



SHIRE
of
DANDARAGAN

MINUTES

of the

SPECIAL COUNCIL MEETING

held at the

COUNCIL CHAMBERS, JURIE BAY

on

WEDNESDAY 8 APRIL 2020

COMMENCING AT 5.00PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**1.1 DECLARATION OF OPENING**

The presiding member declared the meeting open at 5.00pm and welcomed those present.

1.2 DISCLAIMER READING

The disclaimer was read aloud as there were members of the public present via electronic attendance.

“No responsibility whatsoever is implied or accepted by the Shire of Dandaragan 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 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**Members**

Councillor L Holmes	(President)
Councillor P Scharf	(Deputy President)
Councillor J Clarke	
Councillor A Eyre	
Councillor W Gibson	
Councillor D Richardson	
Councillor R Rybarczyk	
Councillor R Shanahun	
Councillor D Slyn	

Staff

Mr B Bailey	(Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr D Chidlow	(Executive Manager Development Services)

Apologies

Nil

Approved Leave of Absence

Nil

3 PUBLIC QUESTION TIME

Mr Neville Williams representing Cervantes Pinnacle Resort asked the following questions:

Due to the total close down of all the tourism and hospitality businesses in the Shire because of the Government rules to contain the coronavirus, these businesses are receiving zero income and have had to put off all their staff?

- 1) Can the Shire give these businesses and all short stay holiday rentals a rates holiday for at least six months.

The Chief Executive Officer responded by saying that the Shire Council is meeting today to implement a range of fiscal programs to assist businesses and ratepayers respond to the implications of COVID19. The Officer's recommendation includes providing ratepayers with extended payment terms where they have been affected by COVID19.

- 2) Has the Shire taken any measures to reduce non-essential staff numbers or reduced salaries in Lieu of the basic closure of the office.

The Chief Executive Officer responded: In response to office closures, which also extend to the libraries and visitors centre a number of casual and part-time staff have been stood down from work, are working reduced hours or have been redeployed to other productive roles. The majority of the Shire's administrative workforce continue to perform their roles from home office environments. The Shire will continue to monitor its staffing levels relative to the changing workload volumes with the aim of maintaining our valued staff in productive roles. Staff have not been asked to accept salary reductions.

Mr Bob Buckby asked the following question:

Why is the Shire of Dandaragan lagging behind and not doing all it can to stop visitors coming to Jurien Bay for Easter and slowing the spread of COVID 19?

The Chief Executive Officer responded: In response to the question from Mr Buckby I'd like to highlight the following courses of action that the Shire has taken to address the potential for increased visitors over Easter.

- *Sandy Cape Closure*
- *Overflow Camping Closures*
- *Closures of Public Facilities including playgrounds, skateparks and public barbeques.*
- *Closure of our visitor centre and all online booking capability for accommodation or visitor experiences.*
- *Regular and consistent messaging via our Website, Social Media and written publications making it clear we are not an appropriate destination this Easter.*
- *Regular liaison with the local Police, Health Centre and essential suppliers within the coastal townsites to monitor any changes in customer numbers or other areas of capacity concern.*

MINUTES FOR SPECIAL COUNCIL MEETING HELD WEDNESDAY 8 APRIL 2020
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- *The Shire has also worked with local accommodation providers to deter holiday bookings in accordance with directives from the Federal and State Government.*
- *The Shire has supported and promoted the regional travel bans, in particular the border with the metropolitan area.*

At this stage there are no clear indications of further significant crowd numbers & traffic volumes to qualify for tighter regional restrictions which can only be approved by the State Emergency Coordinator.

4 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Presiding Member speech:

“These are deeply distressing times for everyone and I urge you all to remain calm and do not allow fear to affect you worse than the virus.

It is crucial that we treat everyone with empathy and respect so that when we come through these times, and we will come through, we will be able to be untied in the re-building process.

Most of us have never been in this uncharted territory before and we will be judged in the future by the way we treat each other.

Thanks to Brent and his team for keeping us forging ahead so we are well positioned for economic recovery.

We all need to support local businesses where ever we can as we will be calling on them for sponsorships and donations in the future.

In the meantime, stay home, stay safe and for those of you working at home with children, stay sane.”

5 SHIRE OF DANDARAGAN LOCAL GOVERNMENT (Council Meetings) LOCAL LAW 2019

To facilitate an electronic Council meeting certain clauses within the local government (Council Meetings) Local Law 2019 must be suspended.

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Gibson

That Council suspend the operation of clauses 8.4, 9.3(2), 13.4(1), 13.4(2) and 13.4(4) of the Shire of Dandaragan Local Government (Council Meetings) Local Law 2019 for the duration of this electronic meeting and that these matters be determined at the discretion of the Presiding Member.

CARRIED 9 / 0

6 REPORTS

6.1 TENDER – RFT_02/2020 – CERVANTES COMMUNITY RECREATION CENTRE STAGE 2 – CERVANTES

Location:	Reserve 38428 Cervantes Community Recreation Centre
Applicant:	N/A
Folder Path:	Tenders / 2020 / RFT02
Disclosure of Interest:	None
Date:	3 April 2020
Author:	David Chidlow, Executive Manager Development Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

Council is requested to award a tender for stage 2 works to the Cervantes Community Recreation Centre (CCRC), Cervantes, following the completion of the public tender process.

BACKGROUND

Following completion of the Stage 1 refurbishment of the Cervantes Community Recreation Centre in 2018, tenders were invited for Stage 2 of the project to consist of the following refurbishments:

- Multi-use room – The former kitchen is to be renovated to become a multi-purpose room.
- Adjacent change-room - The changeroom adjacent to the Multi-purpose room is to have door access from the multi-purpose room and all benches removed and prepared for the installation of new toilet cubicles and fixtures.
- Storeroom - The existing female toilet facility shown on the plan will be demolished to become a new storeroom access from the stadium side of the building to the external carpark side of the existing building.
- Former male toilet - The former male toilet is to be converted to a gender-neutral facility.
- Former male changeroom – To remain as a changeroom with refurbishment to the room and shower facilities. This includes the existing hot water cylinder cupboard is to be demolished back to a matching floor level and the existing hot water cylinders are to be removed. A set of four new solar hot water heaters to match the existing new cylinders in the recent additions are to be installed in two pairs as shown on the drawing external to the building to supply tempered hot water to the refurbished facilities. The new cylinders are to be housed in security cages similar to the new existing HWS cylinders.

MINUTES FOR SPECIAL COUNCIL MEETING HELD WEDNESDAY 8 APRIL 2020

Optional extras

A separate itemised quote was requested for the following works which may or may not be awarded as part of the tender.

- Replace all of the ceiling and ceiling roof support within the extent of the works with similar.
- Replace all skylights within the extent of works and make good.
- Replace all of the metal roof sheets on the roof section where the new skylights are to be installed (image below) for the full length of the roof area using colorbond ultra.
- Render and paint with standard range paints as selected by the CCRC Management Committee on all internal brick walls to ceiling height including passages but excluding the general purpose room.
- Remove all the plinths under existing cabinets. Replace changeroom floor with porcelain or ceramic tiles with nonslip rating with standard range colours as selected by the CCRC Management Committee

Tenders closed on Friday, 27 March 2020 with seven electronic tenders received.

The following contractors submitted a tender within the closing date:

MINUTES FOR SPECIAL COUNCIL MEETING TO BE HELD WEDNESDAY 8 APRIL 2020

Tenderer	Compliance	Price	Score	Price (optional works) Excl GST	Total Includes preference – 10%	Regional	Price
	Met compliance criteria Yes/No	Price weighting 40%					
1. Belle	Yes	\$151,173		\$39,466	\$171,575		
2. Central West	Yes	\$204,455		\$22,100	\$203,899		
3. Coast Edge	No (did not tick last item on list and did not provide requested information)	\$329,909		\$7,727	\$303,873		
4. Devlyn	Yes	\$184,120		\$89,048	\$273,168		
5. Palace	Yes	\$196,878		\$49,482	\$246,359		
6. Riverslea	Yes	\$194,785		\$74,129	\$268,914		
7. Stallion	No (did not provide tenders offer form or the required list for 5.2.1, however did provide the information required)	\$216,521		\$87,963	\$274,036		

MINUTES FOR SPECIAL COUNCIL MEETING HELD WEDNESDAY 8 APRIL 2020COMMENT

The Contract may be awarded to a sole tenderer who best demonstrates the ability to provide quality products and/or services at a competitive price. The tendered prices were assessed together with qualitative and compliance criteria to determine the most advantageous outcome to the community.

The Shire has adopted a best value for money approach to this Request. This means that, although price is considered, the tender containing the lowest price will not necessarily be accepted, nor will the Tender ranked the highest on the qualitative criteria.

A scoring system was used as part of the assessment of the qualitative criteria. A Tender demonstrating greater satisfaction of each of these criteria will result in a greater score. The aggregate score of each Tender was used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

After assessing all tenders received it was determined that the preferred tender is the one submitted by Central West. Two tenders achieved the same overall top score, being Central West and Palace. Central West is recommended based on being a local provider, lower price submitted both for the quoted price and the operation of the regional price preference policy. The proposed timeframe for construction was also taken into account with Central West quoting 2 months and Palace quoting 5 months construction time. It is therefore recommended that the tender from Central West be accepted. Details of the assessment are provided in the attachments.

CONSULTATION

The tender was advertised in state and regional Newspapers, Social Media and Shire website, as well as directly to builders operating in this region.

The design specification for the tender was completed in consultation with the community and Cervantes Community Recreation Centre Management Committee (with the exception of the chair who removed himself from the consultation process due to a conflict of interest as a prospective tenderer).

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 3.57: Tenders for providing goods or services:

(1) *a local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*

Local Government (Functions and General) Regulations 1996; Part 4 — Provision of goods and services; Division 2 — Tenders for providing goods or services (s3.57) Regulation 11 - 24.

MINUTES FOR SPECIAL COUNCIL MEETING HELD WEDNESDAY 8 APRIL 2020

POLICY IMPLICATIONS

Policy 1.1 C-1PAT01 – Purchasing and Tender

FINANCIAL IMPLICATIONS

Selected tenders recommended are within the budgeted costs.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029:

01 – Infrastructure	The Shire will sustain a dynamic infrastructure network responsive to usage demand that attracts and retains residents and business
Priority Outcomes	Our Roles
Our communities contain vibrant, activated public open space and buildings with high levels of utilisation and functionality	To manage and facilitate community assets that are flexible, vibrant, adaptable and enjoyable places to occupy employing the principals of place making and design thinking

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- CONFIDENTIAL - CCRC Tender Evaluation (Doc Id: 152578)
- Plan of the proposed alterations (Doc Id: 150077)

(Marked 6.1)

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Richardson

That Council award contract to Central West Building for the refurbishment of the Cervantes Community Recreation Centre – stage 2 as per the tender documentation at the price of \$204,455 (Excl GST) plus optional upgrades \$22,100 (Excl GST).

CARRIED BY ABSOLUTE MAJORITY 8 / 1

Cr Shanhun left the meeting at 5.07pm

Cr Shanhun expressed a financial interest in Item 6.2 being a partner in a home based business which may benefit from the waiver home occupation renewal fees and a Impartiality Interest being a member of two community based associations both of which may benefit from the amendment of self-supporting loan agreements and deferral of loan repayments.

MINUTES FOR SPECIAL COUNCIL MEETING HELD WEDNESDAY 8 APRIL 2020
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6.2 COVID-19 FISCAL RESPONSE PACKAGE

Location:	Shire of Dandaragan
Applicant:	Not Applicable
Folder Path:	Business Classification Scheme / Economic Development / Industries / Small Business
Disclosure of Interest:	Financial Interest: The author's wife operates a small business which may receive benefit from waived home occupation renewal fees.
Date:	6 April 2020
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not Applicable

PROPOSAL

This item addresses a proposed COVID-19 relief package to assist local residents, businesses and ratepayers where they are impacted financially by the current COVID-19 operating environment.

BACKGROUND

Businesses and residents within Shire of Dandaragan have been impacted by the onset of COVID-19 since January 2020 when the Crayfishing industry was effectively shut down. This led to job losses, business hardship and supply chain interruptions as many boats stopped fishing and there was a significant decline in international visitors, particularly in the tour bus market. To offset some of the local impacts of this shut down the Shire re-prioritised and brought forward approximately \$0.5m in works to support local jobs through the February budget review.

As the prevalence of nationwide impacts of COVID-19 has extended over recent weeks the economic impacts have broadened substantially with many employees, businesses, local community groups and local economic opportunities now experiencing hardship. The Federal and State government have implemented a range of fiscal programs to provide support to those affected including cash payments, rent relief, freeze or waiver of license fees, reductions in electricity costs, tax relief and grants.

On 27 March 2020 the Premier and Minister for Local Government addressed the industry and reinforced the following expectations of Local Government:

- The pace of change in response to COVID-19 requires Councils to make quick decisions
- It is not a business as usual environment and all energy and effort needs to be put into this pandemic
- Prioritise looking after your community's health
- Support your local economies through a range of means such as:
 - Fast track approvals, in particular building and planning approvals.

MINUTES FOR SPECIAL COUNCIL MEETING HELD WEDNESDAY 8 APRIL 2020

- o Keeping workforces employed
- o Using Council budgets to stimulate the local economy and create jobs

The Minister also stated that the State Government was unable to support local government financially, given they are committing all their available financial resources to fighting COVID-19.

To supplement the programs available at other levels of Government and to address the Premier's and Minister for Local Government's call to action the following items have been identified by the industry and Shire of Dandaragan staff for Council consideration:

Table 1: Initiatives Proposed to Commence in 2019/2020 Financial Year

1) Rates	<ul style="list-style-type: none"> I. Amend interest rate charged on all overdue rates from 10% to 0% effective immediately. II. Implement payment arrangements on a case by case basis for ratepayers impacted by COVID-19 providing deferral opportunity to end of 2020/2021 financial year.
2) Debtors	<ul style="list-style-type: none"> I. Implement payment arrangements on a case by case basis for debtors impacted by COVID-19 providing a deferral opportunity to end of 2020/2021 financial year.
3) Community Group Loans	<ul style="list-style-type: none"> II. Amend existing community group self-supporting loan agreements to defer any remaining 2020 loan instalments. Make these instalments due at the end of the loan agreement terms.
4) Community Group Building Grants	<ul style="list-style-type: none"> I. Establishment of a \$5,000 Shire facility maintenance and improvement grants program for all community groups with a current peppercorn lease and maintenance responsibility for a Shire building. Utilise the Building Reserve to finance this grants program.
5) Fees and Charges	<ul style="list-style-type: none"> I. Waive food premise licensing fees. II. Waive food premise inspection fees. III. Waive accommodation venue licensing fees. IV. Waive accommodation venue inspection fees. V. Waive planning application fees for small businesses*. VI. Waive building application fees for small businesses*.
6) Caravan Park Leases	<ul style="list-style-type: none"> I. Deferment of any lease instalments due in 2020 until 30th June 2021.
7) Airstrip User Charges	<ul style="list-style-type: none"> I. Waive all landing charges for airport users for the balance of 2019/2020 financial year.

Note: Small businesses as defined by the Australian Tax Office.

Table 2: 2020/2021 Draft Budget Consideration

The following initiatives relate to the forthcoming financial year and will need to be considered within the statutory budget process. This will coincide with a review for the Shire's capacity to provide additional infrastructure and fiscal stimulus measures. It is

MINUTES FOR SPECIAL COUNCIL MEETING HELD WEDNESDAY 8 APRIL 2020

recommended that Council provide an indication of its alignment to key features outlined in the WALGA State Council item addressing the COVID-19 response.

1) Rates	<p>I. 0% rate yield increase. (Note – The annual UV revaluation will still be applied redistributing UV rates however no increase forecast).</p> <p>II. Set interest rate charged on all overdue rates at 0%.</p> <p>III. Set interest rates on instalment plans at 0%.</p> <p>IV. Set instalment administration fees at \$0.</p>
2) Fees and Charges	I. No increase in fees and charges where they are set by Council rather than independent statutory bodies – e.g. Department of Planning, Lands and Heritage.

COMMENT

The following table provides an overview of the approximate financial impact of each measure, some of which will affect the identified 2019/2020 surplus of \$136,039 advised in the February budget review. These financial impacts will also be modelled through the draft budget process and may require some aspects of the Shire's service delivery outcomes to be scaled back to meet cost saving requirements.

Item	Projected Financial Impact	Deferral / Loss of Income
2019/2020 Rates Deferral / Payment Arrangements	<p>@ 25% take-up - \$91,250 @ 50% take-up - \$182,500 @ 75% take-up - \$273,750</p> <p>It should be noted that approximately \$83,000 of the total \$365,000 current outstanding rates are either small balances or already in payment arrangements.</p>	Deferral until 2021
Penalty Interest Freeze	\$33,750 projected if in place for 15 months	Loss of Income
Deferment of Self-Supporting Loan Payments	Approximately \$31,000.	Impacts 2019/2020 and 2020/2021 budgets. Deferrals extend cash receipts to 2026/2027 financial year.
Community Building Grants	Approximately \$100,000 forecast if fully subscribed	New expenditure which may be funded from Building Reserve
Building, Health and Planning permit or inspection fees	Approximately \$2,000 estimated based on 2018/2019 actual	Loss of Income
2020 Caravan Park Remaining Lease Payments Deferral / Payment Arrangements	Approximately \$100,000 proposed for deferral.	Deferral until 30 th June 2021

MINUTES FOR SPECIAL COUNCIL MEETING HELD WEDNESDAY 8 APRIL 2020

Airport User Charges	Uncertain due to primary user being impacted by COVID-19 shutdown. Estimated <\$2,500.	Loss of Income
2020/2021 Rates Freeze	@ 1% increase - \$63,000 @ 2% increase - \$126,000	Loss of Income
2020/2021 Instalment Admin Fee and Simple Interest charges	Approximately \$35,500 based on 2019/2020 budget figures.	Loss of Income
2020/2021 Fees and Charges Freeze	This factor is best modelled through the budget process as the majority of fees and charges implemented relate to waste management which is calculated for cost recovery. Excluding waste management the cost of not increasing fees and charges is estimated @ \$15,000 per 1% increase.	Loss of Income

It should be noted that aspects of the above relief package interface with existing delegations (e.g. making arrangements for the payment of rates) however to represent the totality of the Shire commitment, all currently identified features of the proposed relief package have been included.

CONSULTATION
WALGA

The minutes of the WALGA Special Meeting to address the COVID-19 response have been provided as an attachment. A number of their recommendations have already been implemented at an operational level. The officer's recommendation addresses additional items which require a Council decision.

STATUTORY ENVIRONMENT
Local Government Act 1995

Section 6.12. Power to defer, grant discounts, waive or write off debts

- 1) Subject to subsection (2) and any other written law, a local government may
 - a. when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - b. waive or grant concessions in relation to any amount of money; or
 - c. write off any amount of money, which is owed to the local government.

***Absolute majority required.**

MINUTES FOR SPECIAL COUNCIL MEETING HELD WEDNESDAY 8 APRIL 2020

POLICY IMPLICATIONS

Amendments to the Community Grants Policy may be recommended to Council at a future date to finalise arrangements for the Community Building Grants scheme if supported.

FINANCIAL IMPLICATIONS

Financial implications of this item have been addressed in the officer's comment above.

STRATEGIC IMPLICATIONS

This item functions to provide a range of support mechanisms to local business and ratepayers and address a State of Emergency declaration. Accordingly it has relevance broadly to the ongoing delivery of the Shire's Community Strategic Plan.

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- WALGA State Council Minutes addressing COVID-19. (Doc Id: 152207)
(Marked 6.2)

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Eyre, seconded Cr Scharf

That Council:

- 1) Endorse and authorise the Chief Executive Officer to implement the following COVID-19 relief package applicable to the remainder of the 2019/2020 financial year:**

1) Rates	<ol style="list-style-type: none"> I. Amend the interest rate charged on all overdue rates from 10% to 0% effective immediately. II. Implement payment arrangements on a case by case basis for ratepayers impacted by COVID-19, providing deferral opportunity to end of 2020/2021 financial year.
2) Debtors	<ol style="list-style-type: none"> I. Implement payment arrangements on a case by case basis for debtors impacted by COVID-19, providing a deferral opportunity to end of 2020/2021 financial year.
3) Community Group Loans	<ol style="list-style-type: none"> I. Amend existing community group self-supporting loan agreements to defer any remaining 2020 loan instalments. Make these instalments due at the end of the loan agreement terms.
4) Community Group Building Grants	<ol style="list-style-type: none"> I. Establishment of a \$5,000 Shire facility maintenance and improvement grants program for all community groups with a current peppercorn lease and maintenance responsibility for a Shire building. Utilise the Building Reserve to finance this grants

MINUTES FOR SPECIAL COUNCIL MEETING HELD WEDNESDAY 8 APRIL 2020
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		program.
5) Fees and Charges		<ul style="list-style-type: none"> I. Waive food premise licensing fees. II. Waive food premise inspection fees. III. Waive accommodation venue licensing fees. IV. Waive accommodation venue inspection fees. V. Waive planning application fees for small businesses*. VI. Waive building application fees for small businesses*.
6) Caravan Leases	Park	I. Deferment of any lease instalments due in 2020 until 30 th June 2021.
7) Airstrip Charges	User	I. Waive all landing charges for airport users for the balance of 2019/2020 financial year.

2) Endorse the following parameters for consideration in the development of the 2020/2021 Draft Budget:

1) Rates		<ul style="list-style-type: none"> I. 0% rate yield increase. (Note – The annual UV revaluation will still be applied redistributing UV rates however no increase forecast). II. Set the interest rate charged on all overdue rates at 0%. III. Set the interest rate on instalment plans at 0%. IV. Set instalment administration fees at \$0.
2) Fees and Charges		I. No increase in fees and charges where they are set by Council rather than independent statutory bodies – e.g. Department of Planning, Lands and Heritage.

CARRIED BY ABSOLUTE MAJORITY 8 / 0

Cr Shanahun re-entered the meeting at 5.12pm

7 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

8 CLOSURE OF MEETING

The presiding member declared the meeting closed at 5.13pm.

MINUTES FOR SPECIAL COUNCIL MEETING HELD WEDNESDAY 8 APRIL 2020

These minutes were confirmed at a meeting on 23 April 2020

Signed 

Presiding person at the meeting at which the minutes were confirmed

Date 23 April 2020