



SHIRE OF

Chapman Valley

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ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Meeting
of Council will be held on Wednesday 21 February 2018
at the Shire Chambers Nabawa, commencing at 9:00am.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

AGENDA

FEBRUARY 2018

DISCLAIMER



No responsibility whatsoever is implied or accepted by the Shire of Chapman Valley for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Chapman Valley disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on **WRITTEN CONFIRMATION** of the outcome of the application or request of the decision made by the Shire of Chapman Valley.



Maurice Battilana
CHIEF EXECUTIVE OFFICER

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- 2.0 ANNOUNCEMENTS FROM THE PRESIDING MEMBER
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 - 3.1 APOLOGIES
 - 3.2 PREVIOUSLY APPROVED LEAVE OF ABSENCE
- 4.0 PUBLIC QUESTION TIME
 - 4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
 - 4.2 PUBLIC QUESTION TIME
- 5.0 APPLICATIONS FOR LEAVE OF ABSENCE
- 6.0 DISCLOSURE OF INTEREST

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

Section 5.60A:

*"a person has a **financial interest** in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person."*

Section 5.60B:

*"a person has a **proximity interest** in a matter if the matter concerns –
(a) a proposed change to a planning scheme affecting land that adjoins the person's land; or
(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 person's land."*

Regulation 34C (Impartiality):

*"**interest** means an interest that could, or could reasonably be perceived to, adversely affect the **impartiality** of the person having the interest and includes an interest arising from kinship, friendship or membership of an association."*

Item No.	Member/Officers	Type of Interest	Nature of Interest

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 - 7.1 PETITIONS
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 - 7.3 DEPUTATIONS

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8.1 Ordinary Meeting of Council – 13 December 2017
(Previously provided under separate cover)

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10.3.4 Finance & Audit Committee Meeting Minutes
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10.3.6 Fixed Wireless Internet

11.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

13.0 DELEGATES REPORTS

14.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

15.0 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC

- ~ 15.1 – Tender 4 -17/18 – Supply One (1) New Front End Loader
- ~ 15.2 - Tender 6 – 17/18 Construction of Shire Office Extension

16.0 CLOSURE

ORDER OF BUSINESS:

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

2.0 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

3.1 Apologies

3.2 Previously Approved Leave of Absence

4.0 PUBLIC QUESTION TIME

4.1 Response to Previous Public Questions On Notice

4.2 Public Question Time

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

6.0 DISCLOSURE OF INTEREST

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

7.1 Petitions

7.2 Presentations

7.3 Deputations

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 Ordinary Meeting of Council held on Wednesday 13 December 2017

That the minutes of the Ordinary Meeting of Council held Wednesday 13 December 2017 be confirmed as a true and accurate record.

9.0 ITEMS TO BE DEALT WITH EN BLOC

10.0 OFFICERS REPORTS

10.1 Manager of Planning February 2018

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10.1 AGENDA ITEMS

10.1.1 Shire of Chapman Valley Local Planning Scheme No.3

AGENDA ITEM:	10.1.1
SUBJECT:	SHIRE OF CHAPMAN VALLEY LOCAL PLANNING SCHEME No.3
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	WHOLE OF SHIRE
FILE REFERENCE:	204.11
PREVIOUS REFERENCE:	NIL
DATE:	13 FEBRUARY 2018
AUTHOR:	SIMON LANCASTER

SUPPORTING DOCUMENT:

Ref	Title	Attached to Report	Under Separate Cover
10.1.1.a	Resolution to Prepare or Adopt a Local Planning Scheme Notice	√	
10.1.1.b	Local Planning Scheme Preparation Flowchart	√	

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The current Shire of Chapman Valley Local Planning Scheme No.2 was gazetted on 20 November 2013 and requires review to ensure the Scheme is consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations'). This report recommends that Council resolve to formally commence the preparation of a new Scheme.

COMMENT

Council is required to initiate the Scheme Review process through a resolution made under the *Planning and Development Act 2005* ('the Act') and a copy of the relevant form has been provided as **Attachment 10.1.1.a**.

A chart illustrating the Scheme Review process has been provided as **Attachment 10.1.1.b**.

The last Scheme Review process that Council undertook required a significant overhaul of Scheme No.1 (gazetted on 20 August 1982) and it is considered that this Scheme Review should be more of a refinement process, with the Scheme No.3 Map largely following the current Scheme No.2 Map and the Scheme No.3 Text following the new Model and Deemed Provisions for Scheme Text, as contained in Schedules 1 & 2 of the Regulations.

Council will be provided with drafts of the Scheme No.3 Text and Map at the 21 March 2018 meeting.

STATUTORY ENVIRONMENT

Section 88 of the Act requires Local Governments to review their planning scheme every five years. Schemes are prepared and adopted under Part 5 of the Act and in compliance with the Regulations.

The Regulations require that the Shire review its current Scheme (having been gazetted after 19 October 2010) prior to 2020.

To formally begin the process of preparing a new Scheme it is necessary for Council to pass a resolution worded in accordance with the requirements of the Regulations. The WAPC will require a copy of Council's resolution and a supporting explanation outlining the intent and reasons.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan was endorsed by Council at its 19 July 2017 meeting. It is not considered that the determination of this matter by Council would have impact in relation to the Long Term Financial Plan.

STRATEGIC IMPLICATIONS

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan was endorsed by Council at its 15 November 2017 meeting. The Scheme review will provide opportunity to ensure that the outcomes identified within the Strategic Community Plan are incorporated into its statutory planning and zoning document.

CONSULTATION

The minimum consultation process required for the review, and subsequent advertising, of a Local Planning Scheme is set by the Act and Regulations.

Following a resolution to prepare a new Local Planning Scheme, as recommended by this report, the Shire is required as per Part 4 of the Regulations to provide notification of the resolution to stakeholders that may be affected by the Scheme (this being generally considered to be all relevant state government agencies and service authorities and the surrounding local governments) inviting within 21 days any recommendations in respect of the resolution and requests for issues for consideration in Scheme No.3.

In the event that Council (at a future meeting) and subsequently the Environmental Protection Authority and the Western Australian Planning Commission are satisfied with draft Scheme No.3, the consultation process required for the advertising of a Local Planning Scheme is set by the Regulations. It is proposed that Scheme No.3 would be advertised for a period of 3 months, and the advertising would include the following actions:

- display of Scheme No.3 at the Shire office;
- display of Scheme No.3 at the WAPC office;
- display of Scheme No.3 on the Shire website;
- notice inviting comment to be published in a newspaper circulating in the district (i.e. Mid West Times);
- notice inviting comment being sent to all relevant government agencies and service authorities.

At the conclusion of the advertising period Scheme No.3 would be returned to Council for its consideration of the received submissions.

RISK ASSESMENT

Rating 1 (Insignificant) Measures of Consequence – Risk Assessment and Acceptance Criteria

VOTING REQUIREMENTS

Simple majority required.

STAFF RECOMMENDATION

That Council resolve to prepare Shire of Chapman Valley Local Planning Scheme No.3 in accordance with Part 5 of the *Planning and Development Act 2005* and part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* encompassing all land contained within the Shire boundaries. The proposed Local Planning Scheme No.3 is to replace the Shire of Chapman Valley Local Planning Scheme No.2.

Form 1A

**Resolution of a local government to prepare a
new Local Planning Scheme**
Regulation 19(1)

Planning and Development Act 2005

RESOLUTION TO PREPARE OR ADOPT A LOCAL PLANNING SCHEME

For the entire district of the

Shire of Chapman Valley
Local Planning Scheme No. 3

Resolved that the local government, pursuant to section 75 of the *Planning and Development Act 2005*, prepare the above Local Planning Scheme with reference to the entire area within the Shire of

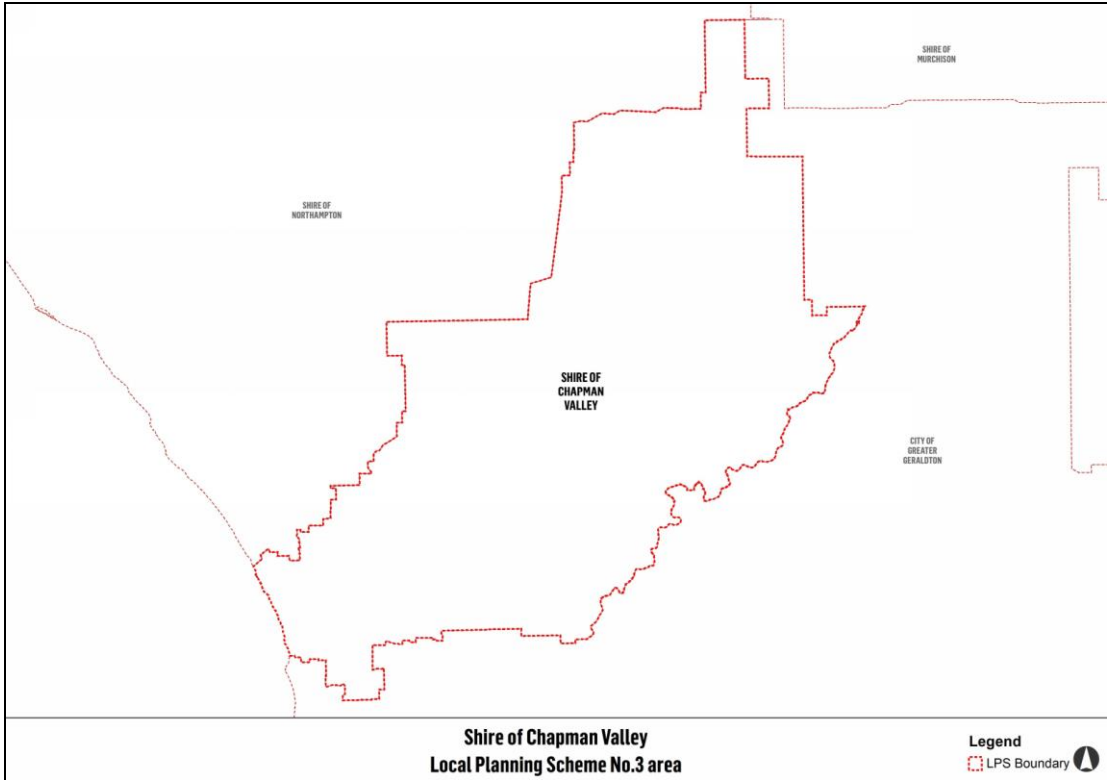
Chapman Valley

and as shown on the plan presented to the Council of the local government at its meeting of 21 February 2018 to be referred to as the Scheme Area Map.

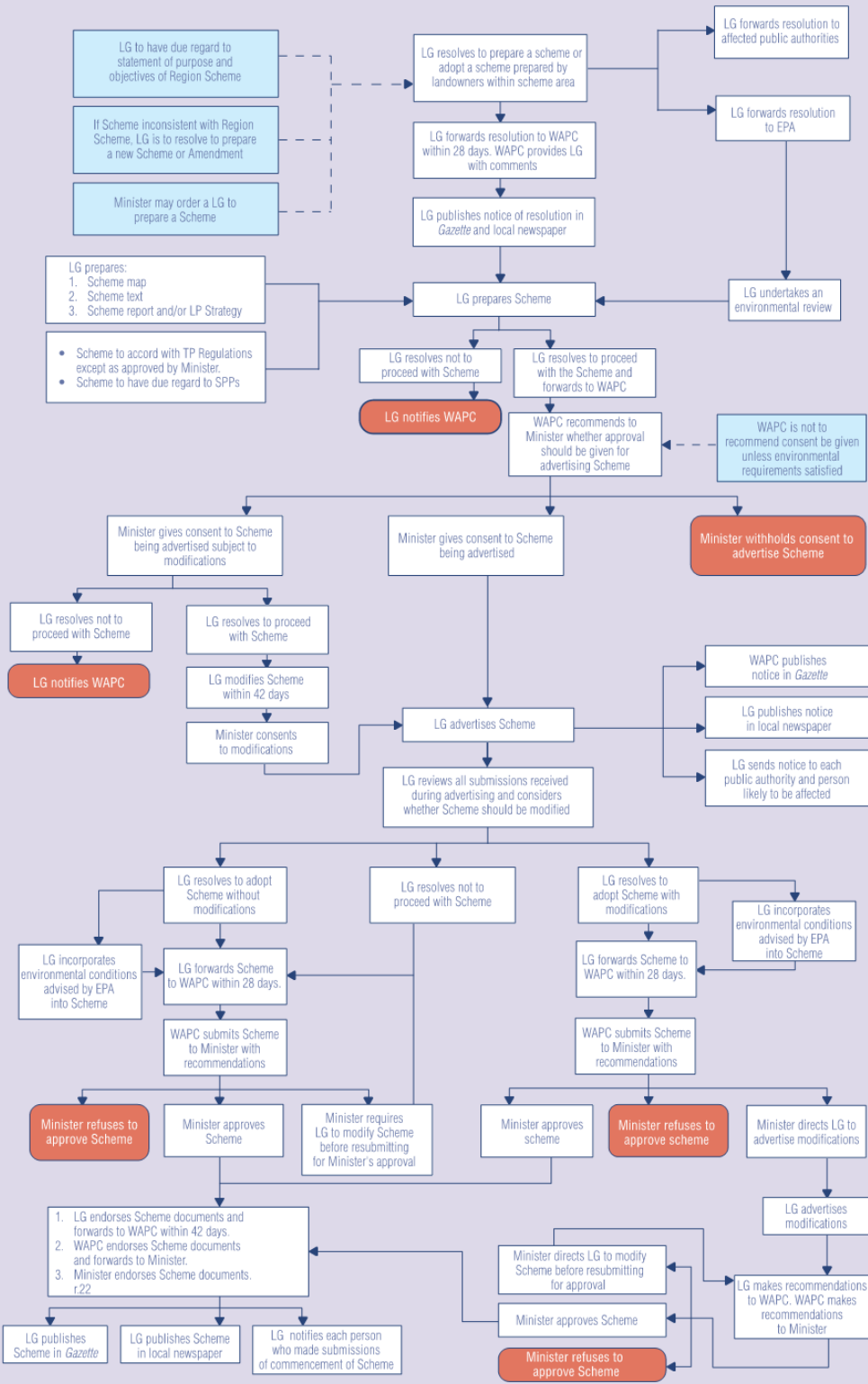
Dated 21 of February 2018

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Chief Executive Officer



Appendix 5.5a Preparing a local planning scheme



10.2 Finance February 2018

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10.2 AGENDA ITEMS

- 10.2.1 Financial Reports for December 2017 & January 2018
- 10.2.2 Budget Variation

AGENDA ITEM:	10.2.1
SUBJECT:	FINANCIAL REPORTS FOR DECEMBER 2017 & JANUARY 2018
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	21 FEBRUARY 2018
AUTHOR:	DIANNE RAYMOND, MANAGER FINANCE & CORPORATE SERVICES

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.2.1	Merged Financial Reports		√

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Financial Regulations require a monthly statement of financial activity report to be presented to Council.

COMMENT

The monthly financial statements for December 2017 & January 2018 have been provided as a **separate attachment** for Council's review.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY IMPLICATIONS

There are no policy implications

FINANCIAL IMPLICATIONS

As presented in December 2017 & January 2018 financial statements.

• **Long Term Financial Plan (LTFP):**

No significant effect on the LTFP

STRATEGIC IMPLICATIONS

Nil

• **Strategic Community Plan/Corporate Business Plan:**

Nil

CONSULTATION

Not applicable

RISK ASSESSMENT

The associated risk would be the failure to comply with Local Government Financial Regulations requiring monthly reporting of financial activity. The Risk Rating is Level 1 Insignificant.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

That Council receives the financial report supplied under separate attachment for the month of December 2017 & January 2018 comprising the following:

- Statement of Financial Activities with notes
- Note 1 – Significant Accounting Policies
- Note 2 – Explanation of Material Variances
- Note 3 – Net Current Funding Position
- Note 4 – Cash & Investments
- Note 5 – Budget Amendments
- Note 6 – Receivables
- Note 7 – Cash Backed Reserves
- Note 8 – Capital Disposals
- Note 9 – Rating Information
- Note 10 – Information on Borrowings
- Note 11 – Grants & Contributions
- Note 12 – Trust
- Note 13 – Capital Acquisitions
- Appendix A – Budget by Program
- Summary of Payments
- Bank Reconciliation
- Credit Card Statement

AGENDA ITEM:	10.2.2
SUBJECT:	BUDGET VARIATION
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	306.00
PREVIOUS REFERENCE:	NIL
DATE:	21st FEBRUARY 2018
AUTHOR:	DIANNE RAYMOND, MANAGER FINANCE & CORPORATE SERVICES

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
	NIL		

DISCLOSURE OF INTEREST

Nil

BACKGROUND

For council to consider a reimbursement expense of clothing items for Elected Members with the current logo.

This allows recognition of elected members affiliation with the Shire when attending functions in an official capacity and/or at community events.

COMMENT

It is a requirement of the Local Government Act 1995 that Elected Members expenses which may be reimbursed are approved prior to an expense occurring. The current adopted budget does not provide specifically for the reimbursement of a clothing expense to elected members. I am presenting this item to Council recommending the purchase of new logo polo and business shirts be expensed directly to the Members of Council Meeting & Refreshments Expense COA GL 104620. The current account authorised budget of \$29,200 will adequately absorb the quoted \$300 for purchase of polo and business shirts requested.

STATUTORY ENVIRONMENT

Below are the sections of Local Government Act 1995 and LG (Administration) Regulations ,1996 pertaining to elected members payments and allowances:

Local Government Act, 1995 - Division 8 — Local government payments and gifts to its members

[Heading inserted by No. 17 of 2009 s. 32.]

5.98. Fees etc. for council members

(1A) In this section —

determined means determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B.

(1) A council member who attends a council or committee meeting is entitled to be paid —

- (a) the fee determined for attending a council or committee meeting; or
- (b) where the local government has set a fee within the range determined for council or committee meeting attendance fees, that fee.

- (2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —
- (a) the fee determined for attending a meeting of that type; or
 - (b) where the local government has set a fee within the range determined for meetings of that type, that fee.
- (2) A council member who incurs an expense of a kind prescribed as being an expense —
- (a) to be reimbursed by all local governments; or
 - (b) which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for reimbursement,
- is entitled to be reimbursed for the expense in accordance with subsection (3).
- (3) A council member to whom subsection (2) applies is to be reimbursed for the expense —
- (a) where the extent of reimbursement for the expense has been determined, to that extent; or
 - (b) where the local government has set the extent to which the expense can be reimbursed and that extent is within the range determined for reimbursement, to that extent.
- (4) If an expense is of a kind that may be approved by a local government for reimbursement, then the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits the application of subsection (3) where the local government has approved reimbursement of the expense in a particular case.
- (5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —
- (a) the annual local government allowance determined for mayors or presidents; or
 - (b) where the local government has set an annual local government allowance within the range determined for annual local government allowances for mayors or presidents, that allowance.
- (6) A local government cannot —
- (a) make any payment to; or
 - (b) reimburse an expense of,
- a person who is a council member or a mayor or president in that person's capacity as council member, mayor or president unless the payment or reimbursement is in accordance with this Division.
- (7) A reference in this section to a **committee meeting** is a reference to a meeting of a committee comprising —
- (a) council members only; or
 - (b) council members and employees.

[Section 5.98 amended by No. 64 of 1998 s. 36; No. 17 of 2009 s. 33; No. 2 of 2012 s. 14.]

LG (Administration) Regulations, 1996 - Clause 31.

Expenses to be reimbursed (Act s. 5.98(2)(a) and (3))

- (1) For the purposes of section 5.98(2)(a), the kinds of expenses that are to be reimbursed by all local governments are —
- (a) rental charges incurred by a council member in relation to one telephone and one facsimile machine; and
 - (b) child care and travel costs incurred by a council member because of the member's attendance at a council meeting or a meeting of a committee of which he or she is also a member.

[(2)-(5)deleted] [Regulation 31 amended in Gazette 31 Mar 2005 p. 1034; 13 Jul 2012 p. 3219.]

32. Expenses that may be approved for reimbursement (Act s. 5.98(2)(b) and (3))

(1) For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —

- (a) an expense incurred by a council member in performing a function under the express authority of the local government; and
- (b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and
- (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.

POLICY/PROCEDURE IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

No significant financial implications as funds are already budgeted to this account

- **Long Term Financial Plan (LTFP):**

Nil effect on the LTFP

STRATEGIC IMPLICATIONS

- **Strategic Community Plan/Corporate Business Plan:**

Ref	Objective	Strategy	Action
1.1	Nurture the sense of community	Determine a whole of Shire community integration approach	Advocate a sense of community when opportunity arises.

CONSULTATION

Other than requests from Elected Members for Shire shirts there has been no other consultation on this matter.

RISK ASSESSMENT

As Council has already budgeted funds in this account the risk is **insignificant**.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION

Council endorse the 2017/2018 budget variation expenditure to cover costs for the supply of logo shirts/tops to Elected Members from COA GL 104620 and for similar allocations be made for this expenditure in future budgets.

10.3

Chief Executive Officer

February 2018

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10.3 AGENDA ITEMS

- 10.3.1 Corporate Business Plan Review
- 10.3.2 Provision of Online DoT Licensing Service
- 10.3.3 Annual Electors Meeting Minutes
- 10.3.4 Finance & Audit Committee Meeting Minutes
- 10.3.5 Tourism & Events Working Group
- 10.3.6 Fixed Wireless Internet

AGENDA ITEM:	10.3.1
SUBJECT:	CORPORATE BUSINESS PLAN REVIEW
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	313.00
PREVIOUS REFERENCE:	MINUTE REFERENCE: 11/17-5
DATE:	21st FEBRUARY 2018
AUTHORS:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.1(a)	Draft Corporate Business Plan		√

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council adopted the revised Strategic Community Plan (SCP) at the November 2017 OCM after a full review process during 2017 i.e.

MOVED: CR HUMPHREY

SECONDED: CR FORRESTER

Council:

1. *Endorse the revised Strategic Community Plan as presented with the following amendment and request the Chief Executive Officer amend any associated integrated strategic planning document directed affected by this revised Strategic Community Plan (e.g. Corporate Business Plan, Long Term Financial Plan, Asset Management Plan):*
 - ~ *Remove wording "Ref 2016 Census Data * Full 2016 data breakdown not available until October 2017" below Tables on Pages 5 and 6.*
 - ~ *Amend President's message and update photo*
2. *Respond to submission(s) received accordingly, thanking them for their participation in the process.*

Voting 7/0

CARRIED

Minute Reference: 11/17-5

The next stage of Integrated Planning & Reporting review process is to establish a Corporate Business Plan (CBP) based on the SCP to provide the Chief Executive Officer with direction on how and when to implement specific aspect pf the plans over the what specific timeframes (e.g. short, medium, long or ongoing)

COMMENT

The Draft CBP has been reduced to a Table, which lifts the Reference Numbers, Objectives, Strategies and Actions for the Council endorsed SCP. The Draft CBP then lists specific items under Short, Medium, Long term periods and those items as ongoing matters (See **Attachment 10.3.2**).

The Draft CBP was presented to the December 2017 Concept Forum seeking Elected Member feedback, with the intention of presenting the Draft CBP to the February 2018 OCM for consideration and endorsement.

At the time of writing this agenda item the following feedback was received:

Respondent	Ref No.	Submission	CEOs Comments
Cr Batten	2.2	Continue to develop High Speed Fixed Wireless Internet Could we include something similar to the following to keep our options open in terms of the technology or type of high speed internet? <i>"Or alternative technologies to improve business retention and growth."</i>	Agreed. Comment insert into Draft CBP.
	2.3	CDO to make contact with Tourism operators.....establish an Alliance.... As Shire aren't driving this we should be demonstrating more of a support role, as tourism businesses may chose an alternative model to work together. The first step could be to bring them together for opportunity to network, explore options to support each other and where shire fits into support role. The model to assist and support tourism in CV should be guided by businesses not shire. The way it is worded appears that we have already identified the way operators should work together, rather than the other way around.	Agreed. Wording changed to reflect a pre-determined outcome of an Alliance being established is removed.
	3.1	Investigate fundingCCTV cameras.... Key focus could be identifying or targeting key hotspot areas around shire.	Agreed. Wording changed.
	3.1	Lobby responsible agencies.....control weeds and vermin on their properties... Lobby is a strong word, I would prefer encourage or support agencies and landowners with info, service providers or resources to assist. As it is the responsibility of all landowners/managers, shire included, it should be a collective effort to ensure weeds, pests, etc are managed.	No action required. This wording is from the Council endorsed Strategic Community Plan so cannot be changed at this stage. Focus should be on the Actions Timelines columns of the CBP

STATUTORY ENVIRONMENT

Section 5.56 of the *Local Government Act 1995* states:

“5.56 Planning for the Future

- (1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.”*

It is intended under the Western Australian Integrated Planning and Reporting Framework that the Strategic Community Plan will replace the Plan for the Future under the process as set out by the *Local Government (Administration) Regulations 1996*.

Section 19C of the *Local Government (Administration) Regulations 1996* states:

“19C Strategic community plans, requirements for (Act Section 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.*
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —*
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and*
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
 - (c) demographic trends.*
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.”*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

All relevant projects endorsed in the CBP for short, medium and long term will be included in the Long Term Financial and Asset Management Plans (if applicable).

- **Long Term Financial Plan (LTFP):**

The LTFP forms part of the overall Integrated Planning & Reporting requirements of a local government authority and where applicable any changes made to the Strategic Community Plan and Corporate Business Plan will flow on through to the LTFP, Asset Management Plan and Workforce Plan.

STRATEGIC IMPLICATIONS

It was clear the Shire's original Integrated Strategic Plans needed improvement as they were lacking in content, integrity and ownership by the Shire.

It would be fair to say the initial Plans were adopted predominantly to appease the legislative deadlines for the completion of the Plans. Unfortunately, it appears, the process to establish the Plans lost its way and the feeling was they did not have any ownership by Council, Staff and/or the community. Hence the reason staff have been working on a review of the plans over the past few years with Councillors and the community to bring some validity, understanding and ownership to these Plans.

- **Strategic Community Plan/Corporate Business Plan:**

Below is an extract from the Strategic Community Plan adopted in November 2017:

Community Vision and Values

The emerging community vision has validated the previously identified aspiration to be 'a thriving community, making the most of our coastline, ranges and rural settings to support us to grow and prosper' and valuing the rural lifestyle with the safety, peace and quiet being the most highly valued attributes.

CONSULTATION

As previously reported, Council undertook a full review of its Integrated Strategic Plans with the following being reviewed and endorsed to date:

- Workforce Plan (WP) – Internally Reviewed 2015
- Long Term Financial Plan (LTFP) – Endorsed at July 2017 OCM (Min Ref: 07/17-6);
- Asset Management Plan (AMP) - Endorsed at July 2017 OCM (Min Ref: 07/17-6);
- Strategic Community Plan (SCP) – Endorsed at November 2017 OCM (Min Ref 11/17-5)

In response to legislative requirements, formal community engagement processes to inform the development of the Draft SCP were carried out from April to June 2017. Consultation processes included a survey on the Shire website, distribution of postcards in public venues and businesses, a mail out of survey forms and one-on-one meetings with residents and regional businesses and entities.

Responses received online, at community meetings or by direct engagement were received from just over 12% of the population of the Shire, of whom 89 % were permanent residents. People from the Mid West Development Commission, Geraldton Business Centre and Geraldton Regional Business Association also had input, and the Mid West Development Commission Blueprint 2015 was part of the review. The feedback received was analysed, looking for common issues and aspirations, to develop the key themes to underpin the strategy development in the Draft SCP.

The CEO also met with relevant Senior Staff to ensure they have had the opportunity to discuss the Draft SCP prior to the Concept Forum, final advertising for community submission and subsequent Council endorsement at the 2017 OCM.

The SCP review process was facilitated by Marg Hemsley (LG People & Culture).

As the CBP is a document from Council directing the CEO on priorities and timeframes to implement items identified in the CBP this Plan now needs to be finalised and endorsed by Council. The Draft CBP was presented to the December 2017 Concept Forum requesting Council feedback in time for the agenda item to be prepared and presented to the February 2018 OCM.

RISK ASSESSMENT

Having Plans, which lack content, integrity and ownership can (and has) result in the Shire being questioned on its future strategic direction. Specifically, how this direction is to be resourced.

It is imperative Council continually works on improving all its Integrated Plans to remove the risk of being accused of lacking strategic direction. Part of this improvement process is a Service Delivery Review of the Shire's operations.

In this instance, the risk is considered **insignificant** as the full consultative process was undertaken to establish the SCP, which guides the CBP i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

Council endorse the Corporate Business Plan as presented.

AGENDA ITEM:	10.3.2
SUBJECT:	PROVISION OF ONLINE LICENSING SERVICES
PROPONENT:	DEPARTMENT OF TRANSPORT
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	1007.01
PREVIOUS REFERENCE:	NA
DATE:	21st February 2018
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.2(a)	Draft Agreements		√

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Correspondence was received from the Department of Transport (DoT) on 22nd December 2017 advising the existing Agency Agreement the Shire has for the provision of Licensing Services on behalf of DoT expired on the 31st December 2017.

DoT has agreed to extend the existing Agreement until the 31st March 2018 to allow more time for the new Agreement to be negotiated and finalised.

COMMENT

I have been in discussions with the DoT on the content of the new Agreement and provide details of these discussions below:

Clause	CV CEO Comments	DoT Responses
Cl 6.6 Agent Obligation for Services Directly to the public	<p>The Shire has its own DAIP which complies with legislation so do not see the need for this Clause. Request removal</p> <p>We may not be able to comply with all items listed in the DoT's DAIP (e.g. Language Interpretation Facility).</p> <p>Can the leading sentence to this be amended to state "Where practicable the Agent should:....."</p>	<p>DAIP requirements mean the Department has to have feedback of progress toward inclusion from Agents. We usually issue a small questionnaire just before reporting time to all agents. I understand it may be duplication however it is needed under the Act.</p> <p>The intent of our survey is to obtain information on progress towards our DAIP requirements not to force our agents to comply. As the shire is committed to disability access through its own DAIP we are satisfied that the shire has plans in place to achieve its goals and indirectly ours.</p>

<p>9.1 General Provisions of the Agent's Personnel</p>	<p>"Not sure this will logistically be implemented.</p> <p>This also conflicts with Clause 9.1(o) where it refers to criminal charge, not proven charge.</p> <p>For consistency, it should be proven/convicted as the rule of law is one is innocent until proven guilty."</p> <p>I still disagree with the reason or rationale in your response here and cannot see how we can as an Agent be aware of what staff are involved in external to the organisations operation. I also maintain Clause 9.1(o) does conflict. However; if DoT are insistent on not amending this clause then I cannot assure full compliance, which will give DoT the option to terminate the Agreement anyway.</p>	<p>This clause is designed to protect the private records of people in the database of vehicles and drivers. DoT has the right to protect that information without waiting for proof. This relates to an actual instance where two people were killed because an employee provided information from the registers to a gang member acquaintance. There is no conflict with (o) which relates to becoming aware of a criminal charge against and employee compared to an employee associating with a known criminal.</p> <p>Staff performing licensing functions effectively become the Director General for the period of the transaction, and therefore DoT must make certain that controls over people accessing TRELIS exist. A key reason we have partnered with Shires is because of the strong internal control environment (mitigating risk) perceived to exist within Shires. The clause refers to Personnel (people already approved by DoT to perform the services and are trained in and given access to TRELIS) and Employees (who may/will become Personnel). The results of a Police clearance obtained prior to granting access to TRELIS, ongoing every two years, or as required dictates whether employees become personnel and remain so over the agreement term. Since DOT controls TRELIS, access can quickly be removed to protect the public. Shire can then be requested to restrict the employee access to licensing paperwork etc. Shire vigilance towards personnel and advice to DoT if Shires become aware of instances where personnel are involved with criminals (over and above contact during work responsibilities), or in the case of (o), face or may face criminal charges, assists DoT to reduce risks in this area. (The agreement asks Shires to be vigilant and to act if they become aware). DoT may also become aware of such involvement through daily analysis of searches or transactions processed by personnel</p>
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		<p>or through investigations including by the CCC. Either way DoT will remove access to protect the public, and given the impact that may have on Shire and licensing services (if personnel cannot be replaced) may need to assess whether to continue the agreement. DoT will provide Shires affected with its reasons for doing so unless there is an ongoing investigation.</p>
<p>21.8 Variations</p>	<p>Remove reference to:</p> <p>Schedule I - Surely the Shire must have a say on the location of premises from where the service will be provided.</p> <p>Understandable. However, the reverse is also an issue for the Shire if DoT want to setup another or different location and we have no say in this as the clause states "....sole discretion of the Principal ..." surely we must have some input if such a circumstance arises.</p>	<p>"Schedule I - DoT needs to ensure that any changes to do incur significant additional costs - some sites have cost over \$20k to set up.</p> <p>DoT is reliant on Shires to provide quality licensing services to regional Western Australians. Shires are given first right of refusal to provide licensing services. Shires have in the past shifted services to a CRC without objection from DoT. Any objection would likely be where significant costs will be incurred, or service quality or customer access would reduce. If a shire elects not to provide licensing services then transaction volumes and proximity to other Shires would be analysed, and DoT would determine the need for an alternative supplier (Collie and Leonora are examples of this). DoT recognises that falling transaction volumes due to a societal demand for online processing, supported by DoT initiatives to meet that demand through development of online transactions (based on the knowledge that 80% of DoT transactions are simple payments/transactions) may, in the near future, make provision of the service uneconomical for some Shires and or DoT.</p> <p>Corrected.</p>

<p>Schedule A - Service Specifications</p>	<p>Remove Clauses 10 & 11 We have not provided these services in the past and do not wish to in the future.</p> <p>If this is not a service we are to provide I maintain this must be removed from the Agreement.</p>	<p>The clause is in response to a CCC finding from an investigation into an Agent Practical Driving Assessor who was accepting money from clients, not conducting the test but issuing a licence. In the interest of public safety we ask that shires allow the customer and the assessor to meet in the shire carpark and for the shire to view ID from the customer to ensure the correct person is undertaking the test, and to sign the assessment sheet to indicate all is ok.</p> <p>Apologies I was unaware of this. Amended Agreement attached</p>
<p>Schedule E - Business Rules</p>	<p>This is a new Clause. What does this mean?</p> <p>So, what are these Financial Business Rules and what liability is the Shire exposed to here is payments are not honoured?</p>	<p>The clause covers situations where our business rules are not contained in either of the previous 3 document types. Reference to payment methods is an example which may confuse so will be removed from future versions of the template.</p> <p>This was added in expectation of new methods of issuing communications to Agents on procedural changes that do fit into the main methods used to inform changes (Admin Instruction, Licensing Information). None have been issued to date.</p>
<p>Schedule K - Notice of Variation</p>	<p>This Schedule assumes all variations do not require the endorsement of both parties as per Clause 21.8(a).</p> <p>There should be an endorsement section (as per the current Contract) for the Agent to also sign-off on specific variations which require both party endorsement.</p> <p>So, will we (Agent) have sign off option on this Form then? Currently there is no such option. What if we do not agree with the CEOs variation?</p>	<p>Correct the schedule is the one to use when the CEO approves variations to other schedules listed in 28.1</p> <p>The schedule is intended only to be signed by the Director General's representative as a means to vary the contract formally. Some variations will be the domain of the department to set and change - Commission payment rates (Sch B), Business rules (Sch E), asset replacement processes (Sch F) and how Payment Card</p>

		Industry Standards are applied (Sch J). Others will be agreed before signing - Location of premises for service location (Sch I), Shire representatives (Sch C) and specific conditions (Sch M) and then finally approved via schedule K. Agreements have been varied as in your case for the removal of services PDAs and computer tests. We are prepared to negotiate most issues, but ultimately, as we have over 70 Shires on agreement we seek maximum consistency of services and operations across the State as possible.
Schedule L - Agreement Term and Contract Details	<p>We would like a five-year term as discussed.</p> <p>In my discussions with your office it was indicated we could ask for three years with an option of a two-year extension. Is this the case?</p>	<p>Dot is anticipating transaction volumes to decrease over the term of the contract due to shifts to on-line processing. The term is set to ensure that volumes are reviewed and changes to the Agreement are made in a timely manner.</p> <p>No. We have over 600 agreements to manage. We are removing the extension option and approving fixed term agreements for all our major agreement types including Licensing Services. The work involved extending contracts each year detracts from actual management of risks, performance, and value for money.</p>

STATUTORY ENVIRONMENT

The Agreement of the Provision of Licensing Services if developed under *Section 11* of the *Road Traffic (Administration) Act 2008*.

POLICY/PROCEDURE IMPLICATIONS

No existing Policy of Procedure affected.

FINANCIAL IMPLICATIONS

The unit rates listed for the services rendered under the New Agreement do not differ greatly from what is currently being paid

- **Long Term Financial Plan (LTFP):**

No effect on the LTFP.

STRATEGIC IMPLICATIONS

Providing a Licensing Service to constituents in the Shire of Chapman Valley is important. However; as stated in a response from DoT, there appears to be more use of the online services over the past few years and it is expected this trend will continue.

It has also been mentioned (though nothing formal as yet) DoT may be undertaking a full review of the current Agency numbers and locations, which may affect the current service at Nabawa.

- **Strategic Community Plan/Corporate Business Plan:**

Ref	Objective	Strategy
2.1	Build population and business activity through targeted strategies	Support business development

CONSULTATION

Extensive discussion and emails have occurred between the CEO and DoT on this matter.

RISK ASSESSMENT

In this instance, the risk is assessed as being *insignificant* i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

Council delegate authority to the Chief Executive Officer to reach the best possible agreement with the Department of Transport to renew the Agreement for the *Provision of Licensing Services* under Section 11 of the *Road Traffic (Administration) Act 2008*.

- (2) *If at a meeting of the Council a local government makes a decision in response to a decision made at an electors meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.”*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

- **Long Term Financial Plan (LTFP):**

No effect

STRATEGIC IMPLICATIONS

Not applicable

- **Strategic Community Plan/Corporate Business Plan:**

Ref	Objective	Strategy	Action
1.1	Nurture the sense of community	Determine a whole of Shire community integration approach	Advocate a sense of community when opportunity arises.

CONSULTATION

Meeting was advertised and attended by electors, elected members and staff.

RISK ASSESSMENT

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

The Minutes of the Annual Electors meeting dated 1st February 2018 be received and note no actions being required from this meeting.

AGENDA ITEM:	10.3.4
SUBJECT:	FINANCE, AUDIT & RISK COMMITTEE MINUTES
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	403.05
PREVIOUS REFERENCE:	NIL
DATE:	21st FEBRUARY 2018
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.4(a)	Finance, Audit & Risk Committee Minutes 6 th February 2018		√

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire of Chapman Valley Finance, Audit & Risk Committee met on the 6th February 2018 in the Council Chambers Nabawa. The Minutes of the meeting have been included. **(Supplied under separate attachment).**

COMMENT

The Minutes and recommendations from the Finance, Audit & Risk Committee meeting dated 6th February 2018 are presented for Council consideration.

STATUTORY ENVIRONMENT

Local Government Act 1995 & Local Government Audit Regulations 1996.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Not Applicable

CONSULTATION

Committee Members and staff have discussed the Finance and Management Audits with the Auditors (Moore Stephens) with the outcome being the Shire is in quite a sound financial position and management procedures are sound.

RISK ASSESSMENT

Low risk as it is considered the Council remains in a sound financial position and management procedures are sound.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RECOMMENDATION

That Council receives the Minutes of the Finance, Audit & Risk Committee meeting held on the 6th February 2018 and endorse the following recommendations i.e.

1. The Committee recommends to Council the Management Report for year ending 30 June 2017 be received and, other than monitoring the levels and trends of all ratios, there are no actions required out of the report;
2. The Committee recommends to Council the Final Audit Report of the Chief Executive Officer the year ending 30 June 2017 be received and it be noted there are no further actions required from the report.
3. That Committee recommends the following to Council:
 - a) The 2017 Compliance Audit Return be signed by the CEO and Shire President
 - b) The 2017 Compliance Audit Return be received and recorded in the Minutes of Council
 - c) The 2017 Compliance Audit Return is submitted to the Department of Local Government & Communities.

AGENDA ITEM:	10.3.5
SUBJECT:	TOURISM & EVENTS WORKING GROUP
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	403.04
PREVIOUS REFERENCE:	NA
DATE:	21st FEBRUARY 2018
AUTHORS:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.5	Tourism & Events Working Group Meeting Notes		√

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Tourism & Events Working Group met on the 1st February 2017 to discuss the tourism aspect of the Draft Corporate Business Plan.

Working Group Notes are provided at **Attachment 10.3.5**.

COMMENT

The following item(s) listed in the Draft CBP refer to tourism, which is the basis of the discussions at the Working Group meeting:

Ref	Objectives	Strategy	Actions	Short-Term June 2019
2.3	Welcome local tourism and participation in regional strategy	Research and develop local tourism plan	Encourage Tourism Operators to establish an Alliance for them to develop and implement a Local Tourism Plan. This must be industry driven, not Shire driven.	CDO to make contact with Tourism Operators within Shire to bring them together for opportunity to network, explore options to support each other and determine where shire fits in a support role. The preferred model is for the Shire to assist and support tourism in CV and for tourism to be driven by businesses not the Shire.
		Explore support needed by local tourism industries	Encourage Tourism Operators to establish an Alliance for them to develop and implement a Local Tourism Plan. This must be industry driven, not Shire driven.	If Tourism Operators are interested in establishing an Alliance the CDO to work with this Group to develop a Local Tourism Plan.

STATUTORY ENVIRONMENT

Section 5.56 of the *Local Government Act 1995* states:

“5.56 Planning for the Future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.”

Council has been through the full review process of the Shire’s Integrated Strategic Plans with the Draft Corporate Business Plan being presented to the February 2018 OCM for consideration and adoption.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

All relevant projects endorsed in the CBP for short, medium and long term will be included in the Long Term Financial and Asset Management Plans (if applicable).

The Working Group’s recommendation will result in staff time only at this stage, with perhaps some minor revenue required to establish a survey

- **Long Term Financial Plan (LTFP):**

The LTFP forms part of the overall Integrated Planning & Reporting requirements of a local government authority and where applicable any changes made to the Strategic Community Plan and Corporate Business Plan will flow on through to the LTFP, Asset Management Plan and Workforce Plan.

STRATEGIC IMPLICATIONS

It is strategically important for the CBP to include actions and directions to the CEO for the future planning of projects, actions, etc. (short medium & long term). The Working Group is aiming to refine the actions in regards to tourism development in the Shire and to determine what role the Shire has in such development.

- **Strategic Community Plan/Corporate Business Plan:**

Below is an extract from the Strategic Community Plan adopted in November 2017:

Community Vision and Values

The emerging community vision has validated the previously identified aspiration to be ‘a thriving community, making the most of our coastline, ranges and rural settings to support us to grow and prosper’ and valuing the rural lifestyle with the safety, peace and quiet being the most highly valued attributes.

CONSULTATION

As previously reported, Council undertook a full review of its Integrated Strategic Plans with the following being reviewed and endorsed to date:

- Workforce Plan (WP) – Internally Reviewed 2015
- Long Term Financial Plan (LTFP) – Endorsed at July 2017 OCM (Min Ref: 07/17-6);
- Asset Management Plan (AMP) - Endorsed at July 2017 OCM (Min Ref: 07/17-6);
- Strategic Community Plan (SCP) – Endorsed at November 2017 OCM (Min Ref 11/17-5)

Responses received online, at community meetings or by direct engagement were received from just over 12% of the population of the Shire, of whom 89 % were permanent residents. People from the Mid West Development Commission, Geraldton Business Centre and Geraldton Regional Business Association also had input, and the Mid West Development Commission Blueprint 2015 was part of the review. The feedback received was analysed, looking for common issues and aspirations, to develop the key themes to underpin the strategy development in the Draft SCP.

RISK ASSESSMENT

In this instance, the risk is considered **insignificant** as the full consultative process was undertaken to establish the SCP, which guides the CBP i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

Council endorse the Working Group Recommendations i.e.

1. Approach Local tourism operators, Geraldton & Northampton Visitors Centre's & Geraldton Museum seeking feedback on opportunities to network, explore options to support each other and determine where shire fits in as a support role.

Survey to include yet not necessarily limited to:

- Online platform & tourist map;
 - Suggestions for improvement;
 - Opportunities & barriers to start up, development & growth;
 - Potential tourist operations;
 - Opportunities for tourist operators to collaborate.
2. Thank all volunteers who helped with the Australia Day Breakfast; e.g.
 - Great Northern Rural Services for bringing out the BBQ trailer
 - Chapman Valley Historical Society for opening the Museum;
 - Chapman Valley Menshed;
 - Eva Watson from Kalbarri eggs
 - Volunteers etc.

AGENDA ITEM:	10.3.6
SUBJECT:	FIXED WIRELESS INTERNET SERVICES
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	206.05
PREVIOUS REFERENCE:	OCM MINUTE REFERENCE: 04/16-6; 06/16-26 & 06/17-9; SC MINUTE REFERENCE: 08/17-3; 08/18-4 & 08/17-5
DATE:	29th AUGUST 2017
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
	NIL		

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Councillors may recall the decisions made to the April 2016; June 2016, June 2017 Ordinary Council Meetings (OCM) and the August 2017 Special Meeting regarding the establishment of line-of-sight fixed wireless internet service to the shire.

The following resolutions on this issue were made

April 2016

Council:

1. *Endorse an application to be submitted to the Mid West Development Commission for the Shire of Chapman Valley to undertake a Pilot Project for the establishment of improved internet services in the Shire of Chapman Valley between Waggrakine and Nabawa;*
2. *If the grant application is successful quarantine a cash contribution of \$20,000 towards the Pilot Project in the 2016/2017 Budget;*
3. *If the grant application is successful establish a Working Group to steer the Pilot Project under the following conditions and guidelines:*
 - a) *Composition of the Working Group:*
 - ~ *2 x Elected Members;
Cr Farrell and Cr Collingwood*
 - ~ *1 x MWDC representative*
 - ~ *Chief Executive Officer*
 - ~ *Manager Finance & Corporate Services*
 - ~ *Community Development Officer*
 - ~ *1 x community representative (preferably from within the area to be serviced)*
 - b) *Purpose and Rules of the Working Group's role and responsibilities:*
 - ~ *Establish Specifications to undertake a "Request for Quotes" process seeking suitably qualified and capable Internet Service Provider(s) to design, construct and install the infrastructure to achieve the desired outcomes of the Pilot Project.*

The Chief Executive Officer can appoint the successful respondent under the existing Purchasing Policy and Delegated Authority;

- ~ *Develop a Draft Agreement between the preferred Internet Service Provider and the Shire of Chapman Valley for areas such as (yet not limited to) the ongoing ownership, maintenance, operational costs, capital upgrades/replacement of the infrastructure, and the ongoing established internet service arrangement to constituents covered by the pilot project area, etc.;*
- ~ *Assist with steering the project to achieve the desired outcomes, yet not direct staff, contractors, service provider, etc. as this is the role of the Chief Executive Officer;*
- ~ *The Group will have no delegated authority and cannot commit the Shire of Chapman Valley in any way whatsoever. All decisions not provided to the Chief Executive Officer under delegation must be made by Council;*
- ~ *The Chief Executive Officer will determine if any variations to the scope of works for the Pilot Project are minor or major. Minor variations, which do not affect the overall budget allocation to the project and do not breach funding agreement conditions, can be dealt with by the Chief Executive Officer.*

Any variation considered as being major by the Chief Executive Officer, whether there is an effect on the budget allocated to project and/or breach funding agreement conditions or not, is to be brought back to Council for determination;

*Voting 8/0
CARRIED
Minute Reference: 04/16-6*

June 2016

MOVED: CR FORRESTER

SECONDED: CR FARRELL

Council:

1. *Endorse the reallocation of \$10,000 budgeted for in 2015/2016 under COA 0682 for "ICT Shared Services with the Northern Country Zone" to the establishment of a dedicated fixed wireless service specifically for the Shire Administration Offices in Nabawa;*
2. *If the funds reallocated in Item 1 above are not spent in 2015/2016 then this full amount, or the unspent residual amount, be quarantined in the 2016/2017 Budget to complete this dedicated fixed wireless service;*
3. *The Chief Executive Officer to establish maintenance agreements/arrangements with an external contractor(s) for all assets associated with the dedicated fixed wireless service and bring this back to Council for consideration prior to implementing the establishment of the dedicated fixed wireless service;*
4. *If the Mid West Development Commission grant application is successful for the Internet Pilot Project then Council retain its endorsed position (as per Minute Reference: 04/16-6) to quarantine a cash contribution of \$20,000 towards the Pilot Project in the 2016/2017 Budget to improve community internet services.*

*Voting 8/0
CARRIED
Minute Reference: 06/16-26*

June 2017

MOVED: CR FORRESTER

SECONDED: CR MALUISH

Council:

1. *Discontinue with the expenditure allocations made in the 2016/2017 Budget for:*

- i. MWDC Pilot Project for fixed wireless internet service - \$70,000 expenditure (COA 3132/Job CD017) and \$50,000 revenue MWDC Grant (nett saving of \$20,000); and
 - ii. Dedicated fixed wireless internet service - \$10,000 expenditure (COA 3132/Job No CD018).
2. Endorse the allocation of \$30,000 to be budgeted for in 2017/2018 for either:
- i. The establishment of a dedicated fixed wireless service to the Shire Offices, Nabawa, with the ability for the infrastructure installed to be added to if local businesses/residents wish to also use this Internet Service Provider (ISP) service in the future; and/or
 - ii. The establishment of a regional internet service to the Northern Country Zone region.
3. The Chief Executive Officer to establish a maintenance agreements/arrangements with the preferred ISP as a contribution towards assets associated with either service mentioned in Item 2 above and bring this back to Council for consideration prior to implementing the establishment of the any internet service;
4. Council waiver the condition in Purchasing Policy CMP-024 stating purchases between \$15,000 and \$40,000 requiring at least three verbal or written quotes and in this instance rely on the Chief Executive Officer's investigations and due diligence to determine the best infrastructure type and cost to establish the internet service under the condition the cost come within budget.

Voting 6/0
CARRIED
Minute Reference 06/17-9

August 2017

MOVED: CR FORRESTER

SECONDED: CR FARRELL

Council:

Endorse the reallocation of \$15,000 in 2017/2018 from the Community Growth Fund as a contribution towards the establishment of a fixed wireless internet service to the Shire of Chapman Valley to cover the Shire's operational requirements and to service as many of the Shire constituents as possible;

Voting 5/0
CARRIED
SC Minute Reference: 08/17-3

COUNCIL RESOLUTION / STAFF RECOMMENDATION 2

MOVED: CR ROYCE

SECONDED: CR FARRELL

Council:

1. If required, submit an application to the State Government for grant funds to establish a fixed wireless service to the Shire of Chapman Valley to cover the Shire of Chapman Valley's operational requirements and to service as many of the Shire constituents as possible;
2. If required, agree to undertaking the Expression of Interest (EOI) and/or procurement component of the project to establish a fixed wireless internet service to cover as much of the Shire district and constituents as possible under the following conditions:
 - i. An appropriate Scope of Works is developed by those with the technical knowledge and expertise of establishing the fixed wireless internet service at no cost to Council other than staff time;
 - ii. An Evaluation Panel be established (as determined by the Chief Executive Office);

- iii. *External expertise be provided (at no cost to the Shire) to Project Manage the installation of a fixed wireless internet service to the Shire of Chapman Valley to cover the Shire of Chapman Valley's operational requirements and to service as many of the Shire constituents as possible;*

Voting 5/0

CARRIED

SC Minute Reference: 08/17-4

COUNCIL RESOLUTION / STAFF RECOMMENDATION 3

MOVED: CR FORRESTER

SECONDED: CR FARRELL

If required, the Chief Executive Officer be delegated authority to continue to work on behalf of the Shire for the establishment of an asset ownership and ongoing operational maintenance agreements/arrangements with the State Government, the preferred Internet Service Provider and/or any relevant third party and only bring this back to Council for consideration if there is to be any obligation to be placed on the Shire for this component of the project;

Voting 5/0

CARRIED

SC Minute Reference: 08/17-5

The concept of establishing a high speed fixed wireless service to the Shire has evolved significantly over the past few years we have been exploring the options available for such a service.

As resolved, an Expressions of Interest (EOI) was advertised Australia wide, with the Geraldton based Internet Service Provider/Carrier Logic It (Node 1) being the only submission received.

Logic IT's submission was evaluated both internally and externally with the outcome being this submission was strong and satisfied all the necessary specification requirements. Therefore, this organisation was appointed as the Shire's preferred partner in developing a proposal for the establishment of a high speed fixed wireless to the whole of the Shire of Chapman Valley.

COMMENT

As reported at the August 2017 Special Meeting of Council, in early 2017 (prior to the March State Election) State Cabinet allocated \$22m to an 'Ag-Tech Communications Fund', aimed at kick-starting agricultural initiatives through communications technology beyond mobile phone towers.

The new state government has retained these funds and on the 19th January 2018 the Hon. Alannah MacTiernan, Minister for Primary Industry & Regional Development (DPIRD), made the following announced:

Connecting the farm: grants to drive 21st century agriculture jobs

Friday, 19 January 2018

- *Digital Farm \$5 million grants program to support widespread adoption of digital farm technologies*
- *First tranche from the \$22 million Agricultural Telecommunications Infrastructure Improvement fund to help drive 21st century agricultural practices and jobs across regional WA*

The McGowan Government will invest \$5 million in driving better digital connectivity for agricultural and pastoral businesses in regional Western Australia.

The Digital Farm grants program will enable farming businesses to use smart farming technologies such as cloud-based data sharing and decision-making tools to improve their productivity and output.

The program aims to provide regional businesses with fast, reliable, affordable and scalable connectivity solutions.

Grants of up to \$500,000 will be available on a matching co-contribution basis, to cover capital costs of improving connectivity to multiple farming enterprises and associated stakeholders and targets agricultural and pastoral regions which lie outside the current or planned National Broadband Network fixed wireless and fixed line footprint.

The Digital Farm program was developed following input from the Minister's Digital Connectivity Forum held in July 2017, and rollout of the program will be informed by outcomes from the Government's State Telecommunications Infrastructure Audit.

More information is available at <http://www.agric.wa.gov.au>. Applications close on April 13, 2018.

Comments attributed to Agriculture and Food Minister Alannah MacTiernan:

"The lack of fast and reliable connectivity in agricultural and pastoral WA is holding back our farm businesses; it's a roadblock to uptake of 21st century agtech.

"The Federal Government's NBN rollout has been a disappointment for the regions, and the State Government is stepping in to prevent WA from being further disadvantaged.

"Digitalisation is now part of all levels of agricultural production from paddock to plate. It's essential that WA farmers can access the technology available to their interstate and overseas counterparts. WA agriculture is heavily export-oriented and it is critical our farmers can compete globally on price.

"This fund will help to kickstart investment-ready digital connectivity proposals, allowing for quick and efficient rollout of digital infrastructure to get farm businesses better connected.

"Our Government is committed to investing in innovative connectivity solutions to advance telecommunications and technology in the farming sector to drive the jobs of the 21st century across regional WA."

I have been working with Logic IT, Mid West Development Commission, Yuna Farm Improvement Group (YFIG) and the Northern Agricultural Group (NAG – Northampton) and the Shire of Northampton to develop a proposal for submission to assist with funding the establishment of a high speed fixed wireless service to the agricultural areas of both the Shire's of Chapman Valley & Northampton.

The State Government guidelines and conditions associated with the grant stipulates only a Carrier/ISP can apply (i.e. local governments are ineligible). However; the guidelines are strong on developed partnerships with Grower Groups (e.g. YFIG & NAR) and local government is integral to any submissions made for funding assistance. This Shire has spent a significant amount of time and effort in establishing a strong partnership with the Carrier/ISP (Logic IT) and YFIG. Recently the NAR and Shire of Northampton are now keen to be part of this partnership, which will strengthen any funding submission to the State.

As you may recall the concept of establishing a fixed wireless service to the Shire (or part of it) was discussed at the April 2016 OCM where it was resolved to submit an application to the MWDC for the Internet Pilot Project with the outcome of the applications being unsuccessful. The application was for a \$70,000 project with The Shire contributing \$20,000 and the MWDC Grant for \$50,000. After the closure of applications, I was approached by the MWDC requesting the Shire adjust its contribution to \$35,000 (i.e. 50% of the estimated project costs).

As the NCZ Internet Project was gaining momentum at the time and there was in-principle support from the local parliamentarians (aligned to the previous State Government) the MWDC suggestion to increase the Shire's contribution from \$20,000 to \$35,000 was not considered appropriate. The 2016/2017 Budget had a total of \$30,000 allocated to internet services i.e.

- \$20,000 – allocated as the Shire's contribution to the MWDC Pilot Project Internet Service; &
- \$10,000 – Allocated to a dedicated internet service.

As previously stated, I worked with the MWDC and various local ICT/ISP organisation in the past (and continue to do so) to determine if a dedicated fixed wireless internet service can be established through new and existing Shire owned infrastructure (i.e. Bushfire Radio Tower) to service the Shire Administration Offices at Nabawa. This would hopefully solve the Shire's internet service being provided solely through the Telstra 4Gx network and hopefully expand into the Shire's agricultural areas to service some constituents in the vicinity of the towers.

At the time, the dedicated fixed wireless was proposed to address the internet service at the Shire administration building only and it was also hoped the infrastructure established for this service could be used to accommodate businesses and residents within proximity and line-of-sight of the proposed towers (e.g. Burnt Barrel, Lavender Farm, Nukarra, etc.). This project has now expanded significantly since then with the main emphasis being to service the broad-acre agricultural areas of the Shires of Chapman Valley & Northampton to enhance the economic viability and sustainability of this important industry.

The alternative to a line-of-sight fixed wireless service is the Satellite NBN (SkyMuster) being advocated by the Commonwealth Government as the internet solution to remote areas of the country. The SkyMuster service is not being portrayed by many Carriers/ISP experts as a satisfactory solution due to high costs to customer, time lags/delays, minimal capacity, capped download/upload speeds and volumes. If a new fixed wireless internet service is established it could complement, or work in conjunction with, the SkyMuster and Mobile 4Gx services.

The concerns I raised at the August 2017 Special Meeting of Council regarding asset ownership and ongoing/recurrent maintenance requirements has been addressed by the State Government stipulating the funds can only go to a recognised Carrier/ISP. This results in the asset belonging to the Carrier/ISP and not the local government. Therefore, removing all responsibility for the ongoing/recurrent maintenance requirements being the Carriers/ISP, not the local government. This is the outcome I have been working towards and the desired result. I wish to applaud this decision made by the State Government and specifically thank Rob Smallwood (MWDC) who has tirelessly advocated this (and numerous other) comments and recommendations at the time the funding guidelines and conditions were being established by the State.

STATUTORY ENVIRONMENT

Local Government Act, 1995

Local Government (Functions & General) Regulations, 1996

POLICY/PROCEDURE IMPLICATIONS

No Policy/Procedure affected.

FINANCIAL IMPLICATIONS

The feeling from discussions on the new proposed fixed wireless internet service is the application may be more favorably looked at by the Minister if there was a cash contribution made by the Shire and/or a third party(s).

Council resolved the following at the August 2017 Special Meeting:

“Endorse the reallocation of \$15,000 in 2017/2018 from the Community Growth Fund as a contribution towards the establishment of a fixed wireless internet service to the Shire of Chapman Valley to cover the Shire's operational requirements and to service as many of the Shire constituents as possible”

As this project has evolved I believe Council needs to revisit this resolution and increase the amount allocated to the project.

At the time, the Shire's contribution towards high speed fixed wireless project was being consider (i.e. August 2017) the total project cost was in the vicinity of \$150,000, with an expectation the State would contribute all (if not almost all) of the funds required. This expectation was not unrealistic at the time as this was being advocated by some close to the State Government. However; since then the State has set the condition of funds provided by the State must be matched 50:50 by the proponent. The proponent's 50% can be made up of cash and/or in-kind. The proponent's contribution can come from other sources (e.g. Shires, Grower Groups, etc.)

As the project has now expanded to cover a much larger area (i.e. Shire's of Chapman Valley & Northampton and even spilling into the Greenough area) the costs have significantly increased. The State Government has set a maximum grant of \$500,000 per project, which needs to be matched by the proponent, including any cash &/or in-kind contribution from the Grower Groups and/or local governments.

Council has an amount of \$5,000 returned to them by the Chapman Valley Harvest Ball group, which they requested this be allocated to the Community Hub Project. In the 207/2018 Budget Council matched this by allocating an additional \$5,000 towards this project (i.e. total budget allocation of \$10,000).

After discussions and consultation with those involved in advocating the establishment of a Community Hub portal there is no interest from anyone to be involved in, or manage the proposed Community Hub. Therefore, this project has lapsed, yet the \$10,000 remains unspent within the 2017/2018 Budget. I am advocating in the Staff Recommendation for these funds be reallocated to the high speed fixed wireless project.

In addition to the above I am also advocating using \$5,000 of the surplus funds we have as a result of achieving a better End-Of-Year (EOY) financial position than Budgeted (i.e. approximately \$100,000 additional funds as at 30/6/2017 as yet unallocated). An Agenda Item will be presented to the March 2018 OCM where a full budget review is to be undertaken, so the intent is to allocate an amount of \$5,000 from the additional surplus in advance to this budget review process.

The aforementioned budget allocations/reallocations will then increase the Shire financial commitment to the project from \$15,000 to \$30,000 in 2017/2018. The same amount we had allocated in the 16/17 Budget, yet did not use, which was subsequently absorbed into the 16/17 EOY financial position for the Shire as this amount was not reallocated in 17/18.

- **Long Term Financial Plan (LTFP):**

There is nothing specifically mentioned in the LTFP regarding the improvement of internet services. However; this is a strong part of the Strategic Community Plan and I do not see the recommended funding allocation to the project having a significant impact on the LTFP.

STRATEGIC IMPLICATIONS

The Shire of Chapman Valley has historically been strong on improving telecommunication services to the community. This was a very strong message from the recent review of the Shire’s Strategic Community Plan. This is also supported by the recently released MWDC Blue Print, which highlights improved telecommunications as one of the Blue Print’s Pillars and a high priority. The Shire of Chapman Valley’s high speed fixed wireless project is also listed as one of the MWDC highest priority project in their Digital Strategy.

- **Strategic Community Plan/Corporate Business Plan:**

Ref	Objective	Strategy	Action
1.3	Maintain and enhance safety and security for the community	Enhance community and property security	Encourage improved communications and security across the Shire
2.2	Provide support for business development and local employment	Encourage digital network development in the Valley	Continue advocating for improvements to existing infrastructure and introduction of new infrastructure for digital communications

CONSULTATION

There has been dialogue over the past two years (or more) between the MWDC, ICT/ISPs and shire staff on how to improve the internet services to the Shire’s Administration in Nabawa. The current Telstra 4Gx service is working; however, there is a need to improve the service and hopefully address some of the poor (or no) services to the Shire’s agricultural areas.

The consultation has also included discussions with the MWDC, local Grower Groups, Shire of Northampton and local ISP organisations to assist with the technical aspects and cost estimate of the internet service project.

RISK ASSESSMENT

It is considered there was a risk in the Shire becoming an Internet Service Provider (ISP) and/or being responsible for the maintenance of assets associated with such a service. However, this risk has now been removed with the State Governments Grant Program Guidelines removing local government involvement in establishing and/or operating the service. Therefore, in this instance I see the risk as being **moderate** i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies

VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION

Council:

1. Reallocate the following funds to the High Speed Fixed Wireless Service Project in addition to the existing \$15,000 already allocated (*SC Minute Reference: 08/17-3*) to bring the Shire's total allocation to this project to \$30,000:
 - i. Opening Surplus at 1/7/17 – Quarantine amount \$ 5,000
 - ii. Discontinue Community Hub Project (COA 0682) \$10,000
2. In the event the \$30,000 funds allocated to the project are not spent in 2017/2018 the full (or any residual) amount be reallocated in 2018/2019 Budget.

- 11.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 12.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**
- 13.0 DELEGATES REPORTS**
- 14.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**
- 15.0 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC**
 - ~ 15.1 – Tender 4 -17/18 – Supply One (1) New Front End Loader
 - ~ 15.2 - Tender 6 – 17/18 Construction of Shire Office Extension
- 16.0 CLOSURE**