



1 April 2020

NOTICE OF SPECIAL MEETING

The Shire President has called a Special Meeting of Council to be held via Webex Video-Conference at 6.00pm on Thursday, 2 April 2020 for the purpose of resolving Council's response to the COVID-19 crisis, including consideration of:

1. No increases to rates and other fees and charges in the 2020/21 annual budget;
2. A range of measures to provide relief and recovery to the local community adversely impacted by COVID-19; and
3. Appointment of Councillors to Shire of Mundaring Local Relief and Recovery Co-ordinating Committee and Community and Economic Relief and Recovery Sub-committees.

PLEASE NOTE:

Due to the COVID-19 public health emergency and until further notice Council meetings will be held via video conference without public attendance.

Members of the public must provide any questions in writing on the Public Question Time Submission Form by 4.00pm sharp on Thursday 2 April 2020 by emailing shire@mundaring.wa.gov.au . The name and address of the submitter must be clearly marked in the email.

Yours sincerely

A handwritten signature in blue ink, appearing to read "J. Throssell", is written over a light blue horizontal line.

Jonathan Throssell
CHIEF EXECUTIVE OFFICER

Please Note

If an Elected Member has a query regarding a report item or requires additional information in relation to a report item, please contact the senior employee (noted in the report) prior to the meeting.



AGENDA
SPECIAL COUNCIL MEETING
2 APRIL 2020

ATTENTION/DISCLAIMER

The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by an Elected Member or employee, or on the content of any discussion occurring during the course of the Meeting. Persons should be aware that regulation 10 of the *Local Government (Administration) Regulations 1996* establishes procedures to revoke or change a Council decision. No person should rely on the decisions made by Council until formal written advice of the Council decision is received by that person.

The Shire of Mundaring expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by an Elected Member or employee, or the content of any discussion occurring during the course of the Council Meeting.

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**SPECIAL COUNCIL MEETING
VIA WEBEX VIDEO-CONFERENCE – 6.00PM**

1.0 OPENING PROCEDURES

Acknowledgement of Country

Shire of Mundaring respectfully acknowledges the Whadjuk people of the Noongar Nation, who are the traditional custodians of this land. We acknowledge Elders past, present and emerging and respect their continuing culture and the contribution they make to the region.

Recording of Meeting

Members of Council and members of the gallery are advised that this meeting will be audio-recorded.

1.1 Record of Attendance

**Elected
Members**

Staff

Apologies

**Leave of
Absence**

2.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

3.0 DECLARATION OF INTEREST

3.1 Declaration of Financial Interest and Proximity Interests

Elected Members must disclose the nature of their interest in matters to be discussed at the meeting (*Part 5 Division 6 of the Local Government Act 1995*).

Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting (*Sections 5.70 and 5.71 of the Local Government Act 1995*).

3.2 Declaration of Interest Affecting Impartiality

An Elected Member or an employee who has an interest in a matter to be discussed at the meeting must disclose that interest (*Shire of Mundaring Code of Conduct, Local Government (Admin) Reg. 34C*).

4.0 PUBLIC QUESTION TIME

15 minutes (with a possible extension of two extra 15 minute periods) are set aside at the beginning of each Council meeting to allow members of the public to ask questions of Council.

Public Question Time is to be conducted in accordance with Shire of Mundaring Meeting Procedures Local Law 2015.

PLEASE NOTE:

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Members of the public must provide any questions in writing on the Public Question Time Submission Form by 4.00pm sharp on Thursday 2 April 2020 by emailing shire@mundaring.wa.gov.au . The name and address of the submitter must be clearly marked in the email.

5.0 REPORTS OF EMPLOYEES

5.1 COVID-19 Virus - Shire of Mundaring Response

File Code	OR.CMA
Author	Garry Bird, Director Corporate Services
Senior Employee	Jonathan Throssell, Chief Executive Officer
Disclosure of Any Interest	Nil
Attachments	Nil

SUMMARY

As a result of the state of emergency which has arisen because of the COVID-19 corona virus pandemic, the Shire has undertaken a range of response actions, including closing facilities and public playgrounds, ceasing non-essential work, and implementing business continuity planning.

Further to the actions already undertaken, Council is requested to approve further urgent actions that will complement the level of support to the community already being provided by the Shire.

A key recommendation proposed is for there to be no increase to fees and charges in the 2020/21 annual budget. In addition Council is asked to consider a number of other measures designed to provide relief to those residents who have been adversely affected by this emergency.

BACKGROUND

The world is currently facing a global pandemic associated with COVID-19. The virus is highly contagious and there is currently no vaccine available.

The virus is being described as a one in a 100 year event and is having a severe impact on communities throughout the world. The impact of the virus in Australia is increasing and has already taken a significant economic and social toll.

At a Council Briefing Forum held on Monday 30 March 2020 Councillors were presented with information about potential responses in regards to relief and recovery options. At this Forum the following principles were discussed to ensure responses had the maximum possible impact:

1. Primary focus is on relief and recovery;
2. Any response should be as fair and equitable as possible;
3. Any response should provide real and tangible assistance to residents;
4. Seek to minimise adverse long term impacts on Shire's financial position; and
5. Accept that some services will not be able to be delivered in the short term and may no longer be delivered in the future (at least not in the same way or to the same level)

Whilst not formally binding, these guiding principles are considered a valid way to assess proposed relief measures.

The options considered at the Forum were:

- No increase in rates for 20-21;
- No increase in Fees and Charges 20-21;
- 6 month freeze of lease payments for Community leases;
- No lease evictions for a period of six months;
- Offer greater payment flexibility for all accounts receivable including rates;
- Freeze on rates penalty interest effective immediately; and
- No debt recovery action for a period of six 6 months

In addition to any measures contained within this report that may be approved by Council, there have already been a number of strategies and actions implemented that are designed to protect public safety as much as possible. These include:

- Deferral of any non-essential projects or works to allow staff to focus on relief and recovery efforts and create budget savings to fund any additional relief messages;
- Distributing CoVid 19 information to local residents;
- Closing community facilities and implementing alternative methods of delivering many of these services i.e. home library service;
- Refunding event, facility hire fees where cancellations have been required;
- Generally complying with orders from the Federal and State Government as part of a nationwide response to minimize virus impacts; and
- Implementing work from home arrangements for staff where possible to ensure works and services continue to be delivered as much as possible given constraints with social distancing measures etc.

At a recent meeting of the State Council of the Western Australian Local Government Association, State Council resolved that all local governments with the capacity to do so should give consideration to the following suite of actions in response to the pandemic:

- Consider not increasing rates for the 2020-21 financial year.
- Adoption of the WALGA template rates hardship policy by Local Governments that do not currently have a policy.
- Consider rate relief options to support small businesses affected by the COVID-19 pandemic.
- Review fees and charges considering whether fees can be reduced, waived or deferred during the COVIC-19 pandemic.
- Bring forward capital works and infrastructure spending with aggressive application of reserves and borrowing.
- Prioritise Local Government spending with businesses and contractors located within the Local Government.
- Implement business friendly payment terms to support business cash flow.

- Consider supporting Community sporting and cultural groups by either establishing grant programs or waiving fees and charges.
- Redeploy staff affected by facility closures to tasks that support the community.

Many of the above recommended actions are considered in this Report; others will be considered as part of the 2020-21 Budget process.

STATUTORY / LEGAL IMPLICATIONS

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are significant financial implications associated with the measures proposed and the long term impact of these will, as a minimum, require a major review of the Long Term Financial Plan (LTFP) to ensure Council is able to continue to provide existing works and services in the longer term.

The cost of the individual measures proposed are identified as follows:

1. No increase in rates for FY 2020-21

When adopted last year, the current LTFP forecast a 2.80% rates increase for the 2020-21 year. This would have raised \$815,000 in additional rating income. For there to be no increase in rates for 2020-21, savings in the budget will need to be identified during the draft budget process.

Without a full understanding of the financial landscape, which will not be known until the budget has been drafted, a significant risk in adopting a zero percent rate increase is a reduction/cut in services.

In addition, a rate increase lower than originally forecast in the long term financial plan will significantly impact the Shire's ability deliver the Strategic Community Plan, Corporate Business Plan and supporting strategies in 2020-21 and future years.

Combined with the identification of savings resulting from such measures as reducing non-essential work and not undertaking projects or activities which do not contribute to local relief and recovery efforts, judicious use of the Shire's Financial Reserves is an option for consideration, which will be explored and discussed with Council in the upcoming budget workshops.

It should be noted that the Shire is due to receive a new Valuation Roll for gross rental value rating purposes in 2020/21. These new valuations will provide fluctuations in individual rates assessments and, whilst Council may budget to receive no additional income from rates in 2020/21 individual properties, depending on the changes in property valuations, individual ratepayers may receive a rates decrease or increase. On behalf of the sector, WALGA has requested the Valuer-General reconsider the need for the revaluation this year.

2. No increase in Fees and Charges 20-21

When adopted last year, the current LTFP forecast \$12.3 million in Fees and Charges revenue in 2020/21. It is now expected that there will be a decrease in total revenue collected from Fees and Charges as the economic impacts of the virus are likely to be experienced well into the 2020-21 year.

Reduced income from facility hire etc. will need to be considered.

As an example, in a scenario where there is a 20% decrease in revenue from Fees and Charges associated with the use of Shire major facilities and statutory services, an estimated \$230,000 in revenue would be forgone, which would impact on the budget closing position and thus impact on the 2021/22 budget.

3. 6 month freeze of lease payments for Community leases

While this measure could have some implications for cash flow during 2020, it would not have a significant adverse impact on the Shire's financial position.

4. No lease evictions for a period of six months

No financial implications.

5. Offer greater payment flexibility for all accounts receivable including rates

While there would be additional administrative costs to manage the increased payment options, this could be managed using existing staff resources and is not considered to have significant financial implications.

6. Freeze on rates penalty interest effective immediately for a period of six months.

The 2019/20 Budget has provided for income of \$195,000 from outstanding rates penalty interest. The loss of this income will need to be considered in the adoption of the 2020-21 Budget and is considered a significant financial implication.

An additional measure that can be considered in the adoption of the 2020-21 Budget is a reduction in instalment fees which currently generate an additional \$153,000 in income. These fees have already been paid for 2019-20.

7. No debt recovery action for a period of six 6 months

While this measure could have some implications for cash flow during 2020, it would not have a significant adverse impact on the financial position.

If all of these measures were adopted, the total cost of the package could be in the vicinity of \$1.4 million. If not funded by savings in expenditure or use of reserves, at least in the short term, this would have a significant impact on the financial position of the Council.

The Long Term Financial Plan demonstrates the Shire is currently in a relatively sound financial position however the measures proposed will have an adverse impact on the financial ratios that measure financial performance. However, balanced against the objective of long term financial sustainability is the need to swiftly and decisively respond to the public health and economic crises affecting our community.

STRATEGIC IMPLICATIONS

Mundaring Strategic Community Plan 2020 - 2030

Priority 1 - Community

Objective 1.1 – Healthy, safe, sustainable and resilient community

Strategy 1.1.7 – Provide emergency management planning, disaster management and disaster recovery, and associated community liaison and education

SUSTAINABILITY IMPLICATIONS

Nil

RISK IMPLICATIONS

Risk: Council is either considered to be, or perceived to be seen as, failing to provide relief to residents		
Likelihood	Consequence	Rating
Likely	Major	High
Action / Strategy		
Council adopts measures that provide relief to residents that assist in minimising the economic and social impact of the virus.		

Risk: That any relief measures provided by Council have a long term detrimental impact on the financial position of the Shire, restricting the ability to provide works and services to the community once the virus has been contained and society returns to normal.		
Likelihood	Consequence	Rating
Likely	Major	High
Action / Strategy		
That any measures introduced are assessed for their financial cost and considered in the context of their long term financial implications.		

EXTERNAL CONSULTATION

Nil

COMMENT

COVID-19 has already proven to have significant and unprecedented economic and social impact globally, with modelling indicating Australia has yet to experience the worst of this.

The Federal and State Governments have provided significant relief packages to minimise this impact however it is recognised that Local Government also has a role to play in assisting local residents and businesses.

All of the measures proposed are considered to be in keeping with the guiding principles of any relief measures that may be implemented.

In regards to the above measures that relate to rates and sundry debtors relief, WALGA has released a template policy (COVID 19 – Financial Hardship Policy) that could be used by staff to implement the relief measures proposed. Staff are currently reviewing this template and will be presenting a report to the April Ordinary Council Meeting for consideration.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council, in recognition of the impacts of the Coronavirus (COVID-19) on our community:

1. Approves preparation of a budget for 2020-21 based on no rate revenue increase, in accordance with section 6.2 of the *Local Government Act 1995*;
2. Approves preparation of a budget for 2020-21 based on no increases to Fees and Charges;
3. Approves a six month freeze on all lease payments receivable from local community organisations;
4. Considers requests for relief from commercial lessees on a case by case basis where demonstrable financial hardship can be verified;
5. Commits to not commencing any legal action for debt recovery for a period of six months, effective from 1 April 2020;
6. Commits to not commencing any proceedings to evict tenants from leased properties for a period of six months, effective from 1 April 2020;
7. Offers increased flexibility in payment options for all accounts receivable, including rates; and
8. Immediately freezes all penalty interest charges on outstanding rates for a period of six months, effective from 1 April 2020.

5.2 Appointment of Councillors to Shire of Mundaring Local Relief and Recovery Co-ordinating Committee and Community and Economic Relief and Recovery Sub-committees

File Code	EM.IMT 1
Author	Megan Griffiths, Director Strategic & Community Services
Senior Employee	Megan Griffiths, Director Strategic & Community Services
Disclosure of Any Interest	Nil
Attachments	Nil

SUMMARY

In response to the emergency crisis caused by COVID-19, Council is requested to consider appointment of Councillors to the various committees that are being formed to assist with relief and recovery efforts in the Shire of Mundaring. This report recommends appointment of one Councillor as principal and one Councillor as deputy to the Local Relief and Recovery Co-ordinating Committee (LRRCC), the Community Relief and Recovery Sub-committee (CRRS) and the Economic Relief and Recovery Sub-committee (ERRS).

BACKGROUND

Council discussed possible relief and recovery options at a Briefing Forum held on Monday 30 March 2020 and agreed to convene a Special Meeting of Council to consider these options. One of the matters Council was briefed on was the convening of a Local Relief and Recovery Co-ordinating Committee (LRRCC).

In accordance with the Shire of Mundaring Local Emergency Management Arrangements (LEMA) Recovery Plan, as adopted by Council and deemed compliant with the *Emergency Management Act 2005* by the State Emergency Management Committee, the roles and responsibilities of a Local Recovery Co-ordinating Committee are detailed as follows:

“The role of the LRCC is to coordinate and support local management of the recovery process within the community subsequent to a major emergency in accordance with State Emergency Management Arrangements and the Recovery Plan.

The LRCC is responsible for:

- Appointment of key positions within the committee;*
- Establishing sub-committees as required;*
- Assessing requirements for recovery activities relating to the physical, psychological, economic and environmental wellbeing of the community with the assistance of the responsible agencies;*
- Ensuring that the recovery process is activated and implemented in accordance with sound project management processes;*
- Facilitating the provision of services, public information, information exchange and resource acquisition;*

- *Negotiating the most effective use of available resources including the support of State and Commonwealth agencies;*
- *Monitoring the progress of recovery, and receive periodic reports from recovery agencies;*
- *Ensuring a coordinated multi-agency approach to community recovery;*
- *Making appropriate recommendations, based on effective debriefs and review, to the LEMC to improve the community's preparedness."*

The LEMA Recovery Plan also notes "*The membership of the LRCC can be dynamic and vary to most effectively meet the needs of the community during the recovery process.*"

Also included within the LEMA Recovery Plan are sub-committees of varying impact areas including Economic/Financial and Community. The proposed sub-committees to be formed, which will report to the LRRCC, are proposed to be a Community Relief and Recovery Sub-committee (CRRS) and an Economic Relief and Recovery Sub-committee (ERRS).

STATUTORY / LEGAL IMPLICATIONS

Emergency Management Act 2005:

36. Functions of local government

It is a function of a local government –

(a) subject to this Act, to ensure that effective local emergency management arrangements are prepared and maintained for its district: and

(b) to manage recovery following an emergency affecting the community in its district

41. Emergency management arrangements in local government district

(4) Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator (LRC).

The LEMA Recovery Plan appoints/nominates the Manager Community Safety & Emergency Management as the Primary LRC and/or one of the four Shire directors as required.

In determining the Chair of the LRCC the LEMA Recovery plan states that the LRCC will be chaired by the Shire President, Chief Executive Officer or their delegate and further within provisions in relation to structure of the LRCC states that the Chairperson be the Shire President, CEO or a Councillor.

In addition the LEMA Recovery plan lists the executive of the LRCC as the Chair, Local Recovery Co-ordinator, Secretary (Shire staff member) and the Local Emergency Co-ordinator (WA Police Officer in Charge, Mundaring Police Station).

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil. Committee recommendations may have financial implications which would be considered by the Shire through the normal financial processes.

STRATEGIC IMPLICATIONS

Mundaring Strategic Community Plan 2020 - 2030

Priority 1 - Governance

Objective 1.2 – Transparent, responsive and engaged processes for Shire decision making

Strategy 1.2.1 – Increase transparency and responsiveness of Shire administration processes

SUSTAINABILITY IMPLICATIONS

Nil

RISK IMPLICATIONS

Risk: Service/ Reputation. That at a local level, a co-ordinated recovery effort does not occur.		
Likelihood	Consequence	Rating
Possible	Major	High
Action / Strategy		
The LRRCC and sub-committees are formed quickly so that co-ordinated recovery response can occur and strategies to mitigate community and economic issues are developed.		
Risk: Service/ Reputation. That membership of the committees is not agile and responsive to the emerging requirements.		
Likelihood	Consequence	Rating
Possible	Moderate	High
Action / Strategy		
Whilst the LRCC is responsible for appointment of key positions within the committee and for establishing sub-committees as required; membership may need to be dynamic and vary throughout the crisis to most effectively meet the needs of the community during the recovery process. This will occur via collaboration between committee members.		

EXTERNAL CONSULTATION

Nil

COMMENT

The LEMA Recovery Plan lists the core membership as a range of agency representatives including, but not specified, Shire staff and various Hazard Management Agency (HMA), support agencies, utilities, community groups (not specified) that may have statutory roles related to the incident/type of hazard concerned or to otherwise hold suitable positions within the community to effectively contribute to recovery.

In determining the Chair of the LRRCC the LEMA Recovery plan states that the LRCC will be chaired by the Shire President, Chief Executive Officer or their delegate and further within provisions in relation to structure of the LRCC states that the Chairperson be Shire President, CEO or Councillor.

It is recommended that the Council appoint the Chair of the Local Emergency Management Committee (LEMC) as Chair of the LRRCC. This was discussed at the Council Briefing Forum on Monday 30 March 2020. The Chair of the LEMC is well versed and familiar with the LEMA arrangements and has regular discourse with HMA's and community agencies through that Committee. This was also the successful protocol enacted as part of the recovery committee which formed following the Parkerville, Stoneville, Mt Helena Bushfire in 2014.

The current Chair of the LEMC is Cr Burbidge, who has advised she has the capacity to undertake this role. Cr Burbidge has also undertaken training and been involved, in a professional capacity, in both incident control and emergency management. This appointment would also assist in ensuring the Shire President has continued capacity to focus on other key leadership duties as required throughout this crisis, including but not limited to ongoing advocacy and liaison with State and Federal members and departments, regular briefings with the CEO, as well as the significant duties as spokesperson for the Shire.

It is noted that the LRRCC does not have any delegated authority to make decisions on behalf of any member organisations. The relevant decisions would be made by each member agency via their normal decision making processes.

This report further recommends that a Councillor be appointed as a deputy to Local Relief and Recovery Co-ordinating Committee (LRRCC) to deputise as Chair when the Chair is unavailable; and that both a Councillor and a deputy Councillor (again to act as Chair when Chair is unavailable) be appointed to the Community Relief and Recovery Sub-committee (CRRS) and the Economic Relief and Recovery Sub-committee (ERRS).

VOTING REQUIREMENT

Absolute Majority - *Local Government Act 1995* section 5.10.

RECOMMENDATION

That Council, by absolute majority,

1. Appoints the following Councillors as members of the Shire of Mundaring Local Relief and Recovery Co-ordinating Committee (LRRCC):

Cr Toni Burbidge; and

As Deputy - Cr

2. Appoints the following Councillors as members of the Shire of Mundaring Economic Relief and Recovery Committee (ERRC):

Cr

As Deputy - Cr

3. Appoints the following Councillors as members of the Shire of Mundaring Community Relief and Recovery Committee (CRRC):

Cr

As Deputy - Cr

6.0 CLOSING PROCEDURES

6.1 Date, Time and Place of the Next Meeting

The next Ordinary Council meeting will be held on Tuesday, 14 April 2020 at 6.30pm via Webex Video-Conference.

6.2 Closure of the Meeting