



TOWN OF  
VICTORIA PARK



# Special Council Meeting Agenda – 7 April 2020

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**WE'RE OPEN  
VIC PARK**

Please be advised that a **Special Council Meeting** will be held at **5pm on Tuesday 7 April 2020** as an electronic meeting, accessible at [victoriapark.wa.gov.au](http://victoriapark.wa.gov.au)

**Mr Anthony Vuleta – Chief Executive Officer**

3 April 2020

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# 1 Declaration of opening

## Acknowledgement of Country

*Ngany yoowart Noongar yorga, ngany wadjella yorga. Ngany djerapiny Wadjak – Noongar boodja-k yaakiny, nidja bilya bardook.*

I am not a Nyungar woman, I am a non-Indigenous woman. I am honoured to be standing on Whadjuk - Nyungar country on the banks of the Swan River.

*Ngany kaaditj Noongar moort keny kaadak nidja Wadjak Noongar boodja. Ngany kaaditj nidja Noongar birdiya – koora, ye-ye, boorda, baalapiny moorditj Noongar kaaditjin, moort, wer boodja ye-ye.*

I acknowledge the traditional custodians of this land and respect past, present and emerging leaders, their continuing cultural heritage, beliefs and relationship with the land, which continues to be important today.

*Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.*

I thank them for the contribution made to life in the Town of Victoria Park and to this region.

# 2 Announcements from the Presiding Member

## 2.1 Recording and live streaming of proceedings

In accordance with clause 39 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, as the Presiding Member, I hereby give my permission for the administration to record proceedings of this meeting.

This meeting is also being live streamed on the Town's website. The recording will be made available on the Town's website following the meeting.

## 2.2 Public question time and public statement time

Public question and statement time will still occur during this electronic meeting.

In accordance with clause 7(4)a of the Local Government (Administration) Regulations 1996, public questions and statements at this Special Council Meeting must relate to the purpose of the meeting.

Public questions and statements received by 12pm today will be addressed. These questions and statements will be read by myself and if required, I will call on relevant people to answer.

There will be at least 15 minutes set aside for both public question time and public statement time at the beginning and end of this Special Council Meeting.

If there are outstanding questions or statements following the time set aside for public participation time,

these questions and answers will be answered in the agenda for the next Ordinary Council Meeting.

### **2.3 No adverse reflection**

In accordance with clause 56 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, Elected Members when speaking are not to reflect adversely on the character or actions of Elected Members or employees.

### **2.4 Town of Victoria Park Meeting Procedures Local Law 2019**

All meetings of the Council, committees and the electors are to be conducted in accordance with the Act, the Regulations and the *Town of Victoria Park Meeting Procedures Local Law 2019*.

## **3 Attendance**

<b>Mayor</b>	Ms Karen Vernon
<b>Banksia Ward</b>	Cr Claire Anderson Cr Ronhhda Potter Cr Wilfred Hendriks Cr Luana Lisandro
<b>Jarrah Ward</b>	Deputy Mayor Bronwyn Ife Cr Vicki Potter Cr Brian Oliver Cr Jesvin Karimi
<b>Chief Executive Officer</b>	Mr Anthony Vuleta
<b>Chief Operations Officer</b> <b>Chief Financial Officer</b> <b>Chief Community Planner</b>	Mr Ben Killigrew Mr Michael Cole Ms Natalie Martin Goode
<b>Manager Development Services</b> <b>Manager Governance and Strategy</b>	Mr Robert Cruickshank Ms Danielle Uniza
<b>Secretary</b>	Ms Amy Noon

### **3.1 Apologies**

### **3.2 Approved leave of absence**

Nil.

## **4 Declarations of interest**

Declarations of interest are to be made in writing prior to the commencement of the meeting.

### **Declaration of financial interests**

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees can continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

### **Declaration of proximity interest**

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are to declare an interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5)) of land that adjoins the persons' land.

Land, the proposed land adjoins a person's land if: a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land. A person's land is a reference to any land owned by the person or in which the person has any estate or interest.

### **Declaration of interest affecting impartiality**

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

## **5 Public question time**

## **6 Public statement time**

## **7 Presentations**

### **7.1 Petitions**

### **7.2 Presentations**

### **7.3 Deputations**

## **8 Method of dealing with agenda business**

## 9 Motion of which previous notice has been given

### 9.1 Mayor Karen Vernon - Council's Response to relief from the impact of COVID-19

In accordance with clause 4.3 of the *Town of Victoria Park Meeting Procedures Local Law 2018*, Mayor Karen Vernon has submitted the following notice of motion:

#### Recommendation

That Council:

1. Approves the Chief Executive Officer to prepare a budget for 2020-2021 in accordance with section 6.2 of the *Local Government Act 1995* based on:
  - a. 0% rate revenue increases
  - b. no increase in fees and charges
  - c. the charge to be levied for underground power on ratepayers in Victoria Park West, Victoria Park East and Carlisle North as approved by Council on 19 November 2019 being deferred for collection to the 2021-2022 financial year so as to not financially impact on ratepayers in the 2020-2021 financial year.
2. Requests the Chief Executive Officer to prepare and report to Council by May 2020, an alternative budget scenario for 2020-2021 to that in point 1 above, based on:
  - a. 10% reduction in rate revenue, alternatively a 5% reduction in rate revenue
  - b. no increase in fees and charges;
  - c. the charge to be levied for underground power on ratepayers in Victoria Park West, Victoria Park East and Carlisle North as approved by Council on 19 November 2019 being deferred for collection to 2021-2022 financial year so as to not financially impact on ratepayers in the 2020-2021 financial year.
3. Endorses the immediate waiver of all cancellation fees, late fees and suspension of membership fees contained in the Schedule of Fees and Charges 2019/20 until further notice.
4. Approves the immediate waiver of rent payable by not-for-profit organisations and sporting clubs occupying Town-owned premises pursuant to a lease or a license until 30 September 2020 or a declaration that the State of Emergency for WA is over whichever occurs sooner, at which time it will be reviewed.
5. Requests the Chief Executive Officer to prepare a report to Council in April 2020 outlining the options for providing relief to ratepayers in the 2020-21 financial year, including but not limited to:
  - a. extending the time for payment of rates;
  - b. waiver, removal or reduction of the interest rate charged on rates instalments;
  - c. waiver, removal or reduction of the administration fee charged on rates instalments.
6. Requests the Chief Executive Officer to report to the Ordinary Council Meeting in April 2020 about the actions and measures the Town has implemented to date (including funding sources) in response to COVID-19 to support:
  - a. the community and community service organisations;
  - b. local small businesses; and
  - c. the relaxation of planning conditions restricting delivery times to local supermarkets, grocery or food businesses.
7. Requests the Chief Executive Officer to prepare a report to the Ordinary Council Meeting in May 2020 outlining the options for establishing a donation program to support not-for-profit or charitable organisations located in the Town in providing assistance and support to the local community.

8. Requests the Chief Executive Officer to prepare a hardship relief policy for ratepayers for consideration by the Policy Committee in May 2020;
9. Requests the Chief Executive Officer to prepare a report to the Ordinary Council Meeting in May 2020 investigating the creation of a reserve fund for funding future programs and projects to support the community and local businesses during the COVID-19 recovery period including a recommendation as to the amount of initial funding.
10. Endorses the Town advocating to the WA Government to immediately suspend the Loan Guarantee Fee imposed by the WA Treasury Corporation on loans to local governments until 30 June 2021.

## Reason

The last 4 weeks have seen the development of an unprecedented health and economic crisis worldwide and within Australia that has resulted in ever-increasing Commonwealth government restrictions on the social and economic activities of all Australians in an attempt to stop the spread of novel coronavirus (COVID-19) within our community.

On 11 March 2020 the World Health Organization declared COVID-19 outbreak a global "pandemic."

On 15 March 2020 the WA government declared a State of Emergency for the entire State of Western Australia in relation to COVID-19. That declaration activated the provisions of the *Emergency Management Act 2005*. Under this Act, the function of local government in a state of emergency is in recovery.

On 25 March 2020 the Premier of Western Australia wrote to all local governments to urge them to follow the State's lead in freezing household fees and charges for the next year by adopting a 0% rate increases to ratepayers, and freezing all other Council fees and charges.

There is no doubt that COVID-19 is having, and will continue to have, a severe and negative impact on the financial and social well-being of residents and businesses. Commonwealth government restrictions on non-essential services has seen the closure of many businesses within the Town, rising unemployment and restrictions on social gatherings with directions to practice social isolation has changed the way of life for our community.

Now more than ever our community expects strong leadership from its Council. It is important for Council to take timely, considered and comprehensive action to support our community to cope with and recover from the impacts of COVID-19.

The measures proposed in this Notice of Motion are intended to be a part of a suite of actions that Council should take, and we will likely be required to take further action in due course. Given the Council is in the midst of preparing its next annual budget, it is appropriate to adopt these recommendations now, to inform the budget process, and to create certainty for our community.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	The community has confidence that during this crisis, the Council can make the leadership decisions necessary to support our community through this crisis.



Economic	
Strategic outcome	Intended public value outcome or impact
EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	Local businesses will be supported to survive and thrive.

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	The community will be supported during a time of unprecedented restrictions on social and economic activities.

## Officer response to notice of motion

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Danielle Uniza
<b>Responsible officer</b>	Anthony Vuleta
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

## Officer comment

Each of the points within the notice of motion has been responded to by the Town as follows.

*Preparation of budget based on 0% rate revenue increase, no increase in fees and charges and deferral of underground power charges (point 1a, 1b and 1c of motion)*

1. The Town will prepare a draft budget for 2020/21 based on a 0% rate rise and no increases in fees and charges.
2. The Town supports the deferral of the service charge to be levied for underground power on ratepayers in Victoria Park West, Victoria Park East and Carlisle North, as approved by Council on 19 November 2019, being deferred for collection to 2021-2022 financial year so as to not financially impact on ratepayers in the 2020-2021 financial year.

*Preparation of budget based on 10% rate revenue reduction, no increase in fees and charges and deferral of underground power charges (point 2a, 2b and 2c of motion)*

3. A 10% rate reduction equates to \$4.6 million. A 5% rate reduction equates to \$2.3 million.
4. It is proposed to fund capital works renewal projects that would ordinarily be funded from general revenue generated from rates, to the value of either \$4.6 million or \$2.3 million, by drawing down this amount from existing reserves instead.
5. This will have an impact on those reserves in the medium term and this will need to be factored into the revised Long-Term Financial Plan.
6. Similar to the first point of the motion above, the Town supports the deferral of the service for underground power to 2021-2022.

*Immediate waiving of all cancellation fees, late fees and suspension of membership fees (point 3 of motion)*

7. This proposal is supported and can be accommodated within existing delegation of authority.

*Immediate waiving of rent by not-for-profit and sport clubs in Town-owned premises until 30 September 2020 or until the end of State of Emergency in Western Australia (point 4 of motion)*

8. This proposal is supported, and the financial impact has been calculated at \$22,509.36. This has been provided to Finance to inform the budget.

9. Commercial and residential private tenants will be assessed on a case-by-case basis which are managed by external agents.

10. A large number of leases are also peppercorn and as such no rent is collected by the Town, or are telecommunication leases which are not affected by COVID-19 trading requirements.

*Chief Executive Officer's report on options for providing relief to ratepayers in the 2020-21 financial year to be presented to Council at April Ordinary Council Meeting (point 5 of motion)*

11. The Town can prepare a report on options for providing relief to ratepayers for the April 2020 ordinary meeting of Council. The options that will be presented in that report will include, but not be limited to, an extension of the time to pay, reduction/removal of interest payable for instalment options and overdue rates.

*Chief Executive Officer's report on actions and measures implemented by the Town in response to COVID-19 to support community, small business and to relax planning conditions to be presented to Council at April Ordinary Council Meeting (point 6 of motion)*

12. This proposal is supported and a report will be provided at the April 2020 Ordinary Council Meeting. The report will outline the Town's response to COVID-19 to support the community and small businesses and relaxation of planning approval conditions restricting delivery times to local supermarkets, grocery or food businesses. Many actions have already been undertaken in this regard and will be detailed in the report.

*Chief Executive Officer's report on options to establish a donation program for not-for-profits and charitable organisations that support the community to be presented to Council at April Ordinary Council Meeting (point 7 of motion)*

13. This proposal is supported and a report will be provided to the April 2020 Ordinary Council meeting.

*Preparation of a Financial Hardship Relief Policy to be presented to the May Policy Committee meeting (point 8 of motion)*

14. To ensure that strategic direction is received from Council on how the Town may offer financial hardship relief to the community, the preparation of a policy to be presented to the Policy Committee by May 2020 is supported. The policy will seek to provide guidance to the Town in assessing the unique circumstances and challenges that ratepayers will face as a consequence of the COVID-19 pandemic. A template for this policy has been developed by the Western Australian Local Government Association (WALGA) and will be used as the basis for the Town's own policy.

*Chief Executive Officer's report on investigating the creation of a reserve fund to support the community and local business during recovery period*

15. A report for the May 2020 Ordinary Council Meeting will be prepared on the creation of a reserve fund to support the community and local businesses during the recovery period.

*Town advocacy to the WA Government to immediately suspend the Loan Guarantee Fee imposed by the WA Treasury Corporation*

15. Advocacy to suspend the Loan Guarantee Fee imposed by WATC is supported.

## Engagement

Internal engagement	
Stakeholder	Comments
Finance	Responded to points 1, 2, 3 and 5 of motion
Community development	Responded to points 6 and 7 of motion
Place Planning	Responded to point 6 of motion
Statutory Planning	Responded to point 6 of motion
Operations	Responded to points 4, 9 and 10 of motion
Property and Leasing	Responded to point 4 of motion
Governance	Responded to point 7 of motion

## Legal compliance

[Section 6.12 of the Local Government Act 1995](#)

[Section 6.16 of the Local Government Act 1995](#)

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Reputational</b> Not setting the Council's response to the COVID-19 crisis will result in negative community perception and a lack of clarity.	Moderate	Likely	High	Endorsing a Council position on its intent/current consideration in responding to the crisis will give greater clarity and understanding for the community.
<b>Financial</b> Making decisions relating to financial matters without all relevant information can result in a bad	High	Likely	High	By requesting that further, detailed reports be presented back to Council relating to financial matters and/or expenditure, this risk will be mitigated.

## Financial implications

### Current budget impact

The majority of the recommendations in the notice of motion relate to future years' budgets.

The full impact of COVID-19 on the 2019/2020 budget is still being determined. Where possible, initiatives are being funded from existing resources. Should a budget variation be required, this will be included in the next monthly finance report to Council.

### Future budget impact

These recommendations will be incorporated into the draft 2020/2021 annual budget.

The proposed 10% rate reduction (or 5% rate reduction) is a once-off reduction or discount for 2020/2021. Provided this is restored in 2021/2022, there will be little impact on future years' budgets.

It is proposed to draw down the \$4.6 million (\$2.3 million in the case of a 5% rate reduction) from existing reserves. To limit this impact on asset renewal in future years it would be preferable for this amount to be recovered from future years budgets, even if this was over a longer term, for example 1% for 10 years.

**10 Public question time**

**11 Public statement time**

**12 Closure**