



## SHIRE OF CARNARVON

# AGENDA

## SPECIAL COUNCIL MEETING Thursday 2 April 2020

Council Chambers, Stuart Street  
CARNARVON, West Australia Phone: (08)  
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Website – [www.carnarvon.wa.gov.au](http://www.carnarvon.wa.gov.au)

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To be noted that, in accordance with Regulation 11 of the Local Government (Administration) Regulations 1996, the minutes of the Council Meeting are a record of the decisions of the Council, any additional officers' advice, and explanatory notes as required. The minutes contain a summary of questions asked by members of the public and the answers given. The minutes are not a transcript of the proceedings of the meetings.

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# **NOTICE OF MEETING**

Notice is hereby given

## **Shire of Carnarvon Special Council Meeting**

will be held  
on Thursday 2 April 2020  
in the Shire Council Chambers,  
Stuart Street Carnarvon, commencing at 8.30am



David Burton  
CHIEF EXECUTIVE OFFICER

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# AGENDA

## 1.0 ATTENDANCES , APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE

(The Local Government Act 1995 Section 2.25 provides that a Council may, by resolution, grant leave of absence to a member for Ordinary Council Meetings. The leave cannot be granted retrospectively and an apology for non-attendance at a meeting is not an application for leave of absence.)

## 2.0 PUBLIC AND ELECTED MEMBER QUESTION TIME

(In accordance with Section 5.23 of the Local Government Act 1995, and Regulation 12(4) of the Local Government (Administration) Regulations 1996, public question time is made available at a Special Meeting of Council to allow members of the public the opportunity of questioning Council on matters relating to the purpose of the meeting only.

## 3.0 DECLARATIONS OF INTEREST

(Councillors and Staff are reminded of the requirements of Section 5.65 of the Local Government Act 1995, to disclose any interest during the meeting or when the matter is to be discussed.)

## 4.0 ITEMS FOR DISCUSSION

- 4.1 Letter from Minister for Transport – Minister Saffioti – Urgent Support for Intrastate Air Services
- 4.2 Letter from Minister for Local Government – Minister Templeman – Measures to be taken by Shire of Carnarvon to assist the community and staff.
- 4.3 Budget Considerations 2020/2021 for Financial Relief

## 5.0 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC

## 6.0 CLOSURE

<b>Date of Meeting:</b>	2 <sup>nd</sup> April 2020
<b>Location/Address:</b>	Shire of Carnarvon
<b>Name of Applicant:</b>	Shire of Carnarvon
<b>Name of Owner:</b>	N/A
<b>Author/s:</b>	David Burton – Chief executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority

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**Summary of Item:**

To consider in principal support for 2020/2021 budget considerations as a result of the COVID19 crisis currently being experienced.

**Description of Proposal:**

As a result of the Corona Virus spread and the issue of COVID19, Council is requested to consider possible options allowing some financial relief going into the 2020/2021 budget preparations. It should be noted that these items are only resolved “in principal” but will still need to be accepted as part of the budget processes.

**Background:**

COVID19 has placed a great financial strain on the local economy with reductions and losses of wages and income for residents and businesses alike. As such, State Government has requested all Local Governments to give consideration of rates relief and other stimulus items to keep funds within the local district and enable business to continue through the troubled times.

**Consultation:**

Executive Leadership Team

**Statutory Environment:**

While the Minister has advised that some amendments are coming through and that Councils should look at opportunities to expedite processes rather than uphold items, Council and staff must be mindful of the provisions in the Local Government Act 1995.

**Relevant Plans and Policy:**

The outbreak of the COVID 19 situation is something that is unprecedented in scale and as such, there are no plans in place to consider the matter.

**Financial Implications:**

The Minister has requested that Local Governments consider the expenditure of Reserve Funds and also look at the possibility of loans to stimulate the local economy through these troubled times. While this may assist in the short term, caution if recommended as irresponsible spending may have a longer lasting impact on the community going into the future.

While expenditure on projects is being considered, the ongoing costs and replacement costs must also be considered to ensure that the Shire is not left with more large scale projects which will require replacement in future years and limited funds to replace them with.

**Risk Assessment:**

Each project considered will have an element of risk which is too difficult to try and capture given the time in preparing this item.

Council should be mindful of any long term impacts of decisions made on expenditure which is why this has

been suggested as being an “in principal” support.

## Community & Strategic Objectives:

### Goal 5: Civic

*Strong and listening Council.*

5.4	Sound financial and asset management
5.4.2	The Shire’s Long Term Financial Plan shows financial sustainability, with realistic renewals expenditure and a realistic rates profile

#### Comment:

At this current time, the main focus is on a few areas as per the Ministers Templeman and Saffioti’s request is to look at allowing rates relief and fees and charges relief.

For rates relief, several option are presented to Council for consideration. These include:

1. Keeping rates at the same level as last year
2. Allowing adhoc installments (i.e. monthly)
3. Removing installment administration fees
4. Lowering/removing penalty interest.

Other considerations of relief can come through:

1. Lease relief through nil increase or no payments for a period
2. Staff being released to other businesses (i.e. Hospital Services) for the duration
3. Staff being redeployed from areas closed down
4. Community Growth Funds used for projects
5. Prompt payment of local business accounts
6. Using Reserve Funds to bring projects forward.
7. Keep spending local where possible

While the Minister has raised that Councils look at redeploying staff, we will also be looking at staff going on “unpaid leave” if they are working for another organization. During this time, if staff leave the Shire, we will also be refraining from engaging another person if possible for the durations and following the incident. We currently have about 5 positions being filled (2 outside crew to replace staff and backup for rubbish service, Manger of Finance starting soon, Occupational Development Coordinator starting as soon as possible and Manager of Governance starting Monday). If any other staff leave the Shire of Carnarvon, we will be looking at changing duties of possible and not engaging new employees (unless essential) until the staffing requirements are known.

#### **OFFICER’S RECOMMENDATION**

*That the Chief Executive Officer:*

1. *Advise the Minister of in principal support for items in Schedule 1*
2. *Look at future projects to see what can be brought forwards to assist the community from Schedule 2*
3. *Refrain from engaging further staff until after the pandemic has passed and staffing requirements are known.*
4. *Adopt a hardship policy*



## Minister for Transport; Planning

Our ref: 72-25002

Councillor Eddie Smith  
Shire President  
Shire of Carnarvon  
[Cr.esmith@carnarvon.wa.gov.au](mailto:Cr.esmith@carnarvon.wa.gov.au)

Dear Cr Smith

### URGENT SUPPORT FOR INTRASTATE AIR SERVICES

As an owner and operator of an airport in Western Australia (WA), your cooperation is urgently sought to support the viability of essential regular public transport (RPT) air services during this time of national emergency due to the COVID-19 pandemic.

In the current turbulent and challenging times, the WA State Government acknowledges the unprecedented adverse impact on regional aviation, leading to significantly reduced passenger demand on regional routes. Advice against travel has resulted in airlines seeing rapidly falling passenger numbers, which is impacting viability of air services and airlines.

The State Government and Commonwealth Governments are committed to preserving essential RPT air services and ensuring that they are not lost through these difficult times. We recognise the critical role regional airports have in keeping communities safe and enabling the movement of people performing essential services, including health services, specialist skills critical to maintaining key industries or businesses (including fly in fly out workers), and emergency service workers.

In an effort to support regional aviation, the Commonwealth Government has allocated \$298 million for critical regional aviation services and the State Government has recently committed \$3 million to Rex to secure essential air services for Albany, Esperance and Carnarvon-Monkey Mia. We are urging you to also consider prompt action and to proactively waive your airport fees and charges for intrastate RPT air services during the COVID-19 emergency.

Some airports, including Albany, Esperance and Shark Bay, have already waived their fees and charges, and this has been well received by both the operating airline and the State Government. A consolidated approach by all airports would show that airports are prepared to make sacrifices for the common good.

By taking a cooperative and prompt action, you will directly contribute to the emergency response in taking pressure off local airlines and support the continued movement of people and freight. Again, we urge you to consider and accede to this request and we look forward to seeing your practical response in the immediate future.

Yours sincerely



**HON RITA SAFFIOTI MLA**  
**MINISTER FOR TRANSPORT**



**HON DAVID TEMPLEMAN MLA**  
**MINISTER FOR LOCAL GOVERNMENT**

01 APR 2020





**Hon David Templeman MLA**  
**Minister for Local Government; Heritage; Culture & the Arts**

Our Ref: 66-11953

**LOCAL GOVERNMENT RESPONSE TO COVID-19**

**To Local Government Mayors, Presidents and Commissioners**

Local governments have a critical role to play in responding to COVID-19, and eventually how their communities recover from this crisis.

I note that some local governments, such as Shire of Mundaring and City of Swan, quickly implemented additional leave for staff impacted by COVID-19. Others have implemented community care plans and packages such as City of Bayswater and Shire of Augusta-Margaret River. City of Perth has detailed a Relief and Rebound Plan, and the City of Rockingham has frozen rates, to name a few. I thank those local governments who are stepping up.

Both the Premier and I acknowledge there are currently a range of measures being progressed by the State Government in order to assist you during this time.

Drafting of financial, regulatory and governance considerations are taking place. Cabinet will need to make the final decision with regards to electricity and street lighting tariffs and Land Valuations as well as borrowing fees. I can assure that we too are working as fast as we can on these measures.

Minister Dawson has made a commitment to not increase waste levy fees for the year 2020/21.

I strongly encourage local governments to look at their capacity, be innovative and consider what measures and workplace arrangements can be put in place to provide security to your staff as the State Government has done.

I am asking all local governments to outline what measures they have put in place to date to assist their communities and staff. I would like this information to be sent to [Minister.Templeman@dpc.wa.gov.au](mailto:Minister.Templeman@dpc.wa.gov.au) by close of business, **Thursday 2 April 2020**.



I am sure you are all aware of the State Council of WA Local Government Association endorsing the following on Friday 27 March 2020:

- 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 COVID-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.

The State Government has committed \$766 million to tackle the significant social and economic impact from the COVID-19. In addition the Federal Government announced as of yesterday a \$130 billion JobKeeper payment to help keep Australians in jobs. This brings the Commonwealth total to \$319 billion. Our State and Federal Governments are continuing to work with you and look for opportunities to lessen the impacts of COVID-19 on ratepayers, businesses and employees.

The Premier and I have sent a very clear message to local governments across Western Australia, now is the time to step up, and demonstrate that you understand the challenges that households are facing in your communities.

I look forward to your continued support and leadership during this time.

Yours sincerely



**HON DAVID TEMPLEMAN MLA  
MINISTER FOR LOCAL GOVERNMENT;  
HERITAGE; CULTURE AND THE ARTS**

31 MAR 2020

Area	Details	Cost
<b><u>Possible Capital Works brought forward.</u></b>		
Aged Housing Project		
Upgrade Gladstone Road		
Extend Banksia Drive - Gravel		
Fencing Airport		
Robinsons Street	Lanscaping	
Bush Bay Road	resheet	
Babbage Island Loop		
Dredging/Marine Improvements		
DOT Harbour Road Development	Environmental Clearance	
Airport	Relocate	
Building Upgrades	Painting buildings	
Staff Housing	Upgrade?	
Skate Park Precinct		
Lock Hospital Healing Space		
Heritage Precinct		
OTC Dish	prefurb/paint - Options report.	
1 Mile Jetty	To walking capacity	
Aquatic Centre	Upgrades	
Small Boat Harbour		
Hot Water Springs Trail		
Pelican Point Beach	Carpark area	
Tonkin/Baxter Park	Nature Playgrounds	
Tourist Trails around town		
Dog Park	Agility Park	
Sensory Garden		
Shift Fish Clean Area	Coral Bay	
Robinson Street upgrade CB		
Sports Area CB		
Expand Storage Area CB		
Mangrove Pathway	Expand	
Pet Cemetery		
Old Police Building	Demolition	
Tramway Bridge	Upgrade	
Town Beach	Enhance	
Stormwater System	Pump Upgrade	
Deep Sewerage Extensions	East Carnarvon	
Footpath/Shared Paths Upgrade.		
Central Stockyards		
Tourism TV Ads		
Activate Fascine		
Off Road Adventure Park		
Race Course Road	Upgrade	
Remote Childcare Facility		
Station Access Road	Seal first 3kms	

Information Bays NWCH  
Wild Dog Control  
Body/Baggage Scanner  
Pastoral Roads

Airport  
Mtce /Development

Area	Details	Cost
Budget Considerations		
<b>Rating</b>		
Allowance of Additional payments	To allow weekly/monthly instalments	\$ -
Remove instalment fees	Administration Fee	\$ 10,000.00
	Instalment interest	\$ 24,000.00
	Penalty Interest (if no arrangement made)	\$ 72,000.00
Rates Freeze	Rates income same as previous year - 0% increase	\$ 87,482.02
		<u>\$ 193,482.02</u>
<b>Other Payments</b>		
Fees and Charges Freeze	No increase in any fees or charges or waiving charges	
Freeze Lease payment	Keep same as previous	
	Give 6 months relief	
	Give 12 Months relief	
Staff	Redeploy/second to other businesses i.e. Health	
	Freeze Wage Increase (providing above minimum wage)	
Community Growth Funds	Shift to town projects.	
Airport	Reduce Fees for REX	
Support Local Business	Spend local where possible facilitate volunteer night watch for business	

# SHIRE OF CARNARVON POLICY



POLICY NO	C000	
POLICY	FINANCIAL HARDSHIP POLICY	
RESPONSIBLE DIRECTORATE	CORPORATE	
COUNCIL ADOPTION	Date:	Resolution No.
REVIEWED/MODIFIED	Date:	Resolution No.
LEGISLATION	<a href="#">Local Government Act 1995</a> <a href="#">Local Government (Financial Management) Regulations 1996</a>	
RELATED POLICIES & PROCEDURES		
RELEVANT DELEGATIONS		

## POLICY OBJECTIVES:

To give effect to our commitment to support the whole community to meet the unprecedented challenges arising from the COVID19 pandemic, the Shire of Carnarvon recognises that these challenges will result in financial hardship for our ratepayers.

This Policy is intended to ensure that we offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time.

## POLICY SCOPE

This policy applies to:

1. Outstanding rates and service charges as at the date of adoption of this policy; and
2. Rates and service charges levied for the 2020/21 financial year.

It is a reasonable community expectation, as we deal with the effects of the pandemic that those with the capacity to pay rates will continue to do so. For this reason, the Policy is not intended to provide rate relief to ratepayers who are not able to evidence financial hardship and the statutory provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* will apply.

## POLICY STATEMENT:

### 1 Payment difficulties, hardship and vulnerability<sup>1</sup>

Payment difficulties, or short-term financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. The Shire of Carnarvon recognises the likelihood that COVID19 will increase the occurrence of payment

<sup>1</sup> Adapted from the Ombudsman Western Australia publication, **Local government collection of overdue rates for people in situations of vulnerability: Good Practice Guidance:** <http://www.ombudsman.wa.gov.au/>

difficulties, financial hardship and vulnerability in our community. This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

## **2 Anticipated Financial Hardship due to COVID19**

We recognise that many ratepayers are already experiencing financial hardship due to COVID-19. We respect and anticipate the probability that additional financial difficulties will arise when their rates are received.

We will write to ratepayers at the time their account falls into arrears, to advise them of the terms of this policy and encourage eligible ratepayers to apply for hardship consideration. Where possible and appropriate, we will also provide contact information for a recognised financial counsellor and/or other relevant support services.

## **3 Financial Hardship Criteria**

While evidence of hardship will be required, we recognise that not all circumstances are alike. We will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family

Ratepayers are encouraged to provide any information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. We will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying our statutory responsibilities.

## **4 Payment Arrangements**

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer will be responsible for informing the Shire of Carnarvon of any change in circumstance that jeopardises the agreed payment schedule.

In the case of severe financial hardship, we reserve the right to consider waiving additional charges or interest (excluding the late payment interest applicable to the Emergency Services Levy).

## **5 Interest Charges**

A ratepayer that meets the Financial Hardship Criteria and enters into a payment arrangement may request a suspension or waiver of interest charges. Applications will be assessed on a case by case basis.

## **6 Deferral of Rates**

Deferral of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

## 7 Debt recovery

We will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3<sup>rd</sup> due payment, then we will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any Rates and Service Charge debts that remain outstanding on 1 July 2021, we will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of the 2021/2022 financial year.

Rates and service charge debts that remain outstanding at the end of the 2021/22 financial year, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

## 8 Review

We will establish a mechanism for review of decisions made under this policy, and advise the applicant of their right to seek review and the procedure to be followed.

## 9 Communication and Confidentiality

We will maintain confidential communications at all times and we undertake to communicate with a nominated support person or other third party at your request.

We will advise ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

We recognise that applicants for hardship consideration are experiencing additional stressors, and may have complex needs. We will provide additional time to respond to communication and will communicate in alternative formats where appropriate. We will ensure all communication with applicants is clear and respectful.

## EXPLANATORY NOTES:

N/A