

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
22 APRIL 2020

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I. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

I.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 5.35pm and welcomed those in attendance via videoconference.

I.2 DISCLAIMER READING

No responsibility whatsoever is implied or accepted by the Shire of Moora for any act, omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

ATTENDANCE

KM Seymour	-	Presiding Member / President
TL Lefroy	-	Councillor / Deputy President
DV Clydesdale-Gebert	-	Councillor (via videoconference)
El Hamilton	-	Councillor
SJ Gilbert	-	Councillor
MR Holliday	-	Councillor
TG Humphry	-	Councillor
PF Nixon	-	Councillor
JM Thomas	-	Councillor (via videoconference)
AJ Leeson	-	Chief Executive Officer
JL Greay	-	Manager Engineering Services (via videoconference)
NM Beard	-	Manager Community Development & Visitor Servicing (via videoconferencing)
MM Murray	-	Executive Support Officer (minute taker) (via videoconference)
Martin Whitely	-	LG Corporate Solutions (via videoconference) (until 5.55pm)
Joe Douglas	-	Town Planner (via videoconference) (until 5.59pm)

PUBLIC

Pauline Bantock (via videoconference)

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. PETITIONS AND PRESENTATIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

The following Council associated engagements were attended;

Cr Seymour, Shire President

27/3 WALGA State Council meeting via videoconference in response to COVID-19

14/4 Filming of WALGA State Council video

16/4 WALGA State Council meeting via videoconference

Cr Lefroy, Deputy President

24/3 ABC radio interview re Moora's response to COVID-19

30/3 ICMI board meeting

31/3 Chaired Extraordinary LEMC meeting, Moora

3/4 COVID-19 briefing with WALGA and Minister Templeman and Health Dept, webinar

7/4 Chaired Extraordinary LEMC meeting, Moora

9/4 COVID-19 briefing with WALGA, Minister Templeman and Chris Dawson, webinar

14/4 Chaired Extraordinary LEMC meeting, Moora

17/4 COVID-19 briefing with WALGA and Minister Templeman, webinar

21/4 Chaired Extraordinary LEMC meeting, Moora

22/4 COVID-19 Emergency Management Local Government Showcase, webinar

Cr's Humphry and Hamilton

31/3, 7/4, 14/4 and 21/4 Attended Extraordinary LEMC meetings, Moora

8. CONFIRMATION OF MINUTES**8.1 ORDINARY COUNCIL MEETING - 18 MARCH 2020****COUNCIL RESOLUTION**

43/20 Moved Cr Hamilton, seconded Cr Gilbert that the Minutes of the Ordinary Meeting of Council held on 18 March 2020 be confirmed as a true and correct record of the meeting.

CARRIED 9/0

8.2 ELECTORS GENERAL MEETING - 8 APRIL 2020**COUNCIL RESOLUTION**

44/20 Moved Cr Holliday, seconded Cr Hamilton that Council receives the minutes of the Electors General Meeting held on 8 April 2020 and note the contents.

CARRIED 9/0

9. REPORTS OF OFFICERS**9.1 GOVERNANCE AND CORPORATE SERVICES****9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31**

REPORT DATE: 14 April 2020

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: Alan Leeson, Chief Executive Officer

SCHEDULE PREPARED BY: Alida Fitzpatrick, Creditors Officer

ATTACHMENTS: Accounts Paid Under Delegated Authority

PURPOSE OF REPORT

Payments have been made under delegated authority and a listing of these payments is attached for Council to note and endorse.

BACKGROUND

At the December 2005 Ordinary Meeting of Council resolution 276/2005 delegated the authority of payments from Municipal and Trust Funds to the Chief Executive Officer.

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

POLICY REQUIREMENTS

Delegation 1.31 – Payments from Municipal and Trust Funds.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 - Section 6.10

Local Government (Financial Management) Regulations 1996 – Regulations 12 & 13.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS

➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS

Payments are in accordance with the adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

45/20 Moved Cr Nixon, seconded Cr Humphry that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

<i>Municipal Fund</i>	<i>Cheques 62440 to 62443</i>	<i>\$3,534.20</i>
	<i>EFT 23083 to 23232</i>	<i>\$326,373.62</i>
	<i>Direct Debits 13101.1 to 13145.11</i>	<i>\$86,123.66</i>
	<i>(DD13145.12) Credit Card 04/02/20 to 02/03/20</i>	<i><u>\$8,430.26</u></i>
		<i>\$424,461.74</i>
 <i>Trust Fund</i>	 <i>Cheques 5527 to 5528</i>	 <i><u>\$184.95</u></i>
		Subtotal \$424,646.69
 <i>Net Pays</i>	 <i>PPE 03/03/20</i>	 <i>\$95,876.51</i>
	<i>PPE 17/03/20</i>	<i>\$101,199.66</i>
	<i>PPE 31/03/20</i>	<i><u>\$101,720.78</u></i>
		<i>\$298,796.95</i>
		 Total <u>\$723,443.64</u>

CARRIED 9/0

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MARCH 2020

REPORT DATE: 15 April 2020

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Martin Whitely, LG Corporate Solutions

ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 March 2020

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 March 2020.

BACKGROUND:

Council is provided with monthly financial reports to enable monitoring of revenues and expenditures against the adopted budget.

COMMENT:

The Statement of Financial Activity for the Period Ended is provided as a separate attachment in Program format.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS:

Monitoring of actual revenues and expenditures against the adopted budget assists Council in being informed as to the financial health of the organisation.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

Year to date income and expenditure is provided by program to enable comparison to 2019/20 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

46/20 Moved Cr Humphry, seconded Cr Lefroy that Council notes and receives the Statement of Financial Activity for the period ended 31 March 2020.

CARRIED 9/0

9.1.3 2019/20 BUDGET REVIEW

FILE REFERENCE: F/BUDI

REPORT DATE: 15 April 2020

APPLICANT/PROPONENT: Shire of Moora

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Martin Whitely, LG Corporate Solutions

ATTACHMENTS: 2019/20 Budget Review

PURPOSE OF REPORT:

To review and discuss the budget review and proposed changes for the period 1 July 2019 to 29 February 2020.

BACKGROUND:

Local Governments are required to formally conduct a budget review at least once each financial year, between 1 January and 31 March. The budget review allows a detailed comparison of the year to date actual results with the adopted or amended budget.

The budget review is to be submitted to Council within 30 days of the review for Council to consider and determine whether to adopt the review and any recommendations made within the review.

A copy of the review and Council decision is to be provided to the Department of Local Government, Sport & Cultural Communities within 30 days of the decision by Council.

COMMENT:

The budget review for the period 1 July 2019 to 29 February 2020 has been conducted by management and is provided as a separate attachment to this agenda.

A number of changes to the budget are recommended as part of this budget review to recognise changes to grant revenue received, actual costs incurred, projects to be carried forward to next year's budget and other changes requested by Council.

In light of recent events, there are likely to be additional costs incurred dealing with the combat of COVID-19. Exactly how much these costs will be, or for how long a period the pandemic is likely to last, is still very much an unknown at this stage.

It may be prudent that where any other additional savings are identified, that these funds could be allocated outside of the Shire's normal operating budget to assist with the financial management of any planning, communication, infrastructure or other associated costs with COVID-19.

All budget amendments are shown in the attached Budget Review 2019/20 document which provides a line by line explanation for each change proposed.

Council adopted the 2019/20 Budget with an operating surplus of \$18,915. The budget amendments tabled for endorsement by Council in Note 5 of the Budget Review document estimates an operating deficit of **(\$46,191)** at 30 June 2020.

POLICY REQUIREMENTS:

There are no known policy implications.

LEGISLATIVE REQUIREMENTS:

Local Government (Financial Management) Regulations 1996

33A. Review of budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*Absolute majority required.
- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

- **Environment**

There are no known significant environmental implications associated with this proposal.
- **Economic**

There are no known significant economic implications associated with this proposal.
- **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

The financial implications are tabled in the 2019/20 Budget Review documentation.

VOTING REQUIREMENTS

Absolute Majority Required

COUNCIL RESOLUTION**47/20 Moved Cr Hamilton, seconded Cr Holliday that Council**

- 1. Approve the Budget Review for the period ended 29 February 2020 carried out in accordance with the Local Government Financial Management Regulations 1995 Section 33A;**
- 2. Approve the amendments to the adopted budget as outlined in “Note 5 – Budget Amendments” in the 2019/20 Budget Review document;**
- 3. Forward a copy of the budget review to the Department of Local Government, Sport & Cultural Industries within 30 days of endorsement; and**
- 4. Administration staff make the required budget amendments within the chart of accounts to reflect those changes adopted in “Note 5 – Budget Amendments” within the 2019/20 Budget Review document.**

CARRIED BY ABSOLUTE MAJORITY 9/0**9.1.4 2018/19 AUDIT REPORT & ACTION LIST****FILE REFERENCE:** F/AUD1-2**REPORT DATE:** 15 April 2020**APPLICANT/PROPONENT:** Shire of Moora**OFFICER DISCLOSURE OF INTEREST:** Nil**PREVIOUS MEETING REFERENCES:** Audit Committee 22/4/20**AUTHOR:** Martin Whitely, LG Corporate Solutions**ATTACHMENTS:** 2018/19 Audit Report
Findings Identified during the Final Audit
CEO’s Report to Audit Committee
2018/19 Audit Action List**PURPOSE OF REPORT:**

This report recommends that Council endorse the recommendations of the Audit Committee in relation to receiving the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor, and other associated matters.

BACKGROUND:

On finalisation of the Shire’s 2018/19 final audit, the Auditors forwarded the Annual Financial Statements along with the Audit Report and Findings Identified during the Final Audit.

The Audit Committee is required to examine the reports of the auditor after receiving a report from the Chief Executive Officer (“CEO”) on the matters reported and:

- Determine if any matters raised require action to be taken by the local government, and
- Ensure that appropriate action is taken in respect of those matters.

The Audit Committee is also required to review a report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and present the report to Council for adoption.

COMMENT:

The Audit Committee is required to review a report prepared by the CEO on any actions taken in respect of matters raised in the report of the auditor and present the report to Council for adoption.

The Audit Committee will meet on the 22nd April 2020 to discuss the Audit Report, Findings Identified during the Final Audit and the Audit Action List.

It has been recommended that the Audit Committee receives these reports, along with a recommendation to Council that a copy of the Audit Action List is to be forwarded to the Minister and published on the Shire's website to meet the reporting requirements of section 7.12A of the Local Government Act 1995.

POLICY REQUIREMENTS:

There are current policies in place that relate to some of the findings identified in the final audit.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

7.12A. Duties of local government with respect to audits

- (1) A local government is to do everything in its power to —
 - (a) assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and
 - (b) ensure that audits are conducted successfully and expeditiously.
- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government must —
 - (aa) examine an audit report received by the local government; and
 - (a) determine if any matters raised by the audit report, require action to be taken by the local government; and
 - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government must —
 - (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
 - (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.

- (5) Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.

Local Government (Audit) Regulations 1996

10. Report by auditor

- (1) An auditor's report is to be forwarded to the persons specified in section 7.9(1) within 30 days of completing the audit.
- (2) The report is to give the auditor's opinion on —
- (a) the financial position of the local government; and
 - (b) the results of the operations of the local government.
- (3) The report is to include —
- (a) any material matters that in the opinion of the auditor indicate significant adverse trends in the financial position or the financial management practices of the local government; and
 - (b) any matters indicating non-compliance with Part 6 of the Act, the Local Government (Financial Management) Regulations 1996 or applicable financial controls in any other written law; and
 - (c) details of whether information and explanations were obtained by the auditor; and
 - (d) a report on the conduct of the audit; and
 - (e) the opinion of the auditor as to whether or not the following financial ratios included in the annual financial report are supported by verifiable information and reasonable assumptions —
 - (i) the asset consumption ratio; and
 - (ii) the asset renewal funding ratio.
- (4A) In subregulation (3)(e) —
- asset consumption ratio has the meaning given in the Local Government (Financial Management) Regulations 1996 regulation 50(2);
- asset renewal funding ratio has the meaning given in the Local Government (Financial Management) Regulations 1996 regulation 50(2).
- (4) Where it is considered by the auditor to be appropriate to do so, the auditor is to prepare a management report to accompany the auditor's report and to forward a copy of the management report to the persons specified in section 7.9(1) with the auditor's report.

16. Functions of audit committee

An audit committee has the following functions —

- (a) to guide and assist the local government in carrying out —
- (i) its functions under Part 6 of the Act; and
 - (ii) its functions relating to other audits and other matters related to financial management;
- (b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;

- (c) to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
 - (i) report to the council the results of that review; and
 - (ii) give a copy of the CEO's report to the council;
- (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —
 - (i) regulation 17(1); and
 - (ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
- (e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;
- (f) to oversee the implementation of any action that the local government —
 - (i) is required to take by section 7.12A(3); and
 - (ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
 - (iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and
 - (iv) has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
- (g) to perform any other function conferred on the audit committee by these regulations or another written law.

17. CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.
- (3) The CEO is to report to the audit committee the results of that review.

STRATEGIC IMPLICATIONS:

There are potentially strategic implications resulting from implementing strategies to achieve and maintain the minimum ratio standards. These include developing and maintaining integrated planning framework plans to implement these plans.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

There are potential financial implications resulting from implementing the integrated planning framework plans.

VOTING REQUIREMENTS

Absolute Majority Required

COUNCIL RESOLUTION

48/20 Moved Cr Humphry, seconded Cr Lefroy that Council

- 1. Receives the CEO's report on matters arising from the audit report;**
- 2. Receives the 2018/19 Audit Action Report as tabled;**
- 3. That in accordance with s7.12A of the Local Government Act 1995 a copy of the 2018/19 Audit Action List is forwarded to the Minister;**
- 4. That in accordance with s7.12A of the Local Government Act 1995 a copy of the 2018/19 Audit Action List is published on the Shire's website within 14 days of forwarding the report to the Minister; and**
- 5. A copy of the 2018/19 Audit Action Report is forwarded to the Department of Local Government, Sport & Cultural Communities.**

CARRIED BY ABSOLUTE MAJORITY 9/0

At 5.55pm Mr Martin Whitely left the meeting.

9.2 DEVELOPMENT SERVICES

9.2.1 PLANNING CHANGES TO SUPPORT COVID -19 RESPONSE & RECOVERY

FILE REFERENCE: TP/TPS I
REPORT DATE: 15 April 2020
APPLICANT/PROPONENT: Western Australian Government & Minister for Planning
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Mr Joe Douglas, Town Planning Consultant
ATTACHMENTS: Attachments 1, 2 & 3

PURPOSE OF REPORT:

To provide details of recent amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* initiated by the State Government and approved by the Minister for Planning to temporarily override requirements of local planning schemes, and existing conditions of planning approvals, in response to the current State of Emergency for the Coronavirus (COVID-19) pandemic. It recommends the Shire Administration be authorised to prepare and publish information on the Shire's website, Facebook page and Notice Board to inform the local community of the potential implications and associated obligations.

BACKGROUND & COMMENT

On 3 April 2020 the *Planning and Development (Local Planning Schemes) Regulations 2015* were formally amended to empower the Minister for Planning to issue a notice to temporarily exempt the planning requirements prescribed in local planning schemes where such an exemption is considered necessary to respond to a State of Emergency, or to assist with the recovery.

On 8 April 2020 the Minister for Planning issued a Notice of Exemption to provide specific guidance to both landowners and local government on a range of temporary exemptions for certain approvals and requirements within local planning frameworks. These exemptions, which are a direct response to the current State of Emergency for the Coronavirus (COVID-19) pandemic, will remain in effect until 90 days after the end of the State of Emergency.

The exemptions remove any existing barriers within the planning system to ensure flexible and speedy responses to a changing crisis environment, support business and guarantee the provision of essential community services. They include:

- medical or health-related facilities required in response to the COVID-19 pandemic;
- truck and logistic companies needing to deliver goods but currently with restricted loading and unloading times;
- businesses seeking to adapt by changing their current approved use;
- restaurants and cafes required to sell takeaway in contravention of current planning conditions;
- people operating their businesses from residential zones;
- parking commercial vehicles on residential properties;
- a blanket two-year extension for all current development approvals;
- businesses needing to change advertising signs; and
- temporary workers accommodation.

A copy of the notice published in the Government Gazette providing details of the Planning and Development (Local Planning Schemes) Amendment Regulations 2020 is provided in Attachment 1.

A copy of the Notice of Exemption issued by the Minister for Planning on 8 April 2020 is provided in Attachment 2.

A set of explanatory notes in relation to each exemption has been prepared and published by the Western Australian Planning Commission to guide implementation of the Notice of Exemption by local governments across the State (see Attachment 3).

Council should also note the following key points:

1. The exemptions listed in the Notice of Exemption are discretionary. There is no obligation for a local government or landowners to use an exemption if they do not wish to do so. However, if they wish to rely upon an exemption, all relevant conditions as stated in the Notice must be complied with.
2. The exemptions listed in the Notice of Exemption are temporary. The Notice does not provide a permanent exemption from a planning requirement under a local planning scheme. Once an exemption expires, the existing planning framework requirements, including existing conditions of approval, will apply. That means without a new or amended development approval:

- any exempt condition of approval will be reinstated;
- any uses that were exempt from planning approval requirements under the Notice will need to seek approval through the appropriate processes if no similar exemption applies under the existing planning framework;
- any requirements that were exempt from applying, such as cash-in-lieu or the provision of car bays are not permanently waived; and
- any temporary works associated with any exemption will need to be removed.

For this reason, many of the conditions set out in the Notice have a 90-day transitional period from the end of the State of Emergency, whenever that may be declared by the State government, to the end of the exemption. This period gives time for any landowner who wishes to continue the particular use or regularise any particular work to obtain a new or amended development approval. An application for development approval can be submitted and determined at any point while the exemption is in place if it is intended that the activity continues beyond the Notice period.

3. Given the very fast nature of change and uncertainty surrounding the Pandemic, it is impossible to forecast when the State of Emergency will finish, and when any necessary recovery phase might also conclude. As an in-built safeguard, the Minister is required to revoke the Notice if considered no longer necessary to respond to or recover from the emergency. Similarly, because of the dynamic changing nature of the Pandemic, the Minister also has the power to amend the Notice.

Given the significance of the of recent amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* and the subsequent Notice of Exemption issued by the Minister for Planning in response to the COVID-19 pandemic, it is considered prudent and beneficial to inform the local community of its potential implications to raise awareness and ensure landowners comply with the relevant conditions as stated in the Notice if they wish to rely upon an exemption. This could be achieved through the preparation and publication of information on the Shire's website, Facebook page and Notice Board.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

- *Planning and Development Act 2005*
 - Part 15, Division 1 – 'Subsidiary legislation made by Minister'
- *Planning and Development (Local Planning Schemes) Amendment Regulations 2020*
 - Amendments to the Deemed Provisions being Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- Shire of Moora Local Planning Scheme No.4

STRATEGIC IMPLICATIONS:

Nil

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.

- **Economic**
The economic implications associated with the State government’s planning response to the current State of Emergency for the Coronavirus (COVID-19) pandemic are considered highly beneficial and worthwhile.
- **Social**
The social implications associated with the State government’s planning response to the current State of Emergency for the Coronavirus (COVID-19) pandemic are considered highly beneficial and worthwhile.

FINANCIAL IMPLICATIONS:

Nil, aside from the cost associated with preparing and publishing information on the Shire’s website, Facebook page and newsletter to inform the local community of the potential implications of the Notice of Exemption issued by the Minister for Planning on 8 April 2020 which is expected to be in the order of \$350.00 excluding GST.

VOTING REQUIREMENTS:

Simple Majority Required

COUNCIL RESOLUTION

49/20 Moved Cr Holliday, seconded Cr Lefroy that

- 1. Note the recent amendments to the Planning and Development (Local Planning Schemes) Regulations 2015 initiated by the State Government and approved by the Minister for Planning to temporarily override requirements of local planning schemes, and existing conditions of planning approvals, in response to the current State of Emergency for the Coronavirus (COVID-19) pandemic;**
- 2. Acknowledge the Notice of Exemption issued by the Minister for Planning on 8 April 2020 providing details of the various temporary exemptions now in force for certain approvals and requirements under the Shire of Moora’s local planning framework; and**
- 3. Authorise the Shire Administration to prepare and publish information on the Shire’s website, Facebook page and Notice Board to inform the local community of the potential implications of the Notice of Exemption issued by the Minister for Planning on 8 April 2020 with the cost to be assigned to the Shire’s town planning budget for the 2020 financial year.**

CARRIED 9/0

At 5.59pm Mr Joe Douglas left the meeting

10. REPORTS OF COMMITTEES

GENERAL PURPOSE COMMITTEE MEETING – 8 APRIL 2020

10.1 COVID-19 - FISCAL MEASURES - SHIRE OF MOORA

FILE REFERENCE: H/COVI
REPORT DATE: 2 April 2020
APPLICANT/PROPONENT: Alan Leeson, Chief Executive Officer
OFFICER DISCLOSURE OF INTEREST:
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Alan Leeson, Chief Executive Officer
ATTACHMENTS: Nil

PURPOSE OF REPORT:

The purpose of this report is for Council to consider an initial range of fiscal measures in response to the COVID-19 pandemic and the anticipated financial impact the pandemic will have across the community and region in the coming months.

BACKGROUND:

The impact as a result of COVID-19 has escalated rapidly over the past 4 weeks with a state of emergency declared on 15 March 2020 taking effect from midnight on 16 March 2020. Since the declaration a range of measures have been put in place to minimise the rate of spread of COVID-19 across the community, state and nation.

COMMENT:

Local Government has been requested by the State Government to look at appropriate fiscal measures relevant to their 2020/2021 financial years budgets. The key expectation/recommendation is that Local Governments freeze or cap rates for the 2020/2021 financial year.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

STRATEGIC IMPLICATIONS:

The Shire of Moora operationally, will continue to provide and deliver the necessary services, amenities and infrastructure to the community throughout the COVID-19 pandemic. Strategically it is unknown what long-term effect COVID-19 will have on the community. Through this State of Emergency, Council and Management will need to be very nimble and have an acute awareness of the social and economic impact COVID-19 is having on the community and Shire as an organisation. One of our key strategic challenges in the short term will be managing what is expected to be a significant reduction of cash flow as we enter the 2020/2021 financial year.

One thing Council will need to consider is the timing of adopting the 2020/2021 financial year budget. It is very much unknown what the short-term effects will be on the Shire operationally in setting a new budget for 2020/2021. The author suspects it may be prudent to delay adopting the 2020/2021 budget by 2-3 months post 1 July 2020 in order to gain a better understanding of what the likely financial effects of COVID-19 are organisationally.

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

Environmental and health measures have been put in place by the Shire as a result of direction from the Federal and State Governments. A range of shire buildings, public amenities and parks have been closed with a view to minimising the risk of COVID-19 spread.

➤ **Economic**

The economic impacts as a result of COVID-19 will be severe across all communities throughout Australia. Initially it would seem business's associated with hospitality are being the hardest hit. This is primarily due to social distancing and operational business restrictions imposed by the Federal Government. This landscape is changing daily with the more recent restriction associated with regional community travel movement.

➤ **Social**

Almost all avenues of social interaction have been shut down as a result of COVID-19. All winter sporting competitions have been suspended indefinitely along with other social gatherings such as Mens Shed and various Arts and Culture events.

FINANCIAL IMPLICATIONS:

The financial implications of COVID-19 will become clearer over time. As a result of this reports' recommendation it is expected that the initial cost to Council will be in the vicinity of \$100,000 to \$150,000 as a result of freezing rates, fees and charges, and other waiver measures that may be put in place

Given how rapidly things are changing in relation to COVID-19 and the economic impact it is having across our community the author is recommending a measured approach in relation to any financial support measures that are put in place. The Federal Government in its role has put in place a range of fiscal support measures and initiatives and will continue to do so, such as JobKeeper, Childcare Centre fee subsidies and others. It is Council's role to work collaboratively with other key agencies and groups at all levels with a view to assisting in facilitating connectively and pathways to relevant support measures be they social, health or financial.

The Shire of Moora community is certainly doing this through a range of community initiatives and groups who are working with and supporting at risk individuals and businesses.

VOTING REQUIREMENTS:

Simple Majority Required

**MOTION
(COMMITTEE RECOMMENDATION)**

Moved Cr Hamilton, seconded Cr Holliday that Council endorse in principle the following fiscal measures for consideration in preparation of the 2020/2021 financial year budget for the Shire of Moora;

- *Zero percent increase of shire property rates, in effect adopt the same rate in the dollar for UV and GRV properties as was adopted for the 2019/2020 financial year budget;*
 - *Request that any revaluations of Unimproved Value properties and Gross Rental Value Properties be deferred until the 2021/2022 financial year;*
- *Zero percent increase of all fees and charges;*

- *Waive fees and charges for all sporting and community groups within the Shire of Moora for the 2020/2021 financial year;*
- *No instalment administration fees on rate instalment options for 2020/2021;*
- *No instalment interest applied to all instalment options for 2020/2021;*
- *Offer flexible payment options for all rates, fees and service charges as required;*
- *No increase of base wage and salary rates for 2020/2021 (excluding those mandated by relevant employment award provisions);*
- *Suspend replacement/upgrading of heavy plant, equipment and light vehicles across all of Shires operations;*
- *Offer Shire of Moora businesses a 50% (\$150) contribution toward a Wheatbelt Business Network – Small Business Category (2019/2020 value \$300).*

AMENDMENT

Moved Cr Nixon, seconded Cr Gilbert that dot point 5 ‘No instalment interest applied to all instalment options for 2020/2021’ is deleted from the motion.

The amendment was put and **CARRIED 8/1**

COUNCIL RESOLUTION

50/20 That Council endorse in principle the following fiscal measures for consideration in preparation of the 2020/2021 financial year budget for the Shire of Moora;

- ***Zero percent increase of shire property rates, in effect adopt the same rate in the dollar for UV and GRV properties as was adopted for the 2019/2020 financial year budget;***
 - ***Request that any revaluations of Unimproved Value properties and Gross Rental Value Properties be deferred until the 2021/2022 financial year;***
- ***Zero percent increase of all fees and charges;***
- ***Waive fees and charges for all sporting and community groups within the Shire of Moora for the 2020/2021 financial year;***
- ***No instalment administration fees on rate instalment options for 2020/2021;***
- ***Offer flexible payment options for all rates, fees and service charges as required;***
- ***No increase of base wage and salary rates for 2020/2021 (excluding those mandated by relevant employment award provisions);***
- ***Suspend replacement/upgrading of heavy plant, equipment and light vehicles across all of Shires operations;***
- ***Offer Shire of Moora businesses a 50% (\$150) contribution toward a Wheatbelt Business Network – Small Business Category (2019/2020 value \$300).***

The amended motion become the substantive motion which was put and

CARRIED 9/0

Reason for Change: Committee recommendation was changed to provide Council with flexibility in considering merit of charging interest on Instalments as it moves through the 2020/2021 budget adoption process.

10.2 PROPOSED NEW CHILDCARE CENTRE – DROUGHT COMMUNITIES EXTENSION PROGRAMME

FILE REFERENCE: ED/CCR1
APPLICANT/PROPONENT: Shire of Moora
OFFICER DISCLOSURE OF INTEREST: N/A
PREVIOUS MEETING REFERENCES: 18/3/20 (34/20)
AUTHOR: Alan Leeson, Chief Executive Officer
ATTACHMENTS: Nil

BACKGROUND:

Council at its Council meeting on 18 March 2020 adopted the following resolution;

34/20 Moved Cr Lefroy, seconded Cr Clydesdale-Gebert that Council instruct the Chief Executive Officer to prepare a report in relation to the Australian Government Drought Communities Programme which prioritizes the allocation of drought funding to the programme to the construction of a new Childcare Centre in Moora at a location to be determined through development of the funding application.

CARRIED 8/0

The Chief Executive Officer spoke with the Australian Government Department of Industry, Innovation and Science (DOI) on Friday 3rd April 2020 to discuss the \$1,000,000 grant offered to the Shire of Moora via the Drought Communities. The purpose of the discussion was to look at the timing of the funding programme in terms of project implementation. Council has been advised the preferred project completion date under this funding programme is 30 June 2021. I flagged with the DOI officer that Council has prioritised under the programme the construction of a new childcare centre. The response was that such a project would fit well within the criteria and objectives of the Drought Funding Program in that it meets;

- Provides employment for people whose work opportunities have been impacted by drought;
- Stimulate local community spending;
- Use local resources, businesses and suppliers;
- Provide a long-lasting benefit to communities and the agricultural industries on which they depend.

Following discussion with DOI it is anticipated an application to the funding program will be submitted in May 2020 and approval granted for the project by 30 June 2020. I think it is a given the project proposal will be granted approval. The key decision for Council through the initial phase of planning for the project will be, to decide whether to demolish and rebuild on the existing childcare centre site or build on a blank canvas on another site. In further discussion regarding project completion timelines DOI advised there will be some flexibility in that regard provided the project is substantially underway before 30 June 2021.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(COMMITTEE RECOMMENDATION)**

51/20 Moved Cr Humphry, seconded Cr Lefroy that Council authorise the Chief Executive Officer to apply to the Australian Government Drought Communities Extension Programme to construct a new Childcare Centre in Moora, with the grant application to be submitted by 31 May 2020, noting that the overall location and design of the new childcare building is to be finalised through the design phase of the project.

CARRIED 9/0

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

Nil

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL

Nil

13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

14. CLOSURE OF MEETING

There being no further business, the President declared the meeting closed at 6.10pm.

CONFIRMED

PRESIDING MEMBER