



Special Council Meeting

28 September 2022

Commencing at 12.30pm

Agenda

Notice of Meeting.

To: The President and Councillors.

A Special Council Meeting of the Shire of Toodyay will be held at the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay WA 6566 on the above-mentioned date and time.

The Special Meeting of Council has been called by the Shire President.

The Special Meeting of Council is for the purpose of considering an application to the State Administrative Tribunal (SAT) regarding the Mining Differential Rate and all matters related thereto.

Suzie Haslehurst

CHIEF EXECUTIVE OFFICER



Our Vision, Purpose and Values

The Shire of Toodyay works together with the community to obtain the best possible social, economic, and environmental outcomes for the people of Toodyay.

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

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

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:

Integrity: We behave honestly to the highest ethical standard.

Accountability: We are transparent in our actions and accountable to the community.

Inclusiveness: We are responsive to the community and we encourage involvement by all people.

Commitment: We translate our plans into actions and demonstrate the persistence that produces results.

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any member or officer of the Shire of Toodyay during the course of any meeting is not intended to be and is not to be taken as notice of approval from Council. No action should be taken on any item discussed at a Council Meeting prior to written advice on the resolution of the Council being received. Any plans or documents contained in this document may be subject to copyright law provisions (*Copyright Act 1998*, as amended) and the express permission of the copyright owner(s) should be sought prior to reproduction.

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<http://www.toodyay.wa.gov.au/Council/Council-Meetings>

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Public copies are available by contacting the Shire on (08) 9574 9300.



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ATTACHMENTS can be found in the Attachments Paper on the Council website alongside this agenda.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member is to run through the Preliminaries, and to declare the Ordinary Meeting of Council open.

Acknowledgement of Country: *“I acknowledge the Ballardong Noongar people, the traditional custodians of the land where we meet today and the Yued and Whadjuk people, who are traditional custodians of respective lands within the wider Shire of Toodyay. I pay my respect to their Elders, past, present and emerging.”*

2 RECORDS OF ATTENDANCE**2.1 APOLOGIES****2.2 APPROVED LEAVE OF ABSENCE**

Cr P Hart – 24 September 2022 to 1 October 2022 inclusive;

3 DISCLOSURE OF INTERESTS**4 PUBLIC QUESTIONS****4.1 PUBLIC QUESTION TIME****5 PUBLIC SUBMISSIONS**

6 OFFICER REPORTS**6.1 CORPORATE AND COMMUNITY SERVICES****6.1.1 Request for SAT Resolution, Revised 2022-2023 Differential Rates & Application for Ministerial Approval**

Date of Report:	27 September 2022
Applicant or Proponent:	Shire of Toodyay
File Reference:	FIN30/MIN1
Author:	M Werder – Project Manager
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	3 June 2022; 8 June 2022; 13 July 2022
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Legislative
Attachments:	<ol style="list-style-type: none"> 1. DLGSC Outcome Letter - Differential Rate ↓ 2. Legal Advice - Differential Rate (confidential) Section 5.23(2) <i>(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting</i> 3. Differential Mining Rates Emails and Communications ↓

PURPOSE OF THE REPORT

1. To consider the correspondence from the Department of Local Government, Sport and Cultural Industries (DLGSC) informing the Shire that the application for a Mining differential rate was not approved. (Attachment 1).
2. To consider the legal advice from Tim Houweling of Cornerstone Legal (Confidential Attachment 2) that the Shire should adopt a cautious approach and make an application to the State Administrative Tribunal (SAT) to resolve the matter, and to likely quash the Mining Differential Rate.
3. To reconsider the submissions and feedback resulting from the advertising of the proposed 2022/2023 Differential Rates and consider the following options:
 - To endorse the proposed and revised Differential Rate categories and rate in the dollar for Ministerial approval; or
 - To postpone the adoption of a Mining Minimum Rate until 2023/2024.

BACKGROUND

At the May 2022 Ordinary Council Meeting, Council resolved (CRN: OCM081/05/22) to introduce a mining tenement differential rate to recognise the impacts of mining exploration activities on Shire assets.

The Shire's differential rates were advertised for 21 days in accordance with s.6.36 of *Local Government Act 1995* (the Act).

Submissions were collated, summarised and presented to the 13 July 2022 Special Council Meeting, where Council (CRN: SCM124/07/22) requested the CEO to seek Ministerial approval of the differential rates in accordance with s.6.82 of the Act.

Following the adoption of the 2022/2023 Annual Budget on 10 August 2022, correspondence was received from the DLGSC (5 September 2022), advising that the budget had been adopted with a non-compliant differential rate as Ministerial approval had not been issued. DLGSC recommended the Shire seek legal advice regarding whether an application should be made to the SAT to resolve the matter.

A letter received on 8 September 2022 from the Minister's delegate advised that after consideration, it was decided not to approve the request for a Mining differential rate (Attachment 1).

Legal advice was sought and although the differential rate was not approved, the advice is that the Shire should make application to the SAT.

COMMENTS AND DETAILS

SAT application

The SAT may quash a local government rate under section 6.82 of the Act if it is of the opinion that the rate has been improperly made or imposed. This may occur where a local government has:

- imposed a differential rate that was more than twice the lowest without seeking Ministerial approval in the first instance
- imposed minimum payments on more than 50 percent of properties without seeking Ministerial approval in the first instance

The Shire has registered with the State Administrative Tribunal to be able to lodge a hearing application with SAT as soon as the relevant resolution is passed by Council. A phone discussion with a SAT officer revealed that the likely first opportunity to have a SAT hearing is early in November.

2022/23 Budget

The 2022/2023 rates model remains the same as adopted except for the changes resulting from the decision not to approve the Mining differential rate.

Officers have reviewed the Mining differential rates and explored the following alternative options:

1. Calculate a rates revenue that provides a relevant amount to cater for most of the anticipated requirements and still complies with the requirements to have no more than 50% on the minimum rates. This would provide a rates revenue of \$130,000 with a rate in the dollar of 0.541912. This option will require a revised application for Ministerial approval.

2. Delay imposing a Mining differential rate until next financial year (2023/24). This will result in all 35 mining tenements remaining on the minimum rate for the 2022/23 financial year which totals \$47,285. This option means that the process will need to be recommenced next year, with no further information on the likelihood of success.
3. Apply the suggestion from the Minister's Delegate to keep the differential rate no more than twice the lowest rate in the dollar in the category (UV) to avoid the need for Ministerial approval. However, this would provide a rates revenue of \$8,003. This option is not recommended to be considered given the significant reduction in rates revenue.

It is recommended that Council seeks Ministerial approval for the amended and proposed 2022/2023 rate in the dollar and the minimum rates for the Unimproved Value (UV) properties as:

Category	2022/23 Rate in \$	Minimum Rate (\$)
UV General	0.014170	1,351.00
UV Rural	0.008298	1,351.00
UV Mining	0.541912	1,351.00

Under Section 6.33 (3) of the Local Government Act 1995, as one UV differential general rate is more than twice the lowest differential rate imposed by the local government, approval of the Minister will be sought. After the advertising period of Differential Rate, the only feedback was for the Mining Differential Rates.

IMPLICATIONS TO CONSIDER

Responses to the Advertising of the Differential Rates: Full details at Attachment 2

There were several emails, communications and conversations regarding the advertising of the differential rates, all of them relating to the Mining Tenements. Email notifications were sent to all the licence holders with an email address registered with the Shire.

Queries were received related to the increase in the Mining rate in the dollar from 0.013750 to 0.935665. This was explained by referring to the total to be raised from the Mining sector of \$200,000 in place of the default \$47,285 (35 on minimum). The rate in the \$ was merely a mathematical calculation.

The 2022/2023 budget was to include 10 of the smaller Mining Tenements on the current minimum rate of \$1,351.00.

A query on the big increase for some of the largest tenements identified that some mining exploitation operations have for a considerable amount of time been rated at the minimum separate from the expectations of other businesses in Toodyay.

A query or request to manage the road maintenance through a 'actual cost' basis with invoices does not recognise that the governing of a Local Government is more than the additional grading works. The 'real cost' can be significantly higher than the 'actual cost'.

A separate operator with seven tenements indicated that they had 'no comments or concerns from our end'.

Another operator with two tenements queried an average amount however their two tenements were small and in the lower range of rates.

We have collated 43 pages of responses and answers including queries from the Shire President and other Councillors and DLGSC emails partly to be able to address any queries from the department. The text of the Emails and Communications generated from the advertising of the Differential Rates is attached and includes the related correspondence (Attachment 3).

Consultative:

Discussions have taken place between staff and Councillors in several Council workshops. In accordance with s.6.36 (1) of the Act, a local public notice of the intention to impose the proposed differential rates was advertised for public comment prior to the adoption of the 2022/2023 Annual Budget. This was advertised for 21 days to allow ratepayers the opportunity to consider the proposed rate in the dollar and make any submissions prior to Council adopting the appropriate rates as part of the budget process.

Strategic:

Differential rates represent a strategic approach to rating. Rates are a major revenue source of Council used to achieve the objectives of the Strategic Community Plan and Corporate Business Plan. The purpose of levying rates is to meet the Shire's budget requirements to deliver services and projects each financial year.

Shire of Toodyay Strategic Community Plan 2028

Built environment: Our buildings, roads and transport:

O 1: Ensure safe and sustainable transport options.

Governance: The way the Shire leads and operates:

O 1: Provide accountable and transparent leadership for the community.

Policy related:

Long Term Financial Planning.

Significant Accounting Policy.

Dealing with Mining Proposals.

Financial:

The financial implications will mean the revenue from the Mining Tenement Rates of \$200,000 as adopted in the Budget will reduce to \$130,000 for recommendation 2 or \$47,285 for the alternate recommendation 2. The expenditure for the additional road and infrastructure maintenance is already in the adopted Budget and an increase in the revenue will be provided in the revised budget to offset the reduced rates revenue.

Legal and Statutory:

Sections 6.33 and 6.34 of the *Local Government Act 1995* allow local governments to impose differential rates and minimum payments. Section 6.36 requires local governments to give notice of certain rates before imposing them. Council was requested to endorse for advertising, the proposed rates in accordance with Section 6.36 of the Act.

Section 6.33 (3) states: "In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it".

Section 6.35 (6) of the Local Government Act 1995 states that a differential minimum payment may be imposed.

Section 6.82 (1) of the Local Government Act 1995 states that '*Where there is a question of general interest as to whether a rate or service charge was imposed in accordance with this Act, the local government or any person may refer the question to the State Administrative Tribunal to have it resolved*'.

Risk related:

There are significant financial and operational risks associated with setting rates for the budget adoption process. Compliance with statutory provisions helps to mitigate these risks. The application of differential rates ensures the needs and responsibilities of various areas are addressed.

Workforce related:

Nil.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION 1

That Council requests the CEO to lodge an application with the State Administrative Tribunal to resolve the Mining differential rate that was adopted prior to receiving Ministerial approval which will likely lead to the rate being quashed.

OFFICER'S RECOMMENDATION 2

That Council requests the CEO to:

1. Seek Ministerial approval pursuant to s.6.33(3) of the *Local Government Act 1995*, for the proposed 2022/2023 rate in the dollar and the minimum rates for the Unimproved Value (UV) properties as:

Category	2022/23 Rate in \$	Minimum Rate (\$)
UV General	0.014170	1,351.00
UV Rural	0.008298	1,351.00
UV Mining	0.541912	1,351.00

2. Bring a report to Council to adopt a revised Statutory Budget for the 2022/23 financial year once the outcome of the application for Ministerial approval has been advised.

ALTERNATE OFFICER'S RECOMMENDATION 2

That Council:

1. Resolves to postpone the adoption of a Mining Differential Rate until 2023/2024.
2. Requests the CEO to bring a report to Council to adopt a revised Statutory Budget for the 2022/23 financial year no later than 31 October 2022.

OFFICER'S RECOMMENDATION 3

That Council receives and reviews the responses and answers including queries from the Shire President and other Councillors and the DLGSC relating to the advertising of the differential rates and associated correspondence (Attachment 3).



Department of
**Local Government, Sport
and Cultural Industries**

Our ref T5-1#05; E22085601
Enquiries Steven Elliott
Phone (08) 6552 1624
Email legislation@dlgsc.wa.gov.au

Ms Suzie Haslehurst
Chief Executive Officer
Shire of Toodyay
PO Box 129
Toodyay WA 6642

Dear Ms Haslehurst

SHIRE OF TOODYAY – DIFFERENTIAL RATES 2022/23

I refer to the Shire of Toodyay's (the Shire's) application requesting approval to impose a differential general rate that is more than twice the lowest rate in the (UV) category.

I have considered the Shire's application and have decided not to approve the request.

The Department of Local Government, Sport and Cultural Industries (DLGSC) performed a full assessment of the Shire's application, as well as the Shire's draft budgetary figures and several submissions provided by ratepayers. It was ultimately determined that:

- (a) The Shire's application did not meet all criteria of the Minister's approval policy; and
- (b) The Shire had not provided adequate evidence for why such low-valued properties should be transitioned from the general minimum.

I am mindful that the low value of these properties significantly reduces the level of revenue which they contribute to the Shire. Nevertheless, the minimum payment system exists to ensure that the lowest value properties will still make a fair contribution to the Shire's upkeep.

I am also mindful that under the *Local Government Act 1995*, the value of a property is a key component of calculating rates bills. Accordingly, there is a rebuttable presumption that a rates bill should bear some reasonable connection to the current value of that land.

The Shire's Objects and Reasons have indicated that these properties incur additional costs upon the Shire that justify a higher than minimum contribution. However, insufficient concrete evidence has been provided to assure me that this is the case.

Because of this decision, the Shire will need to rearrange its rate's structure so that its rate categories fall within the ratios which do not require ministerial approval. I will leave it to the Shire to determine how best to achieve this.

Gordon Stephenson House, 140 William Street
PO Box 8349 Perth Business Centre, WA 6849
Telephone (08) 6552 7300
Email info@dlgsc.wa.gov.au
Web www.dlgsc.wa.gov.au

-2-

It must be stressed that the Rate in the Dollar proposed by the Shire is several magnitudes higher than any rate ever proposed by a local government.

If you have any questions, please do not hesitate to contact Steven Elliott at the Department of Local Government, Sport and Cultural Industries, on 6552 1530 or by email to legislation@dlgsc.wa.gov.au.

Yours sincerely



Tim Fraser
EXECUTIVE DIRECTOR LOCAL GOVERNMENT

5 September 2022

Differential Mining Rates Emails and Communications

W:\AMCCS\Differential Rates\Ministerial Approval Application

MESSAGES FROM AND TO DLGSC – 12 ITEMS

From: Maurice Werder **To:** Steven Elliott**Sent:** Wednesday, 24 August 2022 11:40 AM**To:** Steven Elliott <steven.elliott@dlgsc.wa.gov.au>**Cc:** records@toodyay.wa.gov.au**Subject:** [External]-RE: Shire of Toodyay - Mining Industry Differential General Rates

Good Morning Steven

I have gone through your email and have added comments and explanations and I am apologetic if some of them are fairly long. We are keen to secure Ministerial Approval within the guidelines and have shown a scenario where we can reduce the Rate Revenue to the minimum point where we still comply with the 'no more than 50% on minimum rates' rule.

We are always prepared to meet in person to get a reliable, fair and equitable result.

I have attached the spreadsheets of the individual Tenements and the collective by owners. I have also attached the correspondence received and responded to including this email in one 47 page document.

Good morning,

I apologise for the ongoing delay in this application.

As mentioned, the RID proposed by the Shire is unusually high when compared to other applications. This has increased the level of scrutiny normally required. We have also had several stakeholder letters forwarded to us by the Minister's office, meaning the claims in each letter had to be assessed in detail and added to our report.

In normal cases, local governments who require ministerial approval for their differential rates would not normally adopt their budget prior to getting approval. We are currently checking with our legal area to ensure the Shire's early adoption of the budget won't raise unexpected issues. In the meantime, it would be prudent not to issue any rate notices until the Shire's application is resolved.

Over the last week, we've come up with some final questions to clarify some details. Once these are answered, we should be ready to finalise our report and submit it to the delegate within the next day or so:

1. The minutes and agenda papers mention that the intended rate structure was intended to raise rate revenue by 2.5% in accordance with the LTFP. However, the figures I've seen (Note 8, Cash flow, Revenue statements) do not match that number. The lowest I got was a 5.4% increase in rate yield, which came from the Note 8. Can you advise whether the 2.5% is referring to rate yield or some other revenue figure?

The intended rate revenue increase is to be 2.50% in accordance with the LTFP and to reach this revenue individual ratepayers above the minimum rate will have an increase of 3.05% as we intend to keep the minimum rate at \$1,351 the same as for the last couple of years. This was printed on the front page of the Toodyay Herald without adverse reactions particularly with the publicity of the current CPI increases. The overall increase is made up of:

2021/2022 Rate Revenue:	\$6,870,033
2.50% Rate Revenue increase	\$171,751
Mining over Minimum:	\$152,715
Increases in values, improvements, developments	\$46,920
(Includes increases in # of rateable properties)	

2022/2023 Rate Revenue	\$7,241,419
Increase	\$371,386

2. One of the ratepayers has made the claim that their exploration properties have not been in use for a while now and generate no road traffic. If the Shire is correct that the road expenses around those three roads are completely due to the activities of mining ratepayers, it doesn't necessarily follow that all these properties are equally to blame. If the ratepayer is telling the truth and their properties aren't actively contributing to road wear, but they still end up on the RID, would the Shire be willing to consider issuing concessions to them?

It is not correct that the road expenses around Keating Road, Beach Road and Plunket Road are completely due to the activities of mining ratepayers. Farming properties, lifestyle blocks, general road users and mining exploration all have an impact, and all contribute through their rates for the road maintenance and for the general running of the Shire, including administration, libraries and pools to name a few. Within the normal operation of the district all roads are graded a couple of times a year. The intention of the Shire is to be prepared to provide additional maintenance and upgrade works to ensure the mining industry has uninterrupted access to their operations irrespective of weather conditions. The Shire is very keen to avoid 'road closures' due to weather events and traffic movements, a relatively common occurrence in some [wheatbelt Shires](#).

The Shire of Toodyay does not work on a blame system. We have 205 UV Rural properties which are broadacre farms mostly producing grain, wool, meat and other productive agricultural production and some farms due to the age of the owners or other reasons are of limited productivity and therefore they do not actively contribute to road wear.

The Shire of Toodyay has 35 Mining Tenements, and some licence holders are working their tenements, and some are just holding them (with a Retention Licence) until the time is right for their corporate decisions. Landgate provides the GRV and UV Valuations that the Shire uses these values to calculate the rate revenue for the Council operations. All local governments have differential categories for Residential, Commercial and Industrial. The Shire does offer concessions particularly to non-profits who are providing aged care accommodation or medical services although I have not come across any Council providing a concession to a business who does not wish to develop their property. An appeal to Landgate for a revaluation would accomplish the same result.

One of the tenements has a 'Retention Licence' (R 70/00059) over 1,695.702 hectares and Landgate has provided a valuation which we use for calculating the rates, last year this property was on the minimum rate.

Shire Admin has put it to Council for any real surplus over what is needed for Mining related infrastructure maintenance into the new Mining Industry Reserve which we set up this Budget time for the likely increased infrastructure needs of the industry.

3. One of the ratepayers advises that they own ten properties in the district. The UV mining category only has 35 properties, so if the ratepayer owns 10 of those, this potentially means that the impact of the RID increase might be cumulative. However, we've noted the alternative possibility that some of the ratepayer's 10 properties might fall under another rate category or be on the minimum, meaning they won't be impacted by the RID increase at all. Can you please confirm how many individual ratepayers (not properties) make up the UV Mining category?

The one ratepayer that has ten properties is Chalice Mining and they have also purchased nine farming properties and a significant accommodation B&B property, due to the long-term prospects of their Julimar nickel-copper-platinum group elements (PGEs) project. The attached spreadsheet shows the individual mining tenements and the individual ratepayers. Rates are calculated on individual properties across all local government areas in WA which I suppose is cumulative on rate payers who have multiple properties, as each property is rated separately.

4. The minutes in the last council meeting imply that all the ratepayer submissions were directly put to council in the collated email document you supplied. Can you please provide a copy of the agenda papers so I can

confirm what the councillors viewed? I've looked for the agenda papers on the website but wasn't able to track them down.

I have collated over 30 pages of inwards and outwards correspondence and the report and agenda item was a summary of the emails and letters as some were repetitions of each other. I have attached the collated correspondence to this email. The document includes several with the Shire President who was seeking clarification on various matters.

Correspondence with the DLGSC is presented to Council each month and this includes the Differential Rates correspondence.

At the [SCM on the 13th of July 2022](#) for the 'Approval of 2022-2023 Differential Rates' the 30 pages of collated correspondence was summarised and discussed to ensure that the councillors were conversant with the tone and gist of the queries and the Shire's responses.

Responses to the Advertising of the Differential Rates:

- There were a number of emails, communications and conversations regarding the advertising of the Differential Rates, all of them relate to the Mining Tenements. We sent email notifications to all the licence holders that we had email addresses for. Example responses include:
- Queries related to the increase in the Mining rate in the dollar from 0.013750 to 0.935665. This was explained by referring to the total to be raised from the Mining sector of \$200,000 in place of the default \$47,285 (35 on minimum). The rate in the \$ was merely a mathematical calculation.
- The 2022/2023 budget will include 10 of the smaller Mining Tenements on the current minimum rate of \$1,351.00.
- A query on the big increase for some of the largest tenements identified that some mining exploitation operation has for a considerable amount of time been rated at the minimum separate from the expectations of other businesses in Toodyay.
- A query or request to manage the road maintenance through a 'actual cost' basis with invoices does not recognise that the governing of a Local Government is more than the additional grading works.
- A separate operator with seven tenements indicated that they had 'no comments or concerns from our end'.
- Another operator with two tenements queried an average amount however their two tenements were small and in the lower range of rates.
- We have collated 30 pages of responses, answers including queries from the Shire President partly to be able to address any queries from the department. A search of other local government websites indicate that most relevant ones have Mining Differential Rates.

The collated correspondence is attached to this email.

5. Rate Revenue or Rate in the \$

There has been a lot of discussion about the rate in the dollar which is merely a mathematical calculation and very little about the actual Rate Revenue. Our research indicates that a rate revenue of \$200,000 for the mining sector is appropriate however the main object is to ensure there is a Mining Differential Rate for the Shire of Toodyay as the industry develops.

I have calculated that if we had a rate in the \$ of 0.541912 the Rate Revenue would be \$130,000 and still meet the requirement for under 50% are on the minimum rate. Or some agreeable amount between the two.

I am prepared to discuss the remaining issues to get a resolution with you, your team or the Executive Director in person rather than our lawyers talking to your lawyers or going to SAT as suggested. We are very keen to have your advice on implementing the Mining Industry Differential Rate as we expect this to be a long-term solution and an ongoing industry. The Shire of Toodyay is one of the few rural Councils with a Mining Industry and without a Mining Differential Rates structure.

Kind Regards
Maurice Werder
PROJECT MANAGER

Shire of Toodyay
PO Box 96
TOODYAY WA 6566
P: 08 9574 9310
M: 0408 782 224
E: M.Werder@toodyay.wa.gov.au
W: www.toodyay.wa.gov.au

From: Steven Elliott **To:** Maurice Werder

Sent: Tuesday, 23 August 2022 10:43 AM

To: Maurice Werder <M.Werder@toodyay.wa.gov.au>

Cc: records@toodyay.wa.gov.au

Subject: [External]-RE: Shire of Toodyay - : Mining Industry Differential General Rates

Good morning,

I apologise for the ongoing delay in this application.

As mentioned, the RID proposed by the Shire is unusually high when compared to other applications. This has increased the level of scrutiny normally required. We have also had several stakeholder letters forwarded to us by the Minister's office, meaning the claims in each letter had to be assessed in detail and added to our report.

In normal cases, local governments who require ministerial approval for their differential rates would not normally adopt their budget prior to getting approval. We are currently checking with our legal area to ensure the Shire's early adoption of the budget won't raise unexpected issues. In the meantime, it would be prudent not to issue any rate notices until the Shire's application is resolved.

Over the last week, we've come up with some final questions to clarify some details. Once these are answered, we should be ready to finalise our report and submit it to the delegate within the next day or so:

1. The minutes and agenda papers mention that the intended rate structure was intended to raise rate revenue by 2.5% in accordance with the LTFP. However, the figures I've seen (Note 8, Cash flow, Revenue statements) do not match that number. The lowest I got was a 5.4% increase in rate yield, which came from the Note 8. Can you advise whether the 2.5% is referring to rate yield or some other revenue figure?
2. One of the ratepayers has made the claim that their exploration properties have not been in use for a while now and generate no road traffic. If the Shire is correct that the road expenses around those three roads are completely due to the activities of mining ratepayers, it doesn't necessarily follow that all these properties are equally to blame. If the ratepayer is telling the truth and their properties aren't actively contributing to road wear, but they still end up on the RID, would the Shire be willing to consider issuing concessions to them?
3. One of the ratepayers advises that they own ten properties in the district. The UV mining category only has 35 properties, so if the ratepayer owns 10 of those, this potentially means that the impact of the RID increase might be cumulative. However, we've noted the alternative possibility that some of the ratepayer's 10 properties might fall under another rate category or be on the minimum, meaning they won't be impacted by the RID increase at all. Can you please confirm how many individual ratepayers (not properties) make up the UV Mining category?
4. The minutes in the last council meeting imply that all the ratepayer submissions were directly put to council in the collated email document you supplied. Can you please provide a copy of the agenda papers so I can confirm what the councillors viewed? I've looked for the agenda papers on the website but wasn't able to track them down.

Kind regards

Steven Elliott

Senior Legislation Officer

Department of Local Government, Sport and Cultural Industries
140 William Street, Perth WA 6000
GPO Box R1250, Perth WA 6844

Web www.dlgsc.wa.gov.au

The Department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land, and we pay our respects to their Elders past and present.

From: Maurice Werder **To:** Steven Elliott

Sent: Thursday, 18 August 2022 11:50 PM

To: Steven Elliott <steven.elliott@dlgsc.wa.gov.au>; Legislation <legislation@dlgsc.wa.gov.au>;
Minister.Carey@dpc.wa.gov.au

Cc: Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>; Shire of Toodyay CEO <records@toodyay.wa.gov.au>

Subject: RE: Shire of Toodyay - : Mining Industry Differential General Rates

Good morning, Steven and DLGSC Legislation

The Shire of Toodyay are getting prepared to issue the Rates Notices and are keen to get the Ministerial Approval for our Differential Rates. I am working from home today and can call into the Department offices to speak to yourselves or to meet directly with the Minister, the Hon John Carey to cover any outstanding issues.

Please give me a call on my mobile and I can come in for a meeting to discuss and resolve the approval.

Kindest Regards

Maurice Werder

PROJECT MANAGER

Shire of Toodyay

From: Maurice Werder **To:** Steven Elliott

Sent: Tuesday, 16 August 2022 8:30 AM

To: Steven Elliott <steven.elliott@dlgsc.wa.gov.au>; Legislation <legislation@dlgsc.wa.gov.au>

Cc: Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>;
Records Officer <records@toodyay.wa.gov.au>

Subject: RE: Shire of Toodyay - : Mining Industry Differential General Rates

Good morning, Steven and DLGSC Legislation

The Shire of Toodyay have adopted the 2022/2023 Annual Budget last Wednesday and have included the revenue from the Mining Differential Rates in the Budget with the proviso that if the Minister does not approve the proposed \$200,000 Rates Revenue from the sector, an item will be presented to Council to amend the budget.

The proposed \$200,000 Rates Revenue from the sector would be changed to the minimum across the 35 tenements as they would be categorised as UV General (rural small holdings) again with a Minimum Rates Revenue of \$47,285 and a revenue for Road Contributions will be increased by \$152,715 to cater for the validly anticipated extra works required for maintaining the infrastructure to ensure the Mining Industry is viable in the Shire of Toodyay.

By the way the current wet weather and the BOM projections indicate we would have a challenging time this year with road and infrastructure maintenance.

Please could you let us know a time frame for the approval (or otherwise) from the Minister or his delegate.

Kind Regards

Maurice Werder
PROJECT MANAGER
Shire of Toodyay
PO Box 96
TOODYAY WA 6566
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M: 0408 782 224
E: M.Werder@toodyay.wa.gov.au
W: www.toodyay.wa.gov.au

From: Maurice Werder **To:** Steven Elliott

Sent: Monday, 15 August 2022 10:28 AM

To: Steven Elliott <steven.elliott@dlgsc.wa.gov.au>

Cc: Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>;
Records Officer <records@toodyay.wa.gov.au>

Subject: RE: Shire of Toodyay - : Mining Industry Differential General Rates

Good morning Steven

We are further researching the actions of other Local Government Councils in regard to the application of a Mining Differential Rate as we await the decision from the Minister or his delegate on the approval of the Shire of Toodyay first time Mining Differential Rates.

The Shire of Carnarvon have recently applied for Ministerial approval for their continuing Differential Rates, and refer to similar circumstances to Toodyay with higher road infrastructure maintenance costs and relatively low total contribution from this sector. The attached letter objecting to the increases to the Mining Differential Rate is concerning where it references "critical that all government fees are set so as to reduce the cost of doing business in the State". This statement can apply to all categories within a Local Government such as Commercial, Industrial, Farming, Pastoral, etc.

The application from the Shire of Toodyay has been well thought out, providing for current and potentially significant Mining related infrastructure future costs to support the Toodyay Mining Industry without creating a serious financial impost on the rest of the community.

Extract from attached Letter from McMahon Title Services:

The exploration and mining industry is one of the most significant contributors to the State's economy. It has played an integral role

in the development and enduring strength of this State, creating jobs and opportunities across the State but particularly in remote

and regional parts of Australia. The industry is undoubtedly critical to the continued economic recovery of the State and country

which has been severely impacted by the COVID-19 crisis. While the resources sector is slowly recovering, it continues to be constrained by the ongoing labour, supply and capital shortages stemming from the pandemic and recent world events.

To support the continued contributions made by the resources sector to the State economy it is critical that all government fees are set so as to reduce the cost of doing business in the State in the face of ever increasing international competition wherever possible, and increase and incentivise investment in local exploration to discover vital new resources which benefit the whole of the State.

We look forward to the decision from the minister or his delegate.

Kindest Regards
Maurice Werder

PROJECT MANAGER
Shire of Toodyay

From: Maurice Werder **To:** Steven Elliott

Sent: Tuesday, 9 August 2022 9:57 PM

To: Steven Elliott <steven.elliott@dlgsc.wa.gov.au>

Subject: RE: [External]-RE: [External]-RE: Shire of Toodyay - : Mining Industry Differential General Rates

Good evening Steven

Thank you for your assistance and questions on our Mining Industry Differential General Rates.

- The \$94,320 expense a yearly amount and is the total result of the grading tender requesting a monthly grade which calculates as \$7,860 per month.
- With 2 to 3 normal grades per year the \$70,000 is the potential additional nine grades that may be required and is a subset of the total \$94,320 quote for twelve months.
- The \$1,013,833 re-sheeting is part of the long term strategy to support the Mining Industry in Toodyay. It will all be in future years when it would be required, in consultation with the industry and potential grant funding State Government departments.

The purpose of the Mining Differential Rates Revenue is to meet the anticipated cost of providing road works and other services to the industry, similar to the services provided to other sectors of the community. The Differential Rating categories for Residential, Commercial, Industrial, etc are to meet the specific needs of different categories of ratepayers. This is why we are endeavouring to introduce a Mining Differential Rates for this very unique category of ratepayers. We look forward to a bright and prosperous Mining Industry in Toodyay.

We await with anticipation the decision from the Minister or his delegate.

Kindest Regards

Maurice Werder

PROJECT MANAGER
Shire of Toodyay

From: Steven Elliott **To:** Maurice Werder
Sent: Tuesday, 9 August 2022 4:27 PM
To: Maurice Werder <M.Werder@toodyay.wa.gov.au>
Subject: [External]-RE: [External]-RE: Shire of Toodyay - : Mining Industry Differential General Rates

Hi Maurice,

Thank you for the information.

I'm afraid I have limited experience when it comes to road maintenance costs. Just to ensure I'm not misunderstanding:

- is the \$94,320 expense a yearly amount or is it incurred each month?
- Is the \$70,000 expense a subset of the above cost or is it a separate, additional cost?
- what portion of the \$1,013,833 re-sheeting is likely to be incurred during the 2022/23 financial year (if any)?

I just want to make sure I accurately reflect these road costs in my report to the delegate.

Kind regards

Steven Elliott
Senior Legislation Officer

Department of Local Government, Sport and Cultural Industries
140 William Street, Perth WA 6000
GPO Box R1250, Perth WA 6844

From: Maurice Werder **To:** Steven Elliott

Sent: Tuesday, 9 August 2022 8:51 AM
To: Steven Elliott <steven.elliott@dlgsc.wa.gov.au>; Legislation <legislation@dlgsc.wa.gov.au>
Cc: Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>; Shire of Toodyay CEO <records@toodyay.wa.gov.au>
Subject: FW: [External]-RE: Shire of Toodyay - : Mining Industry Differential General Rates

Good morning Steven

Thank you for assisting the Shire of Toodyay to get the Ministerial Approval for our Mining Industry Differential Rates in place.

In reply to your email below, the RID which is a mathematical calculation is 'unusually' high because the Landgate valuation is extremely low, with two properties having a Landgate valuation of \$2.00 and \$4.00 each. I have researched other Shires and Boddington has a UV Mining valuation on the non minimum exploration licences (not the two GRV operating Mining Licences) with an average valuation of \$913,522 and a RID of 0.032646 raises \$29,823 per Mining Property. The Shire of Toodyay has an average UV Valuation of \$6,139 and expects to raise \$5,714 per Mining Property. The total Landgate Valuation of the 35 Mining tenements in Toodyay comes in at \$214,816. As we have not had a Mining Differential Rate before, these properties have been valued at broadacre prices. We shall be querying Landgate about the methodology of the Mining Sector valuation process after we complete the Current Budget.

For the additional questions, on occasions Keating Road was so cut up even with the current low level of truck traffic that the operation had, they had to use Beach and Plunket Roads for access. Other locals complained that Keating was unsuitable for smaller vehicles at those times. The Shire diverted the grader and operator to fix the road with an additional grade on a number of occasions. The internal cost evaluation and the tender for additional grading came in very similar. Note that the normal 2 to 3 grades a year will not be included in the \$94,320 for the monthly grading quote, we expect the 9 extra grades would come to \$70,000 plus normal Shire expenses. The expected Rates Revenue for the 10 Mining Tenements in the Gonville / Keating area would be \$63,130 and this is for a collection of Shire expenses, the same as a farmer's rates are not just for grading their road.

The sheeting expenses at approximately \$1.1 million dollars relates to the future needs of the mining industry and the Shire is intending to meet these needs as they come up. This quote was part of the Shire's future planning strategy. It is anticipated that the current Gonville / Keating area operation would need a MRWA Standard sealed road system once it goes to a Mining operation, not the current gravel road system which would have frequent closed roads in wet weather. The operation is so confident that the exploration will go to the next level that they have bought 9 farms in their exploration area. The upgrade infrastructure would be gradually incurred over multiple financial years, most likely with road grant funding from the Department of Mines or from MRWA.

The \$200,000 "target" with regard to rate yield is based on the internal calculations of Shire costs and the Grading Tender price referred to above and in the attachment in the previous email.

You have indicated that you have received several letters from mining ratepayers in the district and I have collated 30 pages of correspondence and replies as well. As noted, we intend to raise \$200,000 from the 35 Mining Tenement this year and honestly feel that this is probably marginal for the needs of the industry at this time. Any future budget will have to go to the Minister for approval over the greater than 2 time rule so will be monitored by your department.

Last year, and in previous years, every Mining Tenement was rated at the minimum rate which is for the most basic of the services provided by the Shire, at \$1,351 each, with some explorations operations funded with many millions of dollars with the expectation that the Shire would be providing significant infrastructure, particularly roading.

The existing mining tenements with significant heavy vehicles and industry using the road infrastructure are on Minimum Rates, the same as a low value home or vacant land in Toodyay with maybe a small vehicle. This state of affairs would not meet the Minister's policy criteria on objectivity, fairness and equity, consistency, transparency and administrative efficiency.

On the DLGSCI [web site](#) it states:

"The Minister's approval under section 6.33(3) will be made consistently with the key values of objectivity, fairness and equity, consistency, transparency and administrative efficiency. To that end, the Minister will not approve an application for an approval under this policy unless the Minister is satisfied of these matters.

I am aware that the department have received several letters from mining ratepayers in the district advising that the new rate category will result in significantly higher rate bills for their properties. The new rate category will be noticeably higher than the previous minimum rate however would be more appropriate for the type of operation and services on their properties. I

am also aware that the department have not received any letters from the same ratepayers discussing the appropriateness of the proposed rate revenue compared to the services that the Shire currently are providing and plan to provide into the future.

It is the intention of the Shire and the Council to provide the resources that are anticipated to be needed to ensure a robust and successful Mining Industry in Toodyay, preferably with a self funding model, particularly when the exciting new nickel-copper-platinum group element (PGE) discovery comes to production.

We would anticipate that we could have the Ministerial approval for an appropriate Rate Revenue from the developing Mining Industry for the Shire to meet the needs of the sector.

Kindest Regards

Maurice Werder

PROJECT MANAGER
Shire of Toodyay

From: Steven Elliott **To:** Maurice Werder
Sent: Monday, 8 August 2022 4:35 PM
To: Maurice Werder <M.Werder@toodyay.wa.gov.au>
Subject: [External]-RE: Shire of Toodyay - : Differential General Rates

Hi Maurice,

Thank you for providing the additional budget information and rates information.

At first inspection, the RID proposed by the Shire is unusually high. As a result, due diligence requires us to assess this application in particular detail, since it is likely to generate public interest if we go ahead and recommend approval.

It is unlikely we will have a resolution by Wednesday, but we will endeavour to do so.

At this stage, I have some additional questions:

- (a) The tender documents put the grading and sheeting expenses at approximately \$1.1 million dollars, presuming the lowest quotes are taken. Can you confirm whether this entire expense is going to be incurred over the 2021/22 financial year, or whether it is likely to be gradually incurred over multiple financial years?
- (b) I've noted that in several documents, the Shire has mentioned a \$200,000 "target" with regard to rate yield that it wishes to generate from the UV mining ratepayers. Can you advise how this \$200,000 target was calculated and how that number fits in with the tenders and estimated budget expenses?
- (c) We have received several letters from mining ratepayers in the district. These letters advise that the new rate category will result in significantly higher rate bills for their properties. Once again, due diligence requires us to investigate these claims. Are you able to advise:
 - (i) As an approximate figure, how much total rate yield will be raised from those mining properties this year?
 - (ii) How much money was raised from those specific properties last year?

Kind regards

Steven Elliott
Senior Legislation Officer

Department of Local Government, Sport and Cultural Industries
140 William Street, Perth WA 6000
GPO Box R1250, Perth WA 6844

From: Maurice Werder **To:** Steven Elliott

Sent: Saturday, 30 July 2022 10:58 PM

To: Steven Elliott <steven.elliott@dlgsc.wa.gov.au>

Cc: Legislation <legislation@dlgsc.wa.gov.au>; Shire of Toodyay CEO <records@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>

Subject: RE: [External]-RE: Application Form - Rating Policy: Differential General Rates

Hi Steven

The manager building the budget document is away today, so I have not attached the preliminary budgetary figures.

I have attached the rate information table with the GRV figures for the two years.

We are intending to keep to the target of raising \$200,000 from the UV mining properties. We had made an evaluation of the cost of maintenance of the relevant roads to get our initial position however the Manager of Infrastructure and Assets has put out a tender for the Grading & Resheeting of Keating/Beach/Plunket Rds. These are the relevant roads surrounding the Chalice exploration sites and that required additional maintenance works while the exploration has been going on. The tender was for 12 grading works, although usually 2 of these would be done in the normal works program. The best quote for grading is \$94,320 and depending on the year, this could be enough to be funded mainly from the Rates. We will be putting to the Council that any real surplus would be put into a new Mining Industry Reserve for the expected increasing requirements as the industry progresses. The best price for the tender for the Resheeting is \$1,013,800 which demonstrates the future requirements for the mining stages to ensure that the industry is not compromised by the state of the roads and infrastructure. The Shire would most likely be sourcing grant funding in the future to provide MRWA grade access for the industry, however that is some time away.

I have redacted the names from the tender sheet as it is still a confidential document

Attachments:

- Attachment 1 Rate Information Tables - Shire of Toodyay
- TENDER 05-2022 - Grading & Resheeting of Keating-Beach-Plunket Rds – REDACTED

I will send the preliminary budgetary figures on Monday.

Kind Regards
Maurice Werder
PROJECT MANAGER

From: Steven Elliott **To:** Maurice Werder

Sent: Tuesday, 26 July 2022 3:56 PM

To: Maurice Werder <M.Werder@toodyay.wa.gov.au>

Subject: [External]-RE: Application Form - Rating Policy: Differential General Rates

Good afternoon,

This email is regarding the Shire's differential rates application.

I have completed a preliminary check of the application. In order for the team to complete its assessment, we will require the following additional information:

- (a) In the application form, it was noted that the Shire has not yet prepared a draft budget. As a result we will need a copy of the preliminary budgetary figures the Shire used as a substitute (i.e. the figures which predict next year's expenditure and formed the basis for the rate yield the Shire seeks to generate).
- (b) The rate information table contains data for the UV rates. However, we also require the data for the GRV figures, so that we can compare the rate yields across all the rate categories.
- (c) In the Shire's minutes, it was noted that the Shire had a target of raising \$200,000 from the UV mining properties. Can you provide further information on how that target number was obtained? The objects and reasons seem to suggest that the number is related to infrastructure maintenance near those properties. If that is correct, any figures you could provide on the predicted expenditure of those projects would be helpful.

Kind regards

Steven Elliott

Senior Legislation Officer

Department of Local Government, Sport and Cultural Industries
140 William Street, Perth WA 6000
GPO Box R1250, Perth WA 6844

From: Maurice Werder **To:** Legislation, Troy Hancock

Sent: Friday, 15 July 2022 3:26 PM

To: Legislation <legislation@dlgsc.wa.gov.au>; Troy Hancock <troy.hancock@dlgsc.wa.gov.au>

Cc: Shire of Toodyay CEO <records@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>; Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>

Subject: Application Form - Rating Policy: Differential General Rates

Manager Statutory Approvals Team

Department of Local Government, Sport and Cultural Industries

PO Box 8349, Perth Business Centre, WA 6849

Email: legislation@dlgsc.wa.gov.au

Hi Legislation and Troy

This is the 'Application Form - Rating Policy: Differential General Rates' for Ministerial Approval with attachments. Some attachments are not relevant or available however I have added some comments relating to the application which did not fit into the formal application. Please let us know if there is any further information needed for the Minister's approval.

[Notes on the Ministerial Approval Application](#)

8. Has council reviewed its expenditure and considered budgetary efficiency measures as part of its budget deliberations?

Yes No

Attachment 3: copy of council minutes. Please ensure that budget efficiency measures are clearly identified in the minutes.

Council has reviewed its expenditure and considered budgetary efficiency measures in the 2021/2022 budget process and adoption, and again in the mid-year review. The current budget workshops involve considerable review of these matters to result in a balanced and efficient 2022/2023 Budget. For example, the second seal on some roads was delayed in a prior year and it was decided to action the reseal program as this was more efficient than further delays.

The Mid-Year Review process was promoted as the opportunity to review the expenditure, revenue and budgetary efficiencies and this process continues to influence the budget process. The current budget workshops look carefully at the expenditure and budgetary efficiencies as a continuous process and will be formalised at the Budget adoption. Attachment 3: copy of council minutes, if anything, would be best reflected in the Mid-Year Review minutes.

- 13.** In categories where there were fewer than 30 ratepayers, has each ratepayer been consulted in writing and provided a 21 day submission period?

There were more than 30 ratepayers in the UV Mining category however later we sent the full documentation including the link to the minutes to all the Mining Tenement Licence Holders and received and answered many queries, questions and conversations. These have been collated into a single document and summarised in the agenda and minutes of the Special Council Meeting on the 13th July 2022.

Kind Regards
Maurice Werder
PROJECT MANAGER
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E: M.Werder@toodyay.wa.gov.au
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GOVERNMENT OF
WESTERN AUSTRALIA

Department of
**Local Government, Sport
and Cultural Industries**



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From: Maurice Werder

Sent: Thursday, 14 July 2022 4:58 PM

To: Legislation <legislation@dlgsc.wa.gov.au>; Troy Hancock <troy.hancock@dlgsc.wa.gov.au>

Cc: Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>; Jan Augustin <J.Augustin@toodyay.wa.gov.au>; Hugo de Vos <planner@toodyay.wa.gov.au>; Maria Rebane <execsec@toodyay.wa.gov.au>

Subject: RE: [External]-Differential rating - submissions and application to Minister

Hi Troy

That is a great question! Toodyay needs a rate in the \$ of 88.5 cents in the \$ (revised in the Differential Rates review from 96 cents) to raise a rates revenue of \$200,000 across 35 mining tenements when Boddington can raise \$1,431,496 from 48 UV Mining tenements with a rate in the \$ of 3.2646 cents in the \$, based on the 2021/2022 budget documents.

I would assume that it has to do with the Landgate method of valuation as currently all mining tenements in Toodyay are valued as UV General (as Broadacre valuations?) and this gives two mining tenements valued at \$2.00 and \$4.00 each. From the table extracted here we see the 48 UV Mining (not on minimum) at Boddington have an average valuation of \$913,522 against Toodyay's \$8,422. This is 108 times the mining tenement valuation in Toodyay. We will seek for Landgate to value the Mining in Toodyay next year as Mining Tenement properties, which should give the same Rate Revenue with a lot lower rate in the \$. We are not even discussing the Boddington rate revenue of \$1,860,472 from the 2 major GRV – Mining operations.

	Toodyay	Toodyay	Boddington		Boddington
	UV Mining	Average Value	Average Value	Differences	Revenue
UV over minimum	210,543	8,422	913,522	108 times	\$1,431,496
UV on minimum	4318	432	4,437	10 times	\$43,312

I always say, 'beware the man with a calculator!' as the rate in the \$ is merely a mathematical calculation. We have notified many of the Mining Tenement connections and we have not heard any comments on the proposed rate revenue being unreasonable, however a lot of comments on the rate in the \$ of 96 cents including the ones sent to the Department.

I am in Perth on Monday, and I am quite happy to call into your office to discuss all the responses and replies generated by the introduction of a Mining Differential Rate and the advertising of the proposed Differential Rates

Please call if you need any further information or assistance to get the Mining Differential Rate implemented in Toodyay. I did have a chat with your Adam recently about the Rate Revenue target of \$200,000.

Kind Regards
 Maurice Werder
PROJECT MANAGER
 Shire of Toodyay

From: Troy Hancock <troy.hancock@dlgsc.wa.gov.au>
Sent: Thursday, 7 July 2022 1:41 PM
To: Maurice Werder <M.Werder@toodyay.wa.gov.au>
Subject: [External]-Differential rating - submissions and application to Minister

Hi Maurice

Just wondering if the Shire has a meeting date proposed to consider the differential rating submissions received and potentially resolving to apply to the Minister to impose a differential rate/s in the dollar.

Kind regards

Troy Hancock
Senior Legislation Officer - Policy and Legislation, Local Government

Department of Local Government, Sport and Cultural Industries
140 William Street, Perth WA 6000
GPO Box R1250, Perth WA 6844

Telephone [+61 8 6552 1624](tel:+61865521624)

Email troy.hancock@dlgsc.wa.gov.au

Web www.dlgsc.wa.gov.au

The Department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land, and we pay our respects to their Elders past and present



Department of
**Local Government, Sport
and Cultural Industries**



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MESSAGES FROM SHIRE PRESIDENT AND COUNCILLORS – 9 ITEMS

From: Maurice Werder **To:** Councillor Madacsi
Sent: Saturday, 2 July 2022 10:24 AM
To: Councillor Madacsi <cr.madacsi@toodyay.wa.gov.au>; Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>

Cc: Records Officer <records@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>

Subject: RE: [External]-Differential Mining Rates Documentation - Submission

Good morning, Cr Rosemary Madacsi and Suzie

I appreciate your questions and queries on behalf of the Council and yourself as they are a valuable way to build the conversation and our knowledge as we could expect significant queries from the community, councilors, the mining license holders and the Minister.

Every piece of information helps to get us all conversant with the issues and the strategy.

Kind Regards

Maurice

From: Councillor Madacsi **To:** Maurice Werder

Sent: Friday, 1 July 2022 7:34 PM

To: Maurice Werder <M.Werder@toodyay.wa.gov.au>; Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>

Cc: Records Officer <records@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>

Subject: RE: [External]-Differential Mining Rates Documentation - Submission

Hi Maurice,

It is a considerable undertaking but of immense benefit once completed. Please accept my questions as seeking an understanding of the process and in no way an indication of a lack of confidence in your endeavours. This is new and a learning curve, if we need to amend anything then we simply do. Thanks for the help.

Warm Regards

Cr Rosemary Madacsi

SHIRE PRESIDENT

Shire of Toodyay

PO Box 96

TOODYAY WA 6566

M: 0448 473 328

E: cr.madacsi@toodyay.wa.gov.au



From: Maurice Werder **To:** Councillor Madacsi

Sent: Friday, 1 July 2022 4:24 PM

To: Councillor Madacsi <cr.madacsi@toodyay.wa.gov.au>; Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>

Cc: Records Officer <records@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>

Subject: RE: [External]-Differential Mining Rates Documentation - Submission

Hello Cr Rosemary Madacsi and Suzie

These are the properties that Chalice owns, the 9 farms are still farms plus the B&B in Julimar Road. My understanding is that the mining tenement is over (or under) the land which is still part of the landholding. The rights are a licence to explore. Once mining starts there would be a negotiation for land use which is why Chalice have bought the farms due to their confidence in the project.

Chalice pays the normal rates for the farms and B&B and a rate calculated on the mining licence valuation. If a tenement holder buys the property they are considered normal property owners unless Landgate provides a mining tenement valuation over the property. Mining tenements are limited in size so that will not happen until production mining take place.

I have been trying to talk to Tom Chapman from Landgate several time over the last couple of days.

Current calculations are that the 35 tenements on minimums come to \$47,285.

Our current proposal is to aim at \$200,000 across the 35 tenements.

The minimum differential rate revenue within the DLGSCI 'no more that 50% on minimum rates rule' is \$131,710 so we have room to move.

I have had a continuous stream of emails, particularly from Chalice related connections. I have to keep my cool and focus throughout the process.

See you all next week.

Name	Primary Property Address	Property Rate Code
CGM (WA)	389 Plunkett Road MOONDYNE WA 6567	Rural UV
CGM (WA)	279 Beach Road MOONDYNE WA 6567	Rural UV
CGM (WA)	229 Keating Road MOONDYNE WA 6567	Rural UV
CGM (WA)	205 Beach Road MOONDYNE WA 6567	Rural UV
CGM (WA)	381 Julimar Road WEST TOODYAY WA 6566	Residential
CGM (WA)	Lot 102 Keating Road MOONDYNE WA 6567	General UV
CGM (WA)	300 Beach Road MOONDYNE WA 6567	Rural UV
CGM (WA)	132 Plunkett Road MOONDYNE WA 6567	Rural UV
CGM (WA)	80 Beach Road MOONDYNE WA 6567	Rural UV

CGM (WA)	196 Keating Road MOONDYNE WA 6567	Rural UV
CGM (WA) C/- MCMAHON MINING TITLE	E70/05360 Mining Tenement TOODYAY WA 6566	Mining UV
CGM (WA) C/- MCMAHON MINING TITLE	E70/05350 Mining Tenement TOODYAY WA 6566	Mining UV
CGM (WA) C/- MCMAHON MINING TITLE	E70/05119 Mining Tenement TOODYAY WA 6566	Mining UV
CGM (WA) C/- MCMAHON MINING TITLE	E70/05118 Mining Tenement TOODYAY WA 6566	Mining UV
CGM (WA) C/- MCMAHON MINING TITLE	E70/05865 Mining Tenement TOODYAY WA 6566	Mining UV
CGM (WA) C/- MCMAHON MINING TITLE	E70/05368 Mining Tenement TOODYAY WA 6566	Mining UV
CGM (WA) C/- MCMAHON MINING TITLE	E70/05354 Mining Tenement TOODYAY WA 6566	Mining UV
CGM (WA) C/- MCMAHON MINING TITLE	E70/05353 Mining Tenement TOODYAY WA 6566	Mining UV
CGM (WA) C/- MCMAHON MINING TITLE	E70/05352 Mining Tenement TOODYAY WA 6566	Mining UV
CGM (WA) C/- MCMAHON MINING TITLE	E70/05351 Mining Tenement TOODYAY WA 6566	Mining UV

Kind Regards

Maurice Werder
PROJECT MANAGER
 Shire of Toodyay
 PO Box 96
 TOODYAY WA 6566
 P: 08 9574 9310
 M: 0408 782 224
 E: M.Werder@toodyay.wa.gov.au
 W: www.toodyay.wa.gov.au

From: Councillor Madacsi **To:** Maurice Werder

Sent: Friday, 1 July 2022 3:38 PM

To: Maurice Werder <M.Werder@toodyay.wa.gov.au>; Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>

Subject: RE: [External]-Differential Mining Rates Documentation - Submission

Hi Maurice,

Just a little further clarity. When chalice purchased the Liley farming properties for the Gonnevillle deposit, these 7 titles were Rural farming properties. My question is, what rates are Chalice paying - UV Rural rates for the farming titles? Tenement rates? Or both.

Why I am asking is does the UV Rural rate as an agricultural property become extinguished when a Tenement holder purchases the property?

Which of the tenements are Chalice tenements?

Warm Regards

Cr Rosemary Madacsi

SHIRE PRESIDENT

Shire of Toodyay
PO Box 96
TOODYAY WA 6566

M: 0448 473 328
E: cr.madacsi@toodyay.wa.gov.au

From: Councillor Madacsi **To:** Maurice Werder
Sent: Wednesday, 29 June 2022 4:42 PM
To: Maurice Werder <M.Werder@toodyay.wa.gov.au>
Subject: RE: [External]-Re: Notice of Intention to Impose Differential Rates.

Hi Maurice,

Happy with how it has been managed but a simple question, how is the tenement value assessed against which the rate in the dollar is applied? Does the tenement itself have a value or is it a portion of the property's UV value?

Warm Regards

Cr Rosemary Madacsi

SHIRE PRESIDENT

Shire of Toodyay
PO Box 96
TOODYAY WA 6566
M: 0448 473 328
E: cr.madacsi@toodyay.wa.gov.au

From: Maurice Werder **To:** Councillor Madacsi
Sent: Wednesday, 29 June 2022 11:48 AM
To: Councillor Madacsi <cr.madacsi@toodyay.wa.gov.au>
Subject: RE: [External]-Re: Notice of Intention to Impose Differential Rates.

Hi Cr Rosemary Madacsi

Chalice have about 7 titles in Gonneville and 10 mining tenements in total. The 0.935665 rate in the dollar is accurate and if there are changes in the number of mining tenements this rate may modify slightly. The real number is \$200,000 and is this appropriate for the mining industry. I am replying to Chalice. I got a reply from Yancoal (YANKUANG RESOURCES) who have 7 tenements and do not have any issues with the concept.

Kind Regards
Maurice Werder
Project Manager
Shire of Toodyay
PO Box 96
TOODYAY WA 6566
P: 08 9574 9310
M: 0408 782 224
E: M.Werder@toodyay.wa.gov.au
W: www.toodyay.wa.gov.au

From: Councillor Madacsi <cr.madacsi@toodyay.wa.gov.au>

Sent: Monday, 27 June 2022 7:04 PM

To: Maurice Werder <M.Werder@toodyay.wa.gov.au>

Subject: RE: [External]-Re: Notice of Intention to Impose Differential Rates.

Thank you Maurice, the devil is in the detail of course. It appears Chalice have about 7 titles in the Gonneville farmlands therefore if there are 27 tenements and we are seeking \$200,000, something appears wrong with their calculations. We are certain the 0.935665 rate in the dollar is accurate and its not missing a zero or some other typo glitch?

Warm Regards

Cr Rosemary Madacsi

SHIRE PRESIDENT

Shire of Toodyay

PO Box 96

TOODYAY WA 6566

M: 0448 473 328

E: cr.madacsi@toodyay.wa.gov.au

From: Maurice Werder **To:** Councillor Madacsi; Suzie Haslehurst; SMG

Sent: Monday, 27 June 2022 3:33 PM

To: Councillor Madacsi <cr.madacsi@toodyay.wa.gov.au>; Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>

Cc: Hugo de Vos <planner@toodyay.wa.gov.au>; Jan Augustin <J.Augustin@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>

Subject: RE: [External]-Re: Notice of Intention to Impose Differential Rates.

Hello Cr Madacsi

Great question! Currently all mining tenements in Toodyay are valued as UV General and this gives two tenements valued at \$2.00 and \$4.00 and I assume that the UV Mining in Boddington are valued as Mining, not as Broadacre properties. From the table extracted here we see the 48 UV Mining (not on minimum) at Boddington have an average valuation of \$913,522 against Toodyay's \$8,001. This is 114 times the mining tenement valuation in

Toodyay. We will seek for Landgate to value the Mining in Toodyay next year as Mining Tenement properties, which should give the same Rate Revenue with a lot lower rate in the \$.

	Toodyay	Boddington		
	Average Value	Average Value	Differences	Revenue
UV over minimum	8,001	913,522	114 times	\$1,431,496
UV on minimum	415	4,437	10 times	\$43,312

I always say, 'beware the man with a calculator!' We are not even discussing the Boddington rate revenue of \$1,860,472 from GRV – Mining.

I had a call from Adam from the DLGSC about the rate in the \$ and we talked about the target of \$200,000 rates revenue for the category.

Kind Regards
Maurice Werder
Project Manager
Shire of Toodyay
PO Box 96
TOODYAY WA 6566
P: 08 9574 9310
M: 0408 782 224
E: M.Werder@toodyay.wa.gov.au
W: www.toodyay.wa.gov.au

From: Maurice Werder
Sent: Monday, 27 June 2022 2:02 PM
To: Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>; Councillor Madacsi <cr.madacsi@toodyay.wa.gov.au>
Cc: Hugo de Vos <planner@toodyay.wa.gov.au>; Jan Augustin <J.Augustin@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>
Subject: RE: [External]-Re: Notice of Intention to Impose Differential Rates.

Hello Suzie, Cr Madacsi and SMG

The letter refers to the rate in the \$ and comparisons the Boddington.

Previously all the mining tenements in Toodyay were on the minimum rate.

For the 2022/2023 Rating Financial year if all the 35 mining tenements were on the minimum rate of \$1,351.00 the income would be \$47,285.00 when the Shire has recommended a Rate Revenue from this category to be \$200,000.00 which is more reflective of part of the cost of maintaining the mining requirements.

In an extreme example from 2021/2022 the *E70/05335 Mining Tenement* would have a rate revenue of \$0.03 (yes 3 cents) if we did not apply a minimum rate. The discussion we need to have is on the Rates Revenue, for example CGM (WA) have 10 tenements with a proposed Rate Revenue of \$95,000 instead of the minimum of \$13,510.00.

In reference to the comments about Boddington there are 48 properties as UV mining (excluding minimums) returning \$1,431,496.00 at an average of \$29,823.00 per tenement as taken from their 2021/2022 budget document.

Kind Regards
Maurice Werder
Project Manager
Shire of Toodyay
PO Box 96
TOODYAY WA 6566
P: 08 9574 9310
M: 0408 782 224
E: M.Werder@toodyay.wa.gov.au
W: www.toodyay.wa.gov.au

From: Councillor Madacsi <cr.madacsi@toodyay.wa.gov.au>

Sent: Monday, 27 June 2022 2:35 PM

To: Maurice Werder <M.Werder@toodyay.wa.gov.au>; Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>

Cc: Hugo de Vos <planner@toodyay.wa.gov.au>; Jan Augustin <J.Augustin@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>

Subject: RE: [External]-Re: Notice of Intention to Impose Differential Rates.

Thanks Maurice for your response.

I am not overly concerned about exceeding twice the minimum rate, as we are dealing with this through Ministerial approval.

What did catch my eye was that the change in the rate in the dollar from 0.013750 to 0.935665 equated a 102.5% increase, is this correct?

If so, something has escaped me if other Shires are receiving more (although it was be GRV) why Toodyay's rate in the dollar brought an outcome described as "pay almost the entire value of the unimproved value of the tenure in rates every year"?

Warm Regards

Cr Rosemary Madacsi

SHIRE PRESIDENT

Shire of Toodyay

PO Box 96

TOODYAY WA 6566

M: 0448 473 328

E: cr.madacsi@toodyay.wa.gov.au



MESSAGES FROM MINING INDUSTRY - 27 ITEMS

From: Maurice Werder **To:** Nick Algie <nalgie@asqg.com.au>
Sent: Monday, 11 July 2022 2:48 PM
To: Nick Algie <nalgie@asqg.com.au>
Cc: Records Officer <records@toodyay.wa.gov.au>
Subject: RE: [External]-FW: Differential Mining Rates for 2022/2023

Hi Nick

Over the last few years a number of properties in Toodyay were on the minimum rate of \$1,351 pa. These properties included small older residences, vacant building blocks and low value 'hobby' farms and all the mining tenements. This was definitely not fair and equitable as required by Local Government guidelines. Some of the mining tenements are small and some are significant with a considerable amount of exploration and traffic movement. There have been requests for additional road maintenance as well as the need to ensure that mining operations in the future are planned for, and not just the cost of a grader and driver.

Like rates from farms, businesses, residences, quarries and mining, the Shire uses the funds to maintain and run all the requirements of the Shire. The intention is for the mining sector to contribute a modest rate revenue similar to other rural pursuits, and depending on the new Landgate valuations. There will still be 10 mining tenements on the minimum rate of \$1,351 this year.

The proposed total rates on mining tenements will be \$200,000 instead of the previous minimum over the 35 tenements.

Assuming that these are the two licences that you control and with the Landgate valuation of the licences these are the expected rate revenues.

Licence Holder	Mining Tenement	Proposed Rates
Australia Silica Quartz Group Ltd	E70/03405	\$1,454
Australia Silica Quartz Group Ltd	E70/03160	\$3,233
		\$4,687

These rates are not in addition to the normal rates fees, they are the update normal rates for this year. Hopefully the planned rates revenue will significantly address the requirements for the new year however as developments happen there may be a need for discussions to ensure a viable mining sector in Toodyay.

Please feel free to contact me if you need further information and assistance.

Maurice Werder
PROJECT MANAGER
 Shire of Toodyay
 PO Box 96
 TOODYAY WA 6566
 P: 08 9574 9310
 M: 0408 782 224
 E: M.Werder@toodyay.wa.gov.au
 W: www.toodyay.wa.gov.au

From: Nick Algie <nalgie@asgg.com.au> **To:** Maurice Werder
Sent: Monday, 11 July 2022 12:37 PM
To: Maurice Werder <M.Werder@toodyay.wa.gov.au>
Subject: [External]-FW: Differential Mining Rates Documentation

Hi Maurice,

I received the notification below of the Shire's intention to charge tenement holders circa \$5,000 in addition to the normal rates fees. The message says this is so the "requirements of the Mining Tenements can be significantly addressed". Could you please provide further details on this? What specifically does the Shire intend to use these funds for?

Kind regards

Nick Algie
Technical & Exploration Manager
BSc MAusIMM



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From: Ben Graham <ben.graham@yancoal.com.au> **To:** Maurice Werder
Sent: Wednesday, 29 June 2022 6:44 AM
To: Maurice Werder <M.Werder@toodyay.wa.gov.au>
Cc: Records Officer <records@toodyay.wa.gov.au>; Tenements <Tenements@yancoal.com.au>; Bruce Groenewald
Bruce.Groenewald@yancoal.com.au Ben Graham <ben.graham@yancoal.com.au>
Subject: [External]-RE: Differential Mining Rates Documentation

Thanks for the update Maurice

No comments or concerns from our end.

For future communications, feel free to use our team email tenements@yancoal.com.au

The ap email is for invoices.

Kind regards

Ben Graham | SPECIALIST, TENEMENTS & LAND ACCESS
Yancoal Australia Ltd

SITE: Level 5, 28 Honeysuckle Drive, Newcastle NSW 2300
POSTAL: PO Box 1613, Newcastle NSW 2300 Australia
PHONE: 0448 722 246
MOBILE: 0448 722 246
EMAIL: ben.graham@yancoal.com.au

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WEBSITE: www.yancoal.com.au



From: Maurice Werder **To:** Community Contact Non-Mining Sites YANCOAL

Sent: Tuesday, 28 June 2022 11:00 PM

To: Community Contact Non-Mining Sites <DL-COR-CommunityContactNonMiningSites@yancoal.com.au>

Cc: Records Officer <records@toodyay.wa.gov.au>

Subject: FW: Differential Mining Rates Documentation

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Hi Yancoal

I sent you this email to ap.yankuangbauxiteresources@yancoal.com.au and it was rejected so I found the email address on your website. Get back to me with any comments before the Council finalizes the Rates and Budgets.

Kind Regards

Maurice

From: Maurice Werder **To:** ap.yankuangbauxiteresources@yancoal.com.au;

Sent: Tuesday, 28 June 2022 4:43 PM

To: ap.yankuangbauxiteresources@yancoal.com.au; admin@baracus.com.au; mmts@mmts.net.au; accounts@asgg.com.au

Cc: Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>

Subject: Differential Mining Rates Documentation

Hello Mining Tenement Operators

From: Accounts <accounts@asgg.com.au> **To:** Nick Algie

Sent: Wednesday, 29 June 2022 11:32 AM

To: Nick Algie <nalgie@asgg.com.au>

Subject: FW: Differential Mining Rates Documentation

FYI

From: Maurice Werder **To:** ap.yankuangbauxiteresources@yancoal.com.au;

Sent: Tuesday, 28 June 2022 4:43 PM

To: ap.yankuangbauxiteresources@yancoal.com.au; admin@baracus.com.au; mmts@mmts.net.au; Accounts <accounts@asgg.com.au>

Cc: Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>

Subject: Differential Mining Rates Documentation

Hello Mining Tenement Operators

At the Ordinary Council Meeting on the 25th May the Shire of Toodyay approved the Introduction of Differential Mining Rates and at the Special Council Meeting on the 8th June approved the advertising of 2022-2023 Differential Rates. The notices were posted on the websites and the notices boards including the Library and the Visitor Centre. I am sending this email directly to the email addresses we have for mining tenements in case you missed the official notices.

I have attached the 'Notice of intention to impose Differential Rates' and the 'Statement of Objectives and reasons for Differential Rates for 2022-2023'.

- The intention of the Mining Tenement Differential Rates has been set to ensure that the requirements of the Mining Tenements can be significantly addressed within the rates revenue from this sector.
- The matter for Differential Mining Rates in Toodyay has been considered for some time and applies in many Local Government areas. In previous years in Toodyay, all mining tenements were on the minimum rate of \$1,351.00 which did not address the ongoing requirements of the mining sector. The initial intention is to raise \$200,000 from the sector spread across the 36 mining tenements in the Shire.

I have attached links to the Council meetings that actioned the introduction and advertising of the differential rates, to assist your search.

The Ordinary Council Meeting on the 25th May for the Introduction of Differential Mining Rates on page 62:

https://www.toodyay.wa.gov.au/council-meetings/ordinary-council-meetings/ordinary-council-meeting/486/documents/co_20220525_min_10.pdf

The Special Council Meeting on the 8th June for the advertising of 2022-2023 differential Rates

https://www.toodyay.wa.gov.au/council-meetings/special-council-meetings/special-council-meeting/519/documents/co_20220608_min_49_at_extra.pdf

Please feel free to contact me if you require further information.

Kind Regards

Maurice Werder
Project Manager
Shire of Toodyay
PO Box 96
TOODYAY WA 6566
P: 08 9574 9310
M: 0408 782 224
E: M.Werder@toodyay.wa.gov.au
W: www.toodyay.wa.gov.au

From: Maurice Werder **To:** Shannon McMahon Stephanie Moran Kate Verkuylen Alex Dorsch

Sent: Friday, 1 July 2022 3:16 PM

To: Shannon McMahon <shannon.mcmahon@mmts.net.au>; Stephanie Moran <stephanie.moran@mmts.net.au>;
Kate Verkuylen <kverkuylen@chalicemining.com>; Alex Dorsch <adorsch@chalicemining.com>

Cc: Records Officer <records@toodyay.wa.gov.au>

Subject: RE: [External]-Differential Mining Rates Documentation - Submission

Hello Shannon, Stephanie, Kate and Alex

It was quite disconcerting when I looked at the table below to see in the numbers for the licence holder of E70/5335 with 0.008 units and a valuation of \$3 or the licence holder of E70/3731 with 1 unit and a valuation of \$365 were paying the same rates as the licence holder of R70/59 with 1090.9901 units or licence holder E70/05119 with 47 units of \$1,351 the same as the owner of a small old home in Toodyay or a small vacant block.

Clearly some of the larger exploration mining tenements are being subsidised by the rest of the community and this has been going on for some time. There has been a considerable amount of staff, management and Council effort to ensure the success of the mining exploration enterprises.

Probably the majority of residential and small holdings in Toodyay are not money-making enterprises however their rates are to provide the services for their place in this community.

The Department of Local Government, Sport and Cultural Industries requires the differential rates need to be made consistently with the key values of objectivity, fairness and equity, consistency, transparency and administrative efficiency. That is the intention for the Council with the proposed Mining Tenement Differential Rates which was not the case in prior financial years. The maximum amount of rate revenue in 2022/2023 will be \$200,000 across the 35 mining tenements which will be monitored throughout the year. This about 4 times the amount if all 35 mining properties were on the minimum rate of \$1,351.00.

In the longer term once actual mining occurs, the infrastructure requirements for the industry will increase and the Shire need to progressively prepare for the future needs.

Kind Regards

Maurice Werder
PROJECT MANAGER
Shire of Toodyay
PO Box 96
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P: 08 9574 9310
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E: M.Werder@toodyay.wa.gov.au
W: www.toodyay.wa.gov.au

From: Shannon McMahon **To:** Maurice Werder Stephanie Moran Kate Verkuylen

Sent: Thursday, 30 June 2022 5:31 PM

To: Maurice Werder <M.Werder@toodyay.wa.gov.au>; Stephanie Moran <stephanie.moran@mmts.net.au>;
Records Officer <records@toodyay.wa.gov.au>

Cc: Kate Verkuylen <kverkuylen@chalicemining.com>

Subject: [External]-RE: [External]-RE: [External]-Differential Mining Rates Documentation - Submission

Hi Maurice,

The increase from 1351 to \$23,906 is an example of the cost increase for a 70SB tenement. This was used as this is a common size of EL's across the state.

The table below shows the valuation and the estimated shire rates for most of the granted tenements in Toodyay. Some of the % increases are huge.

TenementID	Total Area	Toodyay area	Total Valuation	Valuation in Toodyay	Old Rates	Proposed Rates	% increase
E70/3064	8	0.233	\$ 2,920	\$ 85	\$1,351.00	\$ 1,351.00	0%
E70/3159	19	16.18249	\$ 6,935	\$ 5,907	\$1,351.00	\$ 5,526.61	309%
E70/3160	10	10	\$ 3,650	\$ 3,650	\$1,351.00	\$ 3,415.18	153%
E70/3405	19	4.5	\$ 6,935	\$ 1,643	\$1,351.00	\$ 1,536.83	14%
E70/3432	8	8	\$ 2,920	\$ 2,920	\$1,351.00	\$ 2,732.14	102%
E70/3598	7	4.61853	\$ 2,555	\$ 1,686	\$1,351.00	\$ 1,577.31	17%
E70/3731	1	1	\$ 365	\$ 365	\$1,351.00	\$ 1,351.00	0%
E70/3900	4	4	\$ 1,460	\$ 1,460	\$1,351.00	\$ 1,366.07	1%
E70/4021	5	5	\$ 1,825	\$ 1,825	\$1,351.00	\$ 1,707.59	26%
E70/4692	40	9.94347	\$ 14,600	\$ 3,629	\$1,351.00	\$ 3,395.87	151%
E70/5118	6	6	\$ 2,190	\$ 2,190	\$1,351.00	\$ 2,049.11	52%
E70/5119	47	47	\$ 17,155	\$ 17,155	\$1,351.00	\$ 16,051.33	1088%
E70/5149	61	14.24873	\$ 22,265	\$ 5,201	\$1,351.00	\$ 4,866.19	260%
E70/5151	10	7.05171	\$ 3,650	\$ 2,574	\$1,351.00	\$ 2,408.28	78%
E70/5198	10	0.557	\$ 3,650	\$ 203	\$1,351.00	\$ 1,351.00	0%
E70/5335	18	0.00807	\$ 6,570	\$ 3	\$1,351.00	\$ 1,351.00	0%
E70/5345	50	21.96325	\$ 18,250	\$ 8,017	\$1,351.00	\$ 7,500.84	455%
E70/5350	43	43	\$ 15,695	\$ 15,695	\$1,351.00	\$ 14,685.26	987%
E70/5351	42	40.08729	\$ 15,330	\$ 14,632	\$1,351.00	\$ 13,690.52	913%
E70/5352	8	8	\$ 2,920	\$ 2,920	\$1,351.00	\$ 2,732.14	102%
E70/5353	64	32.80756	\$ 23,360	\$ 11,975	\$1,351.00	\$ 11,204.36	729%
E70/5354	26	18.8044	\$ 9,490	\$ 6,864	\$1,351.00	\$ 6,422.04	375%
E70/5360	41	41	\$ 14,965	\$ 14,965	\$1,351.00	\$ 14,002.23	936%

E70/5364	16	4.32716	\$ 5,840	\$ 1,579	\$1,351.00	\$ 1,477.80	9%
E70/5365	28	0.01159	\$ 10,220	\$ 4	\$1,351.00	\$ 1,351.00	0%
E70/5368	51	44.99763	\$ 18,615	\$ 16,424	\$1,351.00	\$ 15,367.49	1037%
E70/5378	38	10.49937	\$ 13,870	\$ 3,832	\$1,351.00	\$ 3,585.72	165%
E70/5411	44	5.56626	\$ 16,060	\$ 2,032	\$1,351.00	\$ 1,900.98	41%
E70/5588	3	3	\$ 1,095	\$ 1,095	\$1,351.00	\$ 1,351.00	0%
E70/5865	6	5.57752	\$ 2,190	\$ 2,036	\$1,351.00	\$ 1,904.82	41%
E70/6017	21	1.88831	\$ 7,665	\$ 689	\$1,351.00	\$ 1,351.00	0%
P70/1738	5.08271	5.08271	\$ 84	\$ 84	\$1,351.00	\$ 1,351.00	0%
P70/1753	19.59861	19.59861	\$ 323	\$ 323	\$1,351.00	\$ 1,351.00	0%
R70/59	1,695.70	1090.9901	\$ 91,398	\$ 53,459	\$1,351.00	\$ 50,019.26	3602%
					\$45,934	\$ 203,284.97	

Some of the key questions we have are what is the needed resources and infrastructure that the Shire is proposing?

At exploration licence stage the required infrastructure would be minimal and it is only as discoveries are made and the exploration licences are converted to mining leases that their would be a greater burden and therefore a higher charge on Shire rates.

Kind regards,

Shannon McMahon | Director



☎ (08) 6467 7997 | 0412 993 752

@

shannon.mcmahon@mmts.net.au

🖱

www.mmts.net.au |  LinkedIn

✉

PO Box 592, Maylands WA 6931

🏠

U28/168 Guildford Road, Maylands WA 6051

Please note that failure to respond to any request by McMahon Mining Title Services (MMTS) can result in the loss of your tenure or a fine for which MMTS will not be liable. This email and its attachments should not be considered to and do not contain legal advice. Before you take any action in matters of a legal nature you should consider obtaining independent legal advice.



From: Maurice Werder **To:** Shannon McMahon Stephanie Moran

Sent: Thursday, 30 June 2022 4:08 PM

To: Shannon McMahon <shannon.mcmahon@mmts.net.au>; Stephanie Moran <stephanie.moran@mmts.net.au>;

29 | Page

Records Officer <records@toodyay.wa.gov.au>

Cc: Kate Verkuylen <kverkuylen@chalicemining.com>

Subject: RE: [External]-RE: [External]-Differential Mining Rates Documentation - Submission

Hello Shannon and Stephanie

Thank you for the information on the valuation methodology and I have lodged a call with Landgate to fully understand the process. The intention of the Shire is to rate the mining tenements appropriately for the requirements of the sector as the minimum of \$1,351 is deemed to be not appropriate. I have extracted the 10 Mining Tenements registered to CGM (WA) and I am not sure which property has a rate increase from \$1,351 to \$23,906. Can you provide the missing data for this table?

Primary Property Address	No of Blocks	LG Area Blocks	Rental	Location	Mining act costs
E70/05865 Mining Tenement	6.00000		\$846.00		
E70/05368 Mining Tenement	51.00898		\$7,332.00		
E70/05354 Mining Tenement	26.00775		\$3,807.00		
E70/05353 Mining Tenement	64.03711		\$9,165.00		
E70/05352 Mining Tenement	8.42308		\$1,269.00		
E70/05351 Mining Tenement	42.00000		\$5,922.00		
E70/05360 Mining Tenement					
E70/05350 Mining Tenement					
E70/05119 Mining Tenement					
E70/05118 Mining Tenement					

The intention of the Shire of Toodyay is to have a Rating structure to be able to provide the Mining sector with the needed resources and infrastructure. The anticipated expenditure to provide local government services is the main focus, the same as providing services to every other sector.

The current rate of \$1,351 is deemed inadequate and the proposed \$200,000 across the 35 tenements provides a chance to address the requirements of the sector. Your thoughts?

Kind Regards

Maurice Werder
Project Manager
 Shire of Toodyay
 PO Box 96
 TOODYAY WA 6566
 P: 08 9574 9310
 M: 0408 782 224
 E: M.Werder@toodyay.wa.gov.au
 W: www.toodyay.wa.gov.au

From: Shannon McMahon **To:** Maurice Werder Stephanie Moran

Sent: Thursday, 30 June 2022 11:44 AM

To: Maurice Werder <M.Werder@toodyay.wa.gov.au>; Stephanie Moran <stephanie.moran@mmts.net.au>;
Records Officer <records@toodyay.wa.gov.au>

Cc: Kate Verkuylen <kverkuylen@chalicemining.com>

Subject: [External]-RE: [External]-Differential Mining Rates Documentation - Submission

Dear Maurice,

Your comment on the valuation methodology is incorrect. The valuation of Mining tenements is a calculation based on mining act costs as opposed to broad acre farming values.

The Shire of Boddington has a number of large mining leases covering the Boddington mine site and this alters their average. For your info the valuation of mining tenements is detailed in the Local Govt Act and in summary is:

Exploration Licences – 2.5 times the rent of a 1st year exploration licence rent

Mining Leases - 5 times the annual tenement rent

The rent on an exploration licence is approximately \$0.50 per hectare (varies on a per hectare basis as they are applied for in blocks)

The rent on a mining lease is \$22 per hectare.

Therefore the valuations on mining leases are by a significantly higher (in the order of 44 times) . Should there be mining leases in the Shire of Toodyay then the valuation will increase, but to compare exploration licences with mining leases is incorrect. The associated rights and obligations between E's and M's is the main reasons for the difference in valuations. To use a methodology that the Shire of Toodyay is proposing detrimental to the aims and goals of the Mining Act and the Local Govt Act.

Please do not hesitate to contact to discuss.

Kind regards,

Shannon McMahon | Director

(08) 6467 7997 | 0412 993 752

@ shannon.mcmahon@mmts.net.au

www.mmts.net.au | LinkedIn

PO Box 592, Maylands WA 6931

U28/168 Guildford Road, Maylands WA 6051

Please note that failure to respond to any request by McMahon Mining Title Services (MMTS) can result in the loss of your tenure or a fine for which MMTS will not be liable. This email and its attachments should not be considered to and do not contain legal advice. Before you take any action in matters of a legal nature you should consider obtaining independent legal advice.



From: Maurice Werder **To:** Stephanie Moran **Cc:** Shannon McMahon Kate Verkuylen

Sent: Thursday, 30 June 2022 9:22 AM

To: Stephanie Moran <stephanie.moran@mmts.net.au>; Records Officer <records@toodyay.wa.gov.au>

Cc: Shannon McMahon <shannon.mcmahon@mmts.net.au>; Kate Verkuylen <kverkuylen@chalicemining.com>

Subject: RE: [External]-Differential Mining Rates Documentation - Submission

Good morning, Stephanie and Shannon

Thank you for your submission to the Shire of Toodyay on the proposed UV Mining Differential Rates as it is important that the Councillors are advised of the feedback on such a process improvement.

We acknowledge, without concern, that the mathematical calculation, which is the Rate in the \$, is significantly higher than previously. The principal reason for this is that the Landgate valuations for Toodyay Mining Tenements is still based on the broadacre farming values, and not on the valuations of Mining Tenement properties.

Comparing the Landgate valuations to the Shire of Boddington, as a similar distance from Perth, the 48 UV – Mining properties in Boddington (excluding the two GRV – Mining producing properties) have an average Valuation of \$913,522 and an average Rate Revenue of \$29,823 based on the 2021/2022 Budget documents. The two GRV – Mining producing properties provide a rates revenue to Boddington of \$1,860,475.

In the proposed UV Mining Differential Rates at the Shire of Toodyay, the Mining Tenements have an average Rateable Valuation of \$5,834 and an average Rate Revenue of \$5,714 based on the proposal before Council.

It is the intention of the Shire of Toodyay to have a Rating structure to be able to provide the Mining sector (and other sectors within the Shire) with the resources and infrastructure for the businesses to thrive. This is the reason that I requested, in the previous email to Kate and Alex for their suggestions on infrastructure requirements such as road maintenance and upgrades to assist with our works planning and working together currently and into the future.

We as a Shire Council look forward to the Mining industry and the district working together in this new exciting endeavour.

Please feel free to contact me if you need further assistance and information.

Kind Regards

Maurice Werder

Project Manager

Shire of Toodyay

PO Box 96

TOODYAY WA 6566

P: 08 9574 9310

M: 0408 782 224

E: M.Werder@toodyay.wa.gov.au

W: www.toodyay.wa.gov.au

From: Stephanie Moran **To:** Maurice Werder **Cc:** Shannon McMahon

Sent: Wednesday, 29 June 2022 4:19 PM

To: Records Officer <records@toodyay.wa.gov.au>; Maurice Werder <M.Werder@toodyay.wa.gov.au>

Cc: Shannon McMahon <shannon.mcmahon@mmts.net.au>

Subject: [External]-Differential Mining Rates Documentation - Submission

Good Afternoon

Thank you for your email.

Please find **attached** a submission in response to the notice of intention to propose differential rates.

We thank you for the opportunity to comment.

Kind regards,



Stephanie Moran | Internal Consultant

☎ (08) 6467 7997 | 0439 858 242

@ Stephanie.moran@mmts.net.au

🖱 www.mmts.net.au |  LinkedIn

✉ PO Box 592, Maylands WA 6931

🏠 U28/168 Guildford Road, Maylands WA 6051

Please note that failure to respond to any request by McMahon Mining Title Services (MMTS) can result in the loss of your tenure or a fine for which MMTS will not be liable. This email and its attachments should not be considered to and do not contain legal advice. Before you take any action in matters of a legal nature you should consider obtaining independent legal advice.



From: Maurice Werder **To:** ap.yanguangbauxiteresources@yancoal.com.au; admin@baracus.com.au; MMTS ;ASQG

Sent: Tuesday, 28 June 2022 4:43 PM

To: ap.yanguangbauxiteresources@yancoal.com.au; admin@baracus.com.au; MMTS <MMTS@mmts.net.au>; accounts@asqg.com.au

Cc: Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>

Subject: Differential Mining Rates Documentation

Hello Mining Tenement Operators

At the Ordinary Council Meeting on the 25th May the Shire of Toodyay approved the Introduction of Differential Mining Rates and at the Special Council Meeting on the 8th June approved the advertising of 2022-2023 Differential Rates. The notices were posted on the websites and the notices boards including the Library and the Visitor Centre. I am sending this email directly to the email addresses we have for mining tenements in case you missed the official notices.

I have attached the 'Notice of intention to impose Differential Rates' and the 'Statement of Objectives and reasons for Differential Rates for 2022-2023'.

- The intention of the Mining Tenement Differential Rates has been set to ensure that the requirements of the Mining Tenements can be significantly addressed within the rates revenue from this sector.
- The matter for Differential Mining Rates in Toodyay has been considered for some time and applies in many Local Government areas. In previous years in Toodyay, all mining tenements were on the minimum rate of \$1,351.00 which did not address the ongoing requirements of the mining sector. The initial intention is to raise \$200,000 from the sector spread across the 36 mining tenements in the Shire.

I have attached links to the Council meetings that actioned the introduction and advertising of the differential rates, to assist your search.

The Ordinary Council Meeting on the 25th May for the Introduction of Differential Mining Rates on page 62:

https://www.toodyay.wa.gov.au/council-meetings/ordinary-council-meetings/ordinary-council-meeting/486/documents/co_20220525_min_10.pdf

The Special Council Meeting on the 8th June for the advertising of 2022-2023 differential Rates

https://www.toodyay.wa.gov.au/council-meetings/special-council-meetings/special-council-meeting/519/documents/co_20220608_min_49_at_extra.pdf

Please feel free to contact me if you require further information.

Kind Regards

Maurice Werder
Project Manager
Shire of Toodyay

From: Maurice Werder **To:** Kate Verkuylen ; Alex Dorsch

Sent: Thursday, 30 June 2022 4:31 PM

To: Kate Verkuylen <kverkuylen@chalicemining.com>

Cc: Records Officer <records@toodyay.wa.gov.au>; Alex Dorsch <adorsch@chalicemining.com>

Subject: RE: [External]-RE: Notice of Intention to Impose Differential Rates.

Hello Kate and Alex

It was very pleasant to catch up this week in Toodyay.

The reference to Boddington was only to understand the reasons they have their structure. We consider their actual rates revenue to be excessive for Toodyay as we intend to have a modest rate revenue from and for the sector. Using their 0.035258 rate in the dollar with the Landgate Toodyay valuations would put all the mining tenements back on a minimum rate of \$1,351.00.

The Rates structure covers all services provided to the community, not just the 'actual costs' of the grader and the grader driver. Do you have an estimate of the expenditure required for uninterrupted operations for your projects?

Kind Regards
Maurice Werder
Project Manager
Shire of Toodyay
PO Box 96
TOODYAY WA 6566
P: 08 9574 9310
M: 0408 782 224
E: M.Werder@toodyay.wa.gov.au
W: www.toodyay.wa.gov.au

From: Kate Verkuylen **To:** Maurice Werder; Alex Dorsch

Sent: Friday, 1 July 2022 9:27 AM

To: Maurice Werder <M.Werder@toodyay.wa.gov.au>

Cc: Records Officer <records@toodyay.wa.gov.au>; Alex Dorsch <adorsch@chalicemining.com>

Subject: [External]-RE: [External]-RE: Notice of Intention to Impose Differential Rates.

Hi Maurice,

Yes, it was great to meet you face to face the other day.

In regards to your question on expenditure required, Chalice is at the beginning of the journey to mine and still has years of work before a development is assured.

The Julimar Project is in the early 'Feasibility & Permitting' stage and as such, we are still considering plans for mine infrastructure, including future transport and service requirements. The current studies will assess the services and infrastructure required over the life of a mine, and are likely to continue over the next 3-5 years before this can be finalised.

Currently expenditure would be minimal and if anything only limited to the grading of the roads, this is not expected to increase any time soon. It would be good to understand what infrastructure the Shire thinks is needed to support the tenements at this stage.

Below is a typical timeline for a mining project, but on average it takes five-to-seven years for a project to reach mine stage, possibly longer if it is located in a new region like Julimar.

Typical Development Timeline for a **Mining Project**



I hope this information assists you to understand where Chalice is at.



Kate Verkuylen

Community Relations Advisor

Chalice Mining Limited

Email: kverkuylen@chalicemining.com

Phone: 08-9322-3960 | Mobile: 0408-187-704



Level 3, 46 Colin Street, West Perth, WA 6005

PO Box 428, West Perth WA 6872

www.chalicemining.com

From: Maurice Werder **To:** Kate Verkuylen; Alex Dorsch
Sent: Thursday, 30 June 2022 4:31 PM
To: Kate Verkuylen <kverkuylen@chalicemining.com>
Cc: Records Officer <records@toodyay.wa.gov.au>; Alex Dorsch <adorsch@chalicemining.com>
Subject: RE: [External]-RE: Notice of Intention to Impose Differential Rates.

This message was sent from outside the company.

Hello Kate and Alex

It was very pleasant to catch up this week in Toodyay.

The reference to Boddington was only to understand the reasons they have their structure. We consider their actual rates revenue to be excessive for Toodyay as we intend to have a modest rate revenue from and for the sector. Using their 0.035258 rate in the dollar with the Landgate Toodyay valuations would put all the mining tenements back on a minimum rate of \$1,351.00.

The Rates structure covers all services provided to the community, not just the 'actual costs' of the grader and the grader driver. Do you have an estimate of the expenditure required for uninterrupted operations for your projects?

Kind Regards
Maurice Werder
Project Manager
Shire of Toodyay
PO Box 96
TOODYAY WA 6566
P: 08 9574 9310
M: 0408 782 224
E: M.Werder@toodyay.wa.gov.au
W: www.toodyay.wa.gov.au

From: Kate Verkuylen **To:** Maurice Werder; Alex Dorsch
Sent: Thursday, 30 June 2022 3:40 PM
To: Maurice Werder <M.Werder@toodyay.wa.gov.au>
Cc: Records Officer <records@toodyay.wa.gov.au>; Alex Dorsch <adorsch@chalicemining.com>
Subject: [External]-RE: Notice of Intention to Impose Differential Rates.

Hi Maurice,

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Chalice understands the Shire of Toodyay is looking to source funding for the additional road maintenance required near the Chalice mining tenements.

Firstly let me say that Chalice agrees with the principle that we should reimburse the Shire for any additional road maintenance requirements that are the result of our operations.

However, Chalice believes that this most appropriately remedied based on the actual level of impact in any given period. Therefore we are proposing a two-fold solution – firstly an ‘actual costs’ agreement in addition to a more reasonable rate rise.

As per my discussion with Toodyay Shire CEO, Susie Haslehurst, Jan Augustin and Shire President, Cr Rosemary Madasci on 31, May 2022, Chalice has agreed to fund additional required road grading for Plunkett and Keating roads and is awaiting costing information from the Shire.

Exploration activity, and any resulting road impact, will fluctuate over time – and is therefore most appropriately captured in an “actual costs” agreement rather than a fixed rate mechanism.

We understand that the introduction of a UV mining rate represents sound future planning for the Shire, but we believe this rate should be set on a reasonable and defensible basis. The Shire appears to have undertaken comparison with Boddington’s rates and we propose a rate comparable to their .035258 rate in the dollar would be a fair and reasonable tenement rate.

While we understand the revenue Boddington generates from mining tenements is significantly greater than that which Toodyay would raise, this is driven by substantially larger areas of mining tenure. If, as we hope, exploration proves successful then we are committed to ensuring any development has a positive impact on our community.

Chalice is committed to working with the Shire now and into the future and believes this proposal will best meet the additional costs the Shire is seeking to cover as a result of exploration activity.

Regards

Alex Dorsch



Kate Verkuylen

Community Relations Advisor

Chalice Mining Limited

Email: kverkuylen@chalicemining.com

Phone: 08-9322-3960 | Mobile: 0408-187-704

Level 3, 46 Colin Street, West Perth, WA 6005

PO Box 428, West Perth WA 6872

www.chalicemining.com

From: Kate Verkuylen **To:** Maurice Werder; **Cc:** Alex Dorsch

Sent: Thursday, 30 June 2022 3:40 PM

To: Maurice Werder <M.Werder@toodyay.wa.gov.au>

Cc: Records Officer <records@toodyay.wa.gov.au>; Alex Dorsch <adorsch@chalicemining.com>

Subject: [External]-RE: Notice of Intention to Impose Differential Rates.

Hi Maurice,

Chalice understands the Shire of Toodyay is looking to source funding for the additional road maintenance required near the Chalice mining tenements.

Firstly let me say that Chalice agrees with the principle that we should reimburse the Shire for any additional road maintenance requirements that are the result of our operations.

However, Chalice believes that this most appropriately remedied based on the actual level of impact in any given period. Therefore we are proposing a two-fold solution – firstly an ‘actual costs’ agreement in addition to a more reasonable rate rise.

As per my discussion with Toodyay Shire CEO, Susie Haslehurst, Jan Augustin and Shire President, Cr Rosemary Madasci on 31, May 2022, Chalice has agreed to fund additional required road grading for Plunkett and Keating roads and is awaiting costing information from the Shire.

Exploration activity, and any resulting road impact, will fluctuate over time – and is therefore most appropriately captured in an “actual costs” agreement rather than a fixed rate mechanism.

We understand that the introduction of a UV mining rate represents sound future planning for the Shire, but we believe this rate should be set on a reasonable and defensible basis. The Shire appears to have undertaken comparison with Boddington’s rates and we propose a rate comparable to their .035258 rate in the dollar would be a fair and reasonable tenement rate.

While we understand the revenue Boddington generates from mining tenements is significantly greater than that which Toodyay would raise, this is driven by substantially larger areas of mining tenure. If, as we hope, exploration proves successful then we are committed to ensuring any development has a positive impact on our community.

Chalice is committed to working with the Shire now and into the future and believes this proposal will best meet the additional costs the Shire is seeking to cover as a result of exploration activity.

Regards

Alex Dorsch



Kate Verkuylen

Community Relations Advisor

Chalice Mining Limited

Email: kverkuylen@chalicemining.com

Phone: 08-9322-3960 | Mobile: 0408-187-704

Level 3, 46 Colin Street, West Perth, WA 6005

PO Box 428, West Perth WA 6872

www.chalicemining.com

From: Maurice Werder **To:** Kate Verkuylen; Alex Dorsch

Sent: Wednesday, 29 June 2022 12:51 PM

To: Kate Verkuylen <kverkuylen@chalicemining.com>; Alex Dorsch <adorsch@chalicemining.com>

Cc: Records Officer <records@toodyay.wa.gov.au>
Subject: Re: Notice of Intention to Impose Differential Rates.

Hello Kate and Alex

Thank you for the correspondence back and forth discussing the proposal to impose a Mining Differential Rate in the new year budget. The rate in the \$ is only a mathematical calculation to get to the result of the concept. The key numbers relate to the proposal to raise an appropriate rate revenue to provide the required services to a particular sector in the Shire, such as farming, industrial or mining etc.

The intention to raise \$200,000 total rates revenue from the Mining sector, in place of the current minimum per tenement of \$1,351 appears to be reasonable now considering the services required. As Chalice has the most tenements in Toodyay, 10 now, we would appreciate your suggestions on infrastructure requirements such as road maintenance and upgrades to assist with our works planning and working together currently and into the future

Kind Regards
Maurice Werder
Project Manager
Shire of Toodyay

From: Suzie Haslehurst **To:** Councillor Madacsi; SMG

Sent: Monday, 27 June 2022 1:12 PM

To: Councillor Madacsi <cr.madacsi@toodyay.wa.gov.au>

Cc: Hugo de Vos <planner@toodyay.wa.gov.au>; Jan Augustin <J.Augustin@toodyay.wa.gov.au>; Maurice Werder <M.Werder@toodyay.wa.gov.au>; Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>

Subject: FW: [External]-Re: Notice of Intention to Impose Differential Rates.

FYI and discussion

Suzie Haslehurst

CHIEF EXECUTIVE OFFICER

Shire of Toodyay

PO Box 96

TOODYAY WA 6566

Phone: (08) 9574 9300

Fax: (08) 9574 2158

E: ceo@toodyay.wa.gov.au

W: www.toodyay.wa.gov.au

From: Kate Verkuylen **To:** Suzie Haslehurst : lghotline@dlgsc.wa.gov.au; Alex Dorsch

Sent: Monday, 27 June 2022 1:09 PM

To: Records Officer <records@toodyay.wa.gov.au>; Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>

Cc: lghotline@dlgsc.wa.gov.au; Alex Dorsch <adorsch@chalicemining.com>

Subject: [External]-Re: Notice of Intention to Impose Differential Rates.

Dear Ms Haslehurst,

In response to the Public Notice of 8 June, where the Shire provides notice of intention to impose differential rates, please find attached a letter from Chalice Mining Limited in response to that notice.

Kind Regards



Kate Verkuylen

Community Relations Advisor

Chalice Mining Limited

Email: kverkuylen@chalicemining.com

Phone: 08-9322-3960 | Mobile: 0408-187-704

Level 3, 46 Colin Street, West Perth, WA 6005

PO Box 428, West Perth WA 6872

www.chalicemining.com

From: Kate Verkuylen **To:** Maurice Werder

Sent: Wednesday, 22 June 2022 11:18 AM

To: Maurice Werder <M.Werder@toodyay.wa.gov.au>

Subject: [External]-RE: [External]-Differential Mining rates documentation

Thank you Maurice,

Appreciate you sending through the information and hope the rest of the week is at a more manageable pace for you.

Regards



Kate Verkuylen

Community Relations Advisor

Chalice Mining Limited

Email: kverkuylen@chalicemining.com

Phone: 08-9322-3960 | Mobile: 0408-187-704

Level 3, 46 Colin Street, West Perth, WA 6005

PO Box 428, West Perth WA 6872

www.chalicemining.com

From: Maurice Werder **To:** Kate Verkuylen

Sent: Tuesday, 21 June 2022 5:37 PM

To: Kate Verkuylen <kverkuylen@chalicemining.com>

Cc: Records Officer <records@toodyay.wa.gov.au>

Subject: RE: [External]-Differential Mining rates documentation

Hello Kate

Pardon the delay, today has been one thing after another.

Thanks for your phone call and the email about the Mining Tenements Differential Rates. I have already sent this email to Natalie.

As requested, I have attached the 'Notice of intention to impose Differential Rates' and the 'Statement of Objectives and reasons for Differential Rates for 2022-2023'.

- The notice for 'UV – Mining' states: The rate of 0.935665 has been set to ensure that the requirements of the Mining Tenements can be significantly addressed within the rates revenue from this sector.

The matter for Differential Mining Rates in Toodyay has been considered for some time and probably applies to your Mining explorations and operations in other Local Government areas. In previous years in Toodyay, all mining tenements were on the minimum rate of \$1,351.00. I have attached links to the Council meetings that actioned the introduction and advertising of the differential rates, to assist your search.

The Ordinary Council Meeting on the 25th May for the Introduction of Differential Mining Rates on page 62:

https://www.toodyay.wa.gov.au/council-meetings/ordinary-council-meetings/ordinary-council-meeting/486/documents/co_20220525_min_10.pdf

The Special Council Meeting on the 8th June for the advertising of 2022-2023 differential Rates

https://www.toodyay.wa.gov.au/council-meetings/special-council-meetings/special-council-meeting/519/documents/co_20220608_min_49_at_extra.pdf

We would appreciate your feedback along with our CEO and Shire President.

Kind Regards
Maurice Werder
Project Manager
Shire of Toodyay

From: Kate Verkuylen **To:** Maurice Werder

Sent: Tuesday, 21 June 2022 4:19 PM

To: Maurice Werder <M.Werder@toodyay.wa.gov.au>

Subject: [External]-Differential Mining rates documentation

Hi Maurice,

I'm just following up to see if you are please able to send through the documents describing the objects and reasons for each proposed general and minimum rate, we discussed on the phone.

Thanks



Kate Verkuylen

Community Relations Advisor

Chalice Mining Limited

Email: kverkuylen@chalicemining.com

Phone: 08-9322-3960 | Mobile: 0408-187-704



Level 3, 46 Colin Street, West Perth, WA 6005

PO Box 428, West Perth WA 6872

www.chalicemining.com

From: Jan Augustin **To:** Tabitha Bateman; Maurice Werder

Sent: Tuesday, 3 May 2022 4:34 PM

To: Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>; Maurice Werder <M.Werder@toodyay.wa.gov.au>

Subject: FW: [External]-Letter re: Deterioration of road conditions: Keating and Plunkett Roads, Julimar Road

Hi Tabitha/Maurice,

Please see attached letter from Chalice Mining regarding the grading of Keating and Plunkett Rds grading.

Can we please have a discussion about the content of the letter.

Kind Regards,

Jan Augustin

MANAGER INFRASTRUCTURE AND ASSETS

Shire of Toodyay

PO Box 96

TOODYAY WA 6566

Phone: (08) 9574 9360

Fax: (08) 9574 2158

E: J.AUGUSTIN@toodyay.wa.gov.au

W: www.toodyay.wa.gov.au



From: Suzie Haslehurst **To:** Tabitha Bateman; Jan Augustin

Sent: Monday, 2 May 2022 3:18 PM

To: Tabitha Bateman <T.Bateman@toodyay.wa.gov.au>; Jan Augustin <J.Augustin@toodyay.wa.gov.au>; Records Officer <records@toodyay.wa.gov.au>

Subject: Fwd: [External]-Letter re: Deterioration of road conditions: Keating and Plunkett Roads, Julimar Road

Suzie Haslehurst

CEO

Shire of Toodyay

Sent from my iPad

Begin forwarded message:

From: Amanda Butcher **To:** Suzie Haslehurst; **Cc:** Soolim Carney; Kate Verkuylen; Derek Gardner; Alex Dorsch

Date: 2 May 2022 at 2:00:11 pm AWST

To: Suzie Haslehurst <s.haslehurst@toodyay.wa.gov.au>

Cc: Soolim Carney <scarney@chalicemining.com>, Kate Verkuylen <kverkuylen@chalicemining.com>, Derek Gardner <DGardner@chalicemining.com>, Alex Dorsch <adorsch@chalicemining.com>

Subject: [External]-Letter re: Deterioration of road conditions: Keating and Plunkett Roads, Julimar Road

Dear Suzie

Please see attached correspondence from Alex Dorsch in response to your letter dated 21 April 2022, Ref no. MIN1//OCR60759.

Kind regards



Amanda Butcher

Office Manager / Executive Assistant to Managing Director & CEO

Chalice Mining Limited

Email: abutcher@chalicemining.com

Phone: 08-9322-3960 | Mobile: 0402-376-975

Level 3, 46 Colin Street, West Perth, WA 6005

PO Box 428, West Perth WA 6872

www.chalicemining.com

7 CLOSURE OF MEETING