. 4 (2017)
- ◁ Shire of Toodyay - Reserve Management Reports Strategic Bushfire Risk Assessment Report (Brookfield Rail May 2017)

2. The Risk Management Process

The risk management processes used to identify and address risk in this BRM Plan are aligned with the international standard for risk management, AS/NZS ISO 31000:2009, as described in NERAG (2015). This process is outlined in Figure 1 below.

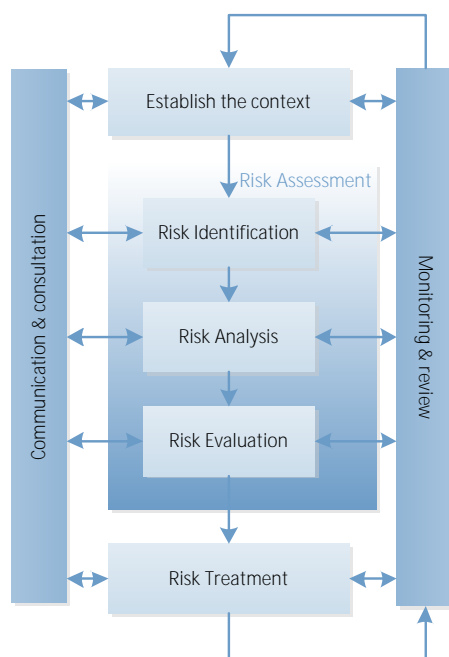


Figure 1 - An overview of the risk management process ¹

2.1 Roles and Responsibilities

Table 1 Roles and Responsibilities

Stakeholder Name		Roles and Responsibilities
Local Government	§	As custodian of the BRM Plan, coordination of the development and ongoing review of the integrated BRM Plan.
	§	Negotiation of commitment from land owners to treat risks identified in the BRM Plan.

¹ Source: AS/NZS ISO 31000:2009, Figure 3, reproduced under SAI Global copyright Licence 1411-c083.

Stakeholder Name	Roles and Responsibilities
	<ul style="list-style-type: none"> § As treatment manager, implementation of treatment strategies. § As part of the approval process, submission of the draft BRM Plan to the Office of Bushfire Risk Management (OBRM) to review it for consistency with the Guidelines. § As part of the approval process, submission of the final BRM Plan to council for their endorsement and adoption.
Department of Fire and Emergency Services (DFES)	<ul style="list-style-type: none"> § Participation in and contribution to the development and implementation of BRM Plans, as per their agency responsibilities as the Hazard Management Agency for fire. § Support to local government through expert knowledge and advice in relation to the identification, prevention and treatment of bushfire risk. § Facilitation of local government engagement with state and federal government agencies in the local planning process. § Undertake treatment strategies, including prescribed burning on behalf of Department of Lands for Unmanaged Reserves and Unallocated Crown Land within gazetted town site boundaries. § In accordance with Memorandums of Understanding and other agreements, implementation of treatment strategies for other landholders.
Office of Bushfire Risk Management (OBRM)	<ul style="list-style-type: none"> § Under the OBRM Charter, to ensure bushfire risk is managed in accordance with AS/NZS ISO 31000 and reporting on the state of bushfire risk across Western Australia. § Review BRM Plans for consistency with the Guidelines prior to final endorsement by council.
Department of Biodiversity, Conservation and Attractions - Parks and Wildlife Service (PWS)	<ul style="list-style-type: none"> § Participation in and contribution to the development and implementation of BRM Plans. § Providing advice for the identification of environmental assets that are vulnerable to fire and planning appropriate treatment strategies for their protection. § As treatment manager, implementation of treatment strategies on department managed land and for Unmanaged Reserves and Unallocated Crown Land outside gazetted town site boundaries. § In accordance with Memorandums of Understanding and other agreements, implementation of treatment strategies for other landholders.
Other State and Federal Government Agencies	<ul style="list-style-type: none"> § Assist the local government by providing information about their assets and current risk treatment programs. § Participation in and contribution to the development and implementation of BRM Plans. § As treatment manager, implementation of treatment strategies.
Public Utilities	<ul style="list-style-type: none"> § Assist the local government by providing information about their assets and current risk treatment programs. § Participation in and contribution to the development and implementation of BRM Plans. § As treatment manager, implementation of treatment strategies.
Corporations and Private Land Owners	<ul style="list-style-type: none"> § As treatment manager, implementation of treatment strategies.

2.2 Communication & Consultation

As indicated in Figure 1, communication and consultation throughout the risk management process is fundamental to the preparation of an effective BRM Plan. To ensure appropriate and effective communication occurred with relevant stakeholders in the development of the BRM Plan, a *Communication Strategy* was prepared. The strategy is provided at Appendix One.

3. Establishing the Context

3.1 Description of the Local Government and Community Context

3.1.1 Strategic and Corporate Framework

Between 2000 and 2014, the Shire of Toodyay experienced several major level 3 fires that resulted in a tragic loss of life and property and required an extended multi-agency response. The significant impact of these events on the community and local landscape prompted the Shire to engage a consultant to conduct a strategic review of bushfire risk management. The review identified the need for access tracks. The subsequent report was adopted by the Shire as a strategic shire document, with the review recommendations informing the Shire's Strategic Community Plan and corporate business planning processes. In 2016, Council adopted a resolution to progress the recommendations contained within the report and implement an annual review process at the conclusion of each fire season.

The Shire's Strategic Community Plan – Toodyay 2028 was reviewed in 2017/18 and lists development of the BRM Plan as a short term (1-2 years) priority. Once developed this BRM Plan will guide the prioritisation of bushfire risk for treatment within the Shire, further building on the work completed to date to implement the recommendations from the strategic review.

During the community consultation process undertaken in relation to development of the Strategic Community Plan bushfire management was identified as a priority community service. Adoption of the BRM Plan is a significant step in addressing this aspiration and will benefit the community into the future.

The local Local Emergency Management Committee (LEMC) and Bushfire Advisory Committee (BFAC) are identified as key stakeholders in the development, implementation and review of the BRM Plan. Their input and advice is critical to the bushfire risk management process and will provide an important forum for consultation, joint-agency partnerships and the resolution of local issues affecting bushfire risk management.

The Shire of Toodyay currently employs a Community Emergency Services Manager (CESM) to assist in activities related to building awareness and improving preparedness for bushfire events within the Shire, including local emergency response capability. The BRM Plan will assist by improving the community awareness of bushfire risk and treatment activities planned in their area. Identification of treatment priorities will the Shire forward planning and budgeting for treatment activities within the BRM Plan area.

3.1.2 Location, Boundaries and Tenure

The Shire of Toodyay borders the north-eastern edge of the Perth Metropolitan Region and the Toodyay town site is situated approximately 80 kilometres from the Perth CBD.

Table 2 Overview of Land Tenure and Management within the BRM Plan Area

Land Manager/Agency*	% of Plan Area
Local Government	0.3% (5 sq Km)
Private	63.7% (1078 sq Km)
Department of Bio-Diversity, Conservation and Attractions	24.8% 420 sq Km)
Department of Planning, Lands and Heritage	0.2% (4 sq Km)
Main Roads	1.3 (22 sq Km)
Other	9.7 (165 sq Km)
Total	100% (1694 sq Km)

Source: FES Maps

3.1.3 Population and Demographics

The resident population of Toodyay was 4,439 in 2016, compared to 4,387 in 2011. (Census 2011 and 2016).

Toodyay has an aging population and one that reflects a much higher average than that for WA as a whole. In the 55 to 74-year age group Toodyay shows this to represent 9.9% of the population whereas the same group in WA is only 5.7%. The median age has also increased from 47 years to 51 years (ABS Census 2016). As the population continues to grow, this trend of an ageing population will continue. Children aged 0-14 years make up 14.7% of the population, those aged 15-64 account for 61.9% and people aged 65 years and over make up 23.4% of the population (ABS Census 2016).

Elderly people are a known vulnerable group in fire management, they are likely to have less capacity to defend property or protect themselves during a fire event and have additional needs in evacuation. As a result of this there is need for additional planning for this group to ensure that they are considered in fire management planning, communications during events, community education and mitigation works. There is a need to ensure that there is tailored advice provide to this group during season preparation as well as during actual events.

The continued aging trend is likely to impact the availability and capability of volunteers to respond to fire. The Shire will need to consider how to encourage the younger members of the community to volunteer with brigades as well as how to better incorporate aging volunteers in an appropriate manner.

The Shire has experienced a migration of people from the Perth metropolitan area who are seeking an alternative semi-rural lifestyle or weekend retreats. With commuter train services available and increasing numbers of people working from home, this trend is likely to continue. There is challenge in engaging and educating people who are not familiar with the fire risks associated with the shires landscape. These people are often not well connected with the local community and are often

longer term residents understand. The challenges of weekend and commuter populations are significant in fire management as these groups are highly variable and may be absent at the time of an event, unaware of unfolding events or in transit during events. This means that there is complex planning needed for these groups in the response phase as well as the preparation and mitigation space.

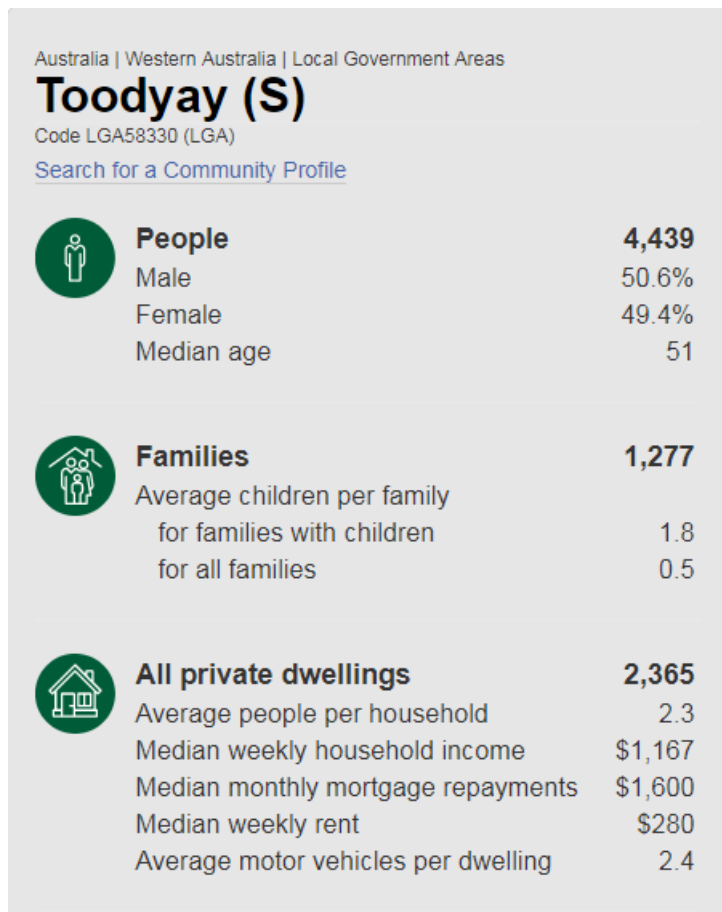


Figure 3 - Shire of Toodyay Community Profile³

3.1.4 Economic Activities and Industry

The Shire of Toodyay is located within the Avon sub region of the Wheatbelt. This region is built on a solid agricultural foundation and has a key role as a transport and logistic hub. However, broad acre agriculture has become relatively less significant for the overall economic profile of the Shire of Toodyay. Tourism, retail and lifestyle sectors are becoming increasingly important in the shires

fields. This is likely to continue into the future as the natural amenity has resulted in large visitor numbers and Localised retail developments have ensued in response to visitation to the town and increasing population. (Avon Sub-Regional Economic Strategy, 2012).

Table 3 ABS Census 2016 Employment Data

Industry Type of Employment	% Employment
Agriculture, Forestry and Fishing	17%
Mining	1%
Manufacturing	5%
Electricity, Gas, Water and Waste Services	<1%
Construction	10%
Wholesale Trade	1%
Retail Trade	10%
Accommodation and Food Services	8%
Transport, Postal and Warehousing	4%

³ Source: ABS

Information Media and Telecommunications	<1%
Financial and Insurance Services	1%
Rental, Hiring and Real Estate Services	2%
Professional, Scientific and Technical Services	4%
Administrative and Support Services	3%
Public Administration and Safety	9%
Education and Training	9%
Health Care and Social Assistance	4%
Arts and Recreation Services	1%
Other Services	4%
Inadequately described/Not stated	6%
Total	100%

Agriculture, retail, tourism and their associated fields account for a majority of the employment in the shire. These industries are known to be impacted by fire events through both physical loss and post fire impacts such as reduced tourism activity. This is an important part of the S planning and assets associated with these activities have been identified in the BRM Plan.

3.2 Description of the Environment and Bushfire Context

3.2.1 Topography and Landscape Features

Topography contributes to bushfire risk by influencing fire rate of spread (ROS) (and therefore intensity), impeding access for suppression resources and limiting options for fuel reduction, as inappropriate removal of vegetation can lead to erosion and other issues. The influence topography has on bushfire risk is considered in relation to its effect on treatment and response access, and as a variable in predicting the potential fire behaviour assets may be exposed to, including the likelihood of significant ember attack.

To the west of the Shire are the forested areas of the Darling Plateau, including the Avon Valley National Park and Julimar Conservation Park. This is a dissected, rolling landscape, studded by domed granite outcrops. This topography restricts and in many cases prevents access by fire appliances. This means that tactics to directly attack a fire in difficult terrain are often not possible or limited to aerial response, and ground crews must wait until access can be established or the fire reaches an area of suitable topography to actively suppress the fire front. As a result, fires can be larger in size and have time to grow into full developed fires with higher intensities and rates of spread. When fighting larger, more intense fires alternate methods of fire control such as specially constructed fire access tracks made by heavy machinery are required.

Strategic fire access tracks can be very expensive and complex to establish due to a range of constraints, including environmental and construction issues. Fire access tracks can be established in response to a fire, but take valuable time to construct. Pre-planning fire access tracks that are carefully located and constructed is preferable. This is an area of work the Shire of Toodyay continues to invest in as part of its bushfire management and preparedness activities.

The forested areas include mainly gnarled jarrah with banksia and grass trees. Rough, grey, red-stained Marri is found mainly on the loamy soils of lower valley slopes, often with Wandoo. The valley floors, with deeper clay soils, support Wandoo and Blackbutt. The dense understory of this woodland includes Bull Banksia, Scratchy Parrot Bush, Couch Honeypot and The Bushy Snail Hakea. The combination of vegetation and slope result in quick moving fires that produce a large amount of embers, often creating spot fires ahead of the main fire front. This type of fire behaviour can increase

the spread of the fire and be dangerous for fire fighters if caught between the spot fires. The ability of embers to travel well ahead of the main fire is why land owners are advised and encouraged to reduce fuels around their properties and remove items that may easily ignite from around their homes.

The Avon River, dissects the surface of the darling uplands with diverse valleys and irregular slopes. In river valley areas, flooded gum and paperbarks may be found. Access into the valley is, in many areas, not possible for firefighting appliances as the terrain and fuel loads make entry far too dangerous.

Clearing for agriculture has taken place mainly on the red alluvial soils of the slopes and valleys. Further East, the area is dominated by agricultural land use and the natural vegetation has been extensively cleared. This area presents a significant bushfire hazard, especially during harvest season (November to March) when harvesting activities have the greatest potential to ignite a fire and crops are cured. Fortunately, the landscape in these areas is gently undulating with broad fields and scattered remnants on the periphery, making access for firefighting appliances easier than in the Northern and Western forested areas.

3.2.2 Climate and Bushfire Season

The Shire of Toodyay experiences a Mediterranean climate, characterised by cool, wet winters and hot, dry summers. On average, the annual rainfall is 515 mm in Toodyay. However, rainfall distribution varies markedly throughout the Shire. Most of the rain falls during the cool winter months of May to August, and is associated with the passage of winter cold fronts. Thunderstorms may locally provide rain during the summer, however lightning associated with these storms can also be a source of fire ignition when not accompanied by rain.

Annual maximum temperatures (between 2013 and 2018) range from 20°C to 46°C with minimum temperatures ranging from -2°C to 12°C. In the Avon Valley dense air falls to the valley floor resulting in temperature inversions during winter months, which are responsible for winter fogs. Frosts occur from May to September, and are most frequent in July and August.

Windy conditions are experienced in the Shire from late winter through spring and summer. The predominant and prevailing winds in summer are from a South/South Easterly to South Easterly direction, as evidenced by the weather Rose readings from the Northam station, shown below. However, historical evidence points to occasional very high winds ranging from Westerly to North Westerly, these unstable atmospheric conditions are usually as a result of cyclonic activity in the North of the State and tend to bring with them dry lightning. These conditions coupled with other high risk fire conditions have produced some of the worst fire events in Toodyay (see section 3.2.4).

The harvest season, typically around January/February, is a high risk for the Shire. The summer conditions of high temperatures, low rainfall, strong summer winds and low humidity mean that fires are likely to build quickly. Harvesting activities can lead to ignitions, which will rapidly develop under the severe fire weather conditions commonly experienced at this time of year..

The fire season is typically from October through to April, this statement is supported by the fact that the Shire of Toodyay has Gazetted Restricted Burning Times in place starting on 1st October and finishing on 30th April annually. The Prohibited Burning Times commence on 1st November and end on the 8th March. (Government Gazette, 3rd February 2012 No.16)

The Shire of Toodyay falls within the Lower West Inland Forecast District. The Fire Danger Rating (FDR) for the Shire is based upon the Forest Fire Danger Index (FFDI). Information from the Bureau of Meteorology (BoM) shows from the 1st July 2014 through until the 1st July 2016 the Shire has observed

7 days with a FDR of Severe, 1 day with a rating of Extreme and 0 days with a rating of Catastrophic. Based on past data, days with a Catastrophic FDR are not expected to occur annually and represents days that are likely to occur infrequently. It is important to remember that large landscape fires with significant impacts will occur at lower FDRs and the community must remain vigilant on days with a lower FDR as the risk of fire events still remains, particularly under very dry and windy conditions.

The following graphs represent data taken over a five-year period, 2012 – 2017, from the weather station located at Northam (This is the closest available station to Toodyay, located approximately 27Km away in a South Easterly direction).

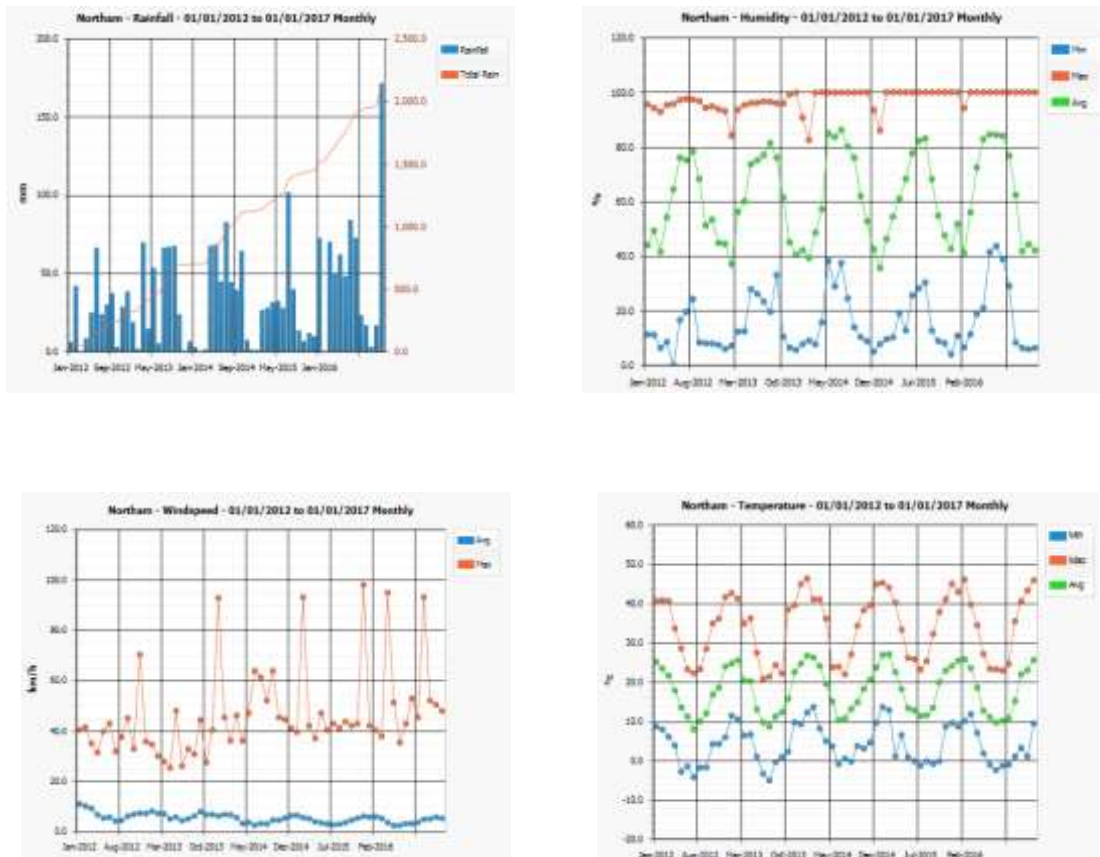


Figure 4 - Shire of Toodyay weather data⁴

⁴ <https://www.agric.wa.gov.au/weather-stations>

Northam Wind Rose for 2012/13 2016/7 during Fire Season November to March



3.2.3 Vegetation

Nine vegetation associations have been identified in the Shire of Toodyay and broadly represent the decreasing occurrence of rainfall as fronts move inland from west to east.

The Jarrah/Marri forest and the Marri/Wandoo woodlands occur in the south-west corner of the Shire, which coincides with the area of highest rainfall. In-fact, this area denotes the north-eastern limit of the Jarrah dominated forest of the greater South West. This vegetation typically has higher fuel loads and carries a diverse understory. These dense understories provide excellent fuels and in many cases form a ladder fuel, allowing a fire burning under the right conditions to enter the canopy and possibly develop into a crown fire. To reduce the potential for this type of fire behaviour cool autumn prescribed burns or mechanical modification, removal or reduction of understorey fuels is of high importance in proximity to priority assets.

The more open Wandoo, York Gum and Powder Bark dominate to the central and eastern parts of the Shire. Soil-type associations are demonstrated throughout the Shire with intermittent areas of Jam Wattle and Scrub/Heath Sandplain. The presence of the shrubby form of the wattles and Jam trees in these ecosystems means that there is little separation between the ground layer vegetation and the canopy. This results in canopy fires developing more readily in this vegetation type.

The riparian zones of the Avon River and its various tributaries within the Shire are dominated by She-oak, Flooded Gum and Swamp Paperbark. This ecosystem is quite diverse and has been highly modified in many areas due to stock grazing and altered hydrology. As a result, the riparian areas vary from highly managed parkland areas to natural dense vegetation. These structures influence the likely fire behaviour experienced in the different areas.

In the Wongamine area of the eastern part of the Shire, vegetation is typical of the Wheatbelt and is the only known occurrence of Salmon Gums within the Shire. Despite broad scale clearing, weed infestation and environmental degradation, the vegetation types and individual flora species of the Shire are of inestimable biological value. Fires in areas of weed infestation tend to be high intensity and quick moving. These fires often carry into other areas rapidly. Post fire, fast growing weeds and invasive species will come back quickly and increase in density, often spreading into adjoining areas that have been impacted and increasing fuel loads. The highly fragmented and disturbed nature of these areas makes the small amount of remanent native vegetation critical for ecosystem function and landscape connectivity. Any fire that impacts on this vegetation is likely to have significant and detrimental impacts on the local environment.

Environmental Considerations – Flora and Fauna

A comprehensive report is attached at Appendix two, compiled by the Shire of Toodyay Reserves Management Officer.

3.2.4 Bushfire Frequency and Causes of Ignition

Potential fire paths include the Avon River Valley, which runs through the Toodyay townsite, and the forested area in the North and West of the Shire, which has the potential to impact adjacent residential properties.

There have been 2 significant fires in the Shire of Toodyay since 2007. Both of these fires occurred under severe fire weather conditions (high temperatures, low humidity and dry fuels) and were driven by very high winds ranging from Westerly to North Westerly, with unstable atmospheric conditions as a result of cyclonic activity in the North of the State.

The Chatcup Fire of 2007 started from clashing power lines, which caused hot metal to fall into dried stubble and ignite. The 44 km/hr North Westerly winds, relative humidity of 8% and an ambient temperature of 46°C saw the fire quickly develop. The fire raced through the landscape with rates of spread of approximately 9km/hr, impacting several farms and resulting in a fatality.

The bushfire that occurred near Toodyay on the 29th December 2009 was considered at the time to be one of the most destructive, in terms of house loss, to ever occur in contemporary Western Australia. The fire ignited at around 1pm in a harvested barley crop that retained around 20 to 30-centimetre-tall stem residue that was 100 percent cured. There were 38 homes destroyed in the bushfire. Even though the fire was extremely fast moving, at times on very steep slopes and quite intense, there was no loss of life associated with the fire event.



Government of **Western Australia**
Department of **Fire & Emergency Services**



All Landscape Fires
LGA of TOODYAY (S)
from 01/07/2012 to 30/06/2017

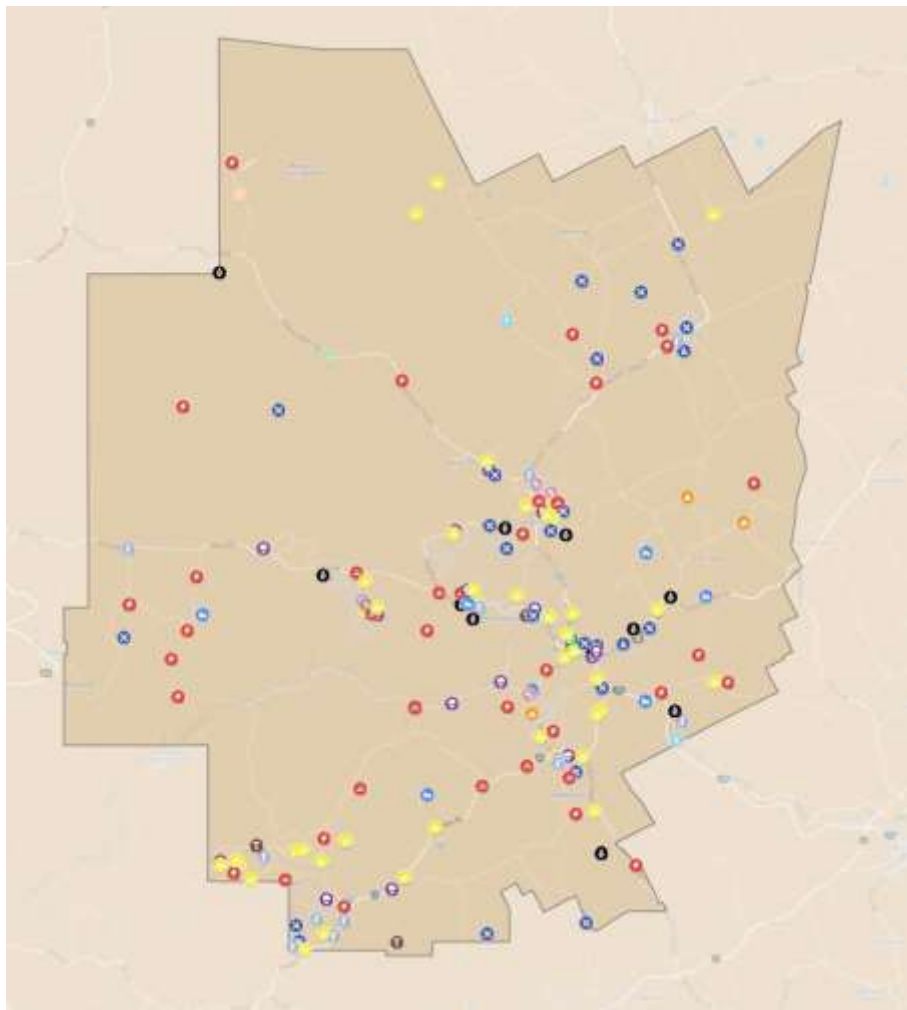
Bushfires Summary of Ignition

	2012/ 2013	2013/ 2014	2014/ 2015	2015/ 2016	2016/ 2017	Total
Total Number of Bushfires:	35	31	61	36	49	212
Burn off fires	3	6	13	6	22	50
Campfires/bonfires/outdoor cooking	0	1	1	0	0	2
Cigarette	0	0	4	3	7	14
Electrical distribution (excl. power lines)	1	0	1	0	0	2
Equipment - Mechanical or electrical fault	0	1	2	0	1	4
Equipment - Operational deficiency	0	0	2	0	0	2
Hot works (grinding, cutting, drilling etc..)	0	1	3	0	0	4
Human Error (Left on, knock over, unattended etc.)	0	0	0	0	1	1
Improper Fuelling/Cleaning/Storage/Use of material ignited	0	0	1	0	0	1
Indoor Appliances - cause unknown	1	0	0	0	0	1
Other open flames or fire	2	1	1	0	0	4
Power lines	1	0	0	0	1	2
Reignition of previous fire	2	5	5	3	1	16
Suspicious/Deliberate	8	2	4	7	1	22
Undetermined	5	3	5	2	1	16
Unreported	4	4	9	2	11	30
Vehicles (incl. Farming Equipment/Activities)	1	2	0	1	3	7
Weather Conditions - Lightning	6	5	9	12	0	32
Weather Conditions (High winds, natural combustion etc. Excludes Lightning)	1	0	1	0	0	2

Bushfire Ignition Report June 2012 - June 2017⁵

On review of the above ignition data it is noted that Burn Offs are the most common cause of bushfire within the Shire. This is consistent with statistics from similar locations, such as the Shires of Northam and York that rank Burn Offs as their second highest cause of ignition. This trend has prompted a further investigation to be conducted by the Shire of Toodyay CEM to understand factors contributing to burn off related fires and improve permit issuing practices and education.

⁵ Source: DFES






















-  Burn off fires (50)
-  Weather Conditions - Lightning (32)
-  Unreported (29)
-  Suspicious/Deliberate (22)
-  Reignition of previous fire (16)
-  Undetermined (16)
-  Cigarette (14)
-  Vehicles (incl. Farming Equip... (7)
-  Equipment - Mechanical or el... (4)
-  Hot works (grinding, cutting, ... (4)
-  Other open flames or fire (4)
-  Campfires/bonfires/outdoor ... (2)
-  Electrical distribution (excl. ... (2)
-  Equipment - Operational defi... (2)
-  Power lines (2)
-  Weather Conditions (High wi... (2)
-  Human Error (Left on, knock ... (1)
-  Improper Fuelling/Cleaning/... (1)
-  Indoor Appliances - cause un... (1)

Figure 5 - Ignition type and location

3.2.5 Current Bushfire management

Toodyay has five Volunteer Bush Fire Brigades and one Volunteer Fire & Rescue Service unit strategically positioned throughout the Shire. Collectively, these brigades house one 4.4 appliance, two 3.4 appliances (one of which is the Fire & Rescue tanker) two 2.4 appliances, five 1.4 appliances, one Light tanker (this is a Fire & Rescue appliance) and a 12.2 bulk water tanker. Initial suppression is supported for throughout the farming areas of the Shire by local farmer response units. Private appliances range from 500L slip on water units to various sized water carters. It is a common perception by communities that firefighting resources will be readily available to respond to calls for assistance. Communities have adequately prepared their properties and enacted their bushfire plans, as the demand for assistance will quickly exceed the capacity of available resources.

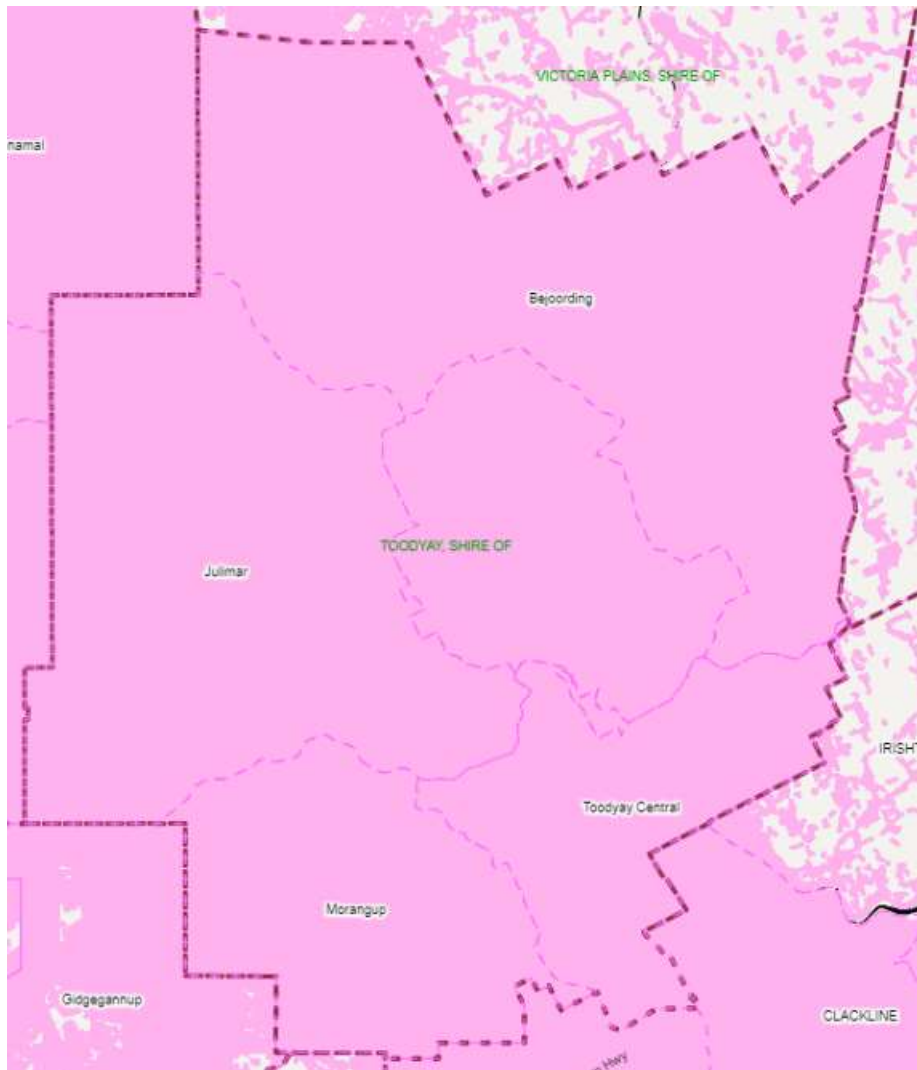
Like most Local Governments the Shire of Toodyay has an annually issued Fire Break notice which details the requirements for residents to maintain and construct fire breaks, asset protection zones and undertake other fire mitigation activities. There is currently only one Bushfire Ready Group operating in the central zone of the Shire. Supported by DFES, this program is run by volunteers and provides residents with additional advice and information to assist them to prepare for bushfire events. The CESM also runs (subject to funding) community events to promote bushfire awareness and preparedness activities.

Bushfire Prone Mapping

The Shire of Toodyay's *Bushfire Prone Planning Policy* is to implement effective risk based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.⁶ The *State Planning Policy 3.7 Planning for Bushfire Prone Areas* ensures bushfire risk is given due consideration in all future planning and development decisions. As the policy does not apply retrospectively and focuses on individual developments and buildings, the BRM Plan focuses on identifying existing bushfire risk and establishing an effective treatment plan to manage unacceptable community risks.

The Shire of Toodyay has designated the entire local government area as Bushfire Prone, as evidenced by the Shire of Toodyay Local Planning Scheme No 4. Bushfire Prone Areas are subject to increased planning and construction requirements. These are addressed through the Shire of Toodyay Local Planning Scheme No 4, including deemed provision for Local Planning Scheme amendment as provided for under the Planning and Development (Local Planning Scheme amendment) Regulations 2015.

⁶ Source: *State Planning Policy 3.7 Planning in Bushfire Prone Areas*



Bushfire Prone layer Dec 2017

4. Asset Identification and Risk Assessment

4.1 Planning Areas

The Shire of Toodyay has been divided into six planning areas they are:-

- Ø Toodyay Town Site
- Ø Bejoording
- Ø Julimar
- Ø Morangup
- Ø Toodyay Central
- Ø Coondle

Attached at Appendix three is a map showing the boundaries of the planning areas identified within the Shire of Toodyay.

4.1.1 Priorities for Asset Identification and Assessment

Assets were identified and assessed across the local government, based on the following order of priority.

Table 4 Priorities for Asset Identification and Assessment

Priority	Asset Category	Asset Subcategory	Planning Area
----------	----------------	-------------------	---------------

First Priority	Human Settlement	Special Risk and Critical Facilities	All
Second Priority	Human Settlement	All other subcategories	All
Third Priority	Economic	Critical Infrastructure	All
Fourth Priority	Economic	All other subcategories	All
Fifth Priority	Environmental	All subcategories	All
Sixth Priority	Cultural	All subcategories	All

4.2 Asset Identification

Asset identification and risk assessment has been conducted at the local level using the methodology described in the Guidelines. Identified assets have been mapped, recorded and assessed in the Bushfire Risk Management System (BRMS). Identified assets are categorised into the following subcategories:

Table 5 Asset Categories and Subcategories

Asset Category	Asset Subcategories
Human Settlement	<ul style="list-style-type: none"> < Residential areas Rural urban interface areas and rural properties. < Places of temporary occupation Commercial, mining and industrial areas located away from towns and population centres (that is, not adjoining residential areas). < Special risk and critical facilities Hospitals, nursing homes, schools and childcare facilities, tourist accommodation and facilities, prison and detention centres, government administration centres and depots, incident control centres, designated evacuation centres, police, fire and emergency services.
Economic	<ul style="list-style-type: none"> < Agricultural Pasture, grazing, livestock, crops, viticulture, horticulture and other farming infrastructure. < Commercial and industrial Major industry, waste treatment plants, mines, mills and processing and manufacturing facilities and cottage industry. < Critical infrastructure Power lines and substations, water and gas pipelines, telecommunications infrastructure, railways, bridges, port facilities and waste water treatments plants. < Tourist and recreational Tourist attractions and recreational sites that generate significant tourism and/or employment within the local area. < Commercial forests and plantations < Drinking water catchments
Environmental	<ul style="list-style-type: none"> < Protected Rare and threatened flora and fauna, ecological communities and wetlands. < Priority Fire sensitive species and ecological communities. < Locally important Nature conservation and research sites, habitats, species and communities, areas of visual amenity.
Cultural	<ul style="list-style-type: none"> < Aboriginal heritage

Asset Category	Asset Subcategories
	<ul style="list-style-type: none"> Places of indigenous significance. < Recognised heritage Assets afforded legislative protection through identification by the National Trust, State Heritage List or Local Planning Scheme Heritage List. < Local heritage Assets identified in a Municipal Heritage Inventory or by the community. < Other Other assets of cultural value, for example community centres and recreation facilities.

4.3 Assessment of Bushfire Risk

Risk assessments have been undertaken for each asset or group of assets identified using the methodology described in the Guidelines.

The percentage of assets within the local government in each asset category at the time of BRM Plan endorsement is shown in the following table.

Table 6 Asset Category Proportions

Asset category	Proportion of identified assets
Human Settlement	87%
Economic	8.5%
Environmental	4%
Cultural	0.5%

4.3.1 Likelihood Assessment

Likelihood is described as the chance of a bushfire igniting, spreading and reaching an asset. The approach used to determine the likelihood rating is the same for each asset category: Human Settlement, Economic, Environmental and Cultural.

There are four possible likelihood ratings: almost certain, likely, possible, and unlikely.

Table 7 Likelihood Ratings

Likelihood Rating	Description
Almost Certain (Sure to Happen)	<ul style="list-style-type: none"> < Is expected to occur in most circumstances; < High level of recorded incidents and/or strong anecdotal evidence; and/or < Strong likelihood the event will recur; and/or < Great opportunity, reason or means to occur; < May occur more than once in 5 years.
Likely (Probable)	<ul style="list-style-type: none"> < Regular recorded incidents and strong anecdotal evidence; and /or < Considerable opportunity, reason or means to occur; < May occur at least once in 5 years.
Possible (feasible but < probable)	<ul style="list-style-type: none"> < Should occur at some stage; and/or < Few, infrequent, random recorded incidents or little anecdotal evidence; and/or < Some opportunity, reason or means to occur.
Unlikely	<ul style="list-style-type: none"> < Would only occur under exceptional circumstances.

Likelihood Rating	Description
(Improbable, not likely)	

4.3.2 Consequence Assessment

Consequence is described as the outcome or impact of a bushfire event. The approach used to determine the consequence rating is different for each asset category: Human Settlement, Economic, Environmental and Cultural.

There are four possible consequence ratings: minor, moderate, major and catastrophic.

Table 8 Consequence Ratings

Consequence Rating	Descriptions
Minor	<ul style="list-style-type: none"> < No fatalities. < Near misses or minor injuries with first aid treatment possibly required. < No persons are displaced. < Little or no personal support (physical, mental, emotional) required. < Inconsequential or no damage to an asset, with little or no specific recovery efforts required beyond the immediate clean-up. < Inconsequential or no disruption to community. < Inconsequential short-term failure of infrastructure or service delivery. (Repairs occur within 1 week, service outages last less than 24 hours.) < Inconsequential or no financial loss. Government sector losses managed within standard financial provisions. Inconsequential business disruptions.
Moderate	<ul style="list-style-type: none"> < Isolated cases of serious injuries, but no fatalities. Some hospitalisation required, managed within normal operating capacity of health services. < Isolated cases of displaced persons who return within 24 hours. < Personal support satisfied through local arrangements. < Localised damage to assets that is rectified by routine arrangements. < Community functioning as normal with some inconvenience. < Isolated cases of short to mid-term failure of infrastructure and disruption to service delivery. (Repairs occur within 1 week to 2 months, service outages last less than 1 week.) < Local economy impacted with additional financial support required to recover. Government sector losses require activation of reserves to cover loss. Disruptions to businesses lead to isolated cases of loss of employment or business failure. < Isolated cases of damage to environmental or cultural assets, one-off recovery efforts required, but with no long term effects to asset.
Major	<ul style="list-style-type: none"> < Isolated cases of fatalities. < Multiple cases of serious injuries. Significant hospitalisation required, leading to health services being overstretched. < Large number of persons displaced (more than 24 hours duration). < Significant resources required for personal support.

Consequence Rating	Descriptions
	<ul style="list-style-type: none"> ◁ Significant damage to assets, with ongoing recovery efforts and external resources required. ◁ Community only partially functioning. Widespread inconvenience, with some services unavailable. ◁ Mid to long-term failure of significant infrastructure and service delivery affecting large parts of the community. Initial external support required. (Repairs occur within 2 to 6 months; service outages last less than a month.) ◁ Local or regional economy impacted for a significant period of time with significant financial assistance required. Significant disruptions across industry sectors leading to multiple business failures or loss of employment. ◁ Significant damage to environmental or cultural assets that require major rehabilitation or recovery efforts. ◁ Localised extinction of native species. This may range from loss of a single population to loss of all of the species within the BRM Plan area (for a species which occupies a greater range than just the BRM Plan area).
Catastrophic	<ul style="list-style-type: none"> ◁ Multiple cases of fatalities. ◁ Extensive number of severe injuries. ◁ Extended and large number requiring hospitalisation, leading to health services being unable to cope. ◁ Extensive displacement of persons for extended duration. ◁ Extensive resources required for personal support. ◁ Extensive damage to assets that will require significant ongoing recovery efforts and extensive external resources. ◁ Community unable to function without significant support. ◁ Long-term failure of significant infrastructure and service delivery affecting all parts of the community. Ongoing external support required. (Repairs will take longer than 6 months, service outages last more than 1 month.) ◁ Regional or State economy impacted for an extended period of time with significant financial assistance required. Significant disruptions across industry sectors leading to widespread business failures or loss of employment. ◁ Permanent damage to environmental or cultural assets. ◁ Extinction of a native species in nature. This category is most relevant to species that are restricted to the BRM Plan area, or also occur in adjoining areas and are likely to be impacted upon by the same fire event. In nature means wild specimens and does not include flora or fauna bred or kept in captivity.

The methodology used to determine the consequence rating for each asset category is based on the following:

◁ Consequence Rating - Human Settlement Assets

The outcome or impact of a bushfire event on the asset, or a group of assets, measured by the hazard posed by the classified vegetation and the vulnerability of the asset.

◁ Consequence Rating - Economic Assets

The outcome or impact of a bushfire event on the asset, or a group of assets, measured by the hazard posed by the classified vegetation and the vulnerability of the asset.

◁ Consequence Rating - Environmental Assets

The outcome or impact of a bushfire event on the asset, or a group of assets, measured by the vulnerability of the asset and the potential impact of a bushfire or fire regime.

◁ Consequence Rating - Cultural Assets

The outcome or impact of a bushfire event on the asset, or a group of assets, measured by the hazard posed by the classified vegetation and the vulnerability of the asset.

4.3.3 Assessment of Environmental Assets

Using available biological information and fire history data, environmental assets with a known minimum fire threshold were assessed to determine if they were at risk from bushfire, within the five-year life of the BRM Plan. Environmental assets that would not be adversely impacted by bushfire within the five-year period have not been included and assessed in the BRM Plan. The negative impact of a fire on these assets (within the period of this BRM Plan) was determined to be minimal, and may even be of benefit to the asset and surrounding habitat.

4.3.4 Local Government Asset Risk Summary

A risk profile for the local government is provided in the summary table below. This table shows the proportion of assets at risk from bushfire in each risk category at the time the BRM Plan was endorsed.

Table 9 Local Government Asset Risk Summary

Risk Rating \ Asset Category	Low	Medium	High	Very High	Extreme
Human Settlement	1.4%	2.9%	8.6%	12.2%	62%
Economic	0.2%	0.2%	0.5%	2.5%	5%
Environmental		0.2%	1.4%	0.7%	1.7%
Cultural					0.5%

5. Risk Evaluation

5.1 Evaluating Bushfire risk

The risk rating for each asset has been assessed against the likelihood and consequence descriptions to ensure:

- ◁ The rating for each asset reflects the relative seriousness of the bushfire risk to the asset;
- ◁ Likelihood and consequence ratings assigned to each asset are appropriate; and
- ◁ Local issues have been considered.

5.2 Treatment Priorities

The treatment priority for each asset has been automatically assigned by BRMS, risk rating. Table 9 shows how likelihood and consequence combine to give the risk rating and subsequent treatment priority for an asset.

Table 10 Treatment Priorities

Consequence \ Likelihood	Minor	Moderate	Major	Catastrophic
Almost certain	3D (High)	2C (Very High)	1C (Extreme)	1A (Extreme)
Likely	4C (Medium)	3A (High)	2A (Very High)	1B (Extreme)
Possible	5A (Low)	4A (Medium)	3B (High)	2B (Very High)
Unlikely	5C (Low)	5B (Low)	4B (Medium)	3C (High)

5.3 Risk Acceptability

Risks below a certain level were not considered to require specific treatment during the life of this BRM Plan. They will be managed by routine local government wide controls and monitored for any significant change in risk.

In most circumstances risk acceptability and treatment will be determined by the land owner, in collaboration with local government and fire agencies. However, as a general rule, the following courses of action have been adopted for each risk rating.

Table 11 Criteria for Acceptance of Risk and Course of Action

Risk Rating	Criteria for Acceptance of Risk	Course of Action
<p>Extreme (Priorities 1A, 1B, 1C)</p>	<p>Requires asset specific treatment strategies to be applied.</p> <p>Treatment action is required within 1 Year for Rural Urban interface areas and 2 years for all others of the plan being endorsed.</p> <p>It is unlikely that Local Government Wide Controls would be adequate to manage the risk.</p>	<p>Specific action is recommended in the first 2 years of BRM Plan</p> <ul style="list-style-type: none"> < Treatment priorities will include <ul style="list-style-type: none"> o treatments that will have maximum benefit to multiple assets and critical infrastructure o Identification of partnerships with other agencies for strategic mitigation < Ideally, a face to face meeting (on site) should be held with landowner. Or alternatively a letter sent to reinforce hazard status < Treatments Should include activities that modify the hazard vegetation where possible. < Risk assessment to be reviewed prior to the fire season (September) each year < Asset to be included on Fire Break Inspection. < Private landholders will be encouraged to join local Bush fire ready groups Via letter or face to face meeting
<p>Very High (Priorities 2A, 2B, 2C)</p>	<p>Requires asset specific treatment strategies to be applied.</p> <p>Treatment action is required within 2 years of the plan being endorsed.</p> <p>It is unlikely that Local Government Wide Controls would be adequate to manage the risk.</p>	<p>Specific action(s) required in the first 3 years of the BRM Plan</p> <ul style="list-style-type: none"> < Treatment priorities will include <ul style="list-style-type: none"> o treatments that will have maximum benefit to multiple assets and critical infrastructure o Identification of partnerships with other agencies for strategic mitigation < Assets within the townsite to be included on Fire Break inspection list <p>Communication with stakeholders as per the Communications Plan</p>

<p>High (Priorities 3A, 3B, 3C, 3D)</p>	<p>Asset specific treatment strategies will likely be required to adequately manage the risk.</p>	<p>Specific action(s) required in the first 4 years of the BRM Plan where resourcing and funding permits</p> <ul style="list-style-type: none"> < Priorities will include <ul style="list-style-type: none"> o Assets that fall adjacent to Extreme or Very High risk assets o treatments that will have maximum benefit to multiple assets and critical infrastructure o Identification of partnerships with other agencies for strategic mitigation <p>Communication with stakeholders as per the Communications Plan</p>
<p>Medium (Priorities 4A, 4B, 4C)</p>	<p>Asset specific treatments are not required, but risk should be monitored.</p> <p>Local government wide controls should be sufficient to manage the risk</p> <p>If there is a change in the landscape / environment these assets may need to be reassessed more frequently.</p>	<ul style="list-style-type: none"> < Addressed through Local Government Wide Controls < Specific action is not required
<p>Low (Priorities 5A, 5B, 5C)</p>	<p>Asset specific treatments are not required, but risk should be monitored.</p> <p>Local government wide controls should be sufficient to manage the risk</p> <p>If there is a change in the landscape / environment these assets may need to be reassessed more frequently.</p>	<ul style="list-style-type: none"> < Addressed through Local Government Wide Controls and/or Community Education < Specific action is not required

6. Risk Treatment

The purpose of risk treatment is to reduce the likelihood of a bushfire occurring and/or the potential impact of a bushfire on the community, economy and environment. This is achieved by implementing treatments that modify the characteristics of the hazard, the community or the environment.

There are many strategies available to treat bushfire risk. The treatment strategy (or combination of treatment strategies) selected will depend on the level of risk and the type of asset being treated. Not all treatment strategies will be suitable in every circumstance.

6.1 Local Government-Wide Controls

Local government-wide controls are activities that reduce the overall bushfire risk within the Shire of Toodyay. These types of treatments are not linked to specific assets, and are applied across all or part of the local government as part of normal business or due to legislative requirements. The following controls are currently in place across the Shire of Toodyay:

- ◁ *Bush Fires Act 1954* Section 33 notices, including applicable fuel management requirements, firebreak standards and annual enforcement programs;
- ◁ Declaration and management of Prohibited Burn Times, Restricted Burn Times and Total Fire Bans for the local government;
- ◁ Public education campaigns and the use of PWS and DFES state-wide programs, tailored to suit local needs;
- ◁ State-wide arson prevention programs developed in conjunction with WA Police and DFES;
- ◁ State planning framework and local planning schemes, implementation of appropriate land subdivision and building standards in line with DFES, Department of Planning and Building Commission policies and standards; and
- ◁ Monitoring performance against the BRM Plan and reporting annually to the local government council and OBRM.

A multi-agency work plan has been developed and is attached at Appendix four. The plan details work to be undertaken as a part of normal business, to improve current controls or to implement new controls to better manage bushfire risk across the local government.

6.2 Asset-Specific Treatment Strategies

Asset-specific treatments are implemented to protect an individual asset or group of assets, identified and assessed in the BRM Plan as being at risk from bushfire. There are six asset specific treatment strategies:

- ◁ Fuel management - Treatment reduces or modifies the bushfire fuel through manual, chemical and prescribed burning methods;
- ◁ Ignition management - Treatment aims to reduce potential human and infrastructure sources of ignition in the landscape;
- ◁ Preparedness - Treatments aim to improve access and water supply arrangements to assist firefighting operations;
- ◁ Planning - Treatments focus on developing plans to improve the ability of firefighters and the community to respond to bushfire; and
- ◁ Community Engagement - Treatments seek to build relationships, raise awareness and change the behaviour of people exposed to bushfire risk.

- ◁ Other - Local government-wide controls, such as community education campaigns and planning policies, will be used to manage the risk. Asset-specific treatment is not required or not possible in these circumstances.

6.3 Determining the Treatment Schedule

Efforts will be made to finalise the Treatment Schedule within twelve months of this BRM Plan being endorsed by OBRM. The Treatment Schedule will be developed in broad consultation with land owners and other stakeholders. In extreme cases where a property is assessed as at extreme risk it is planned that individual consultation with the land owner will occur, this will be subject to available time and funding. However, on many occasions these privately owned lands are often at this risk level due to neighbouring bush lands that are under the management of the Shire or other Government

lands, in an effort to reduce the exposure of the residence.

Land owners are ultimately responsible for treatments implemented on their own land. This includes any costs associated with the treatment and obtaining the relevant approvals, permits or licences to undertake an activity. Where agreed, another agency may manage a treatment on behalf of a land owner. However, the onus is still on the land owner to ensure treatments detailed in this BRM Plan are completed.

7. Monitoring and Review

Monitoring and review processes are in place to ensure that the BRM Plan remains current and valid. These processes are detailed below to ensure outcomes are achieved in accordance with the *Communication Strategy* and *Treatment Schedule*.

7.1 Review

A comprehensive review of this BRM Plan will be undertaken at least once every five years, from the date of council endorsement. Significant circumstances that may warrant an earlier review of the BRM Plan include:

- ◁ Changes to the BRM Plan area, organisational responsibilities or legislation;
- ◁ Changes to the bushfire risk profile of the area; or
- ◁ Following a major fire event.

7.2 Monitoring

BRMS will be used to monitor the risk ratings for each asset identified in the BRM Plan and record the treatments implemented. Risk ratings are reviewed on a regular basis. New assets will be added to the *Asset Risk Register* when they are identified.

7.3 Reporting

The Shire of Toodyay will submit an annual report to OBRM each year summarising progress made towards implementation of the BRM Plan.

7.3.1 Privacy Issues and Release of Information

Information captured through the Bushfire Risk Management System (BRMS) includes some sensitive data and information such as the location of culturally and environmentally significant sites, land ownership details and risk information. Additionally, the Asset Risk Register is, by its nature, a living evolving document. Appending a copy of the Asset Risk Register report to the BRM Plan only provides

a snapshot of the asset and risk information for a particular point in time and does not show changes in the risk profile over time.

The Shire of Toodyay, as a matter of course, will provide reports to stakeholders that detail the assets and treatments that the stakeholders (landowners) have responsibility for in order to actively encourage and support the implementation, monitoring and review of agreed actions.

8. Glossary

Asset	A term used to describe anything of value that may be adversely impacted by bushfire. This may include residential houses, infrastructure, commercial, agriculture, industry, environmental, cultural and heritage sites.
Asset Category	There are four categories that classify the type of asset – Human Settlement, Economic, Environmental and Cultural.
Asset Owner	The owner, occupier or custodian of the asset itself. Note: this may differ from the owner of the land the asset is located on, for example a communication tower located on leased land or private property.
Asset Register	A component within the Bushfire Risk Management System used to record the details of assets identified in the Bushfire Risk Management Plan.
Asset Risk Register	A report produced within the Bushfire Risk Management System that details the consequence, likelihood, risk rating and treatment priority for each asset identified in the Bushfire Risk Management Plan.
Bushfire	Unplanned vegetation fire. A generic term which includes grass fires, forest fires and scrub fires both with and without a suppression objective. ⁷
Bushfire Hazard	The hazard posed by the classified vegetation, based on the vegetation category, slope and separation distance.
Bushfire Management Plan	A document that sets out short, medium and long term bushfire risk management strategies for the life of a development. ⁸
Bushfire risk management	A systematic process to coordinate, direct and control activities relating to bushfire risk with the aim of limiting the adverse effects of bushfire on the community.
Consequence	The outcome or impact of a bushfire event.
Draft Bushfire Risk Management Plan	The finalised draft Bushfire Risk Management Plan (BRM Plan) is submitted to the OBRM for review. Once the OBRM review is complete, the BRM Plan is submitted to the KCU Plan Committee and can be progressed to local government council for endorsement.
Emergency Risk Management Plan	A document (developed under <i>State Emergency Management Policy 2.9</i>) that describes how an organisation(s) intends to undertake the activities of emergency risk management based on minimising risk. These plans help

⁷ Australasian Fire and Emergency Service Authorities Council 2012, *AFAC Bushfire Glossary*, AFAC Limited, East Melbourne.

⁸ Western Australian Planning Commission 2015, *State Planning Policy 3.7: Planning in Bushfire Prone Areas*, WAPC, Perth.

	inform the ongoing development of Local Emergency Management Arrangements (LEMA) and Westplans.
Geographic Information System (GIS)	A data base technology, linking any aspect of land-related information to its precise geographic location. ⁹
Geographic Information System (GIS) Map	The mapping component of the Bushfire Risk Management System. Assets, treatments and other associated information is spatially identified, displayed and recorded within the GIS Map.
Land Owner	The owner of the land, as listed on the Certificate of Title; or leaser under a registered lease agreement; or other entity that has a vested responsibility to manage the land.
Likelihood	The chance of something occurring. In this instance, the chance of a bushfire igniting, spreading and reaching the asset.
Locality	The officially recognised boundaries of suburbs (in cities and larger towns) and localities (outside cities and larger towns).
Planning Area	A geographic area determine by the local government which is used to provide a suitable scale for risk assessment and stakeholder engagement.
Priority	See Treatment Priority.
Recovery Cost	The capacity of an asset to recover from the impacts of a bushfire.
Responsible Person	The person responsible for planning, coordinating, implementing, evaluating and reporting on a risk treatment.
Risk acceptance	The informed decision to accept a risk, based on the knowledge gained during the risk assessment process.
Risk analysis	The application of consequence and likelihood to an event in order to determine the level of risk.
Risk assessment	The systematic process of identifying, analysing and evaluating risk.
Risk evaluation	The process of comparing the outcomes of risk analysis to the risk criteria in order to determine whether a risk is acceptable or tolerable.
Risk identification	The process of recognising, identifying and describing risks.

⁹ Landgate 2015, *Glossary of terms*, Landgate, Perth

Risk Manager	The organisation or individual responsible for managing a risk identified in the Bushfire Risk Management Plan; including review, monitoring and reporting.
Risk Register	A component within the Bushfire Risk Management System used to record, review and monitor risk assessments and treatments associated with assets recorded in the Bushfire Risk Management Plan.
Risk treatment	A process to select and implement appropriate measures undertaken to modify risk.
Rural	Any area where in residences and other developments are scattered and intermingled with forest, range, or farm land and native vegetation or cultivated crops. ¹⁰
Rural Urban Interface (RUI)	The line or area where structures and other human development adjoin or overlap with undeveloped bushland. ¹¹
Slope	u
Tenure Blind	An approach where multiple land parcels are consider as a whole, regardless of individual ownership or management arrangements.
Treatment	An activity undertaken to modify risk, for example a prescribed burn.
Treatment Objective	The specific aim to be achieved or action to be undertaken, in order to complete the treatment. Treatment objectives should be specific and measurable.
Treatment Manager	The organisation, or individual, responsible for all aspects of a treatment listed in the Treatment Schedule of the Bushfire Risk Management Plan, including coordinating or undertaking work, monitoring, reviewing and reporting.
Treatment Priority	The order, importance or urgency for allocation of funding, resources and opportunity to treatments associated with a particular asset. The treatment
Treatment Schedule	A report produced within the Bushfire Risk Management System that details the treatment priority of each asset identified in the Bushfire Risk Management Plan and the treatments scheduled.

¹⁰ Australasian Fire and Emergency Service Authorities Council 2012, *AFAC Bushfire Glossary*, AFAC Limited, East Melbourne

¹¹ Australasian Fire and Emergency Service Authorities Council 2012, *AFAC Bushfire Glossary*, AFAC Limited, East Melbourne

Treatment Strategy	The broad approach that will be used to modify risk, for example fuel management.
Treatment Type	The specific treatment activity that will be implemented to modify risk, for example a prescribed burn.
Vulnerability	The susceptibility of an asset to the impacts of bushfire.

9. Common Abbreviations

APZ	Asset Protection Zone
BRMP	Bushfire Risk Management Planning
BRMS	Bushfire Risk Management System
CALD	Culturally and Linguistically Diverse
DEMC	District Emergency Management Committee
DFES	Department of Fire and Emergency Services
ERMP	Emergency Risk Management Plan
FFDI	Forest Fire Danger Index
FMP	Fire Management Plan
GFDI	Grassland Fire Danger Index
GIS	Geographic Information System
HSZ	Hazard Separation Zone
JAFFA	Juvenile and Family Fire Awareness
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LG	Local Government
LMZ	Land Management Zone
OBRM	Office of Bushfire Risk Management
PWS	Department of Biodiversity, Conservation and Attractions - Parks and Wildlife Service
SEMC	State Emergency Management Committee
SLIP	Shared Land Information Platform
WAPC	Western Australian Planning Commission

Appendices

- 1 Communication Strategy
- 2 Environmental Considerations (Bushfire Mitigation)
- 3 Planning Area Map
- 4 Local Government-Wide Controls, Multi-Agency Treatment Work Plan

Ordinary Council Meeting

Tuesday 27 August 2019

**Council Chambers, Shire of Toodyay
commencing at 4.00pm**

Attachments to Agenda Item 10.3.1 Bushfire Risk Management Planning

1 Communication Strategy	1
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Appendix One

Shire of Toodyay

Bushfire Risk Management Planning Communication Strategy

Version: 1

Date: December 2017

Document Control

Document Name	Bushfire Risk Management Plan Communications Strategy	Current Version	1
Document Owner	Shire of Toodyay CEO	Issue Date	<i>DD/MM/YYYY</i>
Document Location	<i>Add as required.</i>	Next Review Date	<i>DD/MM/YYYY</i>

Related Documents

Title	Version	Date
Shire of Toodyay Bushfire Risk Management Plan	V1	Dec 2017
Bushfire Risk Management Planning Local Government Grant Agreement	2017/2018	Sept 2017
Bushfire Risk Management Planning Local Government Grant Agreement	2019 / 2022	June 2019

Amendment List

	<i>Add as required.</i>

1 INTRODUCTION

A Bushfire Risk Management Plan (BRM Plan) is a strategic document that outlines the approach to the identification, assessment and treatment of assets exposed to bushfire risk within the Shire of Toodyay. This Communication Strategy accompanies the BRM Plan for the Shire of Toodyay. It documents the communication objectives for the BRM Plan, roles and responsibilities for communication, key stakeholders, target audiences and key messages at each project stage, communication risks and strategies for their management, and communication monitoring and evaluation procedures.

2 COMMUNICATIONS OVERVIEW

Communication Objectives

The communication objectives for the development, implementation and review of the BRM Plan for the Shire of Toodyay are as follows:

1. Key stakeholders understand the purpose of the BRM Plan and their role in the bushfire risk management planning process.
2. Stakeholders who are essential to the bushfire risk management planning process, or can supply required information, are identified and engaged in a timely and effective manner.
3. Relevant stakeholders are involved in decisions regarding risk acceptability and treatment.
4. Key stakeholders engage in the review of the BRM Plan as per the schedule in place for the local government area.
5. The community and other stakeholders engage with the bushfire risk management planning process and as a result are better informed about bushfire risk and understand their responsibilities to address bushfire risk on their own land.

Communication Roles and Responsibilities

The Shire of Toodyay is responsible for the development, implementation and review of the Communication Strategy. Key stakeholders support local government by participating in the development and implementation of the Communications Strategy as appropriate. An overview of communication roles and responsibilities follows:

- ◁ *CEO, Shire of Toodyay, responsible for endorsement of the BRM Plan Communications Strategy.*
- ◁ *CESM, Shire of Toodyay, responsible for overseeing the implementation of the BRM Plan.*
- ◁ *Bushfire Risk Management Planning Coordinator, Shire of Toodyay, responsible for operational-level communication between the Shire and the Department of Fire and Emergency Services.*
- ◁ *Area Officer, Department of Fire and Emergency Services, responsible for strategic-level communication between the Shire and the Department of Fire and Emergency Services.*

- ◁ Bushfire Risk Planning Coordinator, Shire of Toodyay, responsible for the development of the BRM Plan.

Key Stakeholders for Communication

The following table identifies key stakeholders in bushfire risk management planning. These are stakeholders that are identified as having a significant role or interest in the planning process or are likely to be significantly impacted by the outcomes.

Stakeholder	Role or interest	Level of impact of outcomes	Level of engagement
Shire of Toodyay	Significant role in plan and treatment development, implementation and review. Responsible for treatments as a land owner/manager.	High	Inform, consult, involve, collaborate and empower
Department of Fire and Emergency Services	Significant role in plan and treatment development, implementation and review. Support role in treatment Implementation.	High	Inform, consult, involve and collaborate
Office of Bushfire Risk Management	Significant role in plan governance.	High	Inform, consult and collaborate
Department of Biodiversity Conservation and Attractions, Parks and Wildlife Service	Significant role in plan and treatment development, implementation and review. Responsible for treatments as a land owner/manager.	High	Inform, consult, involve, collaborate and empower
Forest Products Commission	Significant role in plan and treatment development, implementation and review. Responsible for treatments as a land owner/manager.	High	Inform, consult, involve, collaborate and empower
Public Transit Authority and ARC Infrastructure	Significant role in plan and treatment development. Responsible for treatments as a land owner/manager Critical infrastructure interest.	High	Inform, consult, involve, collaborate and empower
Main Roads WA	Role in plan and treatment development, implementation and review. Responsible for treatments as a land owner/manager Critical infrastructure interest.	Medium	Inform, consult, involve, collaborate and empower
Telecommunication Service Providers	Role in plan and treatment development, implementation and review. Responsible for treatments as a land owner/manager Critical infrastructure interest.	Medium	Inform, consult, involve, collaborate and empower
Department of Lands, Landcorp & Landgate	Role in plan and treatment development, implementation and review	Medium	Inform, consult, involve, collaborate and empower

Water Corporation & Department of Water	Role in plan and treatment development, implementation and review. Responsible for treatments as a land owner/manager. Critical infrastructure interest.	Medium	Inform, consult, involve, collaborate and empower
Department of Education	Role in plan and treatment development, implementation and review. Responsible for treatments as a land owner/manager. Critical infrastructure interest.	Medium	Inform, consult, involve, collaborate and empower
Department of Health	Role in plan and treatment development, implementation and review. Responsible for treatments as a land owner/manager. Critical infrastructure interest.	Medium	Inform, consult, involve, collaborate and empower
Private Land Owners	Role in plan and treatment development, implementation and review. May have responsibilities for treatments as land owners/managers	High	Inform, consult, involve, collaborate and empower
Business Owners	Role in plan and treatment development, implementation and review. May have responsibilities for treatments as land owners/managers. Critical infrastructure interest.	Medium	Inform, consult, involve, collaborate and empower
Western Power	Role in plan and treatment development, implementation and review. Responsible for treatments as a land owner/manager. Critical infrastructure interest.	Medium	Inform, consult, involve, collaborate and empower
Chief Bushfire Control Officer	Significant role in plan and treatment development, implementation and review.	High	Inform, consult, involve, collaborate and empower
Bushfire Brigades and other Emergency Services Volunteers	Significant role in plan and treatment development, implementation and review	High	Inform, consult, involve, collaborate and empower
Bushfire Advisory Committee, District Operations Advisory Committee & Local Emergency Management Committee	Role in plan and treatment development, implementation and review	High	Inform, consult, involve, collaborate and empower
Toodyay Naturalist Club, Caring for the Avon River Environment, Toodyay Friends of the River	Role in plan and treatment development, implementation and review	Medium	Inform, consult and involve
Indigenous Representation, South West Aboriginal Land &	Role in plan and treatment development, implementation and review	Medium	Inform, consult and involve

Sea Council & Department of Aboriginal Affairs			
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Communications Plan

Timing of Communication	Stakeholder (s)	Communication Objective(s)	Communication Method	Key Message or Purpose	Responsibility	Identified Risks to Communication	Strategy to Manage Risks	Monitoring & Evaluation Method
Development of the BRM Plan								
Life of the Plan	Shire of Toodyay CEO, Senior Leadership Team and Council	1 3 & 5	<ul style="list-style-type: none"> < Email < Face to face meetings 	<ul style="list-style-type: none"> < Inform and consult < Confirm accountability and responsibilities < Input into plan and treatments 	BRMPC	<ul style="list-style-type: none"> < Resource constraints could limit their ability to participate 	<ul style="list-style-type: none"> < Clarify misunderstandings and intentions of plan < Express value of meeting 	<ul style="list-style-type: none"> < o willingness to participate < Feedback on the presentation
Life of the Plan	Shire of Toodyay Building and Works	2,3 & 5	<ul style="list-style-type: none"> < Email < Face to face meetings < Phone 	<ul style="list-style-type: none"> < Input into plan and treatments 	BRMPC BRMO	<ul style="list-style-type: none"> < Limited time < Conflicting priorities 	<ul style="list-style-type: none"> < Plan meetings 	<ul style="list-style-type: none"> < o willingness to participate < Contributions to treatment plan
Annually	Bushfire Advisory Committee (BFAC) and District Operations Advisory Committee (DOAC)	1 3 & 5	<ul style="list-style-type: none"> < Face to face meeting < Presentation 	<ul style="list-style-type: none"> < Inform and consult < Confirm project objectives < Seek input into treatment plans < Project updates 	BRMPC BRMO	<ul style="list-style-type: none"> < o willingness to participate 	<ul style="list-style-type: none"> < Preparation < Ensure current information on the BRM Plan Project is available 	<ul style="list-style-type: none"> < Seek feedback on the presentation and (anecdotal) community feedback
Quarterly	Local Emergency Management Committee (LEMC)	1 3 & 5	<ul style="list-style-type: none"> < Email < Face to face meetings < Presentation 	<ul style="list-style-type: none"> < Confirm project objectives < Seek input into treatment plans < Project updates 	BRMPC BRMO	<ul style="list-style-type: none"> < Stakehold willingness to participate 	<ul style="list-style-type: none"> < Preparation < Ensure current information on the BRM Plan Project is available 	<ul style="list-style-type: none"> < Feedback on the presentation
Quarterly or as required	Chief Bushfire Control Officer (CBFCO), Bushfire Brigades,	1 3 & 5	<ul style="list-style-type: none"> < Email < Face to face meetings 	<ul style="list-style-type: none"> < Confirm project objectives < Seek input into treatment plans and providing project 	BRMPC	<ul style="list-style-type: none"> < Time constraints < No plan, unorganised < Availability of 	<ul style="list-style-type: none"> < Clarify misunderstandings and intentions of plan 	<ul style="list-style-type: none"> < Feedback < Support for BRMP process < Level of engagement

Timing of Communication	Stakeholder (s)	Communication Objective(s)	Communication Method	Key Message or Purpose	Responsibility	Identified Risks to Communication	Strategy to Manage Risks	Monitoring & Evaluation Method
	Brigade Captains			updates <ul style="list-style-type: none"> ◁ Identify Risk and share information 		volunteers	<ul style="list-style-type: none"> ◁ Confirm benefits ◁ Preparation ◁ Ensure current information on the BRM Plan Project is available 	
Biannually	DBAC, Parks and Wildlife Service and Forest Products Commission (FPC)	1 3 & 5	<ul style="list-style-type: none"> ◁ Face to face meetings ◁ Email ◁ Telephone 	<ul style="list-style-type: none"> ◁ Confirmation of environmental assets ◁ Identification of DPAW and FPC burn plans ◁ Confirming project objectives, seeking input into treatment plans and providing project updates ◁ Development of treatment options 	BRMPC BRMO	<ul style="list-style-type: none"> ◁ Resource constraints could limit their ability to participate ◁ Willingness to release data re environmental assets 	<ul style="list-style-type: none"> ◁ Clarify misunderstandings and intentions of plan ◁ Provide undertakings re the release of confidential data ◁ Restrict release of information and document in plan 	<ul style="list-style-type: none"> ◁ Level of engagement ◁ Environmental assets in BRMS
Annually or as required	Stakeholders Landowners / Land Managers	1 3 & 5	<ul style="list-style-type: none"> ◁ Email ◁ Face to face meeting ◁ Telephone ◁ Presentations ◁ Community Engagement activities 	<ul style="list-style-type: none"> ◁ Asset identification/confirmation ◁ Outline BRMP process and objectives ◁ Identify assets at risk ◁ Identify existing controls/programs ◁ Development of treatment options 	BRMPC BRMO	<ul style="list-style-type: none"> ◁ Time constraints and travel ◁ Level of interest and engagements in process ◁ Lack of resourcing 	<ul style="list-style-type: none"> ◁ Select appropriate channel of communication ◁ Prepare materials and good planning ◁ Communicate funding opportunities when available 	<ul style="list-style-type: none"> ◁ Engagement and participation levels ◁ Feedback ◁ Contributions to treatment strategies
Annually or as required	Stakeholders Others	1 3 & 5	<ul style="list-style-type: none"> ◁ Email ◁ Face to face meeting ◁ Telephone 	<ul style="list-style-type: none"> ◁ Asset identification/confirmation ◁ Inform of BRMP process 	BRMPC BRMO	<ul style="list-style-type: none"> ◁ Time constraints and travel ◁ Level of 	<ul style="list-style-type: none"> ◁ Select appropriate channel of communication 	<ul style="list-style-type: none"> ◁ Engagement and participation levels

Timing of Communication	Stakeholder (s)	Communication Objective(s)	Communication Method	Key Message or Purpose	Responsibility	Identified Risks to Communication	Strategy to Manage Risks	Monitoring & Evaluation Method
			<ul style="list-style-type: none"> ◁ Presentations ◁ Community Engagement activities 	<ul style="list-style-type: none"> ◁ Identify assets at risk ◁ Identify existing controls/programs ◁ Development of treatment options 		<ul style="list-style-type: none"> ◁ interest and engagements in process 	<ul style="list-style-type: none"> ◁ Prepare materials ◁ Plan communication 	<ul style="list-style-type: none"> ◁ Feedback
Annually or as required	Landcare	1 3 & 5	<ul style="list-style-type: none"> ◁ Face to Face meetings ◁ Email ◁ Telephone 	<ul style="list-style-type: none"> ◁ Confirmation of environmental assets ◁ Confirming project objectives ◁ Seeking input into treatment plans ◁ Providing project updates 	BRMPC BRMO	<ul style="list-style-type: none"> ◁ Time constraints ◁ Level of interest and engagement in process 	<ul style="list-style-type: none"> ◁ Select appropriate communication method ◁ Prepare materials ◁ Plan communications 	<ul style="list-style-type: none"> ◁ Engagement and participation levels ◁ Feedback
Monthly	All BRMOS, BRMPC, BRMB	1 3 & 5	<ul style="list-style-type: none"> ◁ Email ◁ Telephone 	<ul style="list-style-type: none"> ◁ Roles and responsibilities of the DFES Bushfire Risk Management Officers and LG Bushfire Risk Planning Coordinators ◁ New ideas or programs available ◁ Information sharing ◁ Funding sources and availability 	BRMB	<ul style="list-style-type: none"> ◁ Timing ◁ Availability 	<ul style="list-style-type: none"> ◁ Plan communications ◁ Leverage off of other forums and opportunities to network 	<ul style="list-style-type: none"> ◁ Engagement and participation levels ◁ Ideas shared ◁ Improvements made
Annually or as required	Office of Bushfire Risk Management	1 & 2	<ul style="list-style-type: none"> ◁ Email ◁ Face to face meetings 	<ul style="list-style-type: none"> ◁ Compliance and governance ◁ Plan endorsement 	BRMB	<ul style="list-style-type: none"> ◁ Government funding ◁ Government priorities ◁ Identified non compliances 	<ul style="list-style-type: none"> ◁ Stay up to date with process improvements 	<ul style="list-style-type: none"> ◁ Plan endorsed
Bi-annually or as required	Dept of Fire and Emergency Services (DFES) District/Regional Office	1 3 & 5	<ul style="list-style-type: none"> ◁ Email ◁ Face to face meetings ◁ Telephone 	<ul style="list-style-type: none"> ◁ UCL/UMR planned works ◁ Identification of treatment strategies ◁ Identification of other 	BRMO BRMB	<ul style="list-style-type: none"> ◁ Time constraints ◁ Conflicting priorities ◁ Response 	<ul style="list-style-type: none"> ◁ Plan communications ◁ Share information 	<ul style="list-style-type: none"> ◁ Other planned works identified ◁ Funding opportunities

Timing of Communication	Stakeholder (s)	Communication Objective(s)	Communication Method	Key Message or Purpose	Responsibility	Identified Risks to Communication	Strategy to Manage Risks	Monitoring & Evaluation Method
				planned works <ul style="list-style-type: none"> ◁ Sharing information ◁ Identifying funding opportunities 		obligations		identified <ul style="list-style-type: none"> ◁ UCL/UMR treatments included on BRMS
Implementation of the BRM Plan								
Life of the Plan	Shire of Toodyay CEO, Senior Leadership Team and Council	1 3 & 5	<ul style="list-style-type: none"> ◁ Email ◁ Face to face meetings 	<ul style="list-style-type: none"> ◁ Inform and consult ◁ Confirm accountabilities and responsibilities. ◁ Progress update ◁ Issues identification and action planning 	BRMPC or Director of Corporate & Community Services	<ul style="list-style-type: none"> ◁ Time constraints ◁ Availability ◁ Lack of understanding ◁ Budget (for LG mitigation) 	<ul style="list-style-type: none"> ◁ Planning and time management ◁ Clear purpose ◁ Targeted communication ◁ Regular updates 	<ul style="list-style-type: none"> ◁ Feedback, ◁ Questions raised ◁ Level of support received
Life of the Plan	Shire of Toodyay Building and Works/Reserve Management Officer	1 -3 & 5	<ul style="list-style-type: none"> ◁ Email ◁ Face to face meetings 	<ul style="list-style-type: none"> ◁ Reduction of fuel loads on LG managed lands ◁ Upgrades to strategic firebreaks 	BRMO BRMPC	<ul style="list-style-type: none"> ◁ Poor organisation, ◁ Limited time, ◁ Not preparing ◁ Poor communication from stakeholders and LG on completion of works 	<ul style="list-style-type: none"> ◁ Clarify misunderstandings and intentions of plan ◁ Plan communications ◁ Regular updates 	<ul style="list-style-type: none"> ◁ Treatments applied ◁ Positive feedback received on treatment supplied ◁ Risk ratings reduced
Life of the Plan	LEMC, BFAC & DOAC, CBFCO, BFB, CAPTS	1 3 & 5	<ul style="list-style-type: none"> ◁ Email ◁ Face to face meetings 	<ul style="list-style-type: none"> ◁ Report on progress to plan ◁ Report issues/constraints 	BRMPC BRMO	<ul style="list-style-type: none"> ◁ Availability ◁ Time ◁ " " 	<ul style="list-style-type: none"> ◁ Collate data and report on success to plan ◁ Compliance to plan ◁ Keep informed 	<ul style="list-style-type: none"> ◁ Feedback received ◁ Level of engagement ◁ Issues identified and addressed
Life of the Plan	Stakeholders Landowners / Land Managers	1 3 & 5	<ul style="list-style-type: none"> ◁ Email ◁ Face to face meetings 	<ul style="list-style-type: none"> ◁ Inform and consult ◁ Confirm accountability and 	BRMPC BRMO	<ul style="list-style-type: none"> ◁ Availability ◁ Time ◁ Loss of 	<ul style="list-style-type: none"> ◁ Planned sharing of information ◁ Negotiations 	<ul style="list-style-type: none"> ◁ Feedback ◁ Commitment to implement

Timing of Communication	Stakeholder (s)	Communication Objective(s)	Communication Method	Key Message or Purpose	Responsibility	Identified Risks to Communication	Strategy to Manage Risks	Monitoring & Evaluation Method
			<ul style="list-style-type: none"> ◁ Presentations ◁ Community Engagement 	<ul style="list-style-type: none"> responsibility ◁ Status and progress of plan ◁ Treatment status, gaps and issues to be addressed 		<ul style="list-style-type: none"> commitment ◁ Access to treatment resources ◁ Funding 	<ul style="list-style-type: none"> conducted ◁ Communicate funding opportunities when available 	<ul style="list-style-type: none"> agreed controls ◁ Highly engaged ◁ Treatments being completed ◁ Risk ratings reduced
Life of the Plan	Stakeholders Others	1 3 & 5	<ul style="list-style-type: none"> ◁ Face to face ◁ Presentations ◁ Community Engagement ◁ Telephone ◁ Email 	<ul style="list-style-type: none"> ◁ Inform and consult ◁ Confirm accountability and responsibility ◁ Status and progress of plan ◁ Treatment status ◁ Gaps and issues to be addressed 	BRMPC BRMO	<ul style="list-style-type: none"> ◁ Availability ◁ Time ◁ Loss of commitment 	<ul style="list-style-type: none"> ◁ Planned sharing of information ◁ Negotiations conducted ◁ Communicate funding opportunities when available 	<ul style="list-style-type: none"> ◁ Feedback ◁ Commitment to implement agreed controls ◁ Highly engaged ◁ Treatments being completed
Life of the Plan	BRMB, BRMPCs, BRMOs, OBRM, DFES District / Regional Office	1 3 & 5	<ul style="list-style-type: none"> ◁ Face to face meetings ◁ Email ◁ Telephone 	<ul style="list-style-type: none"> ◁ UCL/UMR Management ◁ Status and progress of plan ◁ Treatment status, gaps and issues to be addressed ◁ Continuous improvement ◁ Information sharing ◁ Identification of other planned works ◁ Identification of funding opportunities 	BRMPC BRMO BRMB	<ul style="list-style-type: none"> ◁ Time ◁ Conflicting priorities 	<ul style="list-style-type: none"> ◁ Schedule communication opportunities 	<ul style="list-style-type: none"> ◁ Planned works identified ◁ Improvements identified and implemented ◁ Issues addressed
◁ Review of the BRM Plan								
Annually	Shire of Toodyay, CEO and Councillors	4, 5	<ul style="list-style-type: none"> ◁ Email ◁ Face to face meetings 	<ul style="list-style-type: none"> ◁ Governance and compliance ◁ Review, monitoring 	BRMPC/BRMO	<ul style="list-style-type: none"> ◁ Poor reporting and recording of information 	<ul style="list-style-type: none"> ◁ BRPMC & BRMO to record data and information 	<ul style="list-style-type: none"> ◁ Feedback received ◁ Planned works

Timing of Communication	Stakeholder (s)	Communication Objective(s)	Communication Method	Key Message or Purpose	Responsibility	Identified Risks to Communication	Strategy to Manage Risks	Monitoring & Evaluation Method
				and reporting to Council <ul style="list-style-type: none"> ◁ Status update ◁ Continuous improvement 		<ul style="list-style-type: none"> ◁ Review not completed by BRMB and OBRM 	<ul style="list-style-type: none"> ◁ Appropriately Approved by BRMB and OBRM for LG 	<ul style="list-style-type: none"> ◁ Reporting & Statistics ◁ Risk ratings reduced
5 Yearly (Shire, DFES and OBRM)	OBRM, BRMO, BRMB, BRMPC & LG Council	4, 5	<ul style="list-style-type: none"> ◁ Email ◁ Face to face meetings ◁ Telephone 	<ul style="list-style-type: none"> ◁ Governance and compliance ◁ Review, monitoring and reporting ◁ Future planning 	BRMPC/BRMO	<ul style="list-style-type: none"> ◁ Poor reporting and recording of information ◁ Review not completed by BRMB and OBRM 	<ul style="list-style-type: none"> ◁ BRMPC & BRMO to record data and information appropriately ◁ Approved by BRMB and OBRM for LG 	<ul style="list-style-type: none"> ◁ Feedback received ◁ Planned works completed ◁ Reporting & Statistics ◁ Risk ratings reduced
Quarterly	Shire of Toodyay Business Areas	4, 5	<ul style="list-style-type: none"> ◁ Face to face meetings ◁ Email ◁ Telephone 	<ul style="list-style-type: none"> ◁ Report on actions and status of BRMP ◁ Continuous improvement 	BRMPC	<ul style="list-style-type: none"> ◁ Objectives not clear ◁ Key actions not identified 	<ul style="list-style-type: none"> ◁ Discuss with Shire CEO ◁ Clear objectives set 	<ul style="list-style-type: none"> ◁ Good reporting and feedback on work completed ◁ Improvements identified and implemented
Quarterly or as required	Shire of Toodyay Building and Works	4, 5	<ul style="list-style-type: none"> ◁ Face to face meetings 	<ul style="list-style-type: none"> ◁ Report on actions and status of BRMP ◁ Continuous improvement 	BRMPC	<ul style="list-style-type: none"> ◁ Time ◁ Availability ◁ Conflicting priorities 	<ul style="list-style-type: none"> ◁ Plan Communications ◁ Discuss with Shire Leadership Team 	<ul style="list-style-type: none"> ◁ Feedback on work completed ◁ Risk ratings reduced ◁ Improvements identified and implemented
Biannually or as required	DFES Regional / District Office	4, 5	<ul style="list-style-type: none"> ◁ Face to face meetings ◁ Email ◁ Telephone 	<ul style="list-style-type: none"> ◁ Report on actions and status of BRMP ◁ Continuous improvement 	BRMPC BRMO	<ul style="list-style-type: none"> ◁ Time ◁ Availability ◁ Conflicting priorities 	<ul style="list-style-type: none"> ◁ Plan communications 	<ul style="list-style-type: none"> ◁ Feedback on work completed ◁ Risk ratings reduced ◁ Improvements identified and

Timing of Communication	Stakeholder (s)	Communication Objective(s)	Communication Method	Key Message or Purpose	Responsibility	Identified Risks to Communication	Strategy to Manage Risks	Monitoring & Evaluation Method
								implemented
Annually	BFAC, DOAC, LEMC, CBFCO, BFBs, Captains	4, 5	<ul style="list-style-type: none"> ◁ Face to face meetings ◁ Email ◁ Telephone ◁ Presentations 	<ul style="list-style-type: none"> ◁ Report on actions and status of BRMP ◁ Continuous improvement 	BRMPC BRMO	<ul style="list-style-type: none"> ◁ Availability ◁ Time ◁ Conflicting priorities ◁ Buy in 	<ul style="list-style-type: none"> ◁ Keep informed ◁ Share the wins 	<ul style="list-style-type: none"> ◁ Feedback on work completed ◁ Risk ratings reduced ◁ Improvements identified and implemented
Annually or as required	Stakeholders Land Owners / Land Managers	4, 5	<ul style="list-style-type: none"> ◁ Face to face meetings ◁ Telephone ◁ Presentation ◁ Community Engagement 	<ul style="list-style-type: none"> ◁ Status of treatments ◁ Success of treatments ◁ Continuous improvement 	BRMPC BRMO	<ul style="list-style-type: none"> ◁ Availability ◁ Time ◁ Conflicting priorities ◁ Buy in ◁ Access to resources 	<ul style="list-style-type: none"> ◁ Plan communication ◁ Target communication ◁ Planned and prepared 	<ul style="list-style-type: none"> ◁ Feedback on work completed ◁ Risk ratings reduced ◁ Improvements identified and implemented
Every 2 years	Stakeholders Other	4, 5	<ul style="list-style-type: none"> ◁ Face to face meetings ◁ Telephone ◁ Presentations ◁ Community Engagement 	<ul style="list-style-type: none"> ◁ Status of treatments ◁ Success of treatments ◁ Continuous improvement 	BRMPC BRMO	<ul style="list-style-type: none"> ◁ Availability ◁ Time ◁ Conflicting priorities ◁ Buy in ◁ Access to resources 	<ul style="list-style-type: none"> ◁ Plan communication ◁ Target communication ◁ Planned and prepared 	<ul style="list-style-type: none"> ◁ Feedback on work completed ◁ Risk ratings reduced ◁ Improvements identified and implemented
Annually or as required	BRMB, BRMOs, BRMPCs	4, 5	<ul style="list-style-type: none"> ◁ Face to Face meetings ◁ Workshops ◁ Telephone 	<ul style="list-style-type: none"> ◁ Continuous Improvement ◁ Sharing information 	BRMB	<ul style="list-style-type: none"> ◁ Availability ◁ Time ◁ Conflicting priorities 	<ul style="list-style-type: none"> ◁ Plan communication 	<ul style="list-style-type: none"> ◁ Improvements identified and implemented

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Appendix Two

SHIRE of TOODYAY

ENVIRONMENTAL CONSIDERATIONS (Bushfire Mitigation)

The Toodyay Shire is rich in environmental and heritage assets. It contains comparatively large areas of remnant native vegetation, much of it high quality and often forming vital wildlife corridors. With its varied vegetation types and geomorphology the Toodyay Shire is a habitat and bio-diversity zone of inestimable value. As such, any proposal(s) to undertake fire mitigation treatments need to be considered within that context. Factors such as animal and plant breeding cycles, feeding requirements and community values need to be fully explored prior to undertaking mitigation management activities.

FAUNA

The wide range of vegetation types across the Shire support diverse fauna. Several species are on the edge of their geographic range such as the reptile species, Mountain Devil *Moloch horridus* and the Western-netted Dragon *Ctenoporus reticulatus*. The Toodyay Naturalists' Club Inc. have recorded over 150 species of birds in six different habitat types within a 20 km radius of the Toodyay town site. Members of the Bird Life Australia (Wheatbelt Branch) regularly record water bird numbers along the Avon River and to date identifying over 65 species including migratory waders. Native mammal species known to occur in the Shire number 24 species. Threatened fauna species recorded within the Shire include:

Chuditch, Western Quoll *Dasyurus geoffroii*
Woylie, Brush-tailed Bettong *Bettongia penicillata ogilby*
Red-tailed Phascogale, Red-tailed Wambenger *Phascogale calura*
Tamar Wallaby *Macropus eugenii*
Western brush-Wallaby *Macropus irma*
Southern Brown Bandicoot *Isodon obesulus*
Peregrine Falcon *Falco peregrinus*
Rainbow Bee-eater *Merops ornatus*
Baudin's Cockatoo *Calyptorhynchus baudinii*
Carnaby's Cockatoo *Calyptorhynchus latrostris*
Barking Owl *Ninox connivens*

Source: Wildlife Conservation Act 1950 Special Protected Fauna Notice 2016 Nature map Species report.

Previously extant mammal species within the Shire include;

Black-flanked Rock Wallaby *Petrogale lateralis*

Numbat *Myremecobius fasciatus*



Mountain Devil (Moloch horridus) photographed at West Coondle, Toodyay.

VEGETATION TYPES

Nine vegetation associations have been identified in the Toodyay Shire and broadly represent the decreasing rainfall occurrence west to east.

The Jarrah/Marri forest and the Marri/Wandoo woodlands occur in the southwest corner of the Shire which coincides with the highest rainfall area.

In-fact this area denotes the north-eastern limit of the Jarrah dominated forest of the greater South West.

The more open Wandoo, York Gum and Powder Bark dominate to the central and eastern parts of the Shire.

Soil-type associations are demonstrated throughout the Shire with intermittent areas of Jam Wattle and Scrub/Heath Sandplain.

The riparian zones of the Avon River and its various tributaries within the Shire are dominated by She-oak, Flooded Gum and Swamp Paperbark.

In the Wongamine area of the eastern part of the Shire vegetation is typical of the Wheatbelt and where the only Salmon Gums *Eucalyptus salmonophloia* in the Shire occur.

Despite broad scale clearing, weed infestation and environmental degradation the vegetation types and individual flora species of the Toodyay Shire of high

biological value. A "Nature Map" online report will reveal over 1,400 species of biota within a 20 kilometre radius of the Dawn Atwell Nature Reserve alone.

Declared rare Flora Species (DRF) in the Shire of Toodyay include;

Zig-Zag Grevillea *Gevillea flexuosa*

Star Sun Orchid *Thelymitra stellate*



*Declared Rare Flora species, Grevillia flexuosa
photographed in Rugged Hills Reserve, Toodyay.*

FLORA ROADS

Some 58 priority flora species occur within the Toodyay Shire many of them found growing along road verges. The Toodyay Shire and Community have recognised the value of this roadside vegetation and have taken steps to ensure its preservation. Roadside vegetation management protocols are in place and no less than nine roads within the shire have been designated as official "Flora Roads" by the Roadside Conservation Committee. The establishment of the Flora Road network has involved sign posting, pull-in bays and brochure production. Toodyay's Flora Roads have contributed to the protection of important species while adding appreciable value to Toodyay's Tourist attractions.



*Sandplain Road, Toodyay. One of nine designated
"Flora Roads" in the Toodyay Shire*

RESERVES

Scattered across the 1,600 square kilometres of the Toodyay Shire and numbering some 166 reserves account for nearly a quarter of the entire Shire area. These reserves consist of a plethora of vesting, purposes and management orders. In addition to Shire reserves there are Department of Biodiversity and Attractions (DBCA), Department of Defence, Department of Water and Environmental Regulation, Crown Land, Unallocated Crown Land, Main Roads etc. Some of the reserves are no more than re-generated gravel pits and some have been incorporated into farm land. They range in size and usage greatly from under one hectare to 1,000's of hectares, from purely conservation purpose as in the case of Dawn Atwell Reserve to land for the waste transfer station and cemeteries. DBCA are by far the biggest holder of reserve land in the Shire with 20 reserves totally over 40,000 hectares. DBCA conduct prescribed burning and other management activities as a part of a broader district program. The Shire of Toodyay have adopted a "tenure-blind" approach to reserve management and carries out management activities including hazard reduction on land over which an appropriate management order and authority sits. Thorough assessment and engagement is conducted prior to implementing management activities with necessary licences obtained e.g. "licence to take" in the case of Declared Rare Flora localities.

RIVER and RIPARIAN

A 30 kilometre section of the Avon River runs through the Toodyay Shire from its eastern boundary with the Shire of Northam downstream to the City of Swan boundary and the Avon Valley Nation Park. Here is the start of the exposed basalt river bed that creates the white water rapids during times of high flow. Upstream, lies the dramatic West Toodyay bend where the river abruptly changes course from north-westerly to south westerly. The river has significant heritage, cultural and environmental values although it has been severely degraded over the past 100 years. Practices such as the River Training Scheme of the 50's and 60's, broad scale clearing of the catchment, the use of chemicals and fertilizers have contributed to declining water quality, loss of bio-diversity, sedimentation, weed invasion and high fire risk. This combination presents significant challenges to land managers and community environmental groups. The main river channel and the associated riparian zone is for the most part contained within a strip of Unallocated Crown Land. Due to this tenure the Shire is somewhat limited in its capacity and jurisdiction to conduct management activities here. The Department of Fire and Emergency Services (DFES) issues contracts to private mitigation companies to conduct annual fire management work on selected areas considered to present the highest risk e.g. Town, School and LIA areas.



The Avon River near southern Shire boundary.

WALK TRACKS & FACILITIES

Currently, two developed walk tracks are maintained and promoted in the Shire. The Bilya (River) Walk Track runs for 6 kilometres along the western bank of the Avon River passing significant environmental and heritage sites. The track features picnic facilities and interpretation and has proved popular with residents and visitors alike. At the annual Avon Descent white water event increased view point location access has significantly enhanced the spectator experience. The Toodyay Friends of the River Inc. created the Bilya Track in 2011 and in conjunction with the Shire continue to maintain it. Further benefits of the track include increased management and monitoring opportunities such as hazard reduction and invasive weed control. A network of sign posted walking tracks are located in Pelham Reserve covering 50 ha of hilly terrain south of the town.



Pink Everlasting display alongside Pelham Reserve walk track.

COMMUNITY ENVIRONMENTAL GROUPS

Two main Community Environmental groups are active in Toodyay namely the Toodyay Friends of the River Inc. and the Toodyay Naturalists' Club Inc. The Toodyay Naturalists Club celebrated its 50th anniversary in 2018. Both these groups have a long history of significant conservation and successful community engagement outcomes. They would be considered main stakeholders in any consultation process.

CULTURAL HERITAGE Traditionally, Toodyay is the tribal home of the Ballardong people and anecdotally Toodyay takes its name from a derivation of the word "Duidgee" purported to mean "Place of Plenty". The confluence of waterways and the presence of native grasslands provided good sustenance for Aboriginal people. The River is called "Gulgulga Bilya" by the Ballardong, is sacred to Aboriginal people and has significant sites situated along its course. The same productive land drew the first European settlers in the early 1830s whereby farms were established on the alluvial soils of the river banks and flood plains especially of the Toodyay Valley. Other sites of cultural significance are located across the expanse of the Shire. Any proposed fire mitigation activities or other management work should be cognisant of cultural values and sensitivities with appropriate engagement secured. In addition to aforementioned groups the Toodyay Historical Society Inc. and the Northam Aboriginal Advisory Group are effective points of contact and consultation.



DRF species, a Sun Orchid (Thelymitra stellata) photographed at the Dawn Atwell Nature Reserve, Julimar, Toodyay

PROTECTING NATURAL & CULTURAL ASSETS DURING MITIGATION WORKS

A thorough assessment of any area proposed to be mitigated needs to be conducted prior to the commencement of works. This should be a multi-pronged approach ranging from desk top assessments to on ground surveys. The presence of such assets as Declared Rare Flora, Threatened Fauna,

revegetation/rehabilitation areas or significant European and Indigenous cultural sites must be determined. Community and land holder engagement is an essential element in the process of identifying assets of value that may be impacted by fuel load management techniques. In some cases it may be necessary to obtain a licence or permit, especially in the case of rare flora or fauna before mitigation can occur.

Seasonal considerations are paramount when planning mitigation. Conducting activities in spring will have significantly greater impacts on wildlife especially nesting birds. Even the presence smoke will be enough to disturb some bird species from their nesting sites. Slashing or mulching in spring will have a negative visual impact on areas of wild flower blooming and inevitably destroy the nests of scrub or ground nesting birds. Reptiles will also become active at this time and be vulnerable. Autumn and winter are preferred times for mitigation activities.

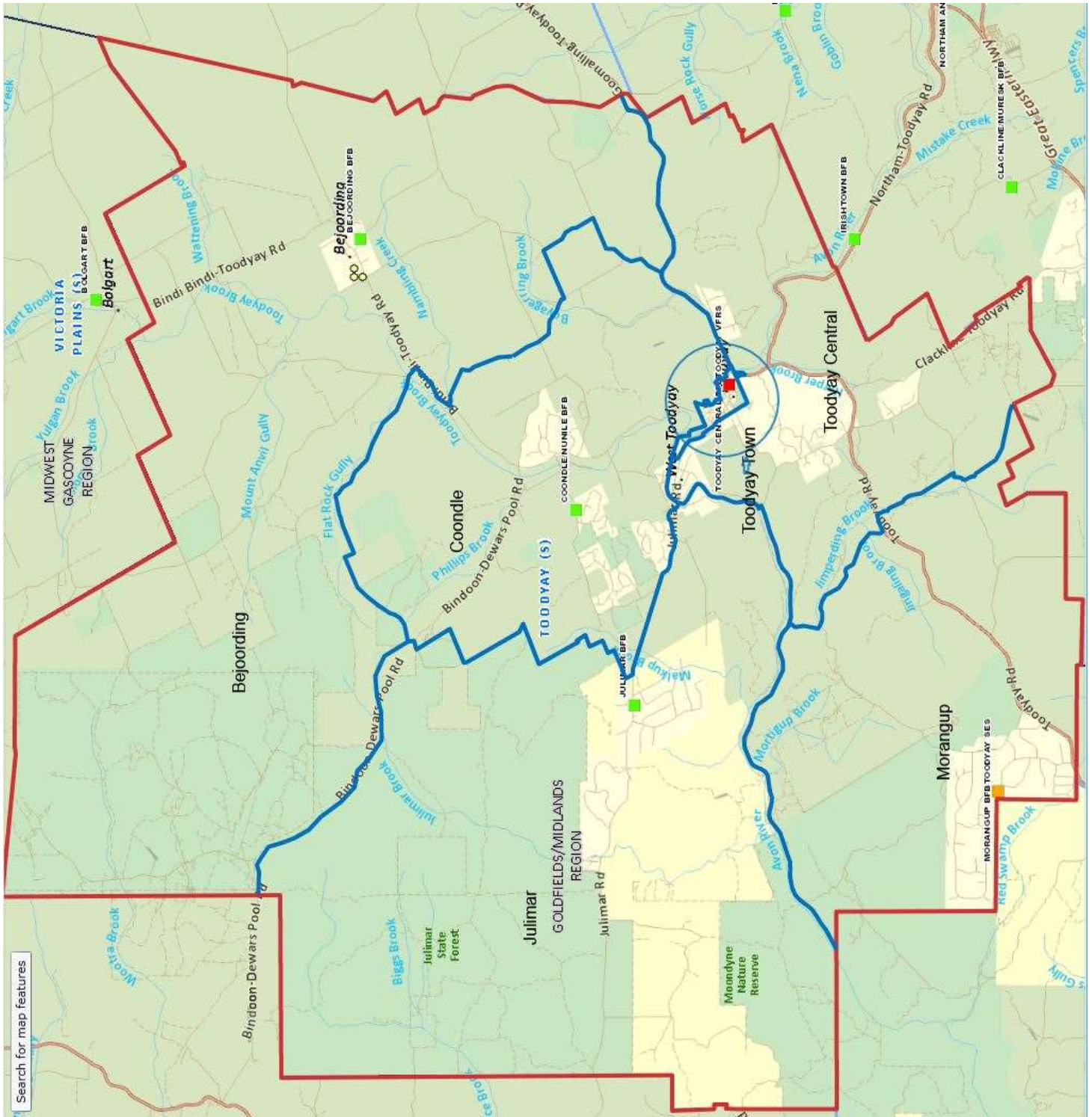
Increasingly, the undertaking of earthworks to facilitate improved access for fire appliances and or management vehicles and the installation of fire breaks and gating is being implemented. Initially, this type of work often causes a negative response from the public especially if within proximity of walk trails, public areas and nature reserves. Community engagement such as sign posting, letter drops and media out puts are recommended prior to commencement.

Protection of vulnerable trees from planned fire can be ensured by "pre-mop up", a technique whereby litter leaf and other combustible material is cleared from the base of the trunks. This will prevent fire entering the dead wood that is found from ground level and along the trunks of many Eucalypts species. Once fire ignites this dead tissue it is often impossible to extinguish and inevitably leads to the loss of the tree. Low flame heights will reduce impacts on habitat such as nest sites and hollows by restricting scorch heights. Ensure clear demarcation of individual plants or zones of significant vegetation to denote exclusion of fire, chemical or mechanical mitigation. The use of chemical near waterways should be prohibited.

Pre and post activity briefings with all personnel involved in the mitigation activity is essential to re-inforce the requirements and protocols of the asset protection. Heightened awareness and appreciation of natural assets along with community values needs to be instilled with operators and managers. This will greatly assist the acceptance and on-going success of mitigation programs.

***Report and photographs by Greg Warburton:
Shire of Toodyay Reserve Management Officer 16/1/18***

Appendix Three:- Planning Areas



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Appendix Four: Multi-Agency Treatment Work Plan – Local Government Wide Controls

Control	Action/Activity Description	Lead Agency	Other Stakeholder(s)	Implementation Notes
BRMP Risk Analysis	Maintain and refine BRMP	Local Government	Landowners DFES	Treatment identification and planning for all very high and extreme risk assets within the Shire
Shire of Toodyay, Local firebreak and hazard reduction laws (<i>Bushfires act 1954</i>)	Annual Firebreak and Fuel Reduction Notice	Local Government	FCO's, brigades and land owners	Local law established to ensure land owners understand and comply to firebreak specifications as well as appropriately reducing fuel load and risk on their properties. Notice reviewed annually. Rangers inspect compliance to the notice and fines apply if non-compliant.
Shire of Toodyay Prohibited, Restricted and Open burn times (<i>Bush Fires act 1954</i>)	Annual Firebreak and Fuel Reduction Notice. Requirement to obtain "Burn Permit" during restricted times.	Local Government	Chief FCO, CESM, Rangers and the public.	Prohibited and restricted burn times are designed to force the community to apply for "Burn Permits" thereby reducing the risk during very high to catastrophic fire danger rating days. Notice reviewed annually and dates can be subject to change as required by the Chief and Deputy FCO's.
Shire of Toodyay mitigation works	The Shire's Works team has annual works programs to reduce fuel load and remove hazards on road verges	Local Government, Parks and Gardens	Public (reporting hazards and concern of risk) The Shire's Works team and Ranger	Work includes, slashing, spraying, mulching, pruning and other mechanical treatments on all Shire roads
DFES UCL/UMR land Management	Preparedness, mitigation work conducted on lands owned by DoL and managed by DFES under a MOU	DFES Goldfields-Midlands	P&W, LG, Local brigades	Annual budgeting has been completed to include mitigating risk on UCL/UMR.
Department of Biodiversity Conservation & Attractions (Parks and Wildlife) Master Burn Plans	P&W have a 6 season burn program that is published on their website. Yearly plans are available.	Parks & Wildlife	Local brigades, DFES, LG	The plans can be accessed via their website, by sharing shape files (GIS) and are communicated at Local BFAC and other various meetings.
Water Corporation Bushfire Risk Management Program	Bushfire Risk Management Plan. A Bushfire Risk Management Project is under way for the Water Corp.	Water Corporation	DFES, LG	A plan is currently being developed. High risk areas are identified and treatments planned then completed. Treatments and risk assessments are available through Water Corp BRMP department.
State-wide arson prevention programs	Education and awareness campaigns exist across the state for arson.	WA Police	DFES, LG	Participation as required. The Shire participates in campaigns for arson prevention.
Reserve Management Officer	Bushfire Mitigation Works on Shire land	Local Government	Fire Mitigation contractors and VBFB	RMO coordinates a documented list of Shire properties requiring Mitigation works
Local Emergency Management Arrangements	Emergency Management Plan	Shire of Toodyay	SJA WAPOL DFES DC	Annual review of emergency plans and arrangements.

Control	Action/Activity Description	Lead Agency	Other Stakeholder(s)	Implementation Notes
			Education CBFCO Office of Emergency Management (OEM) Silver Chain	
Five Minute Fire Chat	Community Engagement	State Government	LG, Chief FCO, CESM, Rangers, Bushfire Ready Groups and the public	The key message of this campaign is - preparing for and responding to bushfires as a team effort and everyone needs to play their part https://www.dfes.wa.gov.au/firechat/Pages/default.htm
Western Power annual asset inspection and vegetation management program	Western Power Bushfire Plan	Western Power	DFES, LG, DPAW	Annual vegetation management and asset inspections are completed to ensure risk is managed. Full asset inspections are completed every 4 years.
Department of Education Memorandum of Understanding	Coordination of bushfire risk management activities	DFES	DoE	Including the identification and planning of treatment options for bushfire risks on DoE school sites as listed on the DoE bushfire zone register and agreed to annually by DFES and DoE



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 A.C.N. 004.044.937
 W.A. Securities & Legal Services
 80 ST GEORGES TERRACE
 PERTH W.A. 6000
 TEL: 441 9260
 ISSUING BOX No. 2

REFERENCE No.

ISSUING BOX No.

PREPARED BY

INDI & ASSOC.
 SUITE 6
 ADDRESS 284 OXFORD STREET
 LEEDERVILLE WA 6007
 Phone 443 2544 FAX; 444 3808
 LTO BOX 227
 PHONE No. FAX No.

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✓ R.

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6. _____ Receiving Clerk *LS*

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REGISTRAR OF TITLES

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2/3/2

L714

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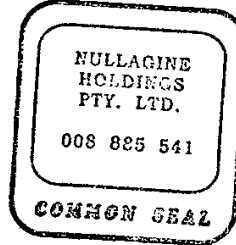
5. COSTS

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 NULLAGINE HOLDINGS PTY LTD (ACN 008 885 541) was hereunto affixed by authority of the Board of Directors in the presence of:



[Signature]
.....
L.V. ZANINOVICH

Director
Name of Director (Print)

[Signature]
.....

Secretary

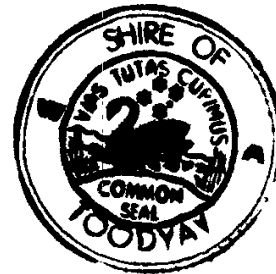
V.M. ALESSANDRINO

Name of Secretary (Print)

THE COMMON SEAL of SHIRE OF TOODYAY was hereunto affixed by authority of a resolution of the Council in the presence of:

[Signature]
.....
GEOFFREY LESLIE LINDEMANN
[Signature]
.....
ROBERT JOHN MILLER

President
Name of President (Print)
Shire Clerk C. E O.,
Name of Shire Clerk (Print)



MORTGAGEE'S CONSENT

National Australia Bank Ltd ACN 004 044 937, as Mortgagee, hereby consents to this Deed.

DATED this 12 day of July 1996

Executed by National Australia Bank Limited)
by being signed in Western Australia by its)
Attorney John Richard Boron under Power of)
Attorney No. E565042 (who declares that he)
holds the office in the Bank indicated under his)
signature))

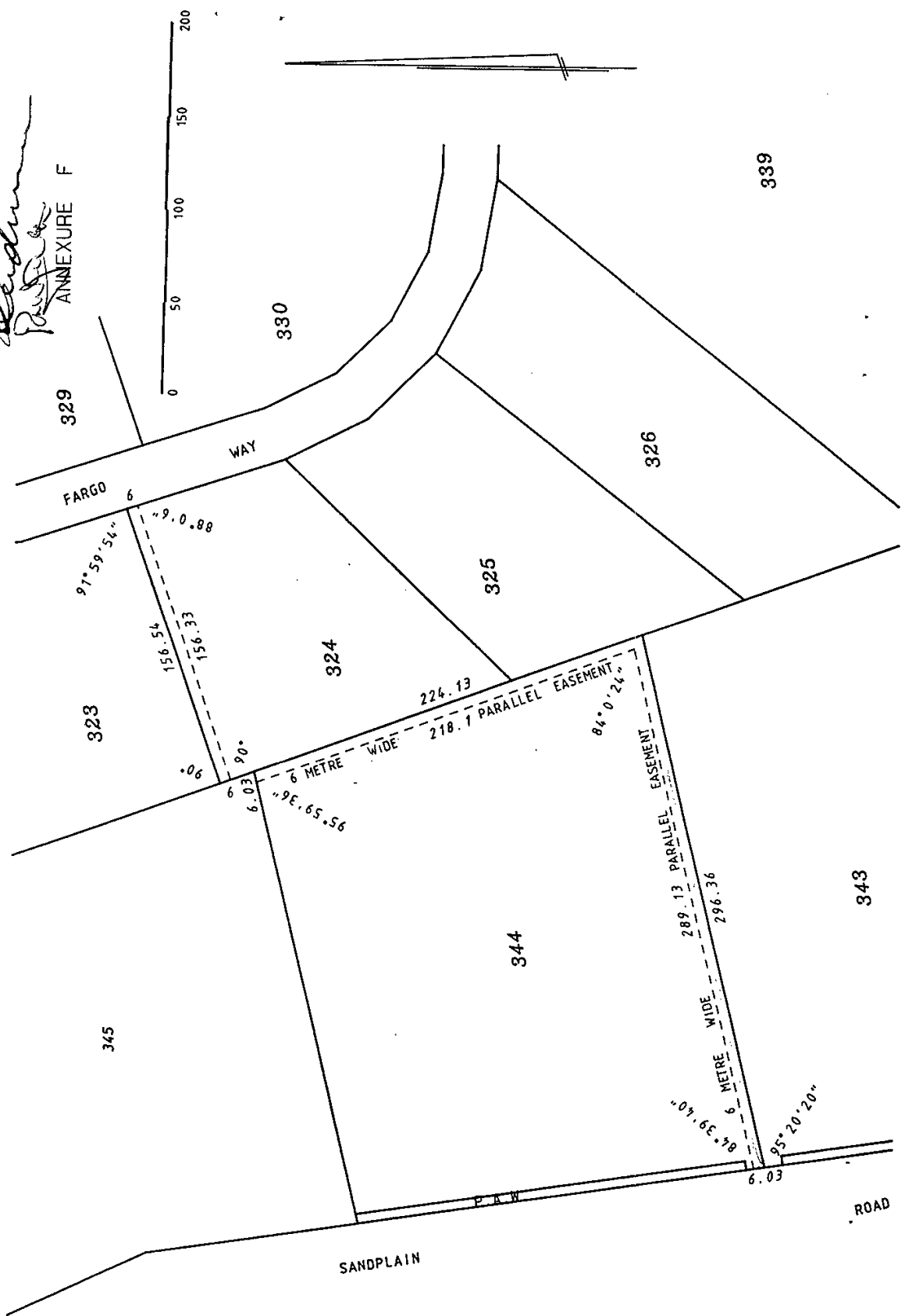
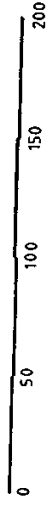
National Australia Bank Limited
By its Attorney

[Signature]

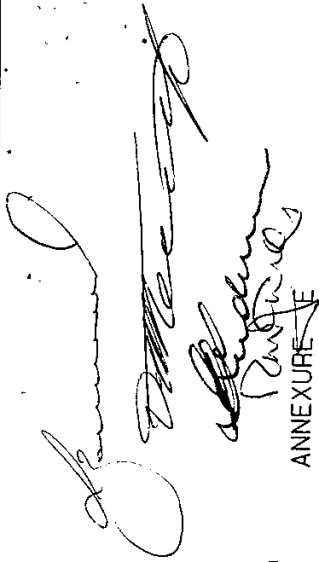
Manager - Osborne Park DCB

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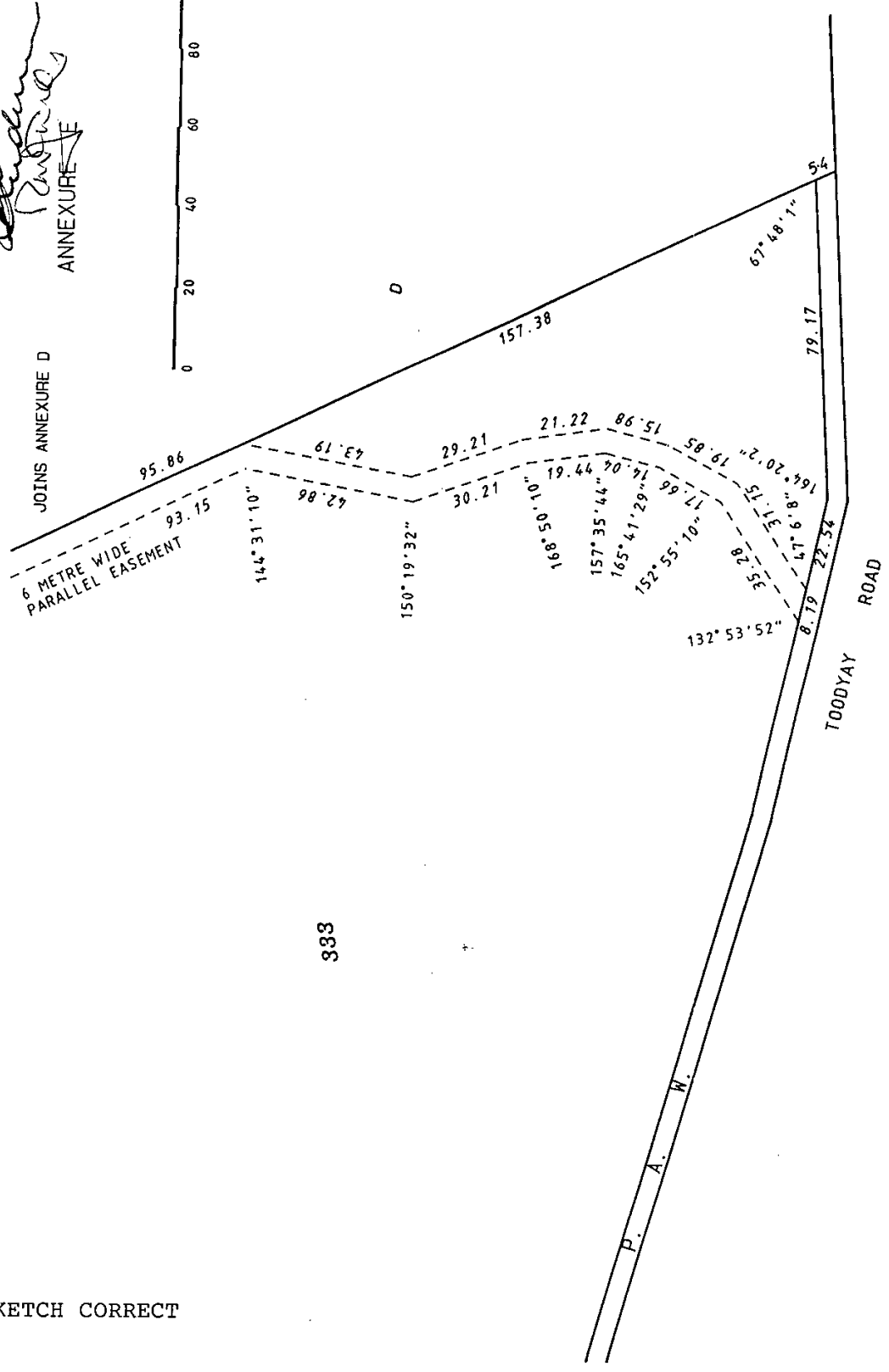
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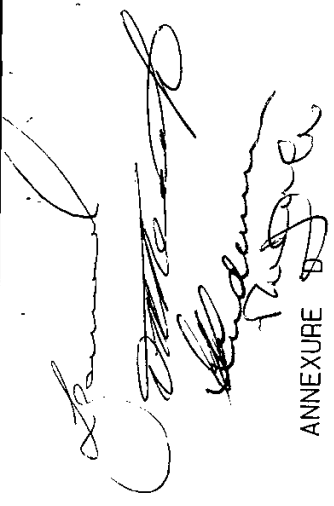

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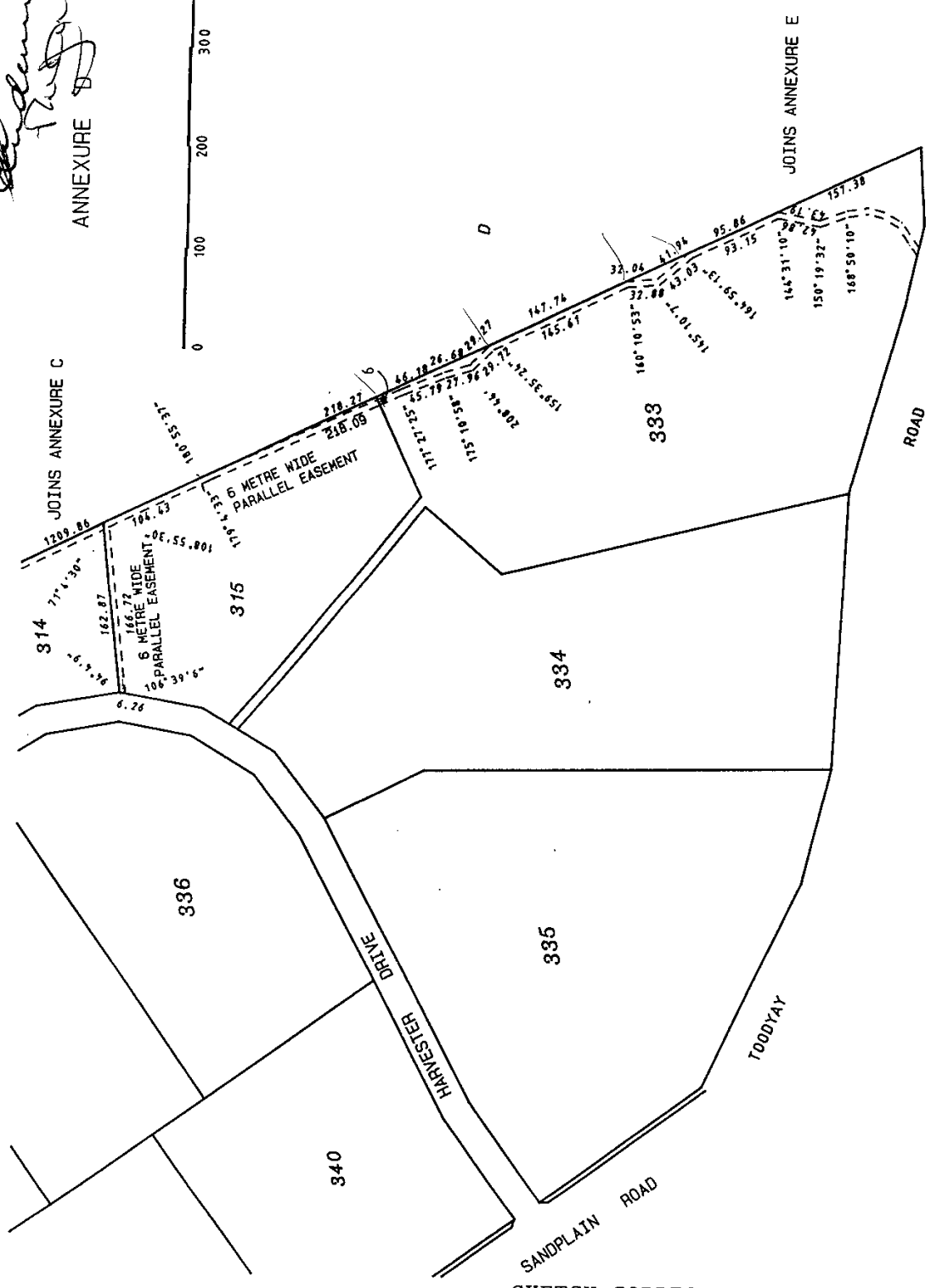
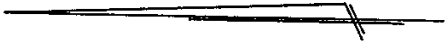
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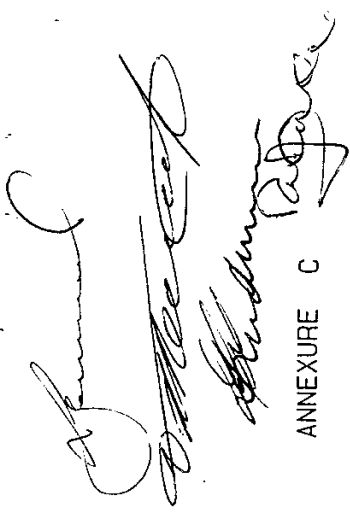
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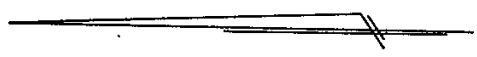
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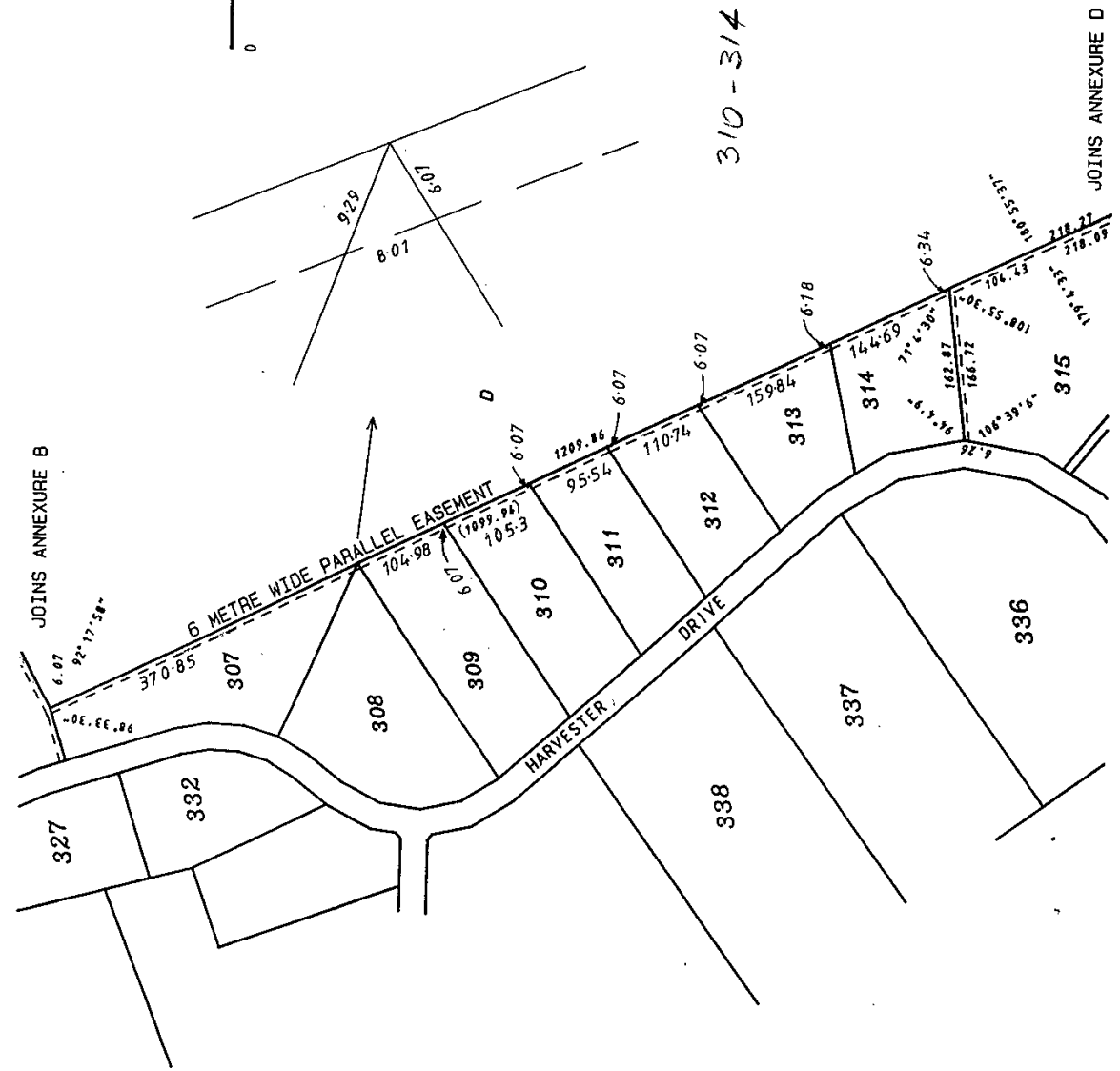
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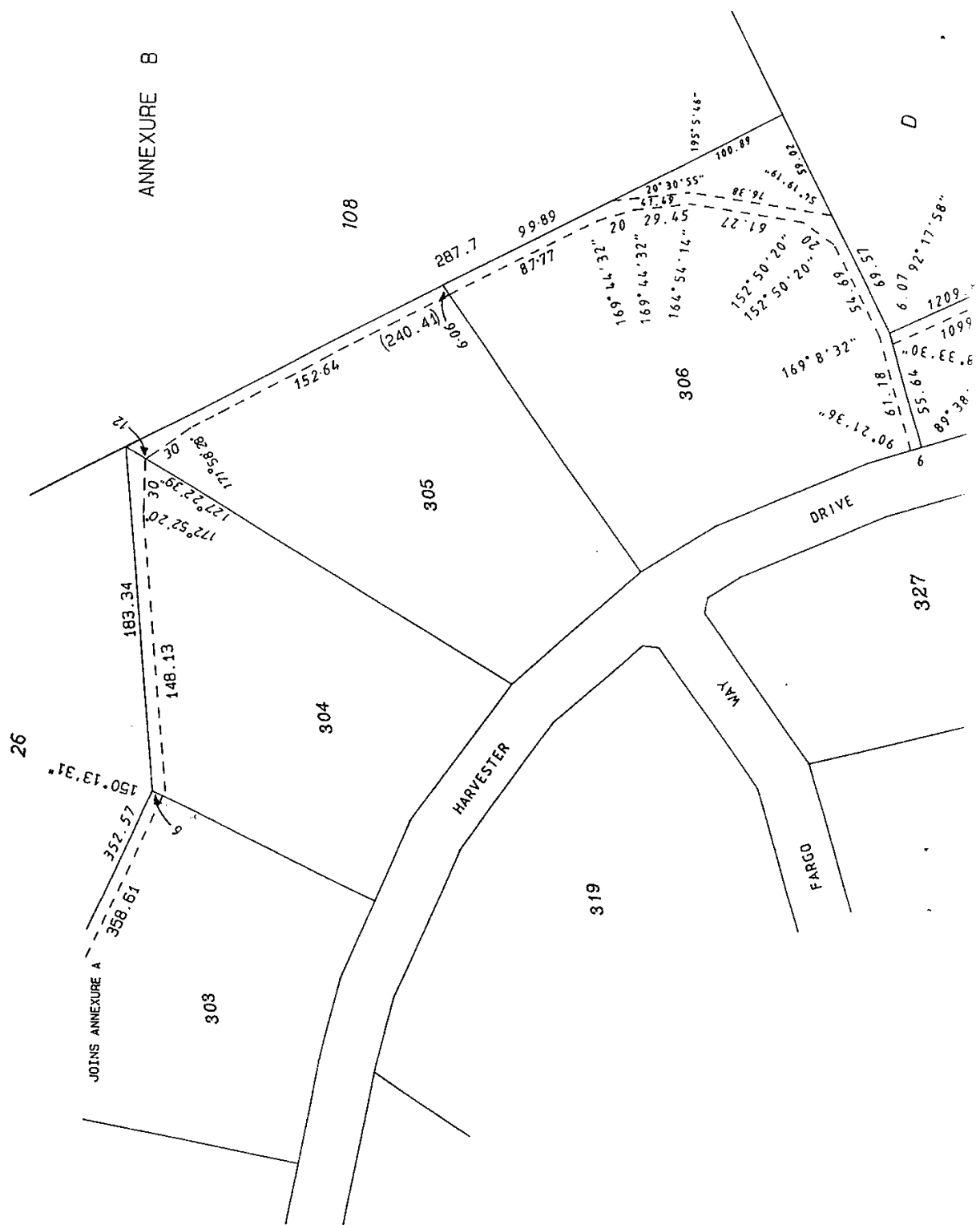
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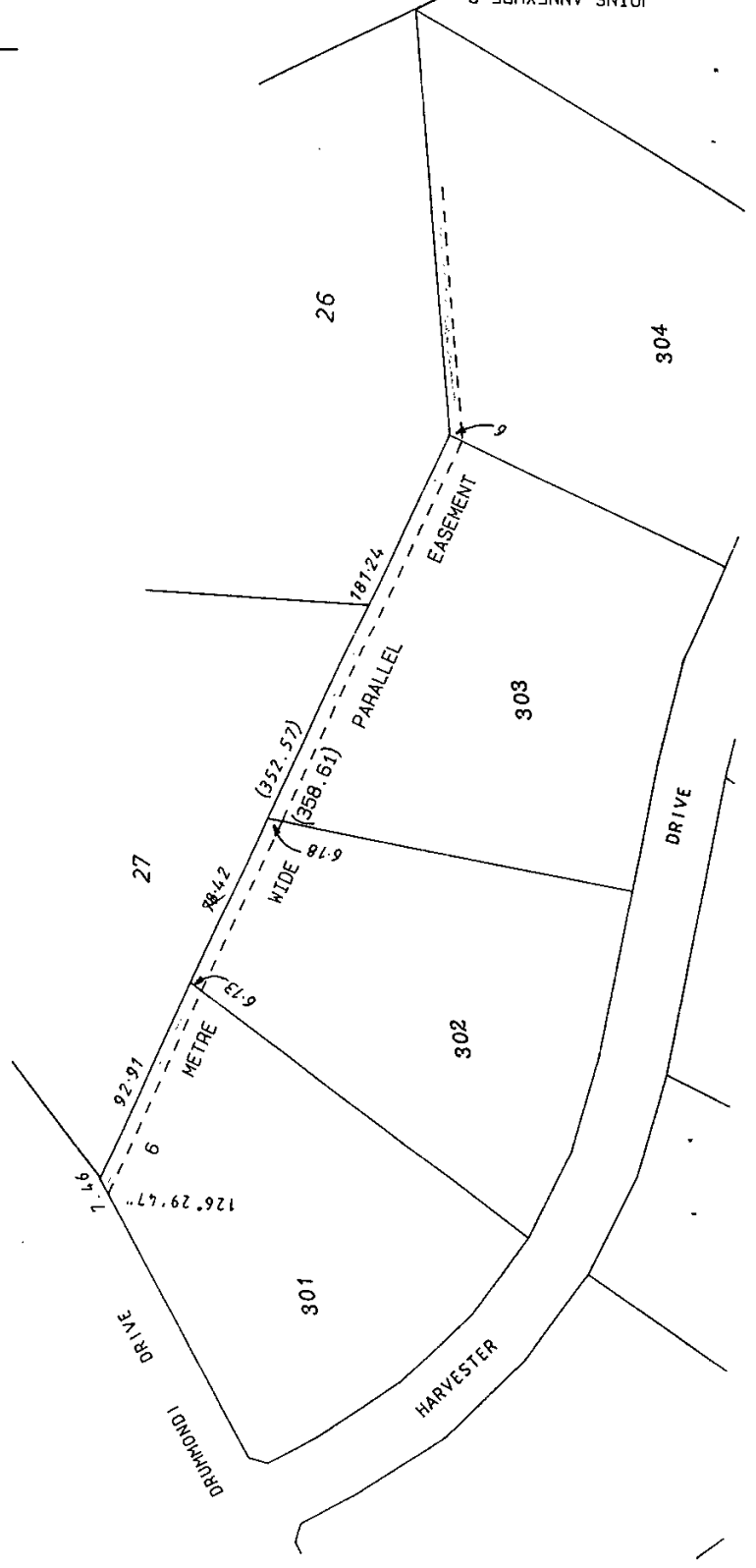
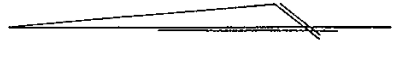
Walter J. ...
James ...
Andrew ...
Pat ...



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 [Signature]

JOINS ANNEXURE B

ANNEXURE A



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LOZANDA HEIGHTS ESTATE - TOODYAY
EASEMENT PLAN

100 0 100 200 300 400

SEE ANNEXURES A-F FOR DIMENSION DETAIL

(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.

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 PROD. \$ 30.00
 FEES \$ 90.00

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Commonwealth Bank Building

150 St Georges Terrace
PERTH, W.A. 6000

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Issuing Box 95

p.w: T0009020-054

PHONE No.

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REFERENCE No.

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PREPARED BY **IKDI & ASSOC.**

SUITE 6

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LEEDERVILLE WA 6007

Phone 443 2544 FAX; 444 3808
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A

G Sach 3

REGISTRAR OF TITLES

EX 3 A

ENDORISING INSTRUCTION

MS

MS

EXAMINED

R

16748/6/92-3M-L/5696

EXECUTED by the parties as a Deed:

Signed *J Reid*
J L Reid
in the
presence of

WITNESS *Brett COTTING*
ADDRESS *35 ALLENDALE WAY SUTHERLAND*
OCCUPATION *SALES* *6056*

Signed *J M Reid*
J M Reid
in the
presence of

WITNESS *Simon DUTTON*
ADDRESS *13 A LYANERN CRES KALLAROO 6005*
OCCUPATION *STUDENT*



THE COMMON SEAL of SHIRE OF TOODYAY)
was hereunto affixed by authority of a resolution)
of the Council in the presence of:)

Geoffrey Ludeman

President

Geoffrey LESLIE LUDEMAN Name of President (Print)

Robert John Miller

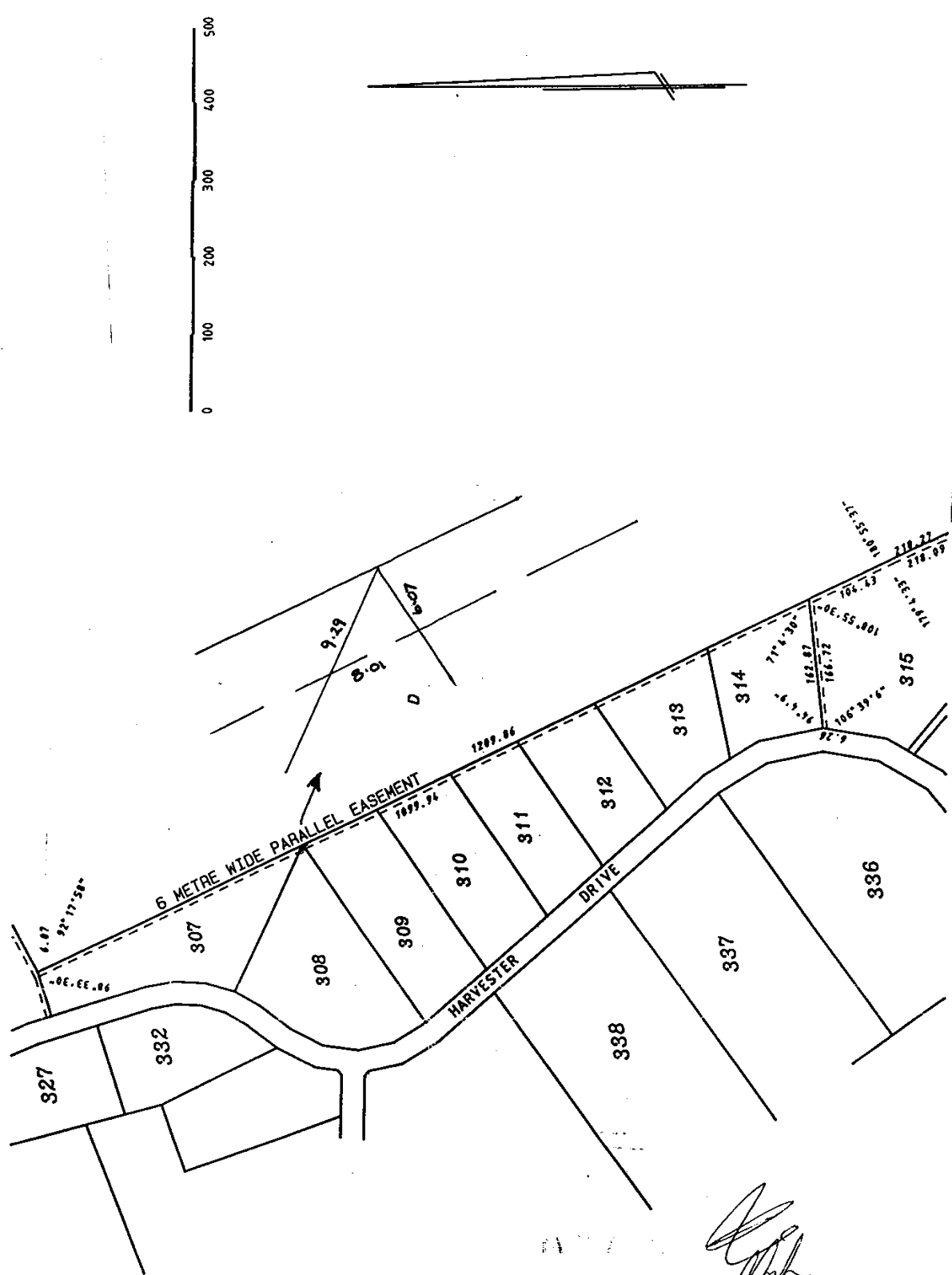
Shire Clerk C.E.O

ROBERT JOHN MILLER Name of Shire Clerk (Print)

ENDORSER: On Second Schedule (cont.) of C/T 2064/548 (Orig & Dup.)

TRANSFER G282814. The right to enter upon the within land marked 'A' on the map in the margin for the purpose of inspecting, repairing and maintaining the fire break as set out in the said transfer is granted to Shire of Toodyay.

Registered 18.9.96 at 10:09 hrs.



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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.

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- (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).

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 2/7/96
 27/96
 (MARGARET GERRARD)
 [Signature]

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 2-4 } OPERATIVE PARTS ONLY
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 [Signature]

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BPP Pty Ltd t/a Bushfire Prone Planning
PO Box 3489 MIDLAND WA 6056
ABN 39 166 551 784

☎ 0459 558 986
✉ admin@bushfireprone.com.au





Strategic Review of Bushfire Policy

Shire of Toodyay

Project No: 15469

November 2015

Document Control Record

Reference	15469	Document Status	Final
Prepared by	Sean Winter		Date 11 November 2015
Approved by	Mike Scott		Date 7 December 2015
No.	Amendments	Approved	Date
1			
2			
BMP Template Version n/a			
<p><i>Disclaimer: The measures contained in this Bushfire Management Plan are considered to be minimum standards and they do not guarantee that a building will not be damaged in a bush fire. All surveys, forecasts, projections and recommendations made in this report associated with the project are made in good faith on the basis of information available to Bushfire Prone Planning at the time; and achievement of the level of implementation of fire precautions will depend among other things on the actions of the landowners or occupiers over which Bushfire Prone Planning has no control. Notwithstanding anything contained therein, Bushfire Prone Planning will not, except as the law may require, be liable for any loss or other consequences (whether or not due to the negligence of the consultants, their servants or agents) arising out of the services provided by the consultants. All maps included herein are indicative in nature and are not to be used for accurate calculations.</i></p>			

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1. Introduction

In July 2015 the Shire of Toodyay engaged Bushfire Prone Planning to conduct a strategic review of a range of issues related to bushfire policy and infrastructure within the Shire. The review was conducted in an entirely independent fashion, with a view towards providing recommendations for areas in which the Shire of Toodyay could improve its bushfire policy. The review was conducted with reference to current wider State level policy, existing standards and legislation, and a consideration of the reality of bushfire incidents within the Shire of Toodyay.

This report outlines the results of this strategic review. It covers a range of issues, concentrating on the network of strategic firebreaks within the Shire, but also considering other key aspects of bushfire policy. Each of these aspects is presented before a range of recommendations are provided at the end of the report. As an independent review it occasionally disagrees with existing Shire policy. This is not intended as criticism but is instead intended to allow the Shire to improve its fire policy.

1.1 Scope

This strategic review has two main areas of focus: a fine grained analysis of fire access tracks and their installation; and a broad brush assessment of wider strategic issues relating to bushfire policy within the Shire. The initial scope of the work was to concentrate entirely on fire access tracks. However, it became clear during initial discussions that there were a range of other issues that needed consideration and Bushfire Prone Planning was asked to include an assessment of these issues in its review.

The Toodyay Shire received a Natural Disaster Reliance Grant in 2010 in order to install fire access tracks in high risk fire areas within the Shire. The installation of these fire access tracks was planned in five stages, of which three have been completed. However, there have been questions about the location of tracks, construction standards, maintenance, signage and whether they would be safe to use in a fire emergency. As such Bushfire Prone Planning was requested to review work completed during stages 1 to 3 with a specific focus on the following:

- a) Has work been adequately completed?
- b) Is any remedial work required?
- c) Is signage fit for purpose?
- d) Is there any part of the work that should be abandoned or rehabilitated?
- e) Provide recommendations on community education or engagement; and
- f) Provide recommendations on rules or restrictions around use of fire access tracks.

Bushfire Prone Planning was then asked to review plans for the proposed stages 4 and 5 and to provide advice on future works and the sustainability of the project.

During discussions about the review it became clear that a range of other fire issues needed addressing within the Shire. As such Bushfire Prone Planning was asked to provide a strategic level assessment of all issues relating to bushfires within the Shire of Toodyay but specifically including the following:

- a) Policy relating to combating bushfire within the Shire;
- b) Hazard Reduction burning;
- c) Water provision during firefighting activities;
- d) Mapping of resources and hazards in order to support a consolidated fire response plan; and
- e) Response and suppression capability within the Shire of Toodyay.

1.2 Outline of Report

This strategic review addresses all of the above mentioned issues and provides independent advice and recommendations relating to each. It comprises eight sections after this introduction.

Section Two provides an overview of the methodology used in carrying out this review.

Section Three considers factors affecting fire policy in the Shire of Toodyay. It considers how the natural environment influences fire behaviour, changes to that fire behaviour caused by climate change, wider government policy and provides a brief history of major fires in Toodyay.

Section Four discusses the need to develop strategic level fire policy that considers all aspects of preparedness, prevention, response and recovery.

Section Five provides an in-depth review of the Shire's current policy related to Emergency Access Ways, Fire Service Access Tracks, and firebreaks.

Section Six considers processes for the provision of water to aid firefighting efforts in the Shire.

Section Seven discusses the need for hazard identification and mapping, and the necessity for consolidated hazard reduction programs.

Section Eight discusses response and suppression strategies and ways the Shire could assist Bushfire Brigades to continue to provide a quality service to the community.

Section Nine concludes the report and provides a range of recommendations.

2. Methodology

In conducting this review Bushfire Prone Planning adopted a range of methodologies designed to allow an informed independent view of bushfire policy and procedures in the Shire of Toodyay to be developed.

2.1 Investigation of Toodyay Fire Issues

The review commenced with an overview of fire issues within the Shire of Toodyay. This involved investigating how aspects such as geography, topography, weather patterns, vegetation types, fuel loads, and land use effected the incidence and intensity of fires within the Shire. The review also considered policy, procedure and standards related to wider firefighting operations in Western Australia and how these were applied in Toodyay. A brief historical overview of major fire incidents within the Shire was conducted and the Shire's capacity to respond to those incidents. An examination of key firefighting infrastructure and existing policy was undertaken. Each of these various investigations was used to develop a picture of larger fire issues that would need to be considered in developing policy related to bushfire planning in the Shire of Toodyay.

2.2 Interviews with Key Personnel within the Shire of Toodyay

Key personnel within the Shire were interviewed related to the aims of the review. The intention here was to attempt to develop a picture of what these key personnel thought were the strengths and weaknesses of bushfire policy within the Shire. Interviews targeted Shire employees with responsibilities related to bushfire planning, and volunteers with responsibilities related to bushfire response. A list of personnel consulted is presented in table 2.1.

Table 1. Personnel consulted during the course of the Review

Name	Position
Stan Scott	Shire of Toodyay CEO
Robert Koch	Community Emergency Services Manager (CESM), Shire of Toodyay
Craig Stewart	Chief Bushfire Control Officer (CBFCO), Shire of Toodyay
Greg Warburton	Reserves Officer, Shire of Toodyay
Murray McBride	Ex-Chief Bushfire Control Officer, Shire of Toodyay
Peter Sapwell	Captain, Julimar Volunteer Bushfire Brigade
Jeff Venn	Captain, Morangup Volunteer Bushfire Brigade
Mark Middleton	Captain, Coondle-Nunile Volunteer Bushfire Brigade
Brian Wood	Representative, Toodyay Central Volunteer Bushfire Brigade

2.3 Review of Fire Access Tracks

A fine grained analysis of fire access tracks within the Shire of Toodyay was conducted. This included a review of past and current policy related to the Shire's network of fire access tracks and firebreaks, with a view towards developing a complete understanding of the way policy had been implemented. All external issues (such as National Standards) were considered and applied to the Shire's policy. Each of the various tracks within the Shire was then driven and considered within the bounds of the National Standards. A recommendation was then made for each of the tracks based on those standards.

3. Overview of Factors Affecting Bushfires in the Shire of Toodyay

There are a range of factors that must be considered in developing and implementing bushfire policy in the Shire of Toodyay. This section provides an overview of the key issues related to bushfires in Western Australia.

3.1 Factors that Affect Wildfire Behaviour

A number of known factors combine to influence the Rate of Spread (ROS – or speed a fire moves) and intensity of bushfires. These are weather conditions, topography and fuel loads.

3.1.1 Weather, Topography and Fuels

Fire weather is expressed as a rating under the Fire Danger Index (FDI) system. Fire weather fluctuates during the year with worse fires expected during the summer months. Generally, fire behaviour will be worse at times of high temperature, low humidity and high winds, with other factors such as Soil Dryness Index (SDI), the Keetch-Byram Drought Index (KBDI), and high/low atmospheric pressure also playing a part. The FDI is provided daily as a score out of 100, with any score over 32 considered to be fire weather in which bush fires will be difficult to bring under control. These are categorised as a Fire Danger Rating (FDR) of *Very High* or above (including *Severe*, *Extreme*, and *Catastrophic* FDI ratings).

Topography affects the ROS of a fire in a number of ways. Slope has a significant impact on the speed a fire burns, with each 10° of slope doubling the ROS of a fire burning uphill and halving the ROS of a fire burning downhill. Topographic features such as aspect can impact on the speed of vegetation drying and curing, while features such as gullies can increase fire intensity through the potential to funnel and increase wind speeds.

Fuel loads are dependent upon vegetation and require regular mitigation methods (usually through hazard reduction burning) to be kept at manageable levels. While fuel loads build up at different speeds in different vegetation regimes, in general, fuel loads over 7 tonnes per hectare are considered to be unmanageable in the event of a fire occurring under an FDI of *Very High* or above. In jarrah/marri forest, fuel builds up on average at a rate of 1 tonne per hectare per year, requiring mitigation efforts at least every seven years (or potentially more frequently). Land use practices in the Shire of Toodyay result in a mixture of vegetation types. Much of the Shire is cleared farmland, characterised by open grasslands.

Recent research by the CSIRO (McCaw et al 2008) into bushfires in forested and wooded areas suggest that a number of other factors influence the ROS of a fire. First, this research suggests that standard methods used to predict the ROS of a fire often under-predict that ROS by a factor of two to three times. This impacts on the ability of fire managers to implement effective measures to combat bushfires. In particular the width of a fire front contributes to that fire's ability to achieve its full potential ROS. McCaw et al's (2008: 25) research suggests that any fire front over 120m wide is more likely to travel at its full potential ROS. This argues that fire suppression strategies should, where possible, aggressively aim to keep a fire as small as possible in its initial stages, in order to limit the chances of it reaching its full potential ROS and intensity, and hence its potential to do damage.

3.1.2 Climate Change and Bushfires

Scientific organisations in Australia such as the CSIRO and the Australian Bureau of Meteorology predict an increase in the incidence and severity of bushfires as a result of climate change. In particular climate change is having an impact on the prevalence of severe fire weather, increasing the number of major fires and risk to the community, and the number of days recorded each year with an FDR of *Very High* or above are increasing. For reference, recent major fires at Roleystone, Toodyay, Prevelly and Parkerville,

in which hundreds of houses have been destroyed, have all occurred on days with an FDR of *Very High* or above. Large major fires, which in the mid-20th century would have been categorised as “once in a generation” fires, now occur on an almost yearly basis. The situation is not static but will continue to change, with increasing severe fire weather days and a corresponding increase in the number of major fires. Federal, State and Local government bodies with responsibility for responding to incidences of bushfire should consider whether current policy and procedure is adequate to protect the community given this changing situation.

3.1.3 Applying these factors in Toodyay

In Toodyay weather during the summer months is characterised by low rainfall and low humidity, high temperatures and prevailing easterly winds. The nearest SDI record, at Pearce airbase, has a five-year average that peaks at around 1900 in late March, but which typically sits at over 1000 points between November and June. The five year average for the nearest Keetch-Byram Drought Index record, at Northam, sees it peaking at around 170 points between February and April, but it typically sits at over 100 points between December and July. Both of these indexes are indicators of extreme fire risk, especially between December and April. Topography in the Shire of Toodyay is characterised by an undulating landscape, with many gullies and steep hills. Forested areas comprise a combination of mixed jarrah / marri forest and wandoo woodland, although there are also areas such as Morangup where vegetation comprises reseeded dryandra forest. Many of these wooded areas have not been burnt for decades and carry extremely heavy fuel loads which are likely to be unmanageable in the event of a fire.

Land use practices in Toodyay mean that flatter ground has typically been prioritised for farming, with more marginal land on hills and gullies left wooded. Farmland in Toodyay is characterised by grasslands largely devoted to pastoralism (sheep and cows) and agriculture (wheat). Fires occurring in grassland tend to be fast moving but of lower intensity than in wooded areas. It is the wooded hills and gullies that have largely been subdivided into large estates comprising rural residential blocks and, outside of the Toodyay townsite, these are consequently where the majority of housing has been built. The result is that the majority of residential blocks outside of the Toodyay town centre are located on land with the heaviest fuel loads and topography likely to contribute to fire intensity. Given the impact of climate change and the increasing incidence of severe fire weather, the combination of topography and fuel loads make these rural residential estates areas of extreme fire risk. The Shire of Toodyay should prioritise policy which aims to lessen the fire risk in these rural residential estates. The most effective process to achieve this on a wide scale is the reduction of fuel loads through the use of controlled fire hazard reduction burning.

3.2 Government Policy

While the Shire of Toodyay has the primary responsibility under the *Bushfires Act 1954* for providing a fire response within its boundaries, wider government policy impacts considerably on strategic fire response. Government policy in relation to bushfires has changed significantly in the past decade as the result of a number of factors, including climate change, increasing incidence of major fires, and the adoption of a state wide fire response strategy under the Fire and Emergency Services Authority (FESA), later renamed as the Department of Fire and Emergency Services (DFES). In particular, one historical fire event, the 2011 Roleystone Fire

, which destroyed 71 houses in a single afternoon, had a major impact on government policy relating to bushfire. An inquiry held in the aftermath of this fire, resulted in the Keelty Report (2011), which made a

number of recommendations that have since been implemented. These include increased hazard reduction work, changes to fire response strategies, and changes to land development and building design standards for “bushfire prone areas” (see below).

3.2.1 Community Safety and Bushfires

Policy related to civilian response to bushfires has evolved greatly in the past decade. In the past there has been a general idea that fire services will respond to and deal with all incidences of fire. However in the past 20 years there has been a change in public policy towards putting the onus on land-owners to manage fire hazards on their own property. This policy exists in a “preparedness” framework, that is, what landowners should do in preparation for a bushfire; and in a “response” framework, that is, what landowners should do when a fire occurs.

Policy related to “preparedness” includes traditional approaches such as the installation of fire breaks and implementing hazard reduction processes, but now also includes a range of planning policy (see below) and the development of community initiatives such as Bushfire Ready Action Groups, a community neighbourhood watch approach to fire response. The latter involves a strong community education process to ensure the community is appropriately informed of the risk bushfires pose to their lives and property.

Policy related to “response” is designed to flow naturally from “preparedness” policy and is currently based around DFES’ *Prepare, Act, Survive* (2014) approach, which encourages civilian landowners to have a plan in place in the event of a fire and to implement that plan early. This policy is designed to maximise the possibility of civilians surviving during a fire emergency.

Additional to these policies, fire services have increased general response to fire incidents, with greater number of resources committed early to combatting outbreaks of fire. This is designed to have the greatest possibility of extinguishing a fire before it gets large enough to reach its full potential ROS and intensity, and threatens large numbers of people and property. This is made possible by appropriate mutual aid agreements between the range of authorities responsible for fire response.

Interviews with Shire of Toodyay fire personnel highlighted the strength of response efforts within the Shire. The clear indication was that response policy and procedure was adequate and carried out in an appropriate fashion. However, it was also clear that attempts to develop preparedness and prevention policy had been piecemeal and not particularly effective. In particular the unwillingness of Toodyay residents to engage with public education programs, and with prevention and preparedness initiatives in general was raised. However, Bushfire Prone Planning would emphasise that appropriately planned and carried out prevention and preparedness strategies have a greater and more cost-effective effect in increasing public safety than response strategies. Holistic policy should always include a consideration for preparedness and prevention.

3.2.2 Guidelines and Standards

Concurrent with changes to fire response policy there has also been a significant change in government planning policy in relation to fires. The recognition that planning guidelines can help reduce damage to property in the event of fires has been widely accepted by Federal, State and Local governments. Policy in this area continues to evolve as governments respond to the increased risk of major bushfires, but there are a range of existing planning conditions related to fire that government authorities should be aware of.

Currently, development standards for new sub-divisions and the construction of new buildings are only applied in areas declared as “bushfire prone”, or places where there is a high risk of destructive bushfires occurring. However, the WAPC’s *Draft North-East Sub-regional Planning Framework* states that “Any proposal for urban development will need to consider, and where applicable, apply the draft *State Planning Policy 3.7 Planning for Bushfire Risk Management*” (pg. 22) and as such all new development adjacent to bushland will need to comply with both the *Planning for Bushfire Protection Guidelines* and AS 3959-2009.

The Shire of Toodyay has declared the entirety of the Shire as bushfire prone. Bushfire prone planning policy will consequently be implemented in future throughout the Shire of Toodyay. As such the two following documents will be applied for all future development within and adjacent to bushland.

3.2.3 Planning for Bushfire Protection Guidelines, Edition 2 (2010)

This document is published by the WA Planning Commission in accordance with *State Planning Policy 3.4: Natural Hazards and Disasters*. It provides guidelines for the development of new sub-divisions and development in bushfire prone areas. It requires a range of processes to be applied including the development of *Bushfire Management Plans*, the provision for vehicular access, the provision of water supplies, and the implementation of *Building Separation Zones* and *Hazard Separation Zones*.

Appendix One of the *Planning for Bushfire Protection Guidelines* provides a methodology for determining bushfire hazard in a particular area based on vegetation and topography. Hazard assessments are provided as *low*, *moderate*, or *extreme*. The Guidelines also reference the following Australian standard.

3.2.4 AS 3959-2009 Construction of Buildings in Bushfire Prone Areas

This Australian Standard provides guidelines for the construction of buildings in bushfire prone areas. The Standard requires specific building codes to be applied for all new developments, including the determination of a *Bushfire Attack Level* (BAL) for each new building and subsequent mitigation measures dependent upon the BAL.

This report considers both *Planning for Bushfire Protection Guidelines* and the AS 3959-2009, in its discussion of bushfire risk in the Shire of Toodyay.

3.2.5 Heritage Issues

Toodyay is a historic Western Australian town with a large number of State Heritage listed properties, an extensive Municipal Inventory and numerous listed Aboriginal sites. The implementation of fire reduction programs can have the ability to impact on these heritage sites and places, and the Shire of Toodyay should be aware of its responsibilities under a range of legislation in regard to protecting heritage sites from damage.

3.3 Fire History in the Toodyay Shire

The Toodyay Shire has been impacted by a number of major fires in its history and the first fire brigades in the Shire were organised around groups of local convicts and Aboriginals as early as the 1850s (Erickson 1974: 148-151). Major fires have been a regular occurrence since European settlement of the area and a full historical overview is beyond the scope of this report, which will consider major fires only since 2000. There have been at least six major level 3 (requiring an extended multi-agency response) fires over this period, as follows:

2014 – Salt Valley Road, one building lost, 140ha burnt

2013 – Goomalling Road, near the Whicklow and Dumbarton Estates, 100ha burnt
2009 – Toodyay Fire, 38 houses lost, 273 properties impacted, 3000ha burnt
2007 – Chatcup Fire, one life lost, 7000ha burnt
2007 – Julimar Fire, 7500ha burnt
2001 – Springbank Fire, 2000ha burnt

In each of these cases property was threatened and in some cases lost, assistance was required from outside the Shire and a consolidated multiple day response was required. The regularity of smaller, yet severe level 2 type fires is also increasing, with DFES issuing numerous Watch and Act orders for fires during the past two years and there is a concurrent increase in the number of smaller fires. This increase in the number of major fire incidents, driven by an increase in severe fire weather, mirrors patterns seen right the way across the Australian continent.

Concerns were raised by Toodyay fire personnel about the increasing frequency of fires putting undue stress on volunteer Bushfire Brigade members. Volunteers are being called upon more frequently and for longer periods of time and are getting “worn-out” as a result.

4. Strategic Fire Policy

The greatest benefit to the community is found when authorities institute strategic holistic policy and procedure that considers all aspects of fire management. This is the best way to ensure cost effective, appropriate policy is implemented that is best designed to protect the community in the event of fires.

Fire policy has traditionally been based around fire response in the form of fire suppression activities through the maintenance and provisioning of fire brigades. However, more recently DFES has advocated a strategy that addresses aspects of prevention, preparedness and recovery, as well as response. In real terms this means implementing policy and procedure that strategically assesses fire risk, and introducing measures to mitigate this risk where possible, including through hazard reduction programs, public education, public fire infrastructure, long range planning, the introduction of fire resistant building materials, and programs designed to lessen the incidence of fire. While fires will always happen, and fire brigades will always be required, policy that can lessen the incidence and impact of fire in a proactive fashion is considered preferable to policy that simply responds to fires when they happen.

4.1 Frequency and Intensity of Fire Events

The development of fire policy necessarily plans for worst case scenarios to occur. For example, BAL assessment is made presuming a FDR of 80, or *Extreme* fire weather conditions. It is necessary to assume fire weather conditions above the 95th percentile, because this is when there is the highest likelihood of loss of life and property in the event of a fire event. Emergency planning must always assume the worst. However, it is also true that the majority of fires occur on days when the FDI is below 32 (and so considered in most cases to be manageable) and fire authorities are able to employ direct attack strategies to limit the spread and impact of fires. On these days, while the fire intensity is lessened, if left unchecked bushfires still have the potential to cause major damage. Suppression strategies are designed to contain any fire and hence, its' potential to cause damage, to as small an area as possible. Planning for fire events then, must take into account the range of possibilities within different fire weather scenarios. Policy must allow for high intensity fire events where evacuation and property defence are the only strategies available to fire authorities, but also needs to plan for lesser intensity events where direct attack on a fire is possible. The vast majority of fires fall into this latter category.

Crucial to the ability to attack a fire is access for fire services to the fire front. As shown by Project Vesta conducted by the CSIRO in the early 2000s, the intensity and ROS of a fire is directly related to the width of the fire front (McCaw et al 2008: 25). It is thus crucial that fire services can access fires while they are of relatively low intensity and small in size, to restrict their growth and stop them becoming large and unmanageable. A network of tracks, firebreaks and access points is fundamental to this access. During the inspection process Bushfire Prone Planning has identified a number of tracks considered too dangerous to use during a major high intensity fire event on days of extreme fire weather. A number of tracks were pointed out to us as “potentially putting firefighters in the Dead Man Zone” if used. However, any track or road with fuel adjacent to it can form a Dead Man Zone in the event of a wind change. This is not a reason to close tracks, as they are eminently safe for fire services to use when fire weather is more moderate. These tracks are also very useful during hazard reduction burning activities during the off season. Fire managers and fire fighters, whether career or volunteer, have significant knowledge of firefighting tactics and the best interest of their crews at heart. They do not send crews into places where they are likely to get killed. Additionally, local volunteers in particular have the invaluable advantage of local knowledge. The Shire should trust its firefighting personnel to have the

necessary knowledge to assess whether a particular track is safe for firefighters to use, on a case by case basis.

As such, Bushfire Prone Planning advocates a policy where all existing tracks and fire breaks should be maintained if at all possible. There may be some exceptions to this, and these will be highlighted, but in general a wide network of tracks and firebreaks assists firefighting efforts in most cases.

4.2 Holistic Fire Policy

There are numerous organisations within Western Australia who have responsibility for developing and implementing bushfire policy. In the Shire of Toodyay, while this includes DFES and DPAW, the Shire itself has considerable responsibility under the *Bushfires Act 1954* for developing and implementing appropriate bushfire policy. Bushfire Prone Planning would advocate that the Shire of Toodyay examine its responsibilities under the Act with a view towards developing a holistic strategic policy related to all aspects of bushfires that fall within its remit. This review is clearly the first step towards developing such a policy.

The Shire of Toodyay should consider implementing some or all of the following policy suggestions within a wider strategic fire mitigation framework. This report will consider some of these aspects at greater length, while others are beyond the scope of this report, and will simply be presented here as suggestions for future consideration:

1. Examination and understanding of the Shire's full responsibility under the *Bushfires Act 1954*;
2. Development of an ongoing, appropriately funded procedure to allow the maintenance of the network of Emergency Evacuation and Fire Service Access Tracks throughout the Shire;
3. Implementation of a hazard mapping and resource placement strategy program using an appropriate GIS model;
4. Implementation of a major hazard reduction burning program in order to reduce fuel loads across the Shire;
5. Analysis of the current appropriateness of fire service resources, including Bushfire Brigades, volunteer numbers, water tanks and other public infrastructure; and
6. Implementation of public education programs (including Bushfire Ready Groups) to increase public preparedness and community safety in the event of a fire.

4.3 Public Education

Fire policy and emergency services exist to protect the community from the threat of fire. Defining the "community" is difficult, but in essence it includes every person who lives in the Shire of Toodyay. Interviews with Shire of Toodyay fire personnel highlighted past difficulties in garnering support from the community for the implementation of fire policy. Indeed, during interviews there was indications of clear hostility from sectors of the community towards the implementation of fire prevention policy and those who implement it (ie Toodyay Shire staff and Bushfire Brigade volunteers). During interviews it became clear that public education programs attempted in the past had been largely ineffective and as a result, people in the Shire of Toodyay are "anti-fire" and have a high level of ignorance about bushfires and why preparedness and prevention policies are important. There was a general feeling that public education was ineffective and thus, not worth doing. In particular the idea that "public meetings" were ineffective was strongly communicated.

The resistance from sectors of the community is clearly a problem, but to accept the status quo means that preparedness and prevention policies will continue to be undermined, and it is clear that the

combination of very high fuel loads and increasing incidence of extreme fire weather will create a greater danger to the community in future. In addition, resistance to fire prevention and preparedness programs undermines enforcement of fire laws, something advocated later in this report. People are far more likely to comply with fire regulations and laws if they understand why they are important.

As such Bushfire Prone Planning strongly recommends the Shire revisit the idea of community education programs based around prevention and preparedness policy within the Shire. Where past education programs have been ineffective they should be abandoned and new methods tried. There are a myriad of ways to communicate with the community and the Shire should investigate which of these are likely to be effective. In particular the Shire should concentrate on fire education related to the following:

1. The necessity for people living in areas of extreme fire danger to have a preparedness plan for what they will do in the event of a fire, what are their options for evacuation, how to prepare their properties for the passage of fire and where to source up to date information during a fire incident;
2. The danger caused by heavy fuel loads, the necessity of hazard reduction programs and why appropriately carried out hazard reduction burning benefits rather than damages the bush;
3. The fact that bushfire brigades are staffed by volunteers who need the support of their community to be effective;
4. Information related to enforcement of fire regulations in the Shire (eg requirements to install firebreaks and reduce fuel loads); and
5. Information about how to use Emergency Access Ways in the event of a fire.

While there will always be members of the community opposed to fire prevention and preparedness, education programs will lessen their number, improve public safety, and increase support for volunteer bushfire brigades.

5. Emergency Access Ways / Fire Service Access Routes / Firebreaks

The primary purpose of this review was to examine the efficacy of the Toodyay Shire's policy of installing strategic fire breaks to allow access for fire services and egress for residents in the event of a fire emergency. This section will thus provide a detailed and in-depth examination of the Shire of Toodyay's current policy regarding Emergency Access Ways / Fire Service Access Routes and firebreaks, and make recommendations as to how the Shire should proceed in future.

The Shire implemented a review of fire track policy in 2009 and in the aftermath of the 2009 fire, implemented a policy of installing new tracks supported by a Natural Disaster Reliance Grant in 2010. However, fire track policy has been applied in an ad hoc fashion, with a range of different standards applied across the Shire and the current network of tracks, their maintenance, standards of construction and purpose, is confused. Bushfire Prone Planning strongly advocates a simplification and standardisation of fire access track policy, as follows.

5.1 Defining the Purpose of Fire Access Tracks

There is a network of tracks within the Shire of Toodyay that are variously referred to as "access tracks", "Egress tracks", "strategic firebreaks" and a range of other terms. This leads to confusion as to what each track is for and why it has been installed in the first place. Bushfire Prone Planning would advocate defining each track under one of three titles, based on national standards and dependent upon its primary purpose, as follows:

1. **Emergency Access Ways:** The primary purpose of these tracks is to allow members of the public to escape an area impacted by fire. It is important that these tracks are designed to allow effective evacuation of an area and should not simply replicate existing road networks. These tracks should primarily be installed on public land or where an easement has been granted;
2. **Fire Service Access Routes:** The primary purpose of these tracks is to allow emergency services access to an area for the purpose of combatting a bushfire. These tracks should primarily be installed on public land or where an easement has been granted; and
3. **Firebreaks:** The primary purpose of these tracks is to provide access to the perimeter of a property for the purpose of firefighting, hazard reduction activities, and as a physical barrier to stop the spread of slow moving, low intensity fires. These tracks should primarily be installed on private land.

All tracks should be maintained to specific standards as described below. The Shire of Toodyay should engage in a process of mapping all tracks within the Shire and defining them under one of these three definitions. This will allow the Shire to engage in strategic planning for the installation of further tracks, and develop a schedule for the maintenance of tracks on public land.

The past policy of installing Strategic Firebreaks on private land, while good in theory, is unworkable in practice and should be abandoned. This policy is dependent upon each individual land owner buying into it and working to maintain the firebreaks on their land to an appropriate standard. However, during inspection of Strategic Breaks numerous examples of landowners installing gates, fences and other obstacles across Strategic Breaks, or rehabbing them back to natural bush were found, making them unworkable in practice. Basing the success of a policy on the cooperation of hundreds of individual people means it is highly unlikely to be successful.

After mapping of all tracks the Shire should re-categorise Strategic Breaks installed on public land as Fire Service Access Routes and maintain them. With a few exceptions (noted individually in the text below)

the Shire should hand back Strategic Breaks installed on private land to land owners and require them to be maintained as private firebreaks under the Annual Firebreak Notice. In some individual instances the Shire should consider creating an easement on the strip of land upon which existing Strategic Firebreaks are installed and maintaining them as Fire Service Access Routes. The Shire should also consider allowing the subdivision of specific blocks which will allow the installation of appropriate Emergency Access Ways.

5.2 Shire of Toodyay Firebreak Policy

The Shire of Toodyay has had a variable policy regarding firebreaks for some years now. The 2009 review highlighted the process of installing “strategic” firebreaks around the perimeter of sub-divisions and charging land-owners a levy for their maintenance in some areas, while using the annual firebreak notice to enforce the installation of firebreaks in others. Different standards have been applied in different parts of the Shire, often without considering the topography of the land on which firebreaks are being required to be installed. This has resulted in a range of firebreak standards across the Shire, with some sub-divisions only having strategic breaks, while others have full perimeter breaks on all private land. A varied policy such as this leads to confusion amongst residents as to what their obligations are regarding fire breaks, and the quite justified complaint that not all residents within the Shire are required to meet the same standards with regard to firebreaks. Instead, Bushfire Prone Planning would recommend that the Shire adopt a single consistent policy that applies to all landowners equally, under the aegis of the Annual Firebreak Notice.

The *Bushfires Act* 1954, Section 33, empowers local government to enforce the installation and maintenance of firebreaks on private property through the annual issuance of the Local Firebreak Notice. This has been one of the primary processes used by local government throughout Western Australia to ensure fire protection measures are adopted on private land. Firebreaks are primarily used for fire service access rather than as a physical barrier to the movement of fire, although they can be effective at this purpose for low intensity fires. Firebreaks also serve to offer protection to fence posts and other farm infrastructure. For firebreaks to be effective they need to be graded down to mineral earth and maintained yearly to stop the regrowth of vegetation.

Interviews with key fire personnel suggest that in the past the Shire of Toodyay’ enforcement of the Firebreak Notice has been piecemeal. However, the Shire strengthened its enforcement of firebreaks during the 2014-15 fire season, issuing well over 100 infringement notices. The creation of strategic firebreaks around the outside of sub-divisions has been used in place of private firebreaks in many areas and many residents do not install firebreaks on their land as a result of the presence of these strategic breaks. However, the presence of a single external firebreak around the perimeter of a large sub-division is a catch-all strategy that does not serve the primary process of allowing access to fire services for the purpose of combatting a fire.

Bushfire Prone Planning recommends that the Shire of Toodyay maintain the enforcement of the Annual Firebreak Notice as a blanket policy across the entirety of the Shire. This should require all properties to install and maintain perimeter firebreaks to a certain standard and maintained on an annual basis. Failure by residents to install and maintain firebreaks should be punished by fines, or if necessary, court action. Any and all levies should be abandoned and where firebreaks have been installed by the Shire on private land, the maintenance of those breaks should be handed back to the landowner. The onus for fire protection measures should not be entirely carried by the Shire and private landowners should be expected to contribute to fire protection measures on their properties.

Perimeter firebreaks should be installed on all blocks to a specific standard. Firebreaks should run around the full perimeter of blocks, including alongside roads. This is a safety measure which allows firefighters to work on tracks rather than roads in smoky conditions, protecting them from being hit by vehicles. It also allows fire appliances to work inside fence lines rather than having to drag hose through fences. Following the *Planning for Bushfire Protection Guidelines 2nd Edition* (2010: 33) firebreaks should be a minimum of 3m wide and cleared of all vegetation. They should be installed so as to allow the movement of a 3.4 fire appliance. They should also be installed in order to allow the run-off of water in such a way that tracks will not be damaged or undermined by heavy rainfall.

However, given the undulating topography of the Shire and numerous steep slopes located on many private blocks, the installation of perimeter breaks is often impossible or pointless. On blocks such as these the Shire should negotiate with landowners to allow them to develop alternative fire protection strategies on their blocks. These could include, but are not confined to, the installation of firebreaks on other parts of the block, the creation of low fuel areas, or regular hazard reduction burning to reduce fuel loads in lieu of firebreaks.

The Shire of Toodyay should also install perimeter firebreaks to the same standard on all public land administered by the Shire. The Shire already does this on most blocks with remnant vegetation and these should be maintained annually to a suitable standard.

It should be recognised that firebreaks require annual maintenance and that the Shire should include provision for this in its budget process. It should also be recognised that firebreaks are most efficacious when combined with other measures such as appropriate hazard reduction and public education programs.

5.3 Standards for the Construction of Emergency Access Ways and Fire Service Access Routes

Emergency Access Ways and Fire Service Access Routes are designed for a different purpose to perimeter firebreaks and should be constructed to standards set out in *Planning for Bushfire Protection Guidelines 2nd Edition* (2010: 31-32). These standards are shown in Tables 2 and 3. The Guidelines draw a distinction between what it calls “Emergency Access Ways” and “Fire Service Access Routes”. The former are designed to allow evacuation routes for members of the public during an emergency incident, the latter to allow access for Emergency Vehicles. The construction standards are different as Emergency Access Ways are designed for use by 2 wheel drive cars, while Fire Service Access Routes are for four wheel drive fire appliances.

Best practice suggests that Emergency Access Ways should take the shortest available route, have minimal corners, and where possible, be constructed on flat ground. If they cannot be constructed to the standard outlined in Table 2 they should not be used as Emergency Access Ways. During a fire emergency civilian users of Emergency Access Ways will likely be in a state of panic and confused about the correct direction to travel, and will potentially be travelling in heavy smoke which obscures visibility. It is thus important that the evacuation route is clear to users. Evacuation routes should not travel through high risk areas such as gullies, nor direct civilians into areas of heavy fuel. They should also be constructed to allow easy escape from an area. They should not consequently route civilians into areas where escape is difficult, or which use the same escape routes (ie existing roads) as the area being evacuated. Ideally they should provide an alternative form of escape to existing roads and travel in a different direction.

5.3.1 Engineering Standards and Maintenance

Emergency Access Ways, Fire Service Access Routes and firebreaks all need regular maintenance to ensure they are suitable for use. During initial installation they should be engineered to certain standards as shown in Tables 2 and 3. Emergency Access Way surfaces should be trafficable by two-wheel drive vehicles and all tracks should be engineered to limit the impact of water movement and other forms of erosion. As with any road, once constructed tracks will require regular maintenance to maintain their surface in a usable state. Rarely used tracks should also be checked prior to the summer months to ensure they have not become blocked by fallen trees or similar. Figure 1 shows examples of tracks where lack of maintenance has left them not fit for purpose. The maintenance of all Emergency Access Ways and Fire Service Access Tracks, should be carried out by the Shire of Toodyay to ensure they are appropriately maintained. The maintenance of firebreaks on private land should be carried out by landowners.



Figure 1. Examples of firebreaks where lack of maintenance has left them unusable

The annual grading of tracks is often not enough to allow them to be maintained appropriately and the Shire should consider if vegetation control is also required.

Table 2. Standards for Emergency Access Ways, as defined in Planning for Bushfire Protection Guidelines, 2nd Edition (2010: 31)

Standard A2.6 Emergency Access Ways	
Emergency access ways, providing alternative links to public roads during emergencies, meet the following requirements:	
Minimum trafficable surface	6m
Horizontal clearance	6m
Vertical clearance	4m
Maximum grades	1 in 8
Maximum grade of <50m	1 in 5
Maximum average grade	1 in 7
Minimum weight capacity	15 tonnes
Maximum cross fall	1 in 33
Curves minimum inner radius	12m
Must be signposted	

Table 3. Standards for Fire Service Access Tracks, as defined in *Planning for Bushfire Protection Guidelines, 2nd Edition (2010: 32)*

Standard A2.7 Fire Service Access Routes	
Fire services access routes, providing links between public road networks for firefighting purposes, meet the following requirements:	
Surface	All weather
Dead end	Not permitted
Minimum trafficable surface	6m
Horizontal clearance	6m
Vertical clearance	4m
Maximum grades	1 in 7
Maximum grade of <50m	1 in 4
Maximum average grade	1 in 5
Minimum weight capacity	15 tonnes
Maximum cross fall	1 in 33
Curves minimum inner radius	12m
Turn around areas to accommodate 3.4 appliance and to enable them to turn around safely	Every 500m
Access to road network	Every 1000m
Allow for two way traffic	

Of particular importance, particularly for tracks installed on slopes, is to provide engineering solutions that allow for water movement during heavy rain. Water run-off can quickly damage tracks making them unusable (see Figure 2) and tracks should be constructed with this in mind. The installation of tracks should include such measures as sideways slopes to divert water off tracks, ditches, culverts and sealed surfaces.



Figure 2. Damage to a firebreak from water run-off leaving the track impassable

5.3.2 Signage

As with Engineering, all signage for tracks should be constructed to a specific standard, using specific language. The *Planning for Bushfire Protection Guidelines 2nd Edition* (2010: 37) provides specific standards for the construction of emergency signage and language to be used on those signs (see Table 4). Signage currently used by the Shire of Toodyay does not conform with those standards (see Figure 3). In particular the use of the word “egress” on signage for emergency escape and access routes should be avoided. The word “egress” is an overly obscure word that causes confusion for many people as to what it actually means. Emergency signage should be as clear and obvious as possible, particularly for people in a state of panic attempting to escape a major fire incident.



Figure 3. Examples of signage currently used on Emergency Access / Evacuation ways in the Shire of Toodyay

Table 4. Standards for emergency signage as defined in *Planning for Bushfire Protection Guidelines 2nd Edition* (2010: 37)

Standard E2.10 Signs	
Signs are erected where emergency access ways and fire service access routes adjoin public roads, and meet the following requirements:	
Minimum height above ground	900mm
Design / construction	To be approved by local government
Lettering height	100mm
To display the following wording (as appropriate)	“Fire Service Access – No Public Access” or “Emergency Access Only”

Tracks designed for escape (ie egress) should display the wording “Emergency Access Only” at a minimum. It may be appropriate to also use the words “escape route” or “evacuation route” on signs where necessary. Signage should also include information about where the track is going. For example, an Emergency Access Way that directs civilians to a certain road should say that on the signage. Tracks designed for access to areas by emergency services should display the wording “Fire Service Access – No

Public Access”. A public education program targeted at residents of specific areas should accompany the installation of new Emergency Access Ways and explain what they are for and when and how to use them in the event of a fire incident.

5.3.3 Gates

It is normal practice to install gates at either end of Emergency Access Ways and Fire Service Access Routes. However, the installation of these and their use needs to be carefully considered. Closed gates for Emergency Access Ways should be avoided during the summer months when they can comprise a danger. Instead gates for Emergency Access Ways should be closed during the winter months to protect them from damage during use in wet conditions. Gates for Emergency Access Ways should be opened at the start of the fire seasons and locked open for the duration of the hot summer months to prevent their closure.

Gates installed for Fire Service Access Ways should always be closed and locked to prevent them being used by the public and for anti-social activities. However the lock used should be common to all Fire Service Access gates in the Shire and all Toodyay Shire Bushfire Brigade appliances should carry a key. Likewise this key should also be issued to other relevant firefighting authorities such as DPaW, DFES and relevant Shire personnel.

All gates should be constructed to the standards outlined in *Planning for Bushfire Protection Guidelines 2nd Edition* (2010: 32) and shown in Table 5. They should be positioned so as to allow the easy traffic of 3.4 fire appliances and there should not be sharp corners or other obstacles directly adjacent to gates.

Table 5. Standards for gates as defined in *Planning for Bushfire Protection Guidelines, 2nd Edition* (2010: 32)

Standard A2.8 Gates	
All gates used to restrict traffic on emergency access ways and fire service access routes meet the following requirements:	
Minimum width	3.6 metres
Design / construction	To be approved by local government
Emergency Access Way Gates	Must not be locked
Fire Service Access Route Gates	May be locked but only with a common key that is available to local fire service personnel
Signposted	

5.4 Inspection of Emergency Access Ways / Fire Service Access Routes / Firebreaks

Inspection of existing Emergency Access Ways and Fire Service Access Routes and areas where new tracks are proposed, were conducted on two occasions, the 12th August and 2nd of September respectively. All existing tracks were driven or walked. Each track was given a code number and is marked on attached maps and listed in Appendix One.

5.4.1 Julimar Farms, Julimar Springs, Malkup Brook, Parkland Ridge, Marri Glades and Timberden Estate

(See Map 1 for locations and tracks listed in this section)

This area is considered as two parcels of land: the Timberden Estate and Marri Glades to the north of Julimar Road; and Julimar Springs, Julimar Farms, Malkup Brook and Parkland Ridge to the south of

Julimar Road. Currently the only access into these estates is via Julimar Road from the east or west. In the event of a fire in these estates this road would be heavily used by Emergency Services attempting to access the area and by civilians attempting to evacuate.

When considering this area as a whole, where possible it would make sense to consider the installation of Emergency Access Ways to the north and south of this area in order to provide greater flexibility in the event of a major incident.

The estates north of Julimar Road have no installed Emergency Access Ways. The Timberden Estate is a loop with three points of egress to Julimar Road: both ends of Timberden Drive; and the south end of Nerramine Drive providing alternative escape routes. While it would be impractical to install an escape route to the north of Timberden Estate simply due to the distances involved to reach the nearest road, this option should be considered in the event of further development of either Timberden Estate or Marri Glades. While numerous properties in Marri Glades are installed on battle-axe blocks, almost all have a frontage onto Julimar Road and no Emergency Access Ways are required here. The suitable policy in this area would be to enforce the Shire's Annual Firebreak Notice on all private blocks, ensuring all individual blocks have properly installed and maintained perimeter firebreaks.

The estates south of Julimar Road are organised in a north-south fashion, with an approximate length of 5km. Only two roads exit these estates, both onto Julimar Road at the north: Spring Sand Road, and Parkland Drive. There is no access to the south, west or east. The Shire has installed an Emergency Access Way (Track 1a) north from the end of Donegan View to Julimar Road. While this provides a third northerly exit point from the southern estates it essentially replicates Parkland Drive and Sand Spring Road and would be more dangerous to use than either in the event of a major fire incident. It has a number of sharp 90° turns, it is not clear which track to take in some cases, and leads users north towards an area of heavy fuel (Lot 351). This track is not appropriate for use as an Emergency Access Way, but it should be maintained as a Fire Service Access Route for use by emergency vehicles. Gates should be installed at the end of Donegan View, Sinclair Place and Julimar Road to restrict access to the public. Other installed firebreaks on Shire Land in the area are appropriate and should be maintained annually to allow access for firefighting as and when required. The Shire's Annual Firebreak Notice should be enforced on all private blocks, ensuring all individual blocks have properly installed and maintained perimeter firebreaks.

The organisation of these southern estates with egress only to Julimar Road creates a significant risk for residents in the event of a fire to the north. An east-west or north-south running fire at the north end of the estates has the potential to cut off both existing escape routes to Julimar Road, trapping residents in the southern extremities of the estate. In order to provide for appropriate public safety the Shire should strongly consider the installation of an Emergency Access Way, either south from the end of Malkup Brook Road (Track 1b), or east from the end of Parkland Drive (Track 1c), to connect with the west end of Harders Chitty Road.

5.4.2 Toodyay Highlands, Royd Nook

(See Map 2 for locations and tracks listed in this section)

These two estates are located on high ground and surrounded by farming land. There are parcels of woodlands in the area but fuel is primarily open grasslands meaning any fire impacting on the area would be extremely fast moving and difficult to combat. The elevated position of these estates would increase the ROS of any fire pushed towards it, exacerbating the risk to residents. As such the installation of any Emergency Access Ways must be carefully planned.

The estate as a whole has multiple points of escape in the event of a fire, with Bindi Bindi Toodyay Road providing routes of escape north and south, Coondle Road West routes of escape to the west, and Leeming Road to the east. However, the majority of roads within the estate terminate on Bindi Bindi Toodyay Road, meaning this road which would provide most of the initial access / egress in the event of a large fire. Internal roads provide no route of escape to the east and all evacuation routes begin with a movement towards the west.

The Shire of Toodyay has installed a single Emergency Access Way (Track 2a) within the estate, from the north end of Fawell Road to intersect with Church Gully Road, providing an escape route to the north for internal roads. Track 2a does not currently meet the standard and should be upgraded and maintained by the Shire as an important Emergency Access Way. This will require the track to be upgraded, with engineering required to deal with water run-off, and the installation of appropriate signage. The Shire may consider gazetting this Emergency Access Way as a road.

A Strategic Firebreak (Track 2b) has been installed east from Fawell Road (south of Lot 16) to intersect with driveways leading onto Church Gully Road. This track is located on an easement and should be maintained by the Shire as a Fire Service Access Route. Gates should be installed at either end to replace those installed by landowners.

The Shire should consider the installation of two additional Emergency Access Ways in this estate to provide egress to the east and increase public safety. The first of these (Track 2c) would run east from the end of Alan Twine Drive to intersect with Church Gully Road. The sensible route for this would be along the south-east boundary of lot 593 and exiting through the Shire lot 409 Church Gully Road. This would require an easement as the route would run on private land.

The second additional Emergency Access Way the Shire should consider runs south from the end of Leake Road to intersect with Charlton Boulevard (Track 2d). This would provide the dual benefit of an evacuation route north for residents on Charlton Boulevard as well as an escape route south for residents to the north. In this case it appears that a road reserve exists in this location and could be upgraded as required.

All other firebreaks installed on this estate should be maintained to firebreak standard. On public land these should be maintained by the Shire, while the Shire's Annual Firebreak Notice should be enforced on all private blocks within the estate, ensuring all individual blocks have properly installed and maintained perimeter firebreaks.

5.4.3 Majestic Waters, Majestic Heights, Vernon Hills, Lozanda Heights

(See Maps 3 and 4 for locations and tracks listed in this section)

This area is considered as two parcels of land: first Majestic Waters and Majestic Heights; and second Vernon Hills and Lozanda Heights. The whole area is well served with roads that allow egress in all directions: via Folewood Road to the north, Racecourse Road to the east and Toodyay Road to the south. While there are a number of short cul-de-sacs, interior roads within these estates largely have two points of access and there are numerous options for civilian evacuation routes if required.

Majestic Heights and Majestic Waters is the area that the 2009 Toodyay fire burnt through and there are consequently lower fuel loads in these estates than in other parts of the Shire. Nevertheless, the fuel load is rebuilding across the area burnt in 2009. There are a confused collection of strategic firebreaks, Shire firebreaks and private firebreaks in this area. In particular since 2009 the Shire's Annual

Firebreak notice has required properties in Majestic Waters on Sesselis Road, Hatfield Place and Broadgrounds Place to install 6m wide firebreaks around property perimeters. These have been required on very hilly terrain characterised by steep slopes and often in areas where installation increases erosion and serves no purpose from a firefighting sense. Bushfire Prone Planning recommends that all firebreaks required under the Annual Firebreak Notice be constructed to a single standard rather than implementing special cases such as this for particular areas.

Two cul-de-sacs in these estates, Sesselis Road and Hibertia Place could benefit from the installation of Emergency Access Ways to allow two-way egress. However, the terrain in which these cul-de-sacs are located means these could not be constructed to standard and as such would prove both impractical and probably dangerous to use.

The Shire had planned to install three new firebreaks (Tracks 3a-3c) in coming years. However Bushfire Prone Planning can see no public benefit in the installation of firebreaks in these areas and these plans should be abandoned. Existing strategic firebreaks on private land (3d-3h) should be handed back to landowners to be maintained by them as standard firebreaks under the Annual Firebreak Notice.

In the Lozanda Heights and Vernon Hills Estates, both Wandoo Circle and Hovea Way are problematic as they each have only one point of egress. However, there is no appropriate place to install Emergency Access Ways for either road that would be safe or practicable to use. Of the existing strategic breaks, Track 3i from Sandplain Road at the east to the intersection with Wandoo Circle at the north-west should be upgraded to a Fire Service Access Route with appropriately located gates. Track 3j north from the west end of Wandoo Circle to the south-west end of Hovea Way is not suitable for use as a Fire Service Access Route but should be maintained as a firebreak and a clear point of access constructed to the north-east end of Hovea Way. Other strategic firebreaks (tracks 3k-3m) within these estates located on private land should be returned to landowners and maintained under the Annual Firebreak Notice. Where located on public land the Shire should continue to maintain these tracks to firebreak standard.

All other firebreaks installed on these estates should be maintained to firebreak standard. On public land these should be maintained by the Shire, while the Shire's Annual Firebreak Notice should be enforced on all private blocks within the estate, ensuring all individual blocks have properly installed and maintained perimeter firebreaks.

5.4.4 Morangup: Regal Hills, Rolling Green, McGellin Estate, Gidgegannup Springs

(See Maps 5 and 6 for locations and tracks listed in this section)

This collection of estates is surrounded by a high fire risk dryandra forest carrying heavy fuel loads and as such, the location and installation of Emergency Access Ways must be carefully considered. The estate is accessed from the north via Morangup Road and from the south via Morangup and Dryandra Roads, both of which terminate at Toodyay Road. There are no other access roads in or out of the area and the installation of new roads would largely be impractical due to the distance to the nearest connecting roads. The organisation of the estates is around three ring roads: McNoe Road for Gidgegannup Springs; Louisa Circle for Rolling Green; and Red Brook Circle for Regal Hills. Individual cul-de-sacs terminate from these ring roads. The Roads in the three estates are connected so that there are a number of escape options for each location.

Gidgegannup Springs provides some concern as it is organised in an east-west fashion, is over six kilometres long, and only has access at the east end via both ends of McNoe Road, or Wallabi Road to the south. In the event of a fire at the east end of the estate residents may be trapped and unable to

escape due to the lack of emergency access points. A large strategic firebreak (Track 4a) has been installed around the outside of the entire estate, on both private and public land. This is of variable quality and can only be traversed by a 4WD vehicle. It is not suitable for an Emergency Access Way, but should be maintained as a Fire Service Access Route and gated and sign posted appropriately. A number of existing tracks (4b-4f) allow access to this track from cul-de-sacs. A further track (4g) should be constructed at the end of Short Place. Easements should be granted on all these tracks and they should all be converted to Fire Service Access Routes. Both the private and public sections of these tracks should be maintained, the public sections by the Shire, the private by individual landowners. Currently there is a thin strip of vegetation between the private and public breaks comprising track 4a and this should be removed to provide a 9m wide firebreak, allowing a relatively safe open area from which to conduct firefighting operations. The Fire Service Access Route should have gates installed at intersections with roads, but no-where else along its length. The Shire's Annual Firebreak Notice should be enforced on all private blocks, ensuring all individual blocks have properly installed and maintained perimeter firebreaks. While it is currently impractical, future development in this estate should consider the installation of a track or road to Emergency Access Way standard, from the south-west end of South Road, 3.2km west to the north-east end of the appropriately named North-east Road which runs off of Copley Dale Road in Gidgegannup.

The Rolling Green estate has a number of roads providing egress from it and no further Emergency Access Ways need to be considered at this time. It has a single strategic firebreak (Track 4h) installed at the western edge of the estate which runs south to the west end of Brook Close and also forms the western boundary of the Regal Hills estate. It is located on both private and public land and is of variable quality and can only be traversed by a 4WD vehicle. It is not suitable for an Emergency Access Way, but should be maintained as a Fire Service Access Route and gated and sign posted appropriately. Both the private and public sections of this track should be maintained, the public sections by the Shire, the private by individual landowners. Currently there is a thin strip of vegetation between the private and public breaks and this should be removed to provide a 9m wide firebreak, allowing an open area from which to conduct firefighting operations relatively safely. The Shire's Annual Firebreak Notice should be enforced on all private blocks, ensuring all individual blocks have properly installed and maintained perimeter firebreaks.

The Regal Hills estate has only a single point of egress to the east where Redbrook Circle meets Dryandra Road. A fire in this location could potentially trap residents within the estate with no means of escape. A strategic firebreak (Track 4i) located on private land, is installed around the perimeter of the estate and is of variable quality. It can only be traversed by a 4WD vehicle and is not suitable for an Emergency Access Way, but an easement should be granted and it should be maintained as a Fire Service Access Route and gated and sign posted appropriately. Presuming an easement is granted this track should be maintained by the Shire and vegetation removed from between adjoining tracks to create a 9m wide firebreak. The Shire should consider installing a short Emergency Access Way from the southernmost point of Redbrook Circle out to Toodyay Road (Track 4j) providing a second point of egress for residents. A suitable location for this would be between lots 229 and 230, which is the shortest distance between the two roads. A firebreak already exists in this location and could be upgraded to the standard of an Emergency Access Way. An easement may be required to allow the installation of this Emergency Access Way. The Shire's Annual Firebreak Notice should be enforced on all private blocks, ensuring all individual blocks have properly installed and maintained perimeter firebreaks.

5.4.5 Parkviews Estate, Sanctuary Park Estate, Forest Edge, Woodland Heights, Rugged Hills, Brookdale

(See Maps 7 and 8 for locations and tracks listed in this section)

This collection of estates is located in heavy forest and woodland with an extreme fire hazard to residents. As there is some distance between the various estates they will be discussed as three separate groups: Rugged Hills and Brookdale; Parkviews Estate and Sanctuary Park Estate; and Woodland Heights. Each has its own issues which need addressing.

The Rugged Hills and Brookdale Estates consists of a number of roads with two points of egress onto Julimar Road at the south. However, most of these roads are not connected to each other and most residents have only a single escape option available to them. This is an extremely high risk area and the Shire should consider options for increasing escape routes, particularly to the north and east as a public safety priority. High priority should be given to providing an alternative point of egress from Ridley Circle and Wilkerson Road. The Shire has attempted to provide this by building a track between the west end of Ridley Circle (lot 55 between lots 212 and 213) and the north end of Davies Road (Track 5a). This is not to a standard suitable for use as an Emergency Access Way and should not be used as such. However, it should be maintained as a Fire Service Access Route. The Shire should install gates at either end and ensure that the track is maintained annually to the appropriate standard.

The Shire has plans to install an Emergency Access Way north from Ridley Circle (lot 55 between lots 214 and 215) through the DPaW reserve 22049 and joining the south end of White Gum Ridge in the Sanctuary Park Estate (Track 5b). This Emergency Access Way should be installed and built to appropriate standards for an evacuation route as a matter of urgency. It will provide a northerly escape route for residents of Rugged Hills and a southerly escape route for residents of Sanctuary Park, providing a public benefit for both.

The Shire should consider the installation of two other Evacuation routes if this area. The first is the installation of a short Emergency Access Way between the west end of Wilkerson Road and the east end of Dreyer Road (Track 5c). A track already exists in this location on road reserve and it could easily be upgraded to Emergency Access Way standard to increase egress options for residents in this area.

The second is a longer term plan to provide an eastern escape route from Rugged Hills. The appropriate location for the installation of an Emergency Access Way in that direction would be from south of lot 219 on Wilkerson Road east to join the west end of Waters Road (Track 5d). The construction of an Emergency Access Way here would be a significant undertaking and should only be considered in the event of further development being undertaken in the Rugged Hills area.

The Parkviews, Sanctuary Park and Forest Edge estates have two avenues of egress: south along Coondle Road West to Julimar Road, or east along Coondle Road West. With a few exceptions most roads within these estates have two points of escape providing options for residents. The aforementioned Track 5b south to Rugged Hills would increase those options and provide a public benefit. The Shire has installed a number of access tracks in this area. Track 5e runs east from White Gum Ridge, south of lot 171 and along the southern boundary of properties in the Forest Edge Estate. It terminates at the south-east corner of lot 177, adjoining the Emergency Access Way (Track 5f) running from Jarrah Court. Track 5e runs through two very steep gullies and has heavy fuel to the north and south. It is not suitable as an evacuation route but should be maintained as a Fire Service Access Route. This track requires the installation of turn-around points, and culverts at the bottom of gullies to deal

with water flow issues, and it needs to be maintained annually. It has a steep corner adjacent to the gate at the east end that would limit heavy vehicle movement and this should be altered to allow better access for fire appliances.

Track 5f, signposted as an Emergency Access Way, runs from Jarrah Court to the north end of Horseshoe Road in the Woodland Heights Estate. The presence of an evacuation route in this area is appropriate, particularly for residents of Woodland Heights, but the track itself has some issues and does not meet Emergency Access Way standards. The track traverses three sharp corners and one blind crest with a very steep hill at the east side of the crest. Immediately below the crest to the east a tree (figure 4) has been left standing in the middle of the track. Track 5f intersects Track 5g which runs to the south, creating confusion as to the appropriate route to use. To bring this track up to standard it needs appropriate signage and the intersection with Track 5g should be gated. It also needs engineering to address the blind crest, steep hill, remove the tree, and other issues such as water run-off. It may not be possible to engineer it to deal with the crest and hill, in which case it should be downgraded to a Fire Service Access Route only.



Figure 4. Tree located in the middle of Track 5F below a blind crest

Track 5g runs south from its intersection with Track 5f along the eastern boundary of properties on Horseshoe Road, before taking a 90° turn to the east and terminating at the southernmost point of Horseshoe Road. It has been constructed as an Emergency Access Way but may not be suitable for that purpose. Its presence adds confusion for users of Track 5f as to the correct route to take when evacuating and there is no need to have two Emergency Access Ways from different parts of the same road. Track 5g should be maintained but gated and used only as a Fire Services Access Route.

Track 5h runs east from Track 5f to intersect with Horseshoe Road. It traverses a steep gully and is only suitable for 4WD vehicles. As with Track 5g, this track has the potential to confuse users of Track 5f. As such Track 5h should be gated at both ends and should be maintained as a Fire Service Access Route.

The Woodland Heights area needs a southern evacuation route. The best place to install an Emergency Access Way would be at the southernmost point of Horseshoe Road adjacent to Lot 81, south-east along flat ground to the west end of Waters Road. This proposed track (5i) will require negotiation with

Map 6
REGAL HILLS ESTATE

Shire of Toodyay
Morangup

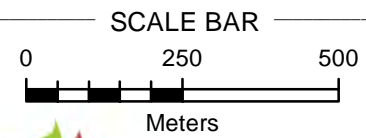
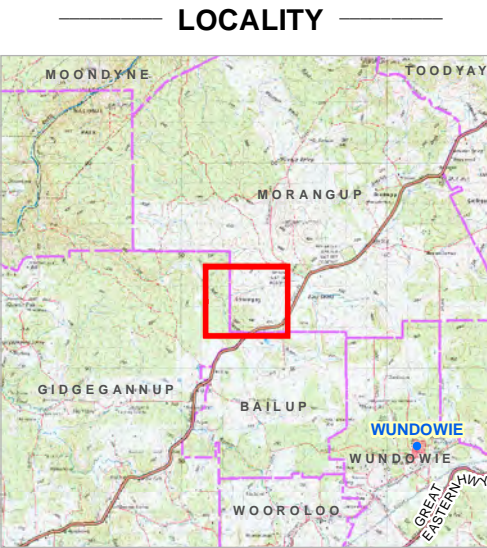
LEGEND

Lot Cadastre

Emergency

Install *Emergency Access Way*

Downgrade to *Fire Service Access Route*



BUSHFIRE PRONE PLANNING

DATE CREATED: 29/01/2016



Map 7
RUGGED HILLS ESTATE
&
BROOKDALE ESTATE

Shire of Toodyay
West Toodyay

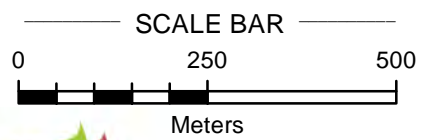
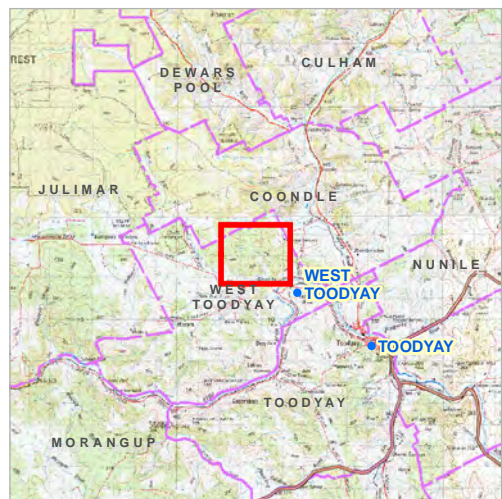
LEGEND

Lot Cadastre

Emergency

- Install *Emergency Access Way*
- Maintain as *Fire Service Access Route*

LOCALITY



DATE CREATED: 29/01/2016



Map 8
WOODLAND HEIGHTS ESTATE
&
PARKVIEWS ESTATE

Shire of Toodyay
Coondle

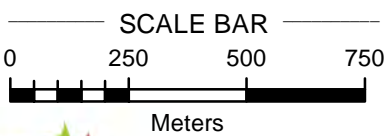
LEGEND

Lot Cadastre

Emergency Access

- Maintain as *Emergency Access Way*
- - - Install *Emergency Access Way*
- - - Downgrade to *Fire Service Access Route*
- - - Upgrade to *Fire Service Access Route*
- - - Downgrade to *Firebreak*

LOCALITY



DATE CREATED: 29/01/2016





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Map 9
 GLENCOE ESTATE
 &
 EXTRACTS ESTATE

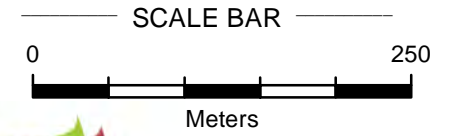
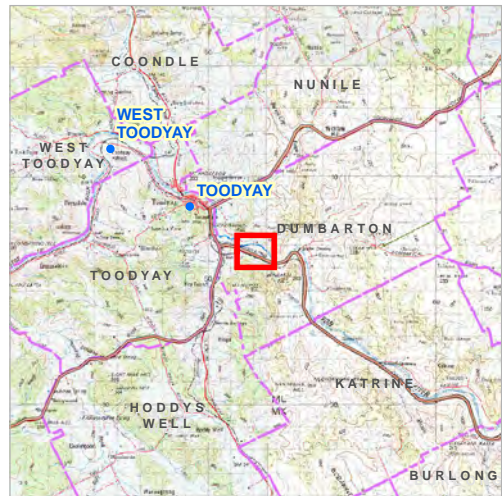
Shire of Toodyay
 Dumbarton

LEGEND

-  Lot Cadastre
- Emergency Access**
-  Downgrade to Firebreak



LOCALITY



DATE CREATED: 9/12/2015

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Map 10
MOONDYNE PARK

Shire of Toodyay
Hoddys Well

LEGEND

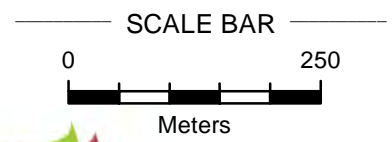
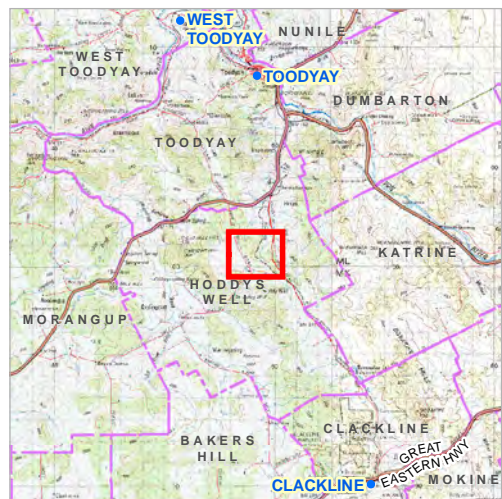
Lot Cadastre

Emergency Access

- Upgrade to Emergency Access Way
- Install Emergency Access Way



LOCALITY



DATE CREATED: 9/12/2015

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ELEMENT 2: SITING AND DESIGN OF DEVELOPMENT

EXPLANATORY NOTES

Figure 15: Separation distance required where no additional construction standards are proposed

In the absence of additional construction standards a minimum separation distance of 100 metres between buildings and the hazard must be provided in order to protect them from burning debris, radiant heat and direct flame contact

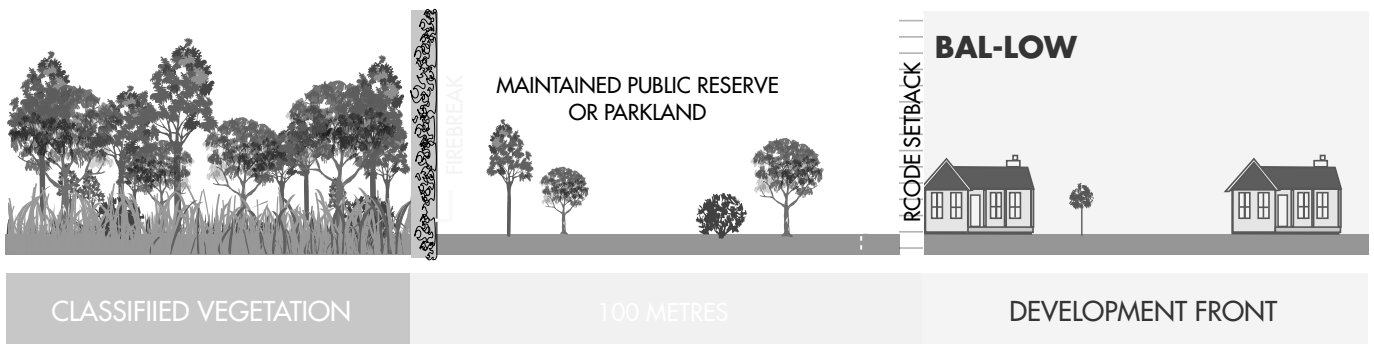


Figure 16: A reduced separation distance may necessitate increased construction standards

It may be possible to reduce the minimum distances, for example by increasing the construction standard of the building – in this example the building would need to be constructed to BAL-29



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ELEMENT 2: SITING AND DESIGN OF DEVELOPMENT

EXPLANATORY NOTES

E2.1 Asset Protection Zones (APZ)

An APZ is an area surrounding a building that is managed to reduce the bushfire hazard to an acceptable level. The width of the required APZ varies with slope and vegetation. The APZ should at a minimum be of sufficient size to ensure the potential radiant heat impact of a fire does not exceed $29\text{kW}/\text{m}^2$ (BAL-29). It should be lot specific. Hazard separation in the form of using subdivision design elements (refer to E2) or excluded and low threat vegetation adjacent to the lot may be used to reduce the dimensions of the APZ within the lot.

The APZ includes a defensible space which is an area adjoining the asset within which firefighting operations can be undertaken to defend the structure. Vegetation within the defensible space should be kept at an absolute minimum and the area should be free from combustible items and obstructions. The width of the defensible space is dependent on the space which is available on the property, but as a minimum should be 3 metres.

The APZ should be contained solely within the boundaries of the lot on which the building is situated, except in instances where the neighbouring lot or lots will be managed in a low-fuel state on an ongoing basis, in perpetuity. The APZ may include public roads, waterways, footpaths, buildings, rocky outcrops, golf courses, maintained parkland as well as cultivated gardens in an urban context, but does not include grassland or vegetation on a neighbouring rural lot, farmland, wetland reserves and unmanaged public reserves.

APZs can adversely affect the retention of native vegetation. Where the loss of vegetation is not acceptable or causes conflict with landscape or environmental objectives, such as waterway foreshore areas and wetland buffers, reducing lot yield may be necessary in order to minimise the removal and modification of remnant vegetation.

It is the responsibility of the landowner/proponent to maintain their APZ in accordance with Schedule 1 'Standards for Asset Protection Zones'. It is further recommended that maintenance of APZs is addressed through the local government firebreak notice, issued under s33 of the *Bushfires Act 1954*, and preferably included in a Bushfire Management Plan specifically as a how-to guide for the landowner.

Regardless of whether an Asset Protection Zone exists in accordance with the acceptable solutions and is appropriately maintained, it should be noted that fire fighters are not obliged to protect an asset if they think the separation distance between the dwelling and vegetation is unsafe.

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ELEMENT 2: SITING AND DESIGN OF DEVELOPMENT

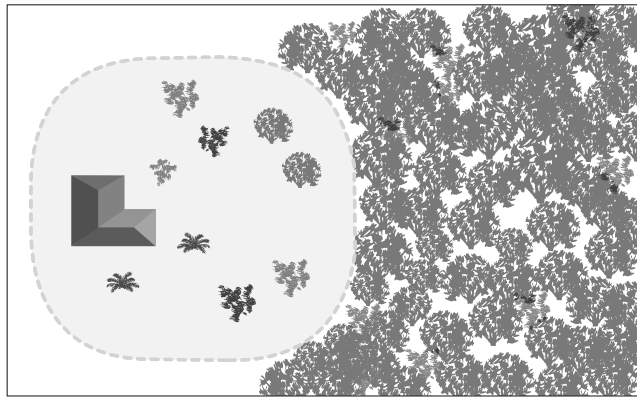
EXPLANATORY NOTES

Figure 17: Design of Asset Protection Zone

The proportion of the APZ reflect the distance from the hazard to ensure adequate separation is achieved.

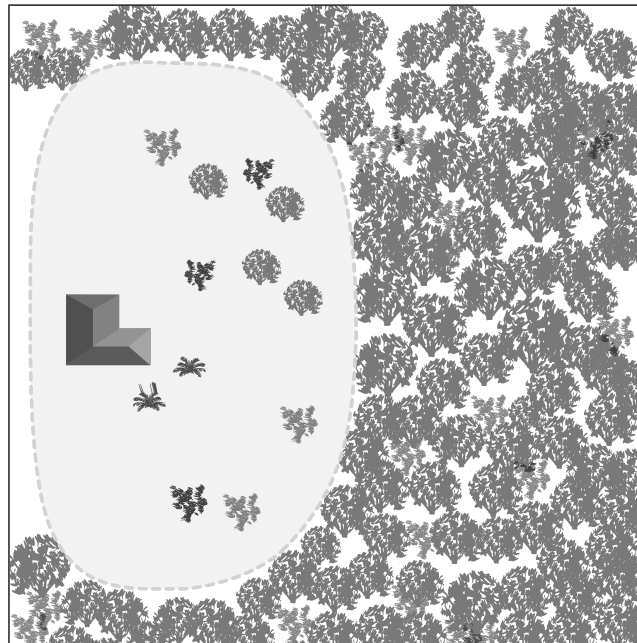
Hazard on one side

 APZ



Hazard on three sides

 APZ



Refer to Schedule 1: Standards for Asset Protection Zones.

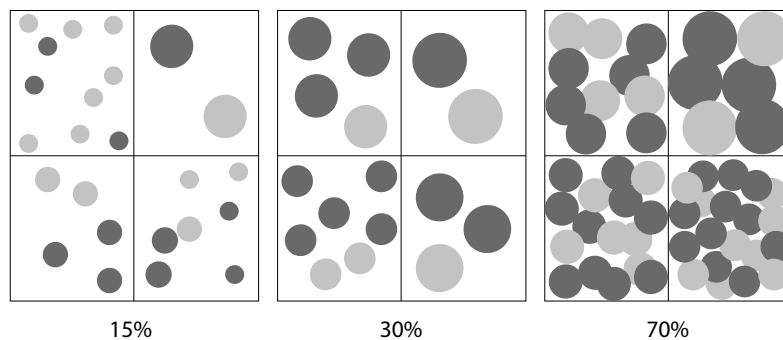
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ELEMENT 2: SITING AND DESIGN OF DEVELOPMENT

SCHEDULE 1: STANDARDS FOR ASSET PROTECTION ZONES

- **Fences:** within the APZ are constructed from non-combustible materials (e.g. iron, brick, limestone, metal post and wire). It is recommended that solid or slatted non-combustible perimeter fences are used.
- **Objects:** within 10 metres of a building, combustible objects must not be located close to the vulnerable parts of the building i.e. windows and doors.
- **Fine Fuel load:** combustible dead vegetation matter less than 6 millimetres in thickness reduced to and maintained at an average of two tonnes per hectare.
- **Trees (> 5 metres in height):** trunks at maturity should be a minimum distance of 6 metres from all elevations of the building, branches at maturity should not touch or overhang the building, lower branches should be removed to a height of 2 metres above the ground and or surface vegetation, canopy cover should be less than 15% with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy.

Figure 18: Tree canopy cover – ranging from 15 to 70 per cent at maturity



- **Shrubs (0.5 metres to 5 metres in height):** should not be located under trees or within 3 metres of buildings, should not be planted in clumps greater than 5m² in area, clumps of shrubs should be separated from each other and any exposed window or door by at least 10 metres. Shrubs greater than 5 metres in height are to be treated as trees.
- **Ground covers (<0.5 metres in height):** can be planted under trees but must be properly maintained to remove dead plant material and any parts within 2 metres of a structure, but 3 metres from windows or doors if greater than 100 millimetres in height. Ground covers greater than 0.5 metres in height are to be treated as shrubs.
- **Grass:** should be managed to maintain a height of 100 millimetres or less.

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ELEMENT 3: VEHICULAR ACCESS

Intent: To ensure that the vehicular access serving a subdivision/development is available and safe during a bushfire event.

PERFORMANCE PRINCIPLE

The intent may be achieved where:

P3

The internal layout, design and construction of public and private vehicular access and egress in the subdivision/development allow emergency and other vehicles to move through it easily and safely at all times.

ACCEPTABLE SOLUTIONS

To achieve the intent, all applicable 'acceptable solutions' must be addressed.

A3.1 Two access routes

Two different vehicular access routes are provided, both of which connect to the public road network, provide safe access and egress to two different destinations and are available to all residents/the public at all times and under all weather conditions.

A3.2 Public road

A public road is to meet the requirements in Table 6, Column 1.

A3.3 Cul-de-sac (including a dead-end road)

A cul-de-sac and/or a dead end road should be avoided in bushfire prone areas. Where no alternative exists (i.e. the lot layout already exists and/or will need to be demonstrated by the proponent), the following requirements are to be achieved:

- Requirements in Table 6, Column 2;
- Maximum length: 200 metres (if public emergency access is provided between cul-de-sac heads maximum length can be increased to 600 metres provided no more than eight lots are serviced and the emergency access way is no more than 600 metres); and
- Turn-around area requirements, including a minimum 17.5 metre diameter head.

A3.4 Battle-axe

Battle-axe access leg should be avoided in bushfire prone areas. Where no alternative exists, (this will need to be demonstrated by the proponent) all of the following requirements are to be achieved:

- Requirements in Table 6, Column 3;
- Maximum length: 600 metres; and
- Minimum width: six metres.

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ELEMENT 3: VEHICULAR ACCESS

PERFORMANCE PRINCIPLE

ACCEPTABLE SOLUTIONS

A3.5 Private driveway longer than 50 metres

A private driveway is to meet all of the following requirements:

- Requirements in Table 6, Column 3;
- Required where a house site is more than 50 metres from a public road;
- Passing bays: every 200 metres with a minimum length of 20 metres and a minimum width of two metres (i.e. the combined width of the passing bay and constructed private driveway to be a minimum six metres);
- Turn-around areas designed to accommodate type 3.4 fire appliances and to enable them to turn around safely every 500 metres (i.e. kerb to kerb 17.5 metres) and within 50 metres of a house; and
- Any bridges or culverts are able to support a minimum weight capacity of 15 tonnes.
- All-weather surface (i.e. compacted gravel, limestone or sealed).

A3.6 Emergency access way

An access way that does not provide through access to a public road is to be avoided in bushfire prone areas. Where no alternative exists (this will need to be demonstrated by the proponent), an emergency access way is to be provided as an alternative link to a public road during emergencies. An emergency access way is to meet all of the following requirements:

- Requirements in Table 6, Column 4;
- No further than 600 metres from a public road;
- Provided as right of way or public access easement in gross to ensure accessibility to the public and fire services during an emergency; and
- Must be signposted.

A3.7 Fire service access routes (perimeter roads)

Fire service access routes are to be established to provide access within and around the edge of the subdivision and related development to provide direct access to bushfire prone areas for fire fighters and link between public road networks for fire-fighting purposes. Fire service access routes are to meet the following requirements:

- Requirements Table 6, Column 5;
- Provided as right of ways or public access easements in gross to ensure accessibility to the public and fire services during an emergency;
- Surface: all-weather (i.e. compacted gravel, limestone or sealed)
- Dead end roads are not permitted;
- Turn-around areas designed to accommodate type 3.4 appliances and to enable them to turn around safely every 500 metres (i.e. kerb to kerb 17.5 metres);
- No further than 600 metres from a public road;
- Allow for two-way traffic and;
- Must be signposted.

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ELEMENT 3: VEHICULAR ACCESS

PERFORMANCE PRINCIPLE

ACCEPTABLE SOLUTIONS

A3.8 Firebreak width

Lots greater than 0.5 hectares must have an internal perimeter firebreak of a minimum width of three metres or to the level as prescribed in the local firebreak notice issued by the local government.

Table 6: Vehicular access technical requirements

TECHNICAL REQUIREMENTS	1 Public road	2 Cul-de-sac	3 Private driveway	4 Emergency access way	5 Fire service access routes
Minimum trafficable surface (m)	6*	6	4	6*	6*
Horizontal clearance (m)	6	6	6	6	6
Vertical clearance (m)	4.5	N/A	4.5	4.5	4.5
Maximum grade <50 metres	1 in 10	1 in 10	1 in 10	1 in 10	1 in 10
Minimum weight capacity (t)	15	15	15	15	15
Maximum crossfall	1 in 33	1 in 33	1 in 33	1 in 33	1 in 33
Curves minimum inner radius (m)	8.5	8.5	8.5	8.5	8.5
*Refer to E3.2 Public roads: Trafficable surface					

EXPLANATORY NOTES

E3.1 Two access routes

It is essential that residents and the community, as well as emergency services, have safe access and egress from both the subdivision and individual houses/development. It is the developer's responsibility, as part of the Bushfire Hazard Level assessment, to ensure that subdivision and development design allow for bushfire protection criteria to be met regarding driveways and turnaround areas at house sites.

It is also necessary that the public have two safe access options leading to two different destinations that can withstand all weather conditions. This applies to access routes leading into a subdivision, as well as those within a subdivision. This acceptable solution allows for the situation if a vehicular access/egress route to a subdivision or lot becomes blocked during a fire then there is an alternative vehicular access/egress route which provides access to a different destination. Accordingly, road widening in lieu of providing two different access routes should not be supported. All access should be suitable to accommodate type 3.4 fire appliances (i.e. fire trucks with a four-wheel-drive 7-tonne chassis).

Two-way access should be provided as a public road; however, where a public road cannot be provided, (this will need to be demonstrated by the proponent providing justification for why this cannot be achieved) an emergency access way may be considered.

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ELEMENT 3: VEHICULAR ACCESS

EXPLANATORY NOTES

E3.2 Public road

Trafficable surface

Widths quoted for access routes refer to the width of the trafficable surface. A six metre trafficable surface does not necessarily mean paving width. It could, for example, include four metre wide paving one metre wide constructed road shoulders.

In special circumstances, where eight lots or less are being serviced, a public road with a minimum trafficable surface of four metres for a maximum distance of 90 metres may be provided subject to the approval of both the local government and Department of Fire and Emergency Services.

Public road design

All roads should allow for two-way traffic to allow conventional two-wheel drive vehicles and fire appliances to travel safely on them.

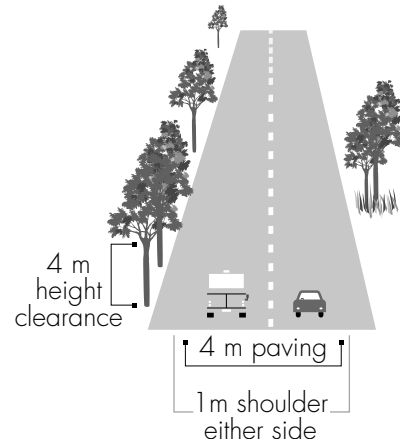


Figure 19: Minimum design requirements for a public road

E3.3 Cul-de-sac

In bushfire prone areas, a cul-de-sac subdivision layout is not favoured because they do not provide access in different directions for residents. In some instances it may be possible to provide an emergency access way between cul-de-sac heads to a maximum distance of 600 metres, so as to achieve two-way access. Such links must be provided as right of ways or public access easements in gross to ensure accessibility to the public and fire services during an emergency. A cul-de-sac in a bushfire prone area is to connect to a public road that allows for travel in two directions in order to address Acceptable Solution A3.1.

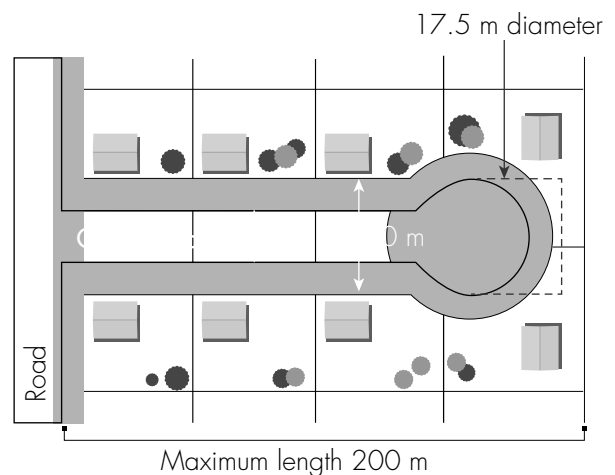


Figure 20: Minimum design requirements for a cul-de-sac

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ELEMENT 3: VEHICULAR ACCESS

EXPLANATORY NOTES

E3.4 Battle-axe

In bushfire prone areas, lots with battle-axe access legs should be avoided because they often do not provide two-way access and egress for residents and may be easily blocked by falling trees or debris. In some instances, however; it may be appropriate for battle-axe access to be used to overcome specific site constraints. Where used, they should comply with the minimum standards for private driveways.

Passing bays should be provided at 200 metre intervals along battle-axe access legs to allow two-way traffic. The passing bays should be a minimum length of 20 metres, with the combined width of the passing bay and the access being a minimum of six metres.

Turn-around areas should allow type 3.4 fire appliances to turn around safely (i.e. kerb to kerb 17.5 metres) and should be available at house sites and at 500 metre intervals along the access leg.

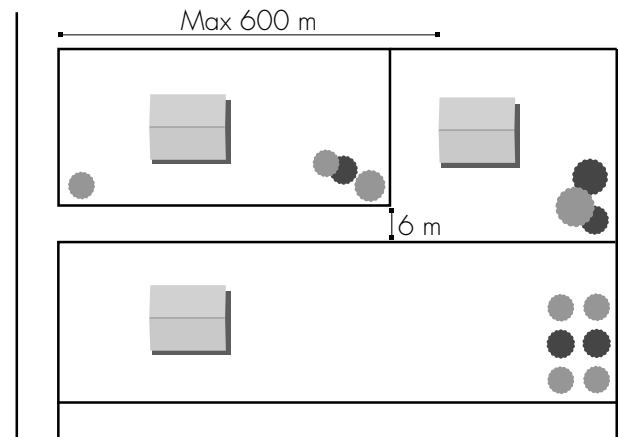


Figure 21: Minimum design requirements for a battle-axe

Unless no alternative exists, battle-axe access legs should be avoided in bushfire prone areas. Where deemed appropriate, the minimum design standards are shown.

E3.5 Private driveway longer than 50 metres

For a driveway shorter than 50 metres, fire appliances typically operate from the street frontage however where the distance exceeds 50 metres, then fire appliances will need to gain access along the driveway in order to defend the property during a bushfire. Where house sites are more than 50 metres from a public road, access to individual houses and turn-around areas should be available for both conventional two-wheel drive vehicles of residents and type 3.4 fire appliances.

Turn-around areas should be located within 50 metres of a house. Passing bays should be available where driveways are longer than 200 metres and turn-around areas in driveways that are longer than 500 metres. Circular and loop driveway designs may also be considered. These criteria should be addressed through subdivision design.

Passing bays should be provided at 200 metre intervals along private driveways to allow two-way traffic. The passing bays should be a minimum length of 20 metres, with the combined width of the passing bay and the access being a minimum of six metres.

Turn-around areas should allow type 3.4 fire appliances to turn around safely (i.e. kerb to kerb 17.5 metres) and should be available at the house sites and at 500 metre intervals along the driveway.

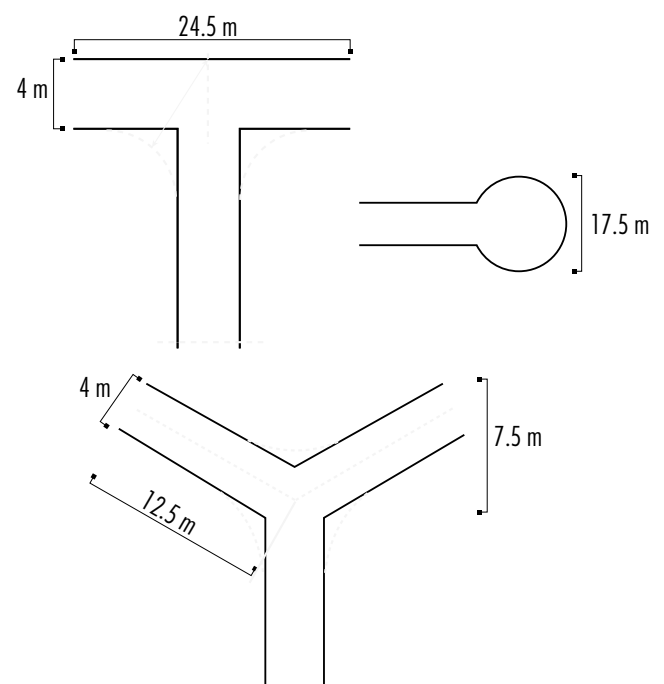


Figure 22: Design requirements for a private driveway longer than 50 metres

Turning areas should allow type 3.4 fire appliances to turn safely

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ELEMENT 3: VEHICULAR ACCESS

EXPLANATORY NOTES

E3.6 Emergency access way

An emergency access way is not a preferred option however may be used to link up with roads to allow alternative access and egress during emergencies where traffic flow designs do not allow for two-way access. Such access should be provided as a right-of-way or easement in gross to ensure accessibility to the public and fire emergency services during an emergency.

The access should comply with minimum standards for a public road and should be signposted. Where gates are used to control traffic flow during non-emergency periods, these must not be locked. Emergency access ways are to be no longer than 600 metres and must be adequately signposted where they adjoin public roads.

Where an emergency access way is constructed on private land, a right of way or easement in gross is to be established.

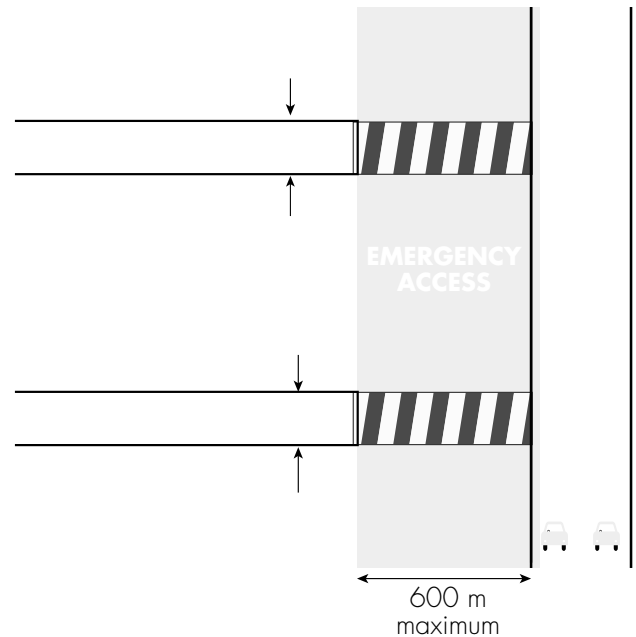


Figure 23: Minimum design requirements for an emergency access way

Two different vehicular access routes, both of which connect to the public road network, should be available to all residents at all times



Figure 24: Emergency access ways may be used to link up with roads to allow alternative access during emergencies

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ELEMENT 3: VEHICULAR ACCESS

EXPLANATORY NOTES

E3.7 Fire service access routes (perimeter roads)

Fire service access routes should be established to separate bushfire prone areas from developed areas, and to provide access within and around the edge of subdivisions and related development. Fire service access is used during bushfire suppression operations but can also be used for fire prevention work.

Fire service access routes should:

- Link up with the road network at regular intervals – the development and road network forms part of the fire service access system;
- Be adequately signposted;
- Allow for two-way traffic – that is, two fire appliances must be able to safely pass each other;
- Have an all-weather surface (i.e. compacted gravel, limestone or sealed); and
- Have erosion control measures in place.

Driveways may be used as part of the designated fire service access system, provided they meet the minimum standard for fire service access routes. It is beneficial to link the fire service access routes with individual driveways to allow quick access to properties and houses during fire emergencies.

Where gates are used, these should be wide enough to accommodate type 3.4 fire appliances (minimum width of 3.6m) with the design and construction to be approved by the relevant local government. Gates on fire service access routes may be locked to restrict access provided that a common key system is used and such keys are made available for fire appliances and designated fire officers within the local government area and/or surrounding district. Gates should be installed where fences cross fire service access routes.

Management and access arrangements should be in place to ensure that the maintenance of fire service access routes will occur in the long term after an area has been subdivided. A number of options can be used to achieve this, including but not limited to:

- Individual property owners being responsible for maintaining fire service access routes where these fall on their property;
- Providing such access as a right-of-way or easement in gross to ensure accessibility to fire services during an emergency; and/or
- A levy system administered by local government to cover the cost of maintaining fire service access routes.

Such arrangements should be documented in the relevant planning application (such as a structure plan, subdivision plan or development plan) and should be agreed to by local government.

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ELEMENT 4: WATER

Intent: To ensure that water is available to the subdivision, development or land use to enable people, property and infrastructure to be defended from bushfire.

PERFORMANCE PRINCIPLE

The intent may be achieved where:

P4

The subdivision, development or land use is provided with a permanent and secure water supply that is sufficient for fire fighting purposes.

ACCEPTABLE SOLUTIONS

To achieve the intent, all applicable 'acceptable solutions' must be addressed.

A4.1 Reticulated areas

The subdivision, development or land use is provided with a reticulated water supply in accordance with the specifications of the relevant water supply authority and Department of Fire and Emergency Services.

A4.2 Non-reticulated areas

Water tanks for fire fighting purposes with a hydrant or standpipe are provided and meet the following requirements:

- Volume: minimum 50,000 litres per tank;
- Ratio of tanks to lots: minimum one tank per 25 lots (or part thereof);
- Tank location: no more than two kilometres to the further most house site within the residential development to allow a 2.4 fire appliance to achieve a 20 minute turn-around time at legal road speeds;
- Hardstand and turn-around areas suitable for a type 3.4 fire appliance (i.e. kerb 17.5 metres) are provided within three metres of each water tank; and
- Water tanks and associated facilities are vested in the relevant local government.

A4.3 Individual lots within non-reticulated areas (Only for use if creating 1 additional lot and cannot be applied cumulatively)

- Single lots above 500 square metres need a dedicated static water supply on the lot that has the effective capacity of 10,000 litres.

EXPLANATORY NOTES

E4.1 Reticulated areas

Water supply authorities in Western Australia include the Water Corporation, Aqwest and the Busselton Water Board.

The Water Corporation's 'No. 63 Water Reticulation Standard' is deemed to be the baseline criterion for developments and should be applied unless local water supply authorities' conditions apply.

E4.2 Non-reticulated areas

A procedure must be in place to ensure that water tanks are maintained at or above the designated capacity, including home tanks on single lots, at all times. This could be in the form of an agreement with the local government and the fire service.

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APPENDIX FIVE BUSHFIRE MANAGEMENT PLANS

Purpose

A Bushfire Management Plan (BMP) is required to accompany strategic planning proposals, subdivision and development applications⁸ in areas above BAL – Low or areas with a bushfire hazard level above low. In accordance with SPP 3.7: Planning in bushfire prone areas, a BMP should include the bushfire assessment; identification of the bushfire hazard issues arising from the relevant assessment; and demonstration that compliance with the bushfire protection criteria contained within Appendix 4 of these Guidelines can be achieved. Further guidance is included in section 4.6 of these Guidelines.

Level of detail

The level of detail provided within a BMP should be commensurate with the applicable planning stage and scale of the proposal or application.

The primary sections 1-6 included in the BMP templates should always retain the stated section numbering. If a primary section is not relevant to an application then state N/A (and a reason, if applicable) but leave the section in the plan. The sub-sections can be modified as required, with best practice being to adhere to them as closely as possible, and add further detail if required.

Table 7 provides a checklist to outline the requirements for land use planning proposals and development applications in bushfire prone areas.

Table 7: Bushfire Management Plan Section Checklist

SECTIONS		Local planning strategies	Schemes and amendments	Structure plans	Subdivision	Development approval
Coversheet		✓	✓	✓	✓	✓
Executive summary		optional	optional	optional	optional	optional
1.	Proposal details	✓	✓	✓	✓	✓
2.	Environmental considerations	✓	✓	✓	✓	✓
3.	Bushfire assessment results					
3.1	Assessment inputs	✓	✓	✓	✓	✓
3.2	Assessment outputs					
	BHL assessment	✓	✓	✓		
			or	or		
	BAL contour map		✓	✓	✓	
					or	
	BAL assessment				✓	✓
4.	Bushfire hazard issues	✓	✓	✓	✓	✓
5.	Assessment against the bushfire protection criteria	✓	✓	✓	✓	✓
6.	Implementation	✓	✓	✓	✓	✓

If future lot layout has been determined, a BAL contour map showing the BAL ratings for each lot should be prepared instead of a BHL assessment.

⁸ Excluding development applications for single houses and ancillary dwellings on a lot or lots less than 1,100m²

Contents	1	2	3	4	5	6	Appendices
	Introduction	Policy framework overview	Bushfire prone areas	Assessing bushfire risk in the planning context	Applying SPP 3.7	Roles and responsibilities	

Bushfire Management Plan sections

Section 1: Proposal details

Include a brief explanation of the planning proposal and resulting intensification of land use.

Section 2: Environmental considerations

SPP 3.7 policy objective 5.4 recognises the need to consider bushfire risk management measures alongside environmental, biodiversity and conservation values.

The BMP should identify whether onsite clearing or modification of native vegetation will be required; and whether areas are proposed to be revegetated as part of the planning proposal.

The BMP should provide evidence (from relevant agencies, the environmental or planning consultant and/or the local government) that the vegetation clearing and/or modification can be achieved. If evidence is unavailable, it may be satisfactory to identify the need to seek these approvals at a subsequent stage of the planning process and to acknowledge that if approval is not forthcoming there may be a need to revise the BMP.

Where revegetation is proposed, written evidence and / or an approved landscape plan should be provided to demonstrate that the agency responsible for the ongoing management (i.e. local government and / or Department of Biodiversity, Conservation and Attractions), understands and supports the vegetation classification assigned to the subject area.

Section 3: Bushfire assessment results

The assessment inputs and outputs will be dependent on the type of planning proposal. Assessments should be undertaken in accordance with the relevant methodology contained within these Guidelines.

Section 4: Identification of bushfire hazard issues

Identify any bushfire hazard issues identified through examination of the environmental considerations and the bushfire risk assessment. This may include access constraints both within and outside of the site, the location of significant and remaining bushfire hazards (e.g. Regional reserves, National Parks, etc.) and other relevant bushfire hazards. This will assist in the understanding of whether the proposal is likely to be able to comply with the bushfire protection criteria.

This is particularly relevant to support strategic planning proposals where consideration of issues may assist in determining the suitability of areas for development; and issues that need to be considered at subsequent stages of the planning process.

Section 5: Assessment against the bushfire protection criteria

For each of the elements listed in Appendix 4 of these Guidelines, the 'intent' must be demonstrated by either addressing the relevant acceptable solutions; or where these acceptable solutions cannot be fully met, performance-based solutions can be developed to achieve the 'intent'.

Acceptable solutions should be provided within a table and not duplicated in the body of the BMP.

Section 6: Responsibilities for implementation and management of the bushfire measures

This section should be set out in a table and list separately the responsibilities of the developer/s, landowner/s and local government for the initial implementation and ongoing maintenance of the required bushfire risk mitigation measures.

Best practice examples

Best practice examples have been prepared for:

1. Local planning strategies – using a BHL assessment
2. Strategic planning proposals – using a BHL assessment
3. Structure plan / subdivision where lot layout is known – using a BAL contour map
4. Development application (complex) – using a BAL assessment
5. Development application (simple) – using a BAL assessment

The BMP templates can be found at www.dplh.wa.gov.au under bushfire planning publications. The standardisation of BMPs improves efficiencies in decision-making at both local and State government level. The BMP templates promote the clear and succinct presentation of information required under SPP 3.7 and within these Guidelines. It is strongly recommended that these BMP templates are used.

Contents	1	2	3	4	5	6	Appendices
	Introduction	Policy framework overview	Bushfire prone areas	Assessing bushfire risk in the planning context	Applying SPP 3.7	Roles and responsibilities	

APPENDIX SIX RELATED PUBLICATIONS AND FURTHER READING

The following list of publications may be helpful to read in conjunction with SPP 3.7 and these Guidelines. The designation of bushfire prone areas, compliance with the objectives and policy measures of SPP 3.7, and the application of bushfire construction requirements are complemented by bushfire risk management measures that fall outside the planning process. This includes, but is not limited to, maintaining reduced fuel loads, public education and consultation, provision and maintenance of firefighting services and infrastructure, and up-to-date evacuation plans.

Planning policies and publications

- State Planning Policy 2: Environment and Natural Resources Policy* (WAPC, 2003)
- State Planning Policy 2.5: Agricultural and Rural Land Use Planning* (WAPC, 2014)
- State Planning Policy 2.6: State Coastal Planning Policy* (WAPC, 2013)
- State Planning Policy 2.8: Bushland Policy for the Perth Metropolitan Region* (WAPC, 2010)
- State Planning Policy 2.9: Water Resources* (WAPC, 2006)
- State Planning Policy 3: Urban Growth and Settlement* (WAPC, 2006)
- State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7)* (WAPC, 2015)
- Introduction to the Western Australian Planning System* (WAPC, 2014)
- Liveable Neighbourhoods* (WAPC 2009, as amended)
- Local Planning Manual* (WAPC, 2010)
- Structure Plan Preparation Guidelines* (WAPC, 2012)
- Visual Landscape Planning in Western Australia* (WAPC, 2007)

Legislation

- Building Act 2011*
- Building Regulations 2012*
- Environmental Protection Act 1986*
- Environmental Protection and Biodiversity Conservation Act 1999* (Cwth)

- Environmental Protection (Clearing of Native Vegetation) Regulations 2004*
- Planning and Development Act 2005*
- Planning and Development (Local Planning Schemes) Regulations 2015*

Building approval publications

- Building Code of Australia (Australian Building Codes Board, as amended)
- Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas* (Standards Australia 2009, as referenced by the Building Code of Australia) (Published by SAI Global)
- Performance Standards for Private Bushfire Shelters (Australian Building Codes Board, 2010)

Fire protection publications

- Standards for building protection zones for buildings and critical infrastructure in bushfire prone areas* (DFES, 2013)
- Prepare. Act. Survive* (DFES, 2012)
- Guidelines for Plantation Fire Protection* (Fire and Emergency Services Authority, 2011)
- The Homeowner's Bushfire Survival Manual – 6th edition* (Department of Fire and Emergency Services, 2015)
- Mapping Standard for Bush Fire Prone Areas* (OBRM, 2015)

Other related publications

- Adapting to our Changing Climate* (Department of Environment and Conservation, 2012)
- Building for Better Protection in Bushfire Areas: A Homeowner's Guide* (Department of Commerce, 2014)
- Design Standard 63 (Water Corporation, 2012)
- Evacuation Planning' Handbook 4, 3rd Edition (2013), produced by the Australian Emergency Management Institute of the Commonwealth Attorney Generals Department.
- Guidelines for Organisations Seeking to Become Accrediting Bodies in Western Australia: Level 1 Bushfire Attack Level Assessor, Level 2 Bushfire Planning Practitioner – Prescriptive and Level 3 Bushfire Planning Practitioner – Performance* (Department of Planning, 2015)
- Regional and Local Fire Prevention and Response Plans and Fire Equipment Strategies, Where They Exist (refer relevant local government)



OCTOBER 2019 COUNCIL MEETINGS

This notice is pursuant to Section 5.25(g) of the *Local Government Act 1995* and Regulation 12 of the *Local Government (Administration) Regulations 1996*.

The October 2019 Agenda Briefing and Ordinary Council Meeting have been postponed in lieu of the revised schedule for October 2019, following the Ordinary local government Election, as follows:

Dates	Detail
Tues 22 October 2019 commencing 3.00pm Special Meeting	Swearing in of new Councillors; Election of President and Deputy; and Allocation of Seats
Tues 22 October 2019 commencing 4.00pm Agenda Briefing	Include discussion of committees and appointments
Tues 29 October 2019 commencing 3.00pm Special Meeting	Allocation of membership of committees Appointments to represent Council
Tuesday 29 October 2019 commencing at 4.00pm Ordinary Council Meeting	Deferred Ordinary Council Meeting

Council Meeting Information, including Agendas and Minutes can be accessed via the following link: <http://www.toodyay.wa.gov.au/Council/Council-Meetings>

Stan Scott
Chief Executive Officer

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Shire of Toodyay

Advisory Groups and Committee Book

TERMS OF REFERENCE

Advisory Groups and Committee Book

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Terms of Reference

(A) A review of these Terms of Reference will be undertaken biennially.

(B) Operation of Committees of Council and Advisory Groups will be as described in this Terms of Reference.

(C) The Terms of Reference has been written to identify the following:

Committees of Council are:

A Standing Committee of Council that is established legislatively with a defined purpose;

Bound by the provisions contained in the *Local Government Act 1995* and subsidiary legislation (under the *Local Government Act 1995*).

Bound by the provisions contained within the *Shire of Toodyay Standing Orders Local Law 2008*; and

Bound by the provisions contained in the Code of Conduct for Members.

Advisory Groups are:

Not bound by the *Local Government Act 1995* requirements;

Not bound by the *Shire of Toodyay Standing Orders Local Law 2008*.

Bound by the Policy titled "Advisory Groups Policy" which will act as guidance for establishment and operation of the Shire of Toodyay's Advisory Groups of Council that follows similar principles as Standing Committees; and

This policy was adopted by Council on DATE _____ that follows similar principles as Standing Committees;

Bound by the provisions contained in the Code of Conduct for Members; and

Bound by the Terms of Reference herein detailing definitions such as:

- Purpose;
- Objectives;
- Terms of Office;
- Frequency of Meetings;
- Invitees (where applicable);
- Responsibilities: and
- Membership Composition

Essential Committees of Council

Section 5.8 of the *Local Government Act 1995* provides for the establishment of committees of three or more persons. Sections 5.9 and 5.10 provide for the types of committees and membership.

There are four Essential Committees of Council, one of which is closed to the public. They are as follows:

1. Audit Committee - *closed to the public*
2. Bush Fire Advisory Committee
3. Local Emergency Management Committee
4. Local Recovery Committee

The public notice of public meetings is in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*.

Audit Committee

Purpose

The purpose of the Audit Committee is in accordance with regulation 16 of the *Local Government (Audit) Regulations 1996*.

The Audit Committee is required to be established by Council in response to the provisions of Section 7.1A of the *Local Government Act 1995* – composition is to be no less than three elected members and any number of other persons provided that the ‘majority’ of members are members of the Council. **absolute majority decision*

The CEO and Shire employees are not appointed as voting members of the committee.

The term for a ‘Standing Committee’ of the Council is ongoing. The Committee will need to be formally re-appointed by Council following each Local Government Election.

Terms of Reference

The duties and responsibilities of the committee will be:

1. Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits and matters related to financial management;
2. Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions;
3. Liaise with the CEO to ensure that the local government does everything in its power to:
 - (a) assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and
 - (b) ensure that audits are conducted successfully and expeditiously;
4. Examine the reports of the auditor after receiving a report from the CEO on the matters to:
 - (a) determine if any matters raised require action to be taken by the local government; and
 - (b) oversee the implementation of any action so determined in respect of those matters;
5. Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time;
6. Review the scope of the internal audit plan and program and its effectiveness;
7. Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or CEO;
8. Review the level of resources allocated to internal audit and the scope of its authority;
9. Review reports of internal audits, monitor the implementation of recommendations made by the audit and review the extent to which Council and management reacts to matters raised;
10. Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs;
11. Review the local government’s draft annual financial report, focusing on:
 - (a) accounting policies and practices;
 - (b) changes to accounting policies and practices;
 - (c) the process used in making significant accounting estimates;
 - (d) significant adjustments to the financial report (if any) arising from the audit process;
 - (e) compliance with accounting standards and other reporting requirements; and
 - (f) significant variances from prior years.
12. Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed;
13. Address issues brought to the attention of the committee, including responding to requests from Council for

- advice that are within the parameters of the committee's terms of reference;
14. Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference following authorisation from the Council;
 15. Review the annual Compliance Audit Return and report to the council the results of that review,
 16. Having regard to the culture and capability of the organisation, consider the CEO's reviews of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance, required to be provided to the committee, and report to the council the results of those reviews:
 - (a) Monitor and advise the CEO when the CEO is carrying out functions in relation to a review of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance;
 - (b) Oversee the implementation of any action required following receipt of the review of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance;
 - (c) Monitor and advise the CEO when the CEO is carrying out functions in relation to a review of the appropriateness and effectiveness of the financial management systems and procedures;
 - (d) Oversee the implementation of any action required following receipt of a review of the appropriateness and effectiveness of the financial management systems and procedures.

Committee Membership Composition (section 7.1A Local Government Act 1995)

- (a) Four elected members (two primary and two deputy)
- (b) Any number of other persons provided that the 'majority' of members are members of the Council;
- (c) The CEO and Shire employees are not appointed as voting members of the committee.

Bush Fire Advisory Committee

Purpose

To provide advice to the local government on matters pertaining to obligations contained within the Bush Fires Act, organising, managing, resourcing and training volunteer bush fire brigades.

Term of Office

The term for a 'Standing Committee' of the Council is ongoing. The Committee will need to be formally re-appointed by Council following each Local Government Election.

Terms of Reference

Part V, Section 67 of the Bush Fires Act 1954 provides for the establishment of a Bush Fire Advisory Committee.

While not mandatory, this committee provides a very worthwhile role in engaging with brigades and gaining feedback and input on policy and strategy.

1. Recommend and regularly review Councils policies relating to the delivery of fire prevention, preparedness, response and recovery.
2. Provide support and guidance to all Bush Fire Brigades and Toodyay State Emergency Services Units within the Shire of Toodyay and to assist those brigades/unit to fulfil their objectives.
3. Establish and maintain an operational command and control structure by developing procedures to enhance the ability of the brigades/units to carry out operations, activities and training efficiently and effectively.
4. Ensure co-operation and co-ordination between all brigades/units within the Shire of Toodyay and between all other brigades/units and stakeholders in their efforts and activities.
5. Advise Council regarding all matters relating to prosecutions for breaches of the Bush Fires Act 1954.
6. Advise regional officers in the area and any other relevant person or organization on matters referred to the committee.
7. Committee to respond to Council on agenda items submitted from council.
8. Perform any other function assigned to the Committee under section 67 of the Bush Fires Act, Fire and Emergency Services Act, various Acts and Regulations or Council policy.

Committee Membership Composition

- (a) Four elected members (two primary and two deputy)
- (b) Captain & FCO (or their representative) from the following brigades:

Bejoording	Julimar
Morangup	Toodyay Central
Coondle-Nunile	SES Brigade
- (c) Chief Bush Fire Control Officer or his Deputy / Deputies
 - Deputy Bush Fire Control Officer (DBFCO) 1
 - Deputy Bush Fire Control Officer (DBFCO) 2
- (d) Supporting Officers or representative
 - Toodyay Volunteer Fire & Rescue Representative
 - Bushfire Risk Management Planning Coordinator
 - Chief Executive Officer Shire of Toodyay
 - Community Emergency Services Manager
 - Department of Parks & Wildlife Representative
 - Department of Fire & Emergency Services (DFES) Representative

Local Emergency Management Committee

Purpose

To advise and assist the Local Government in ensuring that the Local Emergency Management arrangements are established for its district; to liaise with public authorities and other persons in the development, review and testing of Local Emergency Management arrangements; and to carry out other emergency management activities as directed by the SEMC or prescribed by the Regulations.

Term of Office

The term for a 'Standing Committee' of the Council is ongoing. The Committee will need to be formally re-appointed by Council following each Local Government Election.

Terms of Reference

Part 3 (Division 1) Section 38 of the Emergency Management Act 2005 provides for the establishment of a Local Emergency Management Committee.

Section 38(3) of the Emergency Management Act 2005 provides for the membership of a LEMC subject to Section 38(4) of the Emergency Management Act 2005 whereby the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

Sections 16 to 20 of State Emergency Management Policy No. 2.5 – Emergency Management in Local Government Districts provides guidelines to local government in relation to the membership of a Local Emergency Management Committee.

Committee Membership Composition

- (a) Four elected members (two primary and two deputy)
- (b) Chief Bush Fire Control Officer or deputy
- (c) Community Emergency Services Manager (CESM) or deputy
- (d) Local Recovery Coordinator
- (e) Deputy Recovery Coordinator
- (f) Supporting Officers or representative
 - Toodyay Volunteer Fire & Rescue Representative
 - Bushfire Risk Management Planning Coordinator
 - Police Officer in Charge – Toodyay
 - Chief Executive Officer – Shire of Toodyay
 - Chief Bush Fire Control Officer (CBFCO)
 - Department of Child Protection and Family Support representative
 - Community Emergency Management Coordinator (CEMO)
 - DFES District Manager Representative
 - Main Roads Representative
 - Toodyay Volunteer Fire & Rescue representative
 - Silver Chain Service Coordinator Representative
 - St John Ambulance representative
 - St John Ambulance Paramedic
 - Red Cross Representative
 - Ranger Representatives
 - Principal, Toodyay District High School
 - Health/Medical Representative
 - Main Roads Representative

Local Recovery Committee

Purpose

To coordinate and support local management of the recovery processes within the community subsequent to a major emergency in accordance with State Emergency Management policy and the Local Recovery Plan.

Term of Office

The term for a 'Standing Committee' of the Council is ongoing. The Committee will need to be formally re-appointed by Council following each Local Government Election.

Terms of Reference

This committee is established under the Emergency Management Act 2005.

The Local Recovery Committee is a subcommittee of the LEMC tasked with aspects of Recovery and its purpose is to assist the local government in the recovery process following a local emergency.

The responsibility of this committee is "to ensure a coordinated multi-agency approach to community recovery and make appropriate recommendations, based on lessons learnt, to the Local Emergency Management Advisory Committee to improve the community's recovery preparedness."

Committee Membership Composition

- (a) Shire President
- (b) Local Recovery Coordinator
- (c) Deputy Recovery Coordinator
- (d) Chief Executive Officer
- (e) Community Emergency Services Manager

Advisory Groups of Council

Advisory Groups are not established under Section 5.8 of the Local Government Act 1995. They do not have delegated authority from Council.

Advisory Groups are closed to the public. There is one Advisory Group of Council as follows:

1. Environmental Advisory Group

Refer to the Policy titled “Advisory Groups Policy.”

Environmental Advisory Group (EAG)

Purpose

To inform and advise Council on environmental and sustainability related issues and Council's role in improving the natural environment of Toodyay. The EAG particularly advises on the implementation, monitoring and review of the Shire's Environmental Strategy and Biodiversity Strategy, subsequent strategies and actions.

Objectives

- i. Provide input and advice to Council on issues of environmental sustainability;
- ii. To provide input to Council on behalf of the community and community organisations;
- iii. To actively support Council's consultation with and advocacy to the broader community;
- iv. To provide input and advice to Council on the implementation of Council's Environmental Management Strategy and development and implementation of Council's Biodiversity Strategy;
- v. To monitor and review environmental and sustainability issues in Toodyay;
- vi. To provide input and assist in developing relevant documents including policies, strategies, leaflets, pamphlets or booklets consistent with Council's Environmental Management Strategy; and
- vii. To assist Council in determining of priority activities to be undertaken and annual objectives.

Term of Office

The term for an 'Advisory Group' of the Council is ongoing. The Advisory Group will need to be formally re-appointed by Council following each Local Government Election.

Frequency of Meetings

The Advisory Group meets at 5.00 pm on the first 1st Tuesday of March, June, September and December unless otherwise determined by the Chairperson of the Group.

Invitees

The Advisory Group may invite representatives from relevant government departments, and other bodies with specialist advice, to its meetings as and when required. Such representatives shall not be members.

Responsibilities

As community representatives Environmental Advisory Group members are expected to:

- (a) Have a broad understanding of the environmental and planning legislative framework operating in WA
- (b) Be fully conversant with agenda items and display a high level of preparedness for meetings.
- (c) Be regularly in attendance at meetings.
- (d) Contribute to the sustainability of the district of the Shire of Toodyay by understanding the relevant environmental issues facing the Shire.
- (e) Present evidence based advice.

Advisory Group Membership Composition

- (a) Four elected members (two primary and two deputy)
- (b) Eight community members - A pre-requisite to being appointed as a community member will be the applicant's commitment to preserving the natural environment.
- (c) Supporting Officers
 - Manager Planning and Development
 - Development Services Officer
 - Planning Officer

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Advisory Groups Policy

Introduction

To provide guidance for the establishment and operation of the Shire's Advisory Groups.

Application

Advisory Group means and includes Working Groups referred to in this Policy and established by a resolution of the Council.

The Council may establish an Advisory Group to:

facilitate Council Member, stakeholder and/or community input and involvement opportunities;

to provide advice; and

support to the Shire, in regard to strategic, special interest and/or operational activities.

Advisory Groups established pursuant to this Policy are not, and are not intended to be, Committees established under Section 5.8 of the *Local Government Act 1995*.

1. OPERATION

The operation of an Advisory Group is to occur in accordance with the following principles:

- 1.1 Advisory Groups may be established either by resolution of Council or at the recommendation of the Shire's Administration.
- 1.2 Advisory Groups will operate in accordance with the adopted Terms of Reference which provide:
 - (a) A clear statement of objective and the scope of activity to be undertaken.
 - (b) Membership/stakeholder representation.
 - (c) The operational and administrative framework by which activities are to occur.

2. TERMS OF REFERENCE AND ROLE

Advisory Groups are to operate within the Terms of Reference approved by the Council and the following general administrative framework:

- 2.1 The role of an Advisory Group is to act in an advisory capacity, providing the Shire's Administration and the Council with its views and/or proposals relevant to the Objectives for which the group was established.
- 2.2 The Advisory Group will only consider matters referred to it by Council.
- 2.3 An Advisory Group has no decision making powers and does not have any authority to act on behalf of the Shire. In operation, the group cannot direct employees, call tenders, award

contracts, expend monies, direct volunteers or do anything which is the responsibility of the Shire.

- 2.4 Advisory Group meetings will be conducted in an informal manner, providing opportunities for ideas to be raised and general discussion. The view and proposals of an Advisory Group are to be recorded in Minutes/meeting notes and retained in the Shire's record keeping systems.
- 2.5 Advisory Group members either collectively or individually are not authorised to speak on behalf of the Shire or provide comment to the media or other persons, in respect of any item under consideration, unless authorised by the Chief Executive Officer.

3. ROLE OF THE PRESIDING MEMBER

- 3.1 The Advisory Group Presiding Member is to be appointed by the Council.
- 3.2 The Council appointed Presiding Member will preside at all meetings. In the absence of the Presiding Member, a person elected by the quorum will assume the Chair for that meeting. Preferably, the Advisory Group should be chaired by a Council Member (if possible), or then by a Senior Shire Officer.
- 3.3 The Presiding Member (in liaison with the most Senior Shire Employee appointed to the Advisory Group) shall ensure that the Advisory Group operates in accordance with this Policy at all times.

4. MEETING PROCEDURES

4.1 Meetings

- (a) Council may set, through the terms of reference, the frequency of Advisory Group Meetings.
- (b) Advisory Groups are not required to give public notice of their meetings.
- (c) Advisory Group Meetings are not open to the public.
- (d) Meetings will:
 - (i) Commence on time and conclude by the stated completion time;
 - (ii) Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each member;
 - (iii) Encourage fair and respectful discussion;
 - (iv) Focus on the relevant issues at hand; and
 - (v) Provide advice to Council, as far as practicable, on a consensus basis.
- (e) It is expected that each member attends a minimum of 60% (four of six) meetings per annum) of all meetings. Additional meetings can be called as specified in the terms of reference.)

4.2 Quorum

A quorum will be by simple majority plus one.

4.3 Agendas

- (a) Members may submit items for consideration and listing on the Agenda.
- (b) Agendas must be prepared for each meeting that the Advisory Group holds.
- (c) The Agenda must be provided to members of the group not less than 7 days before the time fixed for the holding of the meeting.

- (d) The Chief Executive Officer or relevant Supporting Officer will approve the Agenda for each meeting prior to its distribution.
- (e) All meetings shall be confined to items listed on the Agenda.

4.4 Minutes/Meeting Notes

- (a) The relevant Manager having responsibility for the Advisory Group, in liaison with the Advisory Group Presiding Member, shall be responsible to ensure the preparation and accuracy of the Minutes/meeting notes.
- (b) Items considered at the meeting will not be voted upon. The Minutes/meeting notes of the Group will record consensus agreement on actions and any points of agreement/disagreement. They will not reflect verbatim discussion on issues or matters discussed during debate prior to consensus agreement being reached. At the end of each meeting, the Shire's Officer in attendance will read out the agreed actions and any points of agreement to the meeting to ensure they are accurately reflected to the consensus view.
- (c) Minutes/meeting notes of the meeting will be prepared by the Responsible Officer and distributed to members within five (5) working days after the date of the meeting.
- (d) Advisory Group unconfirmed Minutes/meeting notes are to be reported through relevant reports with recommendations regarding the views and proposals of the Advisory Group to the next available Ordinary Council Meeting. (Minutes/meeting notes not requiring a Council decision will be included on the Information Bulletin). Reports will consider each proposal to ensure it is:
 - (i) Consistent with the Shire's established strategic and operational planning and the objective for which the Advisory Group was established.
 - (ii) Within the Shire's capacity relevant to staffing, resources and adopted budget and also operational effectiveness and efficiencies.
 - (iii) Endorsed by Council resolution, where funding from external sources is proposed.
- (e) The Minutes/meeting notes shall accurately record the details of any disclosure of interest and the extent of such interest. The Minutes/meeting notes shall also record the times any person who has made a disclosure, has departed and/or re- enters the meeting.

5. CODE OF CONDUCT

- 5.1 Community Members of the Shire's Advisory Groups will be advised of the relevant provisions of the Shire's Code of Conduct and must comply with the relevant requirements.
- 5.2 The Shire's Code of Conduct shall apply to members of the Advisory Groups.
- 5.3 The Shire's Chief Executive Officer is available to provide any assistance or guidance concerning the Code or any matters of Interest.

6. CONFLICT OF INTEREST

- 6.1 Whilst the financial, proximity and impartiality interest provisions of the *Local Government Act 1995* do not apply to the Shire's Advisory and Working Groups (as it is not a Council appointed committee approved under section 5.8 of the *Local Government Act 1995* and does **not** have any legal status), all members need to be aware that any conflict of interest needs to be recognised, to ensure that probity is maintained at all times.

- 6.2 A declaration of a conflict of interest must be treated in accordance with official Shire of Toodyay Standing Orders and general meeting procedures and be reflected in the Minutes taken of that meeting.

7. INSURANCES

The Shire will arrange all insurance to cover Advisory Group members whilst discharging their normal course of duty, including travel to and from the meeting.

8. MEMBERSHIP

Membership of an Advisory Group is to be determined by the Council on a basis of relevancy to the purpose for which the group has been established. Membership may include; Council Members, employees and representatives of stakeholder organisations and members of the community.

- 8.1 Where Advisory Group membership includes representatives to stakeholder organisations, the Shire shall seek written nomination/s from the organisation/s.
- 8.2 Where Advisory Group membership includes representatives to be drawn from members of the community; the Shire shall publicly advertise and call for nominations to be received within a defined period. Members are to be appointed by the Council on the basis of demonstrated knowledge, skills and/or understanding relevant to the purpose for which the Advisory Group has been established.
- 8.3 The term of membership of an Advisory Group is to align with the local government elections cycle, with membership expiring at the next ordinary local government election, with the following exceptions:
- (a) Where the Advisory Group's operations are likely to conclude within a period that does not exceed 12 months following the next ordinary local government elections, the community and/or organisation representation shall continue to the planned conclusion of the Advisory Group's operations. The Council representation shall however, be reappointed following the ordinary local government election.
 - (b) Where the Advisory Group's Terms of Reference have been fulfilled, the Advisory Group may be concluded at the determination of either the Council or the Shire's Administration, whichever was the convenor of the Advisory Group.
- 8.4 In any case, in order to facilitate specific aspects of the operations of an Advisory Group, membership with required skills or knowledge may also be co-opted on an 'as required' basis, by either the Chief Executive Officer or Advisory Group Presiding Member.

9. TENURE OF APPOINTMENT

- 9.1 The Council will appoint a member to the Advisory Group including the prescribed Term and any conditions for a period of two (2) years.
- 9.2 The Council may terminate the appointment of any member prior to the expiry of his/her term, if:
- (a) the Presiding Member and Chief Executive Officer are of the opinion that the member is not making a positive contribution to deliberations of the group; or
 - (b) the member is found to be in breach of the Shire of Toodyay Code of Conduct or a serious contravention of the *Local Government Act 1995*; or
 - (c) a member's conduct, action or comments brings the Shire of Toodyay into disrepute.

10. VACANCIES

Vacancies shall be filled by calling for nominations of either the Council or community representatives. Members filling a vacated position will hold that position for the remainder of the two (2) years duration of the convened Advisory Group, as approved by the Council.

11. COUNCIL DECISION

The Shire's decision making obligations are guided by relevant legislative, strategic and operational requirements and therefore the views or proposals of an Advisory Group may not always prevail.

12. REVIEW

The operations of an Advisory Group shall be reviewed and presented to Council for re-adoption no more than three months after each Ordinary Council Election.

Reference Information

Related Documents

Related Legislation *Local Government Act 1995 (WA)*

Associated Forms and Attachments

Document Category	Governance
Document Title	Advisory Groups Policy
Document ID	
Version No.	
Archived and previous version	
Access Restrictions	
Approved By	Council
Date of Approval (OCM)	
Date of Last Review	
Date of Next Review	2021

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Schedule of Submissions – Environment Advisory Committee – Community Member input

As a courtesy this input was requested at 1.45am on 21 August 2019 following the Agenda Briefing that was held on 20 Aug 2019.

10.5.2 Committees of Council Review

No	Points raised	Comment in response
Frank Panizza		
1.	I can see the need to review structures of committees periodically as the attached agenda item is evidence of.	Noted
2.	Not specifically relating to EAC, committee meetings becoming just a "question and answer" session is not grounds, in my opinion, for removing public input or scrutiny via having community members as committee members.	<p>In respect to the anticipated closure of the WAC, MAC and CPTAC Committees I think you are referring to in respect to your comment, I am not sure that Committees are set up as a means to scrutinise the decisions of Council.</p> <p>Committees of Council are:</p> <ul style="list-style-type: none"> A Standing Committee of Council that is established legislatively with a defined purpose; Bound by the provisions contained in the <i>Local Government Act 1995</i> and subsidiary legislation (under the <i>Local Government Act 1995</i>). Bound by the provisions contained within the <i>Shire of Toodyay Standing Orders Local Law 2008</i>; and Bound by the provisions contained in the Code of Conduct for Members. <p>Advisory Groups are:</p> <ul style="list-style-type: none"> Not bound by the <i>Local Government Act 1995</i> requirements; Not bound by the <i>Shire of Toodyay Standing Orders Local Law 2008</i>. Bound by the Policy titled "Advisory Groups Policy" which will act as guidance for establishment and operation of the Shire of Toodyay's Advisory Groups of

Schedule of Submissions – Environment Advisory Committee – Community Member input

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10.5.2 Committees of Council Review

No	Points raised	Comment in response
		<p>Council that follows similar principles as Standing Committees; and</p> <p>Bound by the provisions contained in the Code of Conduct for Members; and</p> <p>Bound by the Terms of Reference herein detailing definitions such as Purpose; Terms of Office; Frequency of Meetings; Invitees (where applicable); and Responsibilities: and Membership Composition</p> <p>In terms of the Environment Advisory Committee becoming the “Environmental Advisory Group” you can, as per the Terms of Reference do the following:</p> <p>Invite representatives from relevant government departments, and other bodies with specialist advice, to its meetings as and when required.</p> <p>Have up to eight community members (there are currently only four) – I can remove the pre-requisite if you think it will scare community members off.</p> <p>The Chairperson can determine to hold more meetings than are ordinarily scheduled.</p> <p>You can formally keep having the meetings as you do – working on a recommendation without moving and seconding, etcetera and without moving amendments to this and amendments to that because you don’t have to follow standing orders.</p>
3.	I'm concerned about the power to remove members by the presiding member and the CEO as per clause 9.2 (a) without the sanction of council. I believe that my concern would be shared by many in the	This clause would need the sanction of Council because it says “The Council “may” terminate the appointment. Etc. It does not say the presiding member and the CEO may terminate.

Schedule of Submissions – Environment Advisory Committee – Community Member input

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10.5.2 Committees of Council Review

No	Points raised	Comment in response
	community.	
4.	The "streamlining" of matters via increased use executive powers will in my view tend to alienate members of the community who feel that they will have less opportunity for input.	<p>On the contrary, you have more opportunity for input. You can suggest items for the agenda.</p> <p>As you are not bound by the standing orders, at each meeting you can bring up things that are not on the agenda that can, so long as they are part of the purpose of the Committee be discussed.</p> <p>It is really not that different from what you have been doing. Making it an Advisory Group means that, for the minute taker especially, you can have free flowing discussion and notes taken can be succinct as per section 4.4 of the Policy.</p>
5	<p>Specifically relating to EAC, I admit meetings have been free flowing and "less formal" than for example the audit committee, however the matters discussed are completely different in their nature.</p> <p>The matters discussed in EAC not only involve review of recent events and programs but also an element of "brain storming" of ideas which hopefully result in actions.</p>	<p>You have technically been performing/acting an Advisory Group even though you have been treated as a Standing Committee of Council so you would be able to continue to do what you do, but better, as an Advisory Group.</p>

Schedule of Submissions – Environment Advisory Committee – Community Member input

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10.5.2 Committees of Council Review

No	Points raised	Comment in response
Ms Jo Hart		
1. Terms of Reference	<p>While I realise these are mostly as they were with the addition of the biodiversity one.</p> <p>Purpose, number iv, is highly prescriptive and seems to preclude the possibility of the EMAG providing any unsolicited advice to Council. Bearing in mind that EMAG members may know/be aware of relevant issues/material that Council members know nothing about, it seems a little short-sighted to prevent EMAG from advising Council about these matters.</p>	<p>The Environment Advisory Committee or Group still needs a purpose and that purpose (for Committees) is set by Council.</p> <p>If it was an Advisory Group it is still technically set by Council through the Terms of Reference.</p> <p><u>MPD Comments:</u></p> <p>I believe the Advisory Group should be named “Environmental Advisory Group” (EAG). I also believe the Terms of Reference document in respect of the EAG should be expanded to include objectives. In my view, the EAG’s “purposes” are essentially “objectives”. I have revisited these and suggest the following wording:</p> <p><u>Purpose</u></p> <p>The purpose of the Environmental Advisory Group (EAG) is to inform and advise Council on environmental and sustainability related issues and Council’s role in improving the natural environment of Toodyay. The EAG particularly advises on the implementation, monitoring and review of the Shire’s Environmental Strategy and Biodiversity Strategy, subsequent strategies and actions.</p> <p><u>Objectives</u></p> <ul style="list-style-type: none"> Provide input and advice to Council on issues of environmental sustainability; To provide input to Council on behalf of the community and community organisations; To actively support Council’s consultation with and advocacy to the broader community;

Schedule of Submissions – Environment Advisory Committee – Community Member input

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10.5.2 Committees of Council Review

No	Points raised	Comment in response
		<p>To provide input and advice to Council on the implementation of Council’s Environmental Management Strategy and development and implementation of Council’s Biodiversity Strategy;</p> <p>To monitor and review environmental and sustainability issues in Toodyay;</p> <p>To provide input and assist in developing relevant documents including policies, strategies, leaflets, pamphlets or booklets consistent with Council’s Environmental Management Strategy; and</p> <p>To assist Council in determining of priority activities to be undertaken and annual objectives.</p>
<p>2. Extract from Committee Report</p>	<p>a. Environmental Management Advisory Committee</p> <p>The name used above is, I believe, incorrect - it appears to be a blend of the current name "Environmental Advisory Committee" and the proposed "Environmental Management Advisory Group" again this is prescriptive as (along with the description) it implies advice only on implementing the Environmental Management Strategy</p>	<p>Council has set the purpose of the group. As the word “management” is causing confusion it will be removed from the final report.</p>

Schedule of Submissions – Environment Advisory Committee – Community Member input

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10.5.2 Committees of Council Review

No	Points raised	Comment in response
2. Extract from Committee Report	<p>b. The statement:</p> <p>"It could report to the Strategic Forums and Councillors on the Committee could pass feedback from the Committee to the CEO who would then bring it to Council." is imprecise - there is no clear pathway from an EMAG decision that something needs to go to Council, to state how that item will eventually reach Council.</p>	<p>Council representatives on Committees have often provided updates at the Strategic Forums in respect to any meetings they have been part of to give the rest of the Council the "heads up" as to how the committee / group is progressing on items or just generally.</p> <p>As an Advisory Group the CEO could also include in his update to Council information about what the members of the Environment Committee have been doing.</p> <p>If the Group made a recommendation that required a Council decision it would still be sent to Council through an Officer Report, as is the case now.</p> <p><u>MPD Comments:</u></p> <p>Agree with Jo's comments – the word "management" in the name of the advisory group can be dropped.</p> <p>Also agree with EA's responses.</p> <p>Refer MPD comments above in respect of No. 1.</p>
2. Extract from Committee Report	<p>c. The statement:</p> <p>"the Manager Planning and Development will provide a report to the Strategic Forum on a quarterly basis." slows down the whole process even more and puts an extra "layer" of bureaucracy between the EMAG and Council</p>	<p>As per the above response, if the CEO includes anything in his update to Council it would be the Manager Planning and Development who would provide that information to him. It is not meant to be and will not be an extra layer of red tape.</p> <p><u>MPD Comments:</u></p> <p>Agree with EA.</p>

Schedule of Submissions – Environment Advisory Committee – Community Member input

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10.5.2 Committees of Council Review

No	Points raised	Comment in response
3. Advisory Group Policy	<p>a. "2.2 The Advisory Group will only consider matters referred to it by Council."</p> <p>This seems much more prescriptive than previously and as mentioned above appears to preclude advisory group input unless directly solicited by Council.</p>	<p>This is what you do now. You follow the purpose set by Council that has been copied in to the Terms of Reference for the Committee when it becomes a Group. It is not more prescriptive. The terms of reference will outline the purpose of a group. The policy is merely stating that for the purpose of the group to change Council needs to make that call.</p> <p><u>MPD Comments:</u></p> <p>Agree with EA. 2.2 of the 'Terms of Reference and Role' should not be read in isolation – but with 2.1 too.</p>
3. Advisory Group Policy	<p>b. "3.1 The Advisory Group Presiding Member is to be appointed by the Council."</p> <p>I understood - perhaps erroneously that the Chair of EAC was elected by the Committee?</p>	<p>The reason this has been included into the Policy is that by Council electing the Presiding Member of the Advisory Group this means that it will provide to the person being elected (whether that be a Councillor or Senior Shire Officer) vital experience in leadership.</p> <p>I understand your preference for a chair being elected by the Committee however will leave this to Council to decide whether an amendment to policy is warranted.</p> <p>Agree with EA</p>
3. Advisory Group Policy	<p>c. In 3.2 "Preferably, the Advisory Group should be chaired by a Council Member (if possible), or then by a Senior Shire Officer."</p> <p>Currently EAC is not chaired by a Councillor and there seems no particular reason why it should be. It also seems totally inappropriate for</p>	<p>CEO: The Local Government Act allows for an Officer to be appointed to a committee and as a member may be elected as Chair.</p>

Schedule of Submissions – Environment Advisory Committee – Community Member input

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10.5.2 Committees of Council Review

No	Points raised	Comment in response
	a Senior Shire Officer to chair an Advisory Group, just as it was not appropriate for this to occur with a Committee.	
3. Advisory Group Policy	<p>d. “4.1 Meetings (a) Unless approved by the Council or there is a need to address an urgent issue (the latter to be agreed by the Presiding Member and the Chief Executive Officer), the Advisory Group shall meet as required. Additional meetings may be convened at the discretion of the Chief Executive Officer.”</p> <p>Again restricts action - it was my understanding with EAC that additional meetings could be organised by the Chair, as occurred on at least one occasion.</p>	<p>CEO: The CEO already signs off on the agenda for Council and committee meetings. This is not a change.</p> <p>I agree. I don't like the wording of 4(a) or (b). Suggest it be reworded because the schedule of meeting dates should not be put in the hands of the Committee. Still needs to be Admin and putting it on to the Shire calendar of events??? Apologies. I will speak with Kobus and CEO and get this portion amended.</p> <p>Suggest 4.1 is amended to read as follows:</p> <p>Meetings are to be held every two months. Advisory Groups are not required to give public notice of their meetings and meetings are not open to the public. Meetings will:</p> <ul style="list-style-type: none"> Commence on time and conclude by the stated completion time; Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each member; Encourage fair and respectful discussion; Focus on the relevant issues at hand; and Provide advice to Council, as far as practicable, on a consensus basis. <p>It is expected that each member attends a minimum of 60% (4 of 6 meetings per annum) of all meetings. Additional meetings can be called as required.</p>

Schedule of Submissions – Environment Advisory Committee – Community Member input

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10.5.2 Committees of Council Review

No	Points raised	Comment in response
3. Advisory Group Policy	<p>e. "4.3 Agendas (a) The Chief Executive Officer will determine the Agenda for each meeting. Members may submit items for consideration and listing on the Agenda. (b) All meetings shall be confined to items listed on the Agenda."</p> <p>It would seem more appropriate for the Chair to determine the agenda. Also is there now to be no provision for "Other business" i.e. for members to raise something not explicitly in the Agenda</p>	<p>CEO: Agendas are distributed 3 days before meetings. It would be rare that members would not be able to give a few days' notice of items for discussion.</p> <p>The CEO has always signed off the agenda for the meetings and will continue to do so for the advisory group meetings.</p> <p>I will speak with Kobus and CEO about (b) because I thought the meetings would be more open to discussion and round robin thought bubbles.</p> <p>Perhaps 4.3 could be worded more neutral. Suggest the 4.3 is reworded as follows: Agendas must be prepared for each meeting of the group. The Agenda must be provided to members of the group not less than 7 days before the time fixed for the holding of the meeting.</p>
3. Advisory Group Policy	<p>f. "4.4 Minutes/Meeting notes (b) "Items considered at the meeting will not be voted upon"</p> <p>Sometimes difficult to gauge a consensus without a vote, maybe include the word "formally".</p>	<p>CEO: The Chair has flexibility in how he or she determines the consensus. This could include a show of hands. It removes the requirement for a vote.</p> <p>Noted. Can include the word "formally" before the words "voted upon."</p> <p>I don't see this as an issue. I'm a bit reluctant to include the word "formally" as it is too strong perhaps... consensus means "general agreement".</p>

Schedule of Submissions – Environment Advisory Committee – Community Member input

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10.5.2 Committees of Council Review

No	Points raised	Comment in response
3. Advisory Group Policy	<p>g. Membership</p> <p>Shire Officers/Employees present at EAC meetings have not voted in the past and so were presumably not strictly member but there in an ancillary/advisory role similar to that of the CEO in Council meetings. These employees would presumably also be providing direct advice to Council in the form of Officers Reports and so it may not be appropriate for them also to be members of Advisory Groups.</p>	<p>CEO: Employees may already be appointed to Committees. This is not a change from Committees.</p> <p>Responsible persons have been members of the committee and able to vote.</p> <p>This would not change when making it an advisory group.</p> <p>I do not really understand the point Jo is trying to make (it's a bit vague), but I generally agree with your response Maria.</p>



**Code of Conduct
for
Council Members**

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OUR VISION, PURPOSE AND VALUES

Determined in 2013, our vision, purpose and values have been enhanced to reflect how we see ourselves as a community and provide the foundations for our strategic direction for the next 10 years.

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.

Community Values: We value highly:

- Our sense of community support and spirit;
- Our natural environment and healthy ecosystems;
- Our rural lifestyle;
- Our historic town; and
- Our local economy built on agriculture and emerging tourism, arts and cultural opportunities.

Shire Values: To progress the community's aspirations, the Shire is guided by:

<i>Integrity:</i>	We behave honestly to the highest ethical standard.
<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.

INTRODUCTION

The Shire of Toodyay, in accordance with Section 5.103(1) of the *Local Government Act 1995*, is required to adopt and adhere to a Code of Conduct. The Code addresses, in a concise manner, the broader issue of ethical responsibility and encourages greater transparency and accountability. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective responsibilities may be based.

Adoption of the code:

- demonstrates a commitment to observe ethical and professional standards in the performance of the duties and functions of Council;
- instills respect between council members, employees and members of the community;
- strengthens community confidence in the integrity of their Council.

1. SCOPE


1.1 Obligation to Observe

This code applies to all Council members of the Shire of Toodyay. The Code of Conduct contains matters as prescribed by the local Government Act and Regulations made under the Act and makes further provision for expectations of council members. It is a statement of guidance for council members supplementary to the enforceable rules set out in the Local Government (Rules of Conduct) Regulations 2007.

The obligation to observe a Code of Conduct for Council members arises from Section 5.103 the *Local Government Act 1995* and a declaration that they have made to observe the Rules of Conduct Regulations upon election to Council at an official swearing in ceremony before duly authorized persons.

1.2 Breach of Certain Provisions

Where a requirement in the Code of Conduct is prescribed in an Act or Regulation, any alleged breach may be investigated by another statutory body, including but not limited to the Department of Local Government and Communities and the Corruption and Crime Commission.



2. GUIDING STATEMENTS OF RESPONSIBILITY AND CONDUCT

2.1 Basic Principles

The Rules of Conduct set out principles to guide the behaviour of a council member of the Shire of Toodyay. A person in his or her capacity as an elected member should espouse the principles outlined in Regulation 3 of the Local Government (Rules of Conduct) Regulations 2007. A council member shall:

- act with reasonable care and diligence;
- act with honesty and integrity;
- act lawfully;
- avoid damage to the reputation of the local government;
- be open and accountable to the public;
- base decisions on relevant and factually correct information;
- treat others with respect and fairness; and
- not be impaired by mind affecting substances.

2.2 Additional Obligations to Act

All Council members shall:

- Provide relevant and factually correct information to decision makers;
- Fulfil their public and professional duties in a manner that is ethical, impartial, objective, responsible and in the best interests of the local government uninfluenced by fear or favour;
- Act in accordance with the obligation of fidelity to the local government;
- Not use, or attempt to use their positions for personal benefit of the personal benefit of others, either by influencing others, the improper use of information gained in the performance of their duties, or otherwise;
- Contribute to the good governance and strategic priorities of the Shire of Toodyay in accordance with the adopted vision, values, plans and budget as amended by Council from time to time;
- Understand and be mindful of their role responsibilities, empowerment and limitations and act within those parameters (Ref: *Local Government Act 1995* Sections 2.7, 2.8, 2.9, 2.10, 5.41 Part 5 division 9 and generally; *Local Government (Rules of Conduct) Regulations 2007* and *Local Government (Administration) Regulations 1996* regulations 34B and 34C);
- Refrain from making allegations which are improper or derogatory;
- Refrain from any form of conduct in the performance of their official or professional duties as a Councillor which may cause any reasonable person unwarranted offence of embarrassment.



2.3 In General

Council Members have a legal duty of fidelity to act in the best interests of the Shire. It is the responsibility of all Council members to act in a manner that is lawful and in accordance with the Acts, Regulations, codes and other policies and procedures that are relevant to their particular position. Any omission of a specific requirement from this Code of Conduct does not negate a Councilor's responsibility to observe and comply with provisions that are applicable to their position.

Council members will comply with any lawful and reasonable instruction given by any person having authority to make or give such an instruction. Any doubts as to the propriety of any instruction can be taken up with the President or Chief Executive Officer.

Council members, noting that the CEO has the statutory authority to implement council decisions, will recognize the lawful policies of the local government and/or have due regard for the lawful policies of the local government in decision-making, whether or not they agree with or approve of them.

Specific rules for Council members are contained in Part 2 of the Local Government (Rules of Conduct) Regulations 2007.


Council members are to recognise their role as distinguished from that served by employees of the Shire.

Council members, when interacting with employees of the Shire in their capacity as a Council member shall observe the protocol of making requests for information, and discussing the business of the Council through the office of the CEO. Liaison between individual Council members and individual employees on matters of local government, shall be conducted in a respectful, courteous and honest manner.

It is important to note that Section 3.2 of the Code is in addition to requirements relating to interests referred to in the *Local Government Act 1995* (in that a direct or indirect financial interest or a proximity interest must be disclosed in the manner described in Division 6 of Part 5 of that Act).

2.4 Conflicts of Interest

It is important for any Council member to ensure that there is no actual or perceived conflict of interest between their personal interests and the impartial fulfilment of their statutory obligations. This is a very detailed area of the Act and the relevant legislation should be read and understood by all Council members.




2.5 Confidential Information

Confidential information must only be disclosed to another person to the extent that is necessary to do so in the performance of their duties.

For the purposes of section 3.7, confidential information is that which is discussed during a meeting or that part of a meeting that is closed to members of the public in accordance with the provisions of the *Local Government Act 1995*, or that is in a document of the local government that is marked confidential, or any other information obtained during the performance of duties that could reasonably be considered to be confidential or of a sensitive nature.

The handling of confidential or sensitive information is a significant responsibility for Council members with authorized access to such information. Any imparting of such information must be undertaken in strict accordance with the requirements of this code. Where there is any doubt as to the requirements to share confidential or sensitive information, caution is urged as any unauthorized disclosure of such information is considered a serious breach of responsibilities.



2.6 Complimentary to Principles

The Code is complementary to the principles adopted in the Local Government Act 1995 which incorporate four fundamental aims:

- Better decision making by local governments.
- Greater community participation in the decisions and affairs of local governments.
- Greater accountability of local governments to their communities.
- More efficient and effective local government.

In order to ensure that the Code remains current and relevant, it will be reviewed and presented to Council for re-adoption no more than three months after each Ordinary Council Election.

3. COMMUNICATIONS

3.1 Expression of Personal Views

Council Members may make their own personal position known about any matter which is pertinent to the business of the Shire, including Council decisions provided that it cannot be construed to be a statement on behalf of the Council.

Council Members will refrain from making personal statements to the media without clearly prefacing such remarks that they are personal views and not those of the Council and in any case will not adversely reflect on a Council decision.

3.2 Social Media

Council Members, are free to state their position / role with the Shire publicly on social media (e.g. on Facebook, LinkedIn), however, as with any other form of communication, they must ensure their behaviour on social media adheres to the Shire of Toodyay's values, policies and all other provisions of this Code.

While using social media Council Members, must:

- Take care that their online behaviour does not reflect adversely on the Shire;
- Be polite and respectful of the opinions of others at all times;
- Ensure that any comments made about the Shire, Council, Council Members, its staff or stakeholders are factually correct and not confidential, divisive or negative in nature.

Council Members and Committee Members are encouraged to use social media channels throughout their term to help communicate the Shire's programs and initiatives and create an open channel with residents and community members. Such communication should always be conducted in a positive manner, should not discredit or reflect adversely on the Shire, its staff or its initiatives.

Council Members should take care to ensure that Council related communication with each other occurs through official channels and not through social media.

3.3 Defamation

Comments by Council Members are covered only by qualified privilege against defamation. A Council Member can only rely on the defence of qualified privilege whilst exercising the proper discharge of their duties, and doing so in the public interest.

In order to maintain qualified privilege, a Council Member should ensure that comments made are pertinent to the business of local government and they are not made maliciously or without due regard to whether they represent the truth.

4. BREACHING THE CODE

4.1 When a Council Member Breaches the Code

A breach by a Council Member of the Local Government (Rules of Conduct) Regulations 2007 may be reported to the Shire's Complaints Officer (the CEO) in accordance with the prescribed Complaints Form as determined from time to time. Such complaints will be dealt with under Division 9 of Part 5 of the *Local Government Act 1995*.

Any person who has reason to believe that the personal behaviour of a Council Member breaches the standards of conduct set out in the Code, other than those matters set out in the Local Government (Rules of Conduct) Regulations 2007, may refer the matter to the CEO.

All complaints and allegations will:

- be treated as confidential and will ensure that the principles of natural justice and procedural fairness are followed at all times
- be dealt with in accordance with *Local Government Act 1995*.

4.2 Reporting Misconduct to the Corruption and Crime Commission

The CEO, being a 'principal officer of a notifying authority' (for the purposes of the *Corruption and Crime Commission Act 2003*) has a statutory obligation to report to the Corruption and Crime Commission any allegation of misconduct, or any situation that otherwise comes to his or her attention involving misconduct, where it is of relevance or concern to the CEO in his or her official capacity.

Any Council Member or any other person may report directly to the Corruption and Crime Commission any matter which that person suspects on reasonable grounds may concern misconduct that has occurred, is occurring, or may occur.

4.3 Protection of Persons Reporting Unacceptable or Illegal Behaviour

The CEO is to ensure that Council Members, who report unacceptable or illegal behaviour (that is, whistle-blowers) are not in any way disadvantaged or victimised because of their actions. The CEO's action is limited to matters for which he/she has responsibility and/or jurisdiction to act.

4.4 Public Interest Disclosure Act 2003

The Public Interest Disclosure Act 2003 facilitates the reporting of public interest information and provides protection for those who report this information under that Act. Council Members, are encouraged to contact the Shire's nominated Public Interest Disclosure Officer to seek guidance on their disclosure and to lodge completed Public Interest Disclosure forms.

A person who makes an appropriate disclosure of public interest information to the Shire's nominated Public Interest Disclosure Officer under section 5 of the *Public Interest Disclosure Act 2003*:

- incurs no civil or criminal liability for doing so
- is not, for doing so, liable:
 - to any disciplinary action under a written law;
 - to be dismissed;
 - to have his or her services dispensed with or otherwise terminated; or
 - for any breach of duty of secrecy or confidentiality or any other restriction on disclosure (whether or not imposed by a written law) applicable to the person (Section 13)

5. GIFTS

5.1 Definitions

Activity involving a local government discretion

Any activity that cannot be undertaken without an authorisation from the local government or by way of a commercial dealing with the local government.

Gifts

Any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel (in that specific requirements for contributions To travel are covered in Section 5.83 of the Local Government Act 1995). This definition excludes:

- A gift from a relative;
- A gift that must be disclosed in accordance with regulation 30B of the Local Government (Elections) Regulations 1997;
- A gift from a statutory authority, government instrumentality or non-profit organisation for professional training.

Notifiable gift

A gift worth between \$50 and \$300 or a gift that is one of two or more gifts given by the same person within a period of six months that are in total worth between \$50 and \$300.

Prohibited gift

A gift worth \$300 or more or a gift that is one of two or more gifts given by the same person within a period of six months that are in total worth \$300 or more.

Relative

A parent, grandparent, brother, sister, uncle, aunt, nephew, niece or lineal descendent of the person or of the person's spouse or de facto partner, the person's spouse or de facto partner or the spouse or de facto partner of the other specified relatives, whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by written law.

5.2 A Notifiable Gift

The notification of the acceptance of a notifiable gift is required to be in writing and include details of:

- The name of the person who gave the gift;
- The date on which the gift was accepted;
- A description and the estimated value of the gift;
- The nature of the relationship between the employee and the person who gave the gift.

If the gift is notifiable as it is one of two or more gifts given by the same person within a period of six months that are in total worth between \$50 and \$300, whether or not it is also notifiable as it is worth between \$50 and \$300 itself, the notification is required to include, in relation to each other gift accepted within the six month period from that person:

- A description;
- The estimated value;
- The date of acceptance.

The CEO is to maintain a register of notifiable gifts and record in it the details of notifications given under this section.



LOCAL GOVERNMENT ACT REFORM ►► TRANSFORMING LOCAL GOVERNMENT

Availability of information Frequently Asked Questions

Additional information on your council will now be available on your council's website!

Why are these changes being made?

- Through embracing contemporary ways to communicate, local governments will be able to better meet community expectations for accountability and transparency.
- These changes will ensure information is more easily accessible for community members who cannot visit their local government office during working hours, including in remote locations.

Documents currently held by the local government which will need to publish on the local government's website following the Bill's Assent (July 2019)

- Proposed and current local laws (consolidated copy);
- Business plan for a major land transition or major trading undertaking;
- Candidate profiles;
- Policy for the temporary employment or appointment of CEO;
- Policy for payments to employees in addition to their contract or an award;
- Code of conduct for employees;
- Gifts register;
- Register of financial interests;
- Register of complaints of minor breach compiled under section 5.121;
- Map of the district (which includes ward boundaries);
- Annual budget;
- List of fees and charges under section 6.16;
- Current plans for the future of the district made under section 5.56;
- Confirmed council and committee meeting minutes;
- Minutes of electors' meetings;
- Notice papers and agendas relating to council and committee meetings that have been tabled or produced by the local government and presented at a council or committee meeting;
- Code of conduct for council and committee members;

- Adverse findings of the Local Government Standards Panel or the State Administrative Tribunal; and
- Objects and reasons for the imposition of differential rates.

Information NOT to be published online

- Rate records;
- Register of owner occupiers; and
- Electoral rolls.

Documents currently held by the local government which will need to be published on the local government's website after regulations are gazetted

- Unconfirmed council and committee meeting minutes;
- Up-to-date schedule of meetings upcoming Council and committee meetings;
- Adverse findings against current council member, employee or the local government by the following bodies:
 - a) Local Government Standards Panel;
 - b) Public Sector Commission;
 - c) Corruption and Crime Commission; and
 - d) State Administrative Tribunal.
- All approved policy documents that govern an assessment of an application;
- Any adopted Regional price preference policy.

Additional documents required to be available for inspection at the local government office after regulations are gazetted

- Map of the district (which includes ward boundaries);
- Adverse findings against current council member, employee or the local government by the following bodies:
 - a) Local Government Standards Panel;
 - b) Public Sector Commission;
 - c) Corruption and Crime Commission; and
 - d) State Administrative Tribunal.
- All approved policy documents that govern an assessment of an application;
- Council member's attendance at council and committee meetings for which a sitting fee is paid (as published in most recent annual report — the requirement to publish this information in the annual report will be introduced when these regulations are *gazetted*); and
- The total rewards package paid to the CEO (as published in most recent annual report — the requirement to publish this information in the annual report will be introduced when these regulations are *gazetted*).

Once prepared by the local government, the following documents will also need to be published on the local government's website

- Report on training completed by councillors of the local government;

- Attendance at events policy; and
- Continuing Professional Development policy (for council members).

There is are a number of references to an up-to-date version of a document to be available on the local government's official website. What does the term 'up-to-date' mean?

- This means that the CEO must post the document required to be online as soon as possible after the document has been updated.
- It is expected that this will occur within 10 days.

How long will information be required to be on the local government's website?

- This will depend on the type of information.
- Current information, such as the map of the district boundaries and fees and charges, will be required to remain on the website while they are current.

For information such as annual reports and minutes of meetings it is likely to be five years.

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Live Streaming and Recording of Council Meetings Policy

Introduction

The Toodyay Shire Council is committed to engaging with its community by enhancing the community's access to council's decision making processes.

Application

This policy applies to all Ordinary and Special Meetings of Council and Agenda Briefings held in Council Chambers

Policy Intent

- To allow a broader audience to view proceedings of Council.
- To reduce geographic and time barriers which may prevent the public from attending meetings in person.
- To allow viewers to choose to watch and listen to a meeting in real time or at a later time, giving greater access to Council decision making and debate.
- To encourage openness and transparency which may increase community awareness and promote confidence in the integrity and accountability of the decision making process.

***** This Document is not controlled once it has been printed *****

1. Live Streaming and Recording

- (a) All public Ordinary and Special Meetings of Council and Agenda Briefings held in Council Chambers will be live and publicly available via the Shire's website.
- (b) Confidential Council Meetings and confidential items of business in a Council meeting will not be streamed live and will not be recorded or made available after the meeting as a recording.
- (c) Copying or distribution of any part of the live stream or recording is not permitted and the Shire reserves all rights in relation to its copyright.
- (d) Recordings of a meeting will be made available on the Shire's website as soon as practicable after the meeting.
- (e) Signage will be prominently displayed in the Council Chambers notifying attendees that the meeting will be live streamed and recorded.
- (f) The Presiding Member will make an announcement at the start of every meeting, in respect to whether permission will be given record proceedings in accordance with Standing Orders (2008) Clause 5.16(2).
- (g) Councillors and staff are required to act in accordance with the *Local government Act 1995* (and regulations), Codes' of Conduct and any other relevant policies.
- (h) Members of the public are required to extend due courtesy and respect to Councillors, staff and other members of the public who may be in attendance.

2. Disclaimers

- (a) There may be technical difficulties beyond Council's control whereby a live stream or recording may not be available. Every reasonable effort will be made to ensure the availability of live streaming and recordings of meetings.
- (b) Council takes no responsibility for or accepts any liability in the event that live streaming of a meeting, a recording of a meeting, or the Shire's website is unavailable.
- (c) Technical issues may include, but are not limited to, the availability of the internet, network or device failure or malfunction of social media platforms or power outages, for any reason.
- (d) Council does not accept any liability for any inaccurate or defamatory statements or comments made at a meeting. Accordingly, at any time during a meeting the Presiding Member has the discretion and authority to direct the termination or interruption of a live streaming if it is believed advisable to do so.

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- (e) The Presiding Member has the discretion and authority to direct the exclusion of all or part of any meeting recording that may be considered inappropriate.
- (f) Opinions expressed and statements made during a Council meeting are those of the individuals making them, and not those of Council, unless set out in a resolution of Council, Council does not endorse or support the views, opinions, standards, or information that may be expressed by individuals at a Council meeting and which may be contained in a live stream or recording of a Council meeting.
- (g) Council does not accept any responsibility for any verbal comments made during Council meeting which may be inaccurate, incorrect or defamatory and does not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error.
- (h) Council does not accept any responsibility or liability for any loss, damage, cost or expense that might be incurred as a result of the viewing, use or reliance of information or statements provided in a live stream, or recording of a Council meeting. Endorsed Council minutes provide the definitive record of Council's resolutions.

3. Live Streaming and Recording – Record Keeping

- (a) The official record of the meeting will be in the written minutes kept in accordance with the *Local Government Act 1995* and any relevant regulations.
- (b) All recordings will be retained as part of the Shire's records in accordance with the *State Records Act 2000*.

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Reference Information

Related Documents

Related Legislation *Local Government Act 1995 (WA)*
 State Records Act 2000

Version Control Information

Version No.	Issue Date	Nature of amendment	Developed By	Approved By
V0				

Document Control Information

Document Theme	Governance
Document Category	
Document Title	Live Streaming and Recording of Council Meetings Policy
Document ID	
Document Owner (position title)	Chief Executive Officer
Author (position title)	
Date of approval	
Approving authority	
Access restrictions	
Date Published	
Date of last review	
Date of next review	
Archived antecedent documents and previous versions	

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Hon David Templeman MLA
Minister for Local Government; Heritage; Culture & the Arts

Our Ref: 66-09642

Mr Stan Scott
Chief Executive Officer
Shire of Toodyay
PO Box 96
TOODYAY WA 6566

XREF 00243837

SHIRE OF TOODYAY
Record Number: 1CR61064
26 JUL 2019
Officer / Dept: E x EC SEC
File Number: RCM2

Dear Mr Scott

Thank you for your letter dated 1 July 2019, regarding the Shire of Toodyay's (the Shire) action plan in response to the recommendations outlined through the *Western Australian Auditor General's Report into Records Management in Local Government – Report 17: April 2019*. The Minister has asked me to respond on his behalf.

The Department of Local Government, Sport and Cultural Industries (the Department) is conducting the monitoring of the local government's compliance with the legislation in regard to performance audits. As such, the Minister has requested the Department review the Shire's action plan, and he is informed that, whilst the Shire has met the requirements to prepare a report on significant matters and provide a copy to me, there does not appear to be any reference in the report of the intention to publish the report on the Shire's official website.

Please note that Section 7.12A of the *Local Government Act 1995* requires that, within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.

Yours sincerely

Gary Hamley
CHIEF OF STAFF

23 JUL 2019

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Our ref
Enquiries Standards Panel Executive Officer
Phone (08) 6551 4820
Email minorbreachcomplaints@dlqsc.wa.gov.au

Mr Stan Scott
Chief Executive Officer
Shire of Toodyay
Po Box 95
TOODYAY WA 6566

ceo@toodyay.wa.gov.au

Dear Mr Scott

**NOTICE OF DECISION AND REASONS
COMPLAINT OF MINOR BREACH No. SP 2018-111**

I refer to the Complaint of a Minor Breach received on 12 November 2018 alleging Cr Brian Rayner breached the *Local Government (Rules of Conduct) Regulations 2007*.

The Local Government Standards Panel has now finalised its dealing with the Complaint and in accordance with section 5.110(6)(b)(ii) of the *Local Government Act 1995* (the Act), has ordered Cr Rayner apologise publicly, as outlined in the attached Order.

A copy of the Panel's *Sanction Decision and Reasons for Decision* relating to this matter is also attached for your information.

As you would be aware, if Cr Rayner fails to comply with the terms of the Order (unless a review of the Panel's decision by the State Administrative Tribunal (SAT) has been applied for by a party to the complaint), you, as the Shire's Chief Executive Officer, are required to refer the failure to the SAT as specified in section 5.118(1) of the Act.

Please note that while there is no impediment to dissemination of the Panel's findings and decision in this matter, the ordinary principles of defamation as modified by the *Defamation Act 2005* apply to the further release or publication of all or part of the contents of the attached documents.

Finally, as the complaint has resulted in a finding under section 5.110(2)(a) of the Act, the relevant details are now to be recorded in the register of complaints which as the Complaints Officer you are required to maintain under section 5.121(1) of the Act.

If a party to the complaint applies to the SAT for a review of the Order, once you are aware of the outcome of the review it can be added to the register of complaints to reflect that decision.

Gordon Stephenson House
Level 2, 140 William Street Perth WA 6000
PO Box 8349 Perth Business Centre WA 6849
Tel: (08) 6551 4888 Facsimile: (08) 9325 1041 Country Callers: 1800 634 541
Email: minorbreachcomplaints@dlqsc.wa.gov.au Web Site: www.dlqsc.wa.gov.au

It would be appreciated if you would please advise the Department when the Panel's sanction specified in the Order has been complied with, or any relevant referral to SAT.

Should you require further information in relation to this matter please contact the Executive Officer, Department of Local Government, Sport and Cultural Industries, via the details listed above.

Yours sincerely

Donna Kennedy
A/MANAGER STRATEGIC COORDINATION

26 July 2019



Local Government Standards Panel

Complaint Number	SP 2018-111
Legislation	<i>Local Government Act 1995 (WA)</i>
Complainant	Mr Larry Graham
Respondent	Cr Brian Rayner
Local Government	Shire of Toodyay
Regulation	Regulation 4 of the <i>Local Government (Rules of Conduct) Regulations 2007 (WA)</i>
Panel Members for Penalty Consideration	Mr Michael Connolly (Presiding Member) Cr Paul Kelly (Member) Mrs Emma Power (Member)
Heard	26 April 2019 Determined on the documents
Penalty Considered	9 July 2019
Outcome	Public Apology

PENALTY DECISION AND REASONS FOR DECISION

Delivered 24 July 2019

DEFAMATION CAUTION

The general law of defamation, as modified by the *Defamation Act 2005 (WA)*, applies to the further release or publication of all or part of this document or its contents. Accordingly, appropriate caution should be exercised when considering the further dissemination and the method of retention of this document and its contents



Introduction

1. At its meeting on 26 April 2019, the Panel found that Councillor Brian Rayner, a Councillor for the Shire of Toodyay (“**the Shire**”), committed one minor breach of Regulation 4 of the *Local Government (Rules of Conduct) Regulations 2007* (WA) (“**the Regulations**”) when he made certain statements at the Ordinary Council meeting of 24 April 2018 (“**the Minor Breach**”).

Jurisdiction

2. The Panel convened on 9 July 2019 to consider how it should deal with the Minor Breach.
3. The Panel accepted the advice of the Department of Local Government, Sport and Cultural Industries (“**the Department**”) that on this date there was no available information to indicate that Cr Rayner had ceased to be, or was disqualified from being, a councillor.

Possible Sanctions

4. Section 5.110(6) of the *Local Government Act 1995* (WA) (“**the Act**”) provides that the Panel is to deal with a minor breach by:
 - (a) *dismissing the complaint;*
 - (b) *ordering that —*
 - (i) *the person against whom the complaint was made be publicly censured as specified in the order;*
 - (ii) *the person against whom the complaint was made apologise publicly as specified in the order; or*
 - (iii) *the person against whom the complaint was made undertake training as specified in the order;*
 - or*
 - (c) *ordering 2 or more of the sanctions described in paragraph (b).*

Councillor Rayner’s Submissions

5. If the Panel finds that a councillor has committed a minor breach, it must give the councillor an opportunity to make submissions to the Panel about how it should deal with the breach under section 5.110(6).¹
6. By a letter dated 31 May 2019, Cr Rayner was:
 - a. notified of the Panel’s finding of the Minor Breaches;
 - b. provided with a copy of the Panel’s Finding and Reasons for Finding; and
 - c. offered an opportunity to make submissions as to how the Minor Breach should be dealt with under section 5.110(6) of the *Act*.
7. By email dated 4 June 2019, the Department received a response from Cr Rayner acknowledging that:

¹ *Local Government Act 1995* (WA), s 5.110(5).



- a. he accepts that he may have contravened Regulation 4, that I used offensive expression; or used objectionable expressions to a member of the public or an organisation; and
- b. that he will abide by the findings of the Panel.

Panel's Consideration

8. Section 5.110(6) is about penalty. The Panel does not have the power to review any finding of a breach. The Panel may dismiss a complaint under section 5.110(6)(a), not to reverse the Panel's finding of a breach but to indicate that in all the circumstances the councillor should not be penalised and the breach should not be recorded against the councillor's name.
9. The Panel notes that Cr Rayner accepts that he has breached the Regulations by his conduct.
10. In these circumstances, the Panel considers that the appropriate penalty is that Cr Rayner make a public apology.
11. Making a public apology is a significant sanction, being a personal admission by the individual of wrongdoing. It is a suitable and appropriate penalty when a councillor's conduct:
 - a. adversely affects particular individuals²; or
 - b. does not meet the standards other councillors seek to uphold.

Panel's decision

12. The Panel orders pursuant to section 5.110(6)(b)(ii) of the Act that, in relation to the minor breach of regulation 4 of the Regulations, Cr Rayner make a public apology in terms of the attached Order.

Mick Connolly (Presiding Member)

Paul Kelly (Member)

Emma Power (Member)

² *Treby and Local Government Standards Panel* [2010] WASAT 81 [127] (Pritchard J).



ORDER

Delivered 24 July 2019

DEFAMATION CAUTION

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THE LOCAL GOVERNMENT STANDARDS PANEL ORDERS THAT:

1. Councillor Brian Rayner, a Councillor for the Shire of Toodyay publicly apologise to the Toodyay Progress Association, as specified in paragraph 2 and 3 below.
2. On the ordinary council meeting first occurring after the expiration of 28 days from the date of service of this Order on him, Councillor Rayner shall:
 - a. attend the relevant ordinary council meeting;
 - b. ask the presiding person for his or her permission to address the meeting to make a public apology to the public;
 - c. make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and
 - d. address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address:

i.

"I advise this meeting that:

- ii. A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) at the Ordinary Council Meeting of the Shire of Toodyay held the 24 April 2018 when I attributed a comment made by Mr Geoffrey McDonald-Appleby to the Toodyay Progress Association.
- iii. The Panel found that I breached the Shire's Standing Orders Local Law 2008 Regulation 4 of the said Conduct Rules in that such attribution was objectionable.
 - i. I accept that I should not have attributed the relevant comments to the Toodyay Progress Association.
 - ii. I now apologise to the Toodyay Progress Association."



3. If Cr Rayner fails or is unable to comply with the requirements of paragraph 2 above, then within the next 28 days following the ordinary council meeting referred to in paragraph 2, he shall cause the following notice of public apology to be published in no less than 10 point print, as a one-column or two-column display advertisement in the first 10 pages of the "Toodyay Herald" newspaper and the "Avon Valley and Wheatbelt Advocate" newspaper:

PUBLIC APOLOGY BY COUNCILLOR BRIAN RAYNER

A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) at the Ordinary Council Meeting of the Shire of Toodyay held the 24 April 2018 when I attributed a comment made by Mr Geoffrey McDonald-Appleby to the Toodyay Progress Association.

The Panel found that I breached the Shire's Standing Orders Local Law 2008 Regulation 4 of the said Conduct Rules in that such attribution was objectionable.

I accept that I should not have attributed the relevant comments to the Toodyay Progress Association.

I now apologise to the Toodyay Progress Association.



NOTICE TO THE PARTIES TO THE COMPLAINT

RIGHT TO HAVE PANEL DECISION REVIEWED BY THE STATE ADMINISTRATIVE TRIBUNAL

The Local Government Standards Panel (the Panel) advises:

- (1) Under section 5.125 of the *Local Government Act 1995* the person making a **complaint** and the person complained about each have the right to apply to the **State Administrative Tribunal (the SAT)** for a review of the Panel's decision in this matter. In this context, the term "decision" means a decision to dismiss the complaint or to make an order.
- (2) By rule 9(a) of the *State Administrative Tribunal Rules 2004*, subject to those rules an application to the SAT under its review jurisdiction must be made within 28 days of the day on which the Panel (as the decision-maker) gives a notice [see the Note below] under the *State Administrative Tribunal Act 2004 (SAT Act)*, section 20(1).
- (3) The Panel's **Breach Findings and these Findings and Reasons for Finding – Sanctions**, constitute the Panel's notice (i.e. the decision-maker's notice) given under the *SAT Act*, section 20(1).

Note:

- (1) This document may be given to a person in any of the ways provided for by sections 75 and 76 of the *Interpretation Act 1984*. [see s. 9.50 of the *Local Government Act 1995*]
- (2) Subsections 75(1) and (2) of the *Interpretation Act 1984* read:
 - (1) Where a written law authorises or requires a document to be served by post, whether the word "serve" or any of the words "give", "deliver", or "send" or any other similar word or expression is used, **service shall be deemed** to be effected by properly addressing and posting (by pre-paid post) the document as a letter to the last known address of the person to be served, and, **unless the contrary is proved, to have been effected at the time when the letter would have been delivered in the ordinary course of post.** [Bold emphases added]
 - (2) Where a written law authorises or requires a document to be served by registered post, whether the word "serve" or any of the words "give", "deliver", or "send" or any other similar word or expression is used, then, if the document is eligible and acceptable for transmission as certified mail, the service of the document may be effected either by registered post or by certified mail."
- (3) Section 76 of the *Interpretation Act 1984* reads:

"Where a written law authorises or requires a document to be served, whether the word "serve" or any of the words "give", "deliver", or "send" or any other similar word or expression is used, without directing it to be served in a particular manner, service of that document may be effected on the person to be served —

 - (a) by delivering the document to him personally; or
 - (b) by post in accordance with section 75(1); or
 - (c) by leaving it for him at his usual or last known place of abode, or if he is a principal of a business, at his usual or last known place of business; or
 - (d) in the case of a corporation or of an association of persons (whether incorporated or not), by delivering or leaving the document or posting it as a letter, addressed in each case to the corporation or association, at its principal place of business or principal office in the State."



Department of
**Local Government, Sport
and Cultural Industries**

Our ref T10-18#002
Enquiries Standards Panel Executive Officer
Phone (08) 6551 4820
Email minorbreachcomplaints@dlgsc.wa.gov.au

Mr S Scott
CEO/Complaints Officer
Shire of Toodyay
PO Box 96
TOODYAY WA 6566

ceo@toodyay.wa.gov.au

Dear Mr Scott

**NOTICE OF DECISION AND REASONS
COMPLAINT OF MINOR BREACH No. SP 005 of 2019**

I refer to the Complaint of a Minor Breach received on 17 January 2019 alleging Cr Bell breached the *Local Government (Rules of Conduct) Regulations 2007*.

The Local Government Standards Panel has now finalised its dealing with the Complaint and in accordance with section 5.110(6)(b)(ii) of the *Local Government Act 1995* (the Act), has ordered Cr Bell to publicly apologise, as outlined in the attached Order.

A copy of the Panel's *Sanction Decision and Reasons for Decision* relating to this matter is also attached for your information.

As you would be aware, if Cr Bell fails to comply with the terms of the Order (unless a review of the Panel's decision by the State Administrative Tribunal (SAT) has been applied for by a party to the complaint), you, as the City's Complaints Officer, are required to refer the failure to the SAT as specified in section 5.118(1) of the Act.

Please note that while there is no impediment to dissemination of the Panel's findings and decision in this matter, the ordinary principles of defamation as modified by the *Defamation Act 2005* apply to the further release or publication of all or part of the contents of the attached documents.

Finally, as you would also be aware, as the complaint has resulted in action under section 5.110(6)(b) or (c) of the Act, the relevant details are now to be recorded in the register of complaints which as the Complaints Officer you are required to maintain under section 5.121(1) of the Act.

If a party to the complaint applies to the SAT for a review of the Order, once you are aware of the outcome of the review it can be added to the register of complaints to reflect that decision.

Gordon Stephenson House
Level 2, 140 William Street Perth WA 6000
PO Box 8349 Perth Business Centre WA 6849
Tel: (08) 6551 4888 Facsimile: (08) 9325 1041 Country Callers: 1800 634 541
Email: info@dlgsc.wa.gov.au Web Site: www.dlgsc.wa.gov.au

It would be appreciated if you would please advise the Department when the Panel's sanction specified in the Order has been complied with, or any relevant referral to SAT.

Should you require further information in relation to this matter please contact the Executive Officer to the Panel, Department of Local Government, Sport and Cultural Industries, via the details listed above.

Yours sincerely



Donna Kennedy
A/MANAGER LEGISLATION AND REGULATORY SUPPORT

29 July 2019

Enc



Local Government Standards Panel

Complaint Number	SP 2019-005
Legislation	<i>Local Government Act 1995 (WA)</i>
Complainant	Councillor Benjamin Bell
Respondent	Councillor Paula Greenway
Local Government	Shire of Toodyay
Regulation	Regulation 7(1)(b) of the <i>Local Government (Rules of Conduct) Regulations 2007 (WA)</i>
Panel Members for Penalty Consideration	Mr Michael Connolly (Presiding Member) Cr Paul Kelly (Member) Mrs Emma Power (Member)
Heard	26 April 2019 Determined on the documents
Penalty Considered	9 July 2019
Outcome	Public Apology

DECISION AND REASONS FOR DECISION

Delivered 24 July 2019

DEFAMATION CAUTION

The general law of defamation, as modified by the *Defamation Act 2005 (WA)*, applies to the further release or publication of all or part of this document or its contents. Accordingly, appropriate caution should be exercised when considering the further dissemination and the method of retention of this document and its contents



Introduction

1. At its meeting on 26 April 2019, the Panel found that Councillor Benjamin Bell, a councillor for the Shire of Toodyay (“**the Shire**”) committed 1 minor breach of Regulation 7(1)(b) of the *Local Government (Rules of Conduct) Regulations 2007* (WA) (“**the Regulations**”) when he made statements in an article in the December 2018 edition of The Toodyay Herald newspaper (“**the Minor Breach**”).

Jurisdiction

2. The Panel convened on 9 July 2019 to consider how it should deal with the Minor Breach.
3. The Panel accepted the advice of the Department of Local Government, Sport and Cultural Industries (“**the Department**”) that on this date there was no available information to indicate that Cr Bell had ceased to be, or was disqualified from being, a councillor.

Possible Sanctions

4. Section 5.110(6) of the *Local Government Act 1995* (WA) (“**the Act**”) provides that the Panel is to deal with a minor breach by:
 - (a) *dismissing the complaint;*
 - (b) *ordering that —*
 - (i) *the person against whom the complaint was made be publicly censured as specified in the order;*
 - (ii) *the person against whom the complaint was made apologise publicly as specified in the order; or*
 - (iii) *the person against whom the complaint was made undertake training as specified in the order;*
 - or*
 - (c) *ordering 2 or more of the sanctions described in paragraph (b).*

Councillor Bell’s Submissions

5. If the Panel finds that a councillor has committed a minor breach, it must give the councillor an opportunity to make submissions to the Panel about how it should deal with the breach under section 5.110(6).¹
6. By a letter dated 22 May 2019, Cr Bell was:
 - a. notified of the Panel’s finding of the Minor Breaches;
 - b. provided with a copy of the Panel’s Finding and Reasons for Finding; and
 - c. offered an opportunity to make submissions as to how the Minor Breach should be dealt with under section 5.110(6) of the *Act*.
7. By an email dated 5 June 2019, the Department received a response from Cr Bell with the following comments and arguments:

¹ *Local Government Act 1995* (WA), s 5.110(5).



- a. the Minor Breach of regulation is minor in substance in that it cannot (and has not) caused any significant or lasting detriment to the Complainant;
- b. the Complainant was not the subject of, or named in the newspaper article and there was no suggestion, inference or insinuation that the article related to the Complainant;
- c. neither the reputation and public standing of the Complainant or any other council member was adversely affected in any way by the newspaper article;
- d. the article was a commentary on the lack of adherence to policies and procedures by Council which cannot be considered as adverse reflection given that the Department has publicly stated that it has reasonable suspicion that the Toodyay Council has breached sections of the *Local Government Act 1995*, including around Council's adherence to policies and procedures;
- e. his commentary and motivation for making the commentary in the newspaper article is therefore consistent with the public position of the Department and is in the interest of openness and transparency for the Toodyay community;
- f. the Chief Executive Officer ("**the CEO**") of the Shire has publicly stated he is of the opinion that censuring an elected member:
 - i. does reputational damage to the Shire;
 - ii. sends a message to the community that the Council is divided; and
 - iii. publicity affects Council's credibility and can impact Council's capacity to attract external funding;
- g. the CEO of the Shire of Toodyay is on the public record stating that;
 - i. elected members (and Shire employees, including the CEO) are allowed to provide commentary on a public debate; and
 - ii. elected members (and Shire employees, including the CEO) should not be required to apologise when commenting on matter that is subject to public debate even if they are found to have breached the Code of Conduct when making such commentary; and
- h. an apology or similar sanction in relation to this matter would run contrary to the publicly stated and strongly held positions of the CEO and the president of the Shire.

Panel's Consideration

8. Section 5.110(6) is about penalty.
9. The Panel does not have the power to review any finding of a breach.
10. The Panel may dismiss a complaint under section 5.110(6)(a), not to reverse the Panel's finding of a breach but to indicate that in all the circumstances the councillor should not be penalised and the breach should not be recorded against the councillor's name.
11. The Panel notes that Cr Bell does not argue that he has not committed a breach of the Regulations, but only argues a penalty would be inappropriate and contrary to the opinion of the Shire's CEO and President.



12. The Panel comments that much of Cr Bell's response shows a misunderstanding of the basis of the finding of minor breach.
13. Irrespective of the position of the Shire's CEO and President, it is appropriate to impose a sanction upon a local councillor where the conduct of that councillor does not meet the expectations of the community or other elected members. Any minor breach sanction imposed is based upon an individual councillor's conduct and is not a reflection upon any local authority as a whole.
14. In the circumstances, the Panel considers that the appropriate penalty is that Cr Bell make a public apology.
15. Making a public apology is a significant sanction, being a personal admission by the individual of wrongdoing. It is a suitable and appropriate penalty when a councillor's conduct:
 - a. adversely affects particular individuals²; and/or
 - b. does not meet the standards other councillors seek to uphold.

Panel's decision

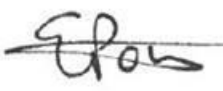
16. The Panel orders pursuant to section 5.110(6)(b)(ii) of the Act that, in relation to the Minor Breach of regulation 7(1)(b) of the Regulations, Cr Bell make a public apology in terms of the attached Order.



Mick Connolly (Presiding Member)



Paul Kelly (Member)



Emma Power (Member)

² *Treby and Local Government Standards Panel* [2010] WASAT 81 [127] (Pritchard J).



ORDER

Delivered 24 July 2019

DEFAMATION CAUTION

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THE LOCAL GOVERNMENT STANDARDS PANEL ORDERS THAT:

1. Councillor Benjamin Bell, an elected member for the Shire of Toodyay publicly apologise, as specified in paragraphs 2 and 3 below.
2. On the ordinary council meeting first occurring after the expiration of 28 days from the date of service of this Order on him, Councillor Benjamin Bell shall:
 - a. attend the relevant ordinary council meeting;
 - b. ask the presiding person for his or her permission to address the meeting to make a public apology to the public;
 - c. make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and
 - d. address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address:

"I advise this meeting that:

- i. A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened *the Local Government (Rules of Conduct) Regulations 2007 (WA)* when I wrote an article that was published in the December 2018 edition of Toodyay Herald newspaper with negative allegations that:
 - a. implied that the Shire of Toodyay had not acted in accordance with proper process;
 - b. alluded to something underhand taking place within Council; and
 - c. were recklessly made using language that would arouse suspicion and uncertainty.
- ii. The Panel found that I breached regulation 7(1)(b) of the said Regulations by making comments that caused damage to the reputation of the local government and did not treat others with respect and fairness.
- iii. I accept that I should not have made relevant comments in the article.



iv. I now apologise to the public and my fellow Councillors and the Shire of Toodyay.”

3. If Councillor Bell fails to, or is unable to, comply with the requirements of paragraph 2 then within the next 28 days following the ordinary council meeting referred to in paragraph 2 above, he shall cause the following notice of public apology to be published in no less than 10 point print, as a one-column or two-column display advertisement in the first 10 pages of the “Toodyay Herald” newspaper and the “Avon Valley and Wheatbelt Advocate” newspaper:

PUBLIC APOLOGY BY COUNCILLOR BENJAMIN BELL

A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I wrote an article that was published in the December 2018 edition of Toodyay Herald newspaper with negative allegations that:

- a. implied that the Shire of Toodyay had not acted in accordance with proper process;
- b. alluded to something underhand taking place within Council;
- c. were recklessly made using language that would arouse suspicion and uncertainty.

The Panel found that I breached regulation 7(1)(b) of the said Regulations by making comments that caused damage to the reputation of the local government and did not treat others with respect and fairness.

I accept that I should not have made relevant comments in the article.

I apologise to the public and my fellow Councillors and the Shire of Toodyay.



NOTICE TO THE PARTIES TO THE COMPLAINT

RIGHT TO HAVE PANEL DECISION REVIEWED BY THE STATE ADMINISTRATIVE TRIBUNAL

The Local Government Standards Panel (the Panel) advises:

- (1) Under section 5.125 of the *Local Government Act 1995* the person making a **complaint** and the person complained about each have the right to apply to the **State Administrative Tribunal (the SAT)** for a review of the Panel's decision in this matter. In this context, the term "decision" means a decision to dismiss the complaint or to make an order.
- (2) By rule 9(a) of the *State Administrative Tribunal Rules 2004*, subject to those rules an application to the SAT under its review jurisdiction must be made within 28 days of the day on which the Panel (as the decision-maker) gives a notice [see the Note below] under the *State Administrative Tribunal Act 2004 (SAT Act)*, section 20(1).
- (3) **The Panel's Breach Findings and these Findings and Reasons for Finding – Sanctions**, constitute the Panel's notice (i.e. the decision-maker's notice) given under the *SAT Act*, section 20(1).

Note:

- (1) This document may be given to a person in any of the ways provided for by sections 75 and 76 of the *Interpretation Act 1984*. [see s. 9.50 of the *Local Government Act 1995*]
- (2) Subsections 75(1) and (2) of the *Interpretation Act 1984* read:
 - "(1) Where a written law authorises or requires a document to be served by post, whether the word "serve" or any of the words "give", "deliver", or "send" or any other similar word or expression is used, **service shall be deemed** to be effected by properly addressing and posting (by pre-paid post) the document as a letter to the last known address of the person to be served, and, **unless the contrary is proved, to have been effected at the time when the letter would have been delivered in the ordinary course of post.** [Bold emphases added]
 - (2) Where a written law authorises or requires a document to be served by registered post, whether the word "serve" or any of the words "give", "deliver", or "send" or any other similar word or expression is used, then, if the document is eligible and acceptable for transmission as certified mail, the service of the document may be effected either by registered post or by certified mail."
- (3) Section 76 of the *Interpretation Act 1984* reads:

"Where a written law authorises or requires a document to be served, whether the word "serve" or any of the words "give", "deliver", or "send" or any other similar word or expression is used, without directing it to be served in a particular manner, service of that document may be effected on the person to be served —

 - (a) by delivering the document to him personally; or
 - (b) by post in accordance with section 75(1); or
 - (c) by leaving it for him at his usual or last known place of abode, or if he is a principal of a business, at his usual or last known place of business; or
 - (d) in the case of a corporation or of an association of persons (whether incorporated or not), by delivering or leaving the document or posting it as a letter, addressed in each case to the corporation or association, at its principal place of business or principal office in the State."

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6.2 General update on research for Intra Town Bus Service

Date of Report:	21 January 2019
File Reference:	COC16 CPTAC
Author:	A Bell – Manager Community Development
Responsible Officer:	S Scott – Chief Executive Officer
Attachments:	<ol style="list-style-type: none"> 1. Information from Profile ID (Shire of Toodyay website – ABS information); 2. Copy of Shire Map showing three designated/gazetted Town Sites and Subdivisions; and 3. Article on Shire of Murray Bus Trial.

PURPOSE

To update the Committee on research carried out to date on this proposal of an Intra Town Bus Service.

Further contact is still to be made to with PTA.

Clarification is required from the Committee on items for this proposal for further research to be undertaken.

BACKGROUND

Mr Bob Neville has tabled this proposal for an Intra Town transport service at a previous meeting. He made contact with Matthew Saliacus at PTA in mid-2018.

In conversation with PTA and via email it was requested that this committee:

- Seek support from the Local Government Authority
- Population demographic and density
- The demand and level of support
- An application with a business case

OFFICER COMMENT

As the Officer tasked with this item I would like to share with the committee some research undertaken to date as well as clarifying some matters to continue on with further research.

- In response to dot point 2 information required by PTA – Population demographic and density this information is found on the Shire Website – Profile ID (ABS details) and is listed in Attachment 1.
- Where do the Committee see the bus service starting and finishing?

We have 3 designated/gazetted town sites – Toodyay, West Toodyay and Bejoording and we have 26 subdivisions (not including West Toodyay and Bejoording). Attachment 2.

Confirmation will be sought from PTA that if they were to undertake a service does it have to operate from a designated/gazetted town site to town site, or from a town site to subdivision (not designated/gazetted Town site)?

- In speaking with other Local Governments with a slightly higher populations, trial transport services that they undertook did not work for various reasons. (See Attachment 3) – End of Line for Murray's Community Bus Service.
- Contact was also made with Wheatbelt RDA and Wheatbelt Development Commission to see what transport matters they have undertaken, or researched.

Response from Wheatbelt Development Commission was a link to a 145 page report – 2016/2017, which related to Age Friendly transport trials. Further verbal advice received was that out of all the trials there may be one service in operation, all others did not continue.

- Future steps for this Intra Town Bus Service would be to speak further with PTA, with a further report back to this Committee.
- To gauge the demand for this type of intra town bus service would require another survey to be sent to Community. As this could raise community expectation and costs involved, a report to Council for their support would be undertaken prior to any further work being completed on this item.

OFFICER'S RECOMMENDATION

That the Community and Public Transport Committee give further guidance on the proposed next steps of this item.

Manager Community Development provided an overview of the report provided.

Clarification was sought.

No recommendation was made in relation to this matter because the Committee was mindful of the fact that to move forward with a project of this nature would require:

- *Council Support for the development of a survey and business case in relation to whether the community wants an Intra Town Bus Service; and*
- *Council Support to liaise with the Public Transport Authority in respect to the provision of, by the PTA, an Intra Town Bus Service.*

7. REPORTS OF COMMITTEE MEMBERS

7.1 UPDATE- School Bus Services- Bus Stops

Shire Officers met with the School Bus Service on 28 Nov 2018. Discussed Council concerns regarding the current school bus network including lack of communication, bus stop locations, signage, etc. SBS were keen to improve communication for new/relocating bus stops and assist in reviewing current bus stop locations with a view to providing strategically placed, safe, permanent bus stops (where possible). Since our meeting, SBS has provided the complete school bus stop network map for the Shire and Shire Officers will soon commence a review of the existing network (suburb by suburb commencing with Morangup). The Shire will then liaise with SBS with a proposal on what the network should ideally look like and how we best achieve this.

Now that school has returned we can work with PTA based on present usage to determine in consultation the best locations for stops, and work out what improvements, if any, are required.

Stan Scott CEO
7 February 2019

MOTION/CPTAC RES. NO. 03/02/19

MOVED Cr Greenway

SECONDED B Neville

The Community and Public Transport Committee:

1. Acknowledges receipt of the update from the CEO; and
2. Requests that if there are further updates in relation to this matter they be brought to either a Special CPTAC Meeting or the next scheduled CPTAC meeting for further discussion.

MOTION CARRIED

8. NEW BUSINESS OF AN URGENT NATURE

Nil

9. NEXT MEETING

The Chairperson and Members present requested that any future meetings of the Community and Public Transport Advisory Committee commence at 4.00pm.

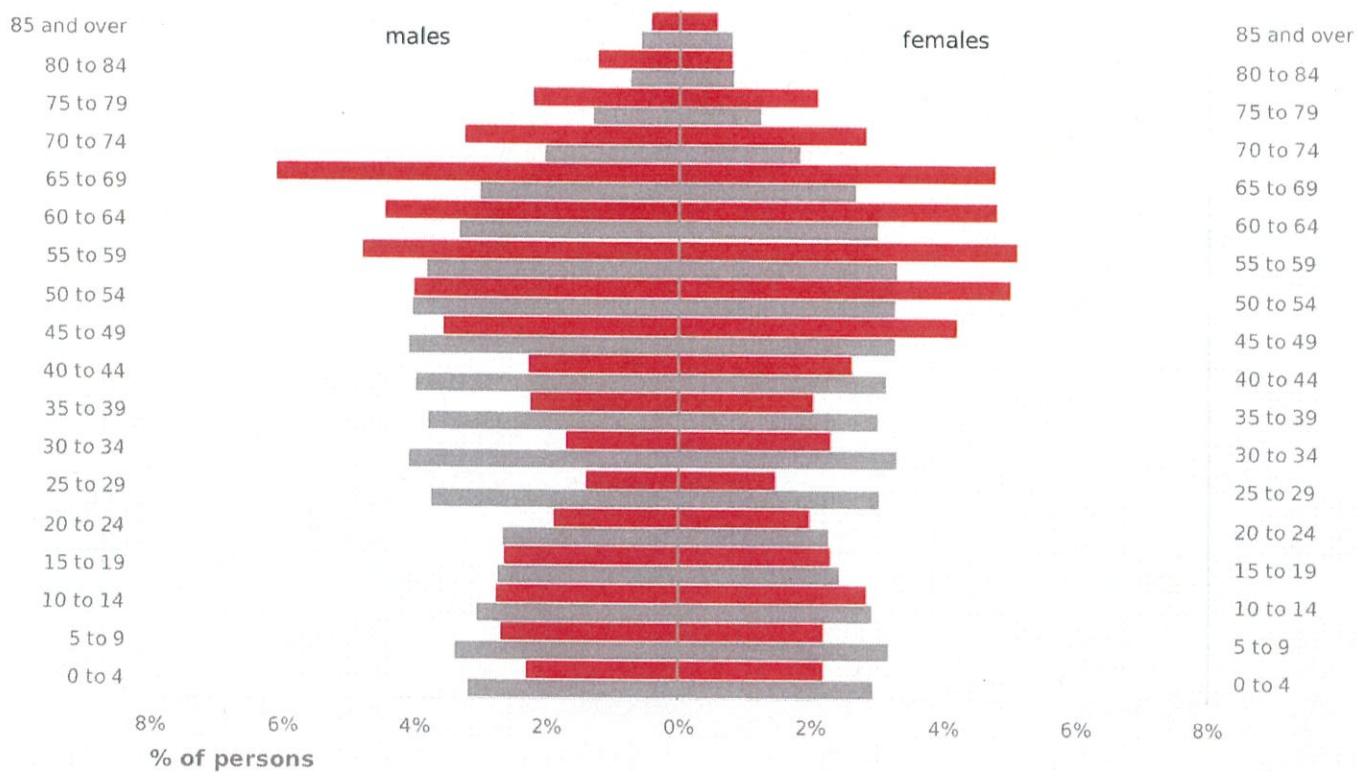
The next CPTAC meeting will be held on 2 May 2019 commencing at 4.00pm.

10. CLOSURE OF MEETING

The Chairperson declared the meeting closed at 6.15pm.

Age-sex pyramid, 2016

■ Shire of Toodyay ■ Regional WA



Source: Australian Bureau of Statistics, Census of Population and Housing, selected years between 1991-2016 (Enumerated data). Compiled and presented in profile.id by .id, the population experts.



Shire of Toodyay

About the profile areas

Location and boundaries

The Shire of Toodyay borders the north-eastern edge of the Perth metropolitan area, about 85 kilometres from the Perth CBD. The Shire of Toodyay is bounded by the Shire of Victoria Plains in the north, the Shire of Goomalling and the Shire of Northam in the east, the Shire of Mundaring and the City of Swan in the south, and the Shire of Chittering in the west.

Name origin

Toodyay is thought to be named from the Aboriginal word 'duidgee' meaning "place of plenty".

Important
Statistics

Population

4,507

2017 ABS ERP

Land area

169,304

ha (1,693 Km²)

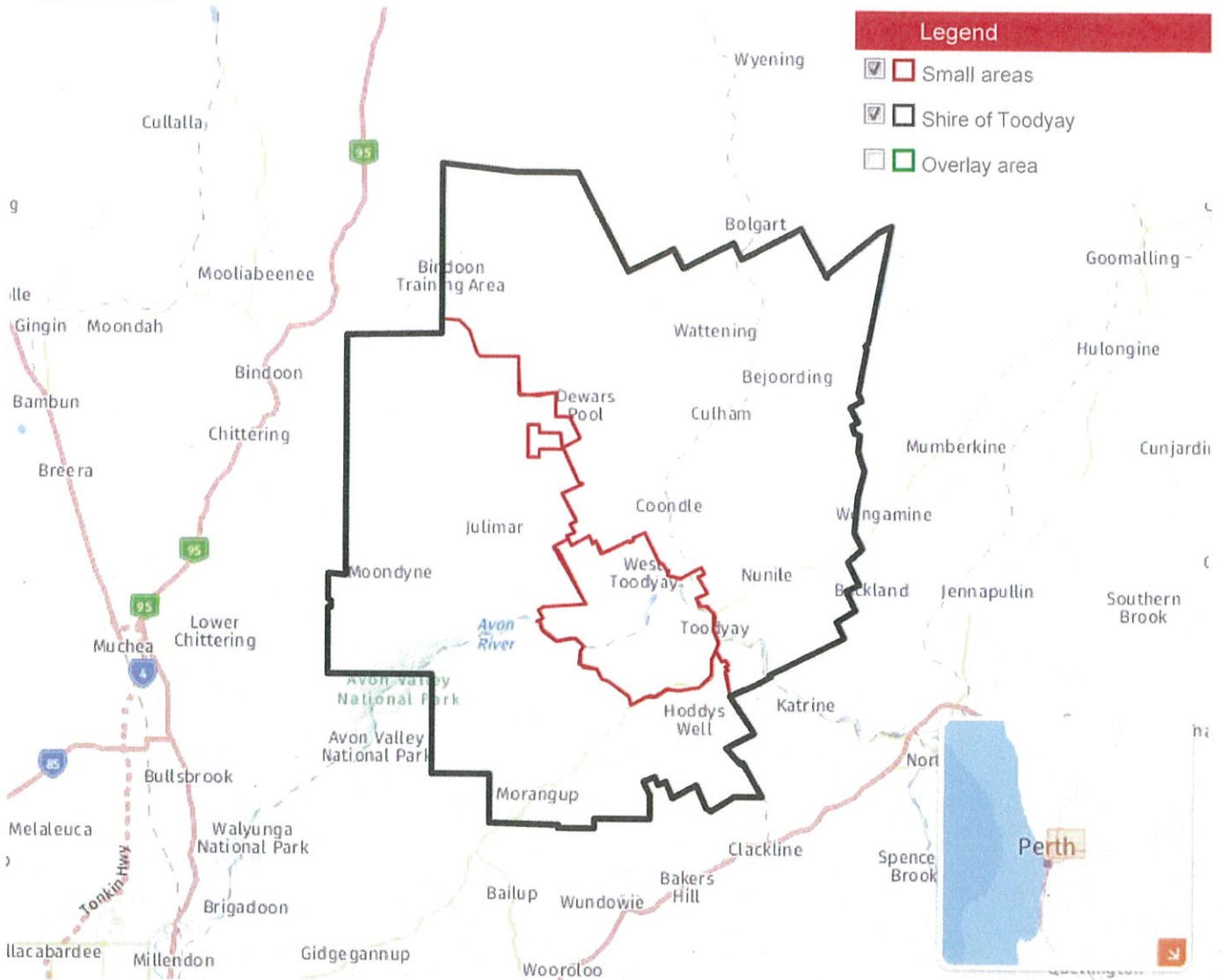
Population density

0.03

persons per hectare

Profile areas

Shire of Toodyay



Compiled and presented in profile.id by .id, the population experts.

Settlement history

European settlement dates from the early 1830s when the first land grants were made in the Avon Valley, with the township of Toodyay established in 1836. Land was used mainly for farming, particularly sheep grazing and crop growing. Gradual growth took place from the mid 1800s to the early 1900s, aided by the opening of the railway line. Growth resumed during the post-war years, with the population of the Shire rising from about 1,200 in 1947 to 1,500 in 1954. The population then fell slightly to about 1,300 in 1971, before rising to over 1,400 in 1981. The population continued to increase from the 1980s, rising to about 2,500 in 1991, to about 3,800 in 2001, and then to over 4,200 in 2011. Growth is expected to continue.

Land use

The Shire of Toodyay is a predominantly rural area, with a township at Toodyay and several rural subdivisions. Land is used largely for agriculture, particularly sheep and cattle grazing and grain growing, with some olive growing and viticulture. The Shire encompasses a total land area of nearly 1,700 square kilometres.

Transport

The Shire of Toodyay is served by the AvonLink and MerredinLink train services.

Major features

Major features of the Shire include Avon Valley National Park, the Avon River, Newcastle Gaol, Connor's Mill, Julimar Conservation Park, Drummond Nature Reserve, Flat Rock Gully Nature Reserve, Morangup Nature Reserve, Wongamine Nature Reserve, Duidgee Park, Toodyay Showgrounds, Toodyay Golf Club, Toodyay Racecourse, Bee Happy Honey & Wildlife Farm, Alicia Estate Winery, Coorinja Vineyard, Hoddywell Archery Park and Toodyay Miniature Railway.

Indigenous background

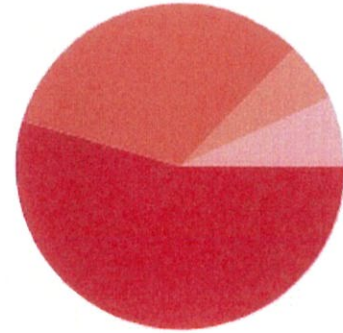
The original inhabitants of the Toodyay area were the Ballardong Noongar Aboriginal people.

Included areas

The Shire of Toodyay includes the localities of Bejoording, Bindoon Training Area, Coondle, Culham, Dewars Pool, Dumbarton, Hoddys Well, Julimar, Moondyne, Morangup, Nunile, Toodyay, Wattening and West Toodyay.

Land use

- Primary Production
- Parkland
- Residential
- Other



.id the population experts

Morangup - Julimar and surrounds

About the profile areas

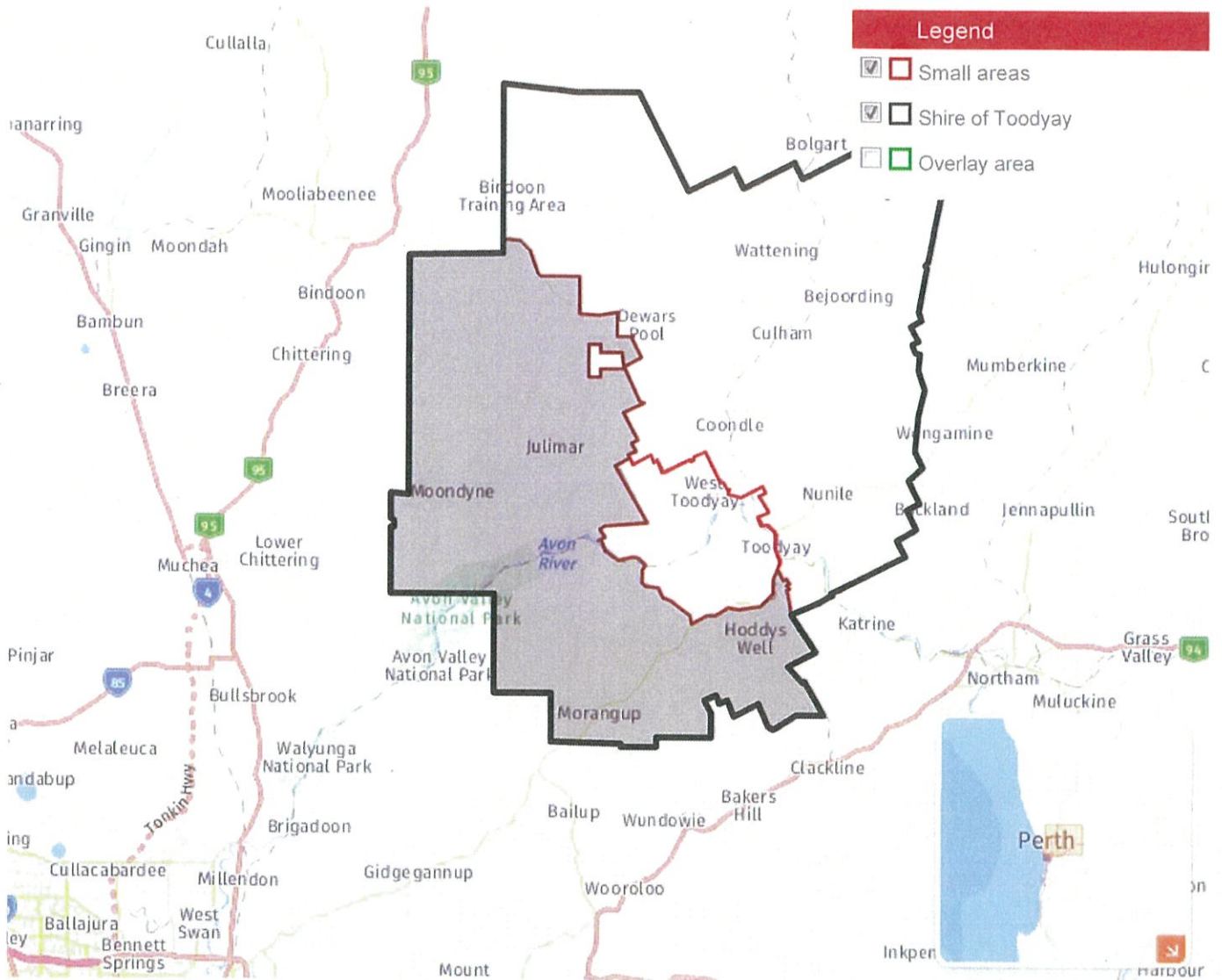
Location and boundaries

Morangup - Julimar and surrounds is bounded by the Shire of Chittering, Bindoon-Dewars Pool Road and the locality of Bindoon Training Area in the north, the localities of Dewars Pool, Coondle and West Toodyay, the Avon River, Lovers Lane, Toodyay Road and the locality of Dumbarton in the east, the Shires of Northam and Mundaring in the south, and the City of Swan and the Shire of Chittering in the west.



Profile areas

Morangup - Julimar and surrounds



Compiled and presented in profile.id by .id, the population experts.

Included areas

This small area includes the localities of Hoddys Well, Julimar, Moondyne and Morangup.

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Toodyay - West Toodyay

About the profile areas

Location and boundaries

Toodyay - West Toodyay is bounded by the locality of Coondle in the north, the Avon River, the localities of Coondle and Nunile, the Avon River and Toodyay Road in the east, Strahan Road, Toodyay Road and Lovers Lane in the south, and the Avon River and the locality of Julimar in the west.

Important Statistics

Population

1,891

2017 ABS ERP

Land area

12,211

ha (122 Km²)

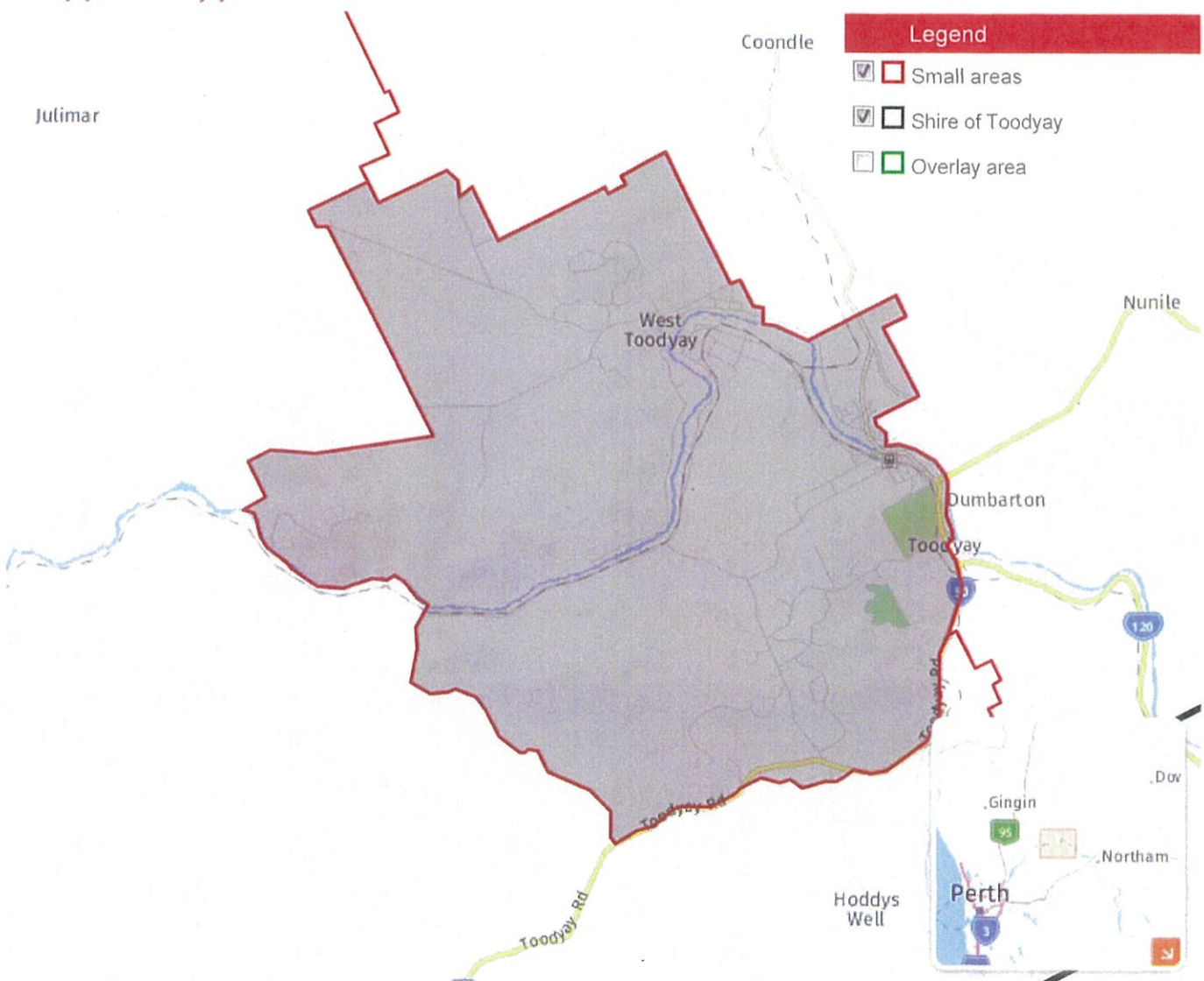
Population density

0.15

persons per hectare

Profile areas

Toodyay - West Toodyay



Compiled and presented in profile.id by .id, the population experts.

Included areas

This small area includes the localities of Toodyay and West Toodyay.

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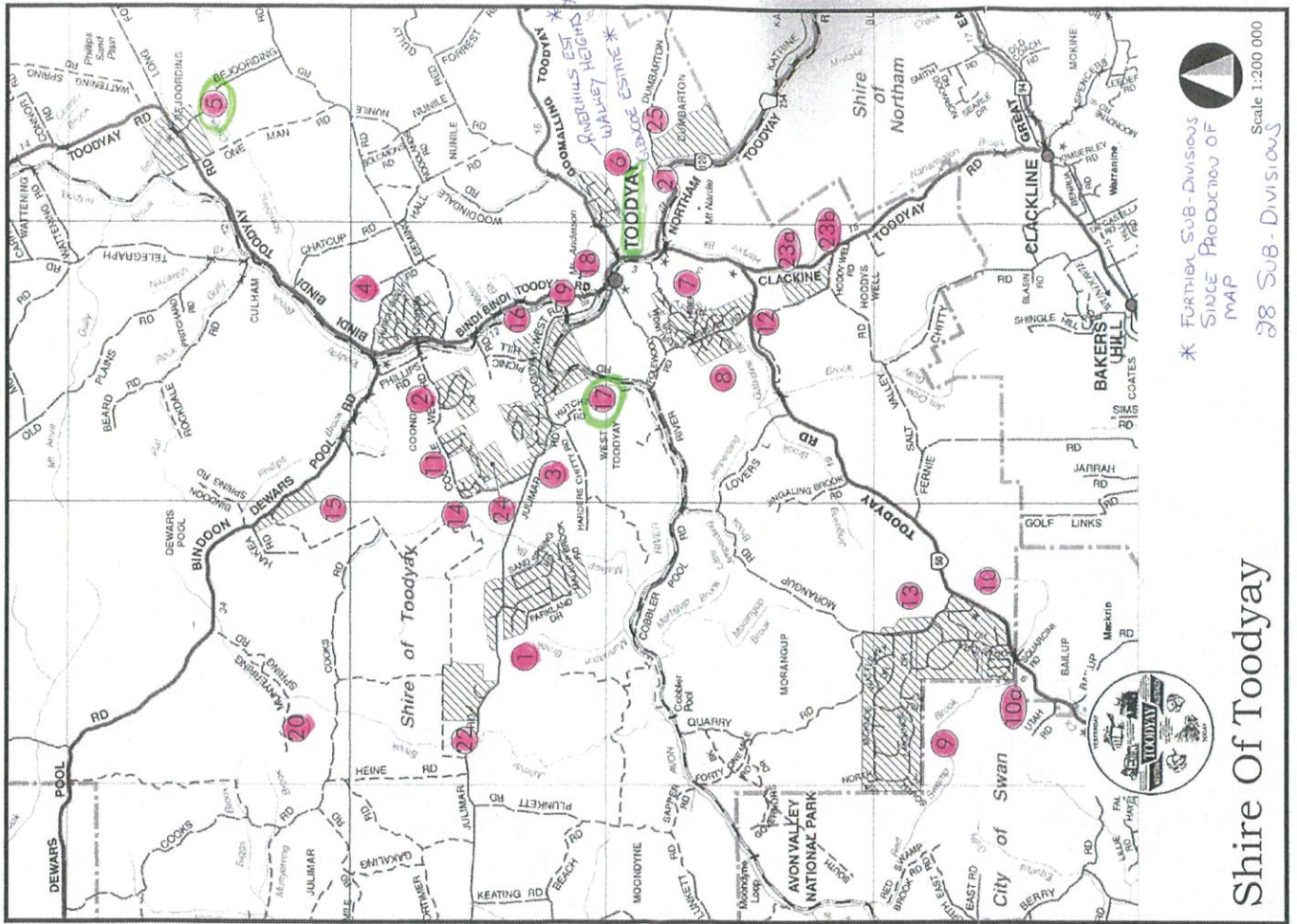
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Included areas

Coondle - Shire East includes the localities of Bejoording, Bindoon Training Area, Coondle, Culham, Dewars Pool, Dumbarton, Nunile and Wattening.

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Mandurah Mail

Local News

May 29 2017 - 10:49AM

End of line for Murray's community bus service

End of the line: The Shire of Murray will stop running their community bus service in July due to low passenger demand. Photo: Supplied.

Related: Shire calls on residents to get behind community bus after trial struggles.

Murray Shire takes the wheel on public transport.

Murray's community bus service is running on empty and will stop operating in July due to low passenger demand, the Shire of Murray said.

Shire data shows that only 266 residents used the bus service between the start of the service in October 2016 and March this year, the equivalent to less than four passengers a day.

"While the service was started to be a high priority throughout the community, the actual usage has been lower than the perceived demand," the Shire said.

"While some townsites have seen a higher return

