

# Special Meeting of Council

## Notice of Meeting | 8<sup>th</sup> September 2020

Dear Councillors

Pursuant to Section 5.5(2) of the Local Government Act 1995 and Regulations of the Local Government (Administration) Regulation 1996, notice is hereby given that a Special Meeting of Council will be held on Tuesday 8<sup>th</sup> September 2020 in the Shire Council Chambers commencing after the Audit & Risk Committee Meeting.

The purpose of the meeting is for Council to consider the Officer's Report on the (1) Wireless Network Proposals and (2) Lease of Council Properties - No.83 (Lot 80) Heal Street and Reserve 28892 Loudon Street.

The Meeting will be closed to the Public under Part 5 Division 2 Section 5.23 (2)(b)(c)(e) of the Local Government Act 1995 as the Item relates to: -

- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal –
  - (i) a trade secret; or
  - (ii) information that has a commercial value to a person; or
  - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;

MEETING AGENDA ATTACHED

Graeme Fardon

**Graeme Fardon**  
**CHIEF EXECUTIVE OFFICER**

Date: 4<sup>th</sup> September 2020

---

### Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any member or officer of the Shire of Quairading during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Quairading. No action should be taken on any item discussed at a Council meeting prior to written advice on the resolution of the Council being received.

Any plans or documents contained in this document may be subject to copyright law provisions (Copyright Act 1968, as amended) and the express permission of the copyright owner(s) should be sought prior to the reproduction

---

# CONTENTS

Agenda Item	Page
ITEM 1      OPENING & ANNOUNCEMENTS .....	3
ITEM 2      ATTENDANCE AND APOLOGIES .....	3
ITEM 3      PUBLIC QUESTION TIME .....	3
ITEM 4      DECLARATIONS OF INTEREST .....	4
ITEM 5      MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING .....	5
5.1      Confidential: Wireless Network Proposals .....	5
5.2      Confidential: Lease of Council Properties - No.83 (Lot 80) Heal Street and Reserve 28892 Louden Street .....	23
ITEM 6      CLOSURE.....	26

# SHIRE OF QUAIRADING

## ITEM 1 OPENING & ANNOUNCEMENTS

---

The Shire President opened the Meeting at \_\_\_\_\_ pm.

"Before we start our Meeting, I would like to acknowledge that we are meeting on Noongar / Ballardong land and we pay respect to the original custodians...past, present and future and welcome you all here today for this Meeting".

## ITEM 2 ATTENDANCE AND APOLOGIES

---

### Councillors

Cr WMF Davies	Shire President
Cr JN Haythornthwaite	Deputy Shire President
Cr BR Cowcill	
Cr JW Haythornthwaite	
Cr JR Hippiisley	
Cr B McGuinness	
Cr PD Smith	
Cr TJ Stacey	

### Council Officers

Mr GA Fardon	Chief Executive Officer
Mr N Gilfellon	Executive Manager of Corporate Services
Mr A Rourke	Executive Manager of Works & Services
Mr RM Bleakley	IPR/Strategic Projects Officer

### Observers/Visitor

Nil.

### Apologies

### Leave of Absence Previously Granted

Nil

## ITEM 3 PUBLIC QUESTION TIME

---

Meeting closed to the public under *Part 5 Division, 2 Section, 5.23 (2)(b)(c)(e) of the Local Government Act 1995*.

## ITEM 4      DECLARATIONS OF INTEREST

---

Councillors to use pro forma declaration of interest handed to Chief Executive Officer prior to meeting or verbal declaration of interest.

- Declarations of Financial Interest – Local Government Act 1995 Section 5.60a
- Declarations of Proximity Interest – Local Government Act 1995 Section 5.60b
- Declarations of Impartiality Interest – Administration Regulations 1996 Section 34c.

## ITEM 5 MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

### 5.1 Confidential: Wireless Network Proposals

<b>Meeting Date</b>	8 <sup>th</sup> September 2020
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	EMCS Nathan Gilfellon
<b>Attachments</b>	(i) Crisp Letter of Support (ii) Crisp Wireless Information Document 2020 (iii) FSG RCP – Memorandum of Understanding (iv) FSG ASX 2020 Annual Report (v) FSG Email 04-09-2020
<b>Owner/Applicant</b>	N/A
<b>Disclosure of Interest</b>	Nil

### OFFICER RECOMMENDATION

**MOVED Cr \_\_\_\_\_ SECONDED Cr \_\_\_\_\_**

Submitted for Council Consideration on the preferred Wireless Network proponent.

**CARRIED \_\_\_ / \_\_\_**

**VOTING REQUIREMENTS – Simple Majority**

### IN BRIEF

- Council received a Presentation from Mr Leigh Ballard, CEO of CRISP Wireless on the 5<sup>th</sup> August 2020.
- The Executive Manager of Corporate Services attended a Briefing from Mr Richard Fear of Field Solutions in Cunderdin on the 18<sup>th</sup> August 2020.
- Both Companies are intending to apply for Funding under the Federal Government's Regional Connectivity Program in October 2020 which totals \$53M.
- Both Companies would also be seeking to access the State Government's Co-Contribution which totals \$10.0M
- Further information has been sought by the EMCS from both Companies
- Information provided is contained in this Report and in the Attachments.
- Telstra have also contacted the Executive Manager of Corporate Services in regard to future network upgrades and that Telstra is concentrating on upgrading existing core fibre (around capacity and generators etc.) as well as 3G to 4G upgrades rather than an expansion of the Network.

### MATTER FOR CONSIDERATION

Council to determine Support in Principle for a Wireless Network Proposal.

## **BACKGROUND**

The Federal Government advises "that the objective of the Regional Connectivity Program is to use a place-based approach to target telecommunications infrastructure investment to provide economic opportunities and improve participation in the digital economy for regional communities and businesses."

### CRISP Wireless

Mr Leigh Ballard of CRISP Wireless met with a number of Councillors and Senior Staff on Wednesday 5<sup>th</sup> August 2020 to give information about the background and future of CRISP Wireless.

This meeting was following the announcement of new funding of \$500,000 from the State Government for a new service to be provided within the Shires of Merredin, Bruce Rock and Narembeen. This was a coordinated approach between CRISP Wireless and the Shires with the Shires providing a contribution of \$30,000 to CRISP Wireless for the construction of the network.

CRISP have provided the following additional information: -

"CRISP Wireless has a full telecommunications license and we have been successfully operating since 2016. We have been successfully delivered fast and reliable internet in regional WA since early 2017 and we are confident in delivering a similar service in your area, having completed preliminary research.

We are proud to be regionally based in the Wheatbelt, in Narrogin and are very focussed and committed to providing faster internet and communications services to regional Western Australia. CRISP has successfully won both federal and state government grant funding which has enabled the expansion of the services across 10 shires in the Wheatbelt in recent years.

CRISP Wireless is delivering faster and reliable internet into 12 regional shires and across almost 25,000 square kilometres. In each instance of rolling out the service, Local Government Authorities have been our first customers which is a testament to the service and speeds provided.

The capital costs for the infrastructure such as the equipment, towers and also the servicing are borne by CRISP Wireless. Local government agencies have been very supportive by contributing cash and in-kind support. The way our pricing structure works is that consumers pay for internet use at a commercial (not inflated) rate, just like people in the city.

We are seeking your support by way of providing a *Letter of Support*.

We have attached a suggested format to make it easy and ask that you add in the date, sign, scan and send the support letter back at your earliest convenience – by the 20<sup>th</sup> of September would be most appreciated thank you, as the grant funding application closes soon after that."

Following the presentation to Council, CRISP have indicated that within the current funding submission they will only look to build a "Skeleton Network".

Further details have been sought from CRISP on which grouping of Councils has been approached to be the basis of their Funding Submission.

It is anticipated that this detail will be provided at the Meeting.

### **Field Solutions Group (FSG)**

- FSG are based in the Eastern States and do not have any networks installed in Western Australia
- Currently in discussions with Councils in the Central Midlands Region and have extended their interest into the Avon / Central Wheatbelt.

- FSG have provided the following information: -
  - The MOU has been designed to be as simple and transparent as possible.
  - The commitment proposed (for both the Avon and Central Midlands) by FSG to develop and submit this application is significant but is done so in good faith on the basis that FSG believes the proposed project is viable (with an appropriate injection of funding from the state and federal governments) and will provide a win-win outcome for everyone involved.
  - There has been concern raised about the section entitled Understanding - Point 6, "...A potential cash and/or in-kind contribution from the individual shires....".
  - As stated in the same section (point 5), it is the intention of FSG (with the support of the shires) to gain as much government (federal and state) and private funding as possible, thus minimising the impost on the shires.
  - If any of the shires are not supportive of the proposal, once the detailed design, engineering and financial modelling has been completed, they are able to withdraw from the project but in order to commit the time and cost associated with preparing the application, FSG requires the exclusive support from the shires.
  - Given the positive feedback received (to date) from the Department of Primary Industries and Regional Development (DPIRD) regarding the areas "targeted" i.e. the Avon and Central Midlands, I am confident of receiving support for the application at both state and federal government levels, recognising the co-contribution funding proposed by the DPIRD will be used to support specific applications made for RCP funding.
  - FSG has had recent and positive discussions with a Tier 1 telco regarding co-contributions for some of the towers (as depicted in the slide deck) which, if successful, further reduces the impost on the shires and increases the viability of the project.
  - The FSG "Capability Statement" (sent previously) highlights the significant "footprint" that FSG covers and showcases its spectrum of services available to people located in rural and regional Australia.
  - As mentioned during the presentation at Cunderdin, the system proposed is robust and scalable. It will be designed to use as many local contractors as possible during the construction phase and where possible, will engage the shires and/or local contractors and/or employed local skilled labour to assist with any future maintenance with the back-up and support of this network being coordinated by myself.
  - FSG have also received the first MOU from the Central Midlands and we met with the broader Innovation Central Midlands team to brief them on the project as well."

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

## **POLICY IMPLICATIONS**

N/A.

## FINANCIAL IMPLICATIONS

Nil in the 2020/2021 Financial Year. There are potential unspecified financial implications for the 2021/2022 Financial Year if a financial contribution is required by Council if the Wireless Project is successful in its bid for Federal Government Funding and accessing the State Government's Co-Contribution Funding.

Both Companies are stating that final costs are unknown at this time and may be of a cash or in-kind nature.

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

### Built Environment Objective: Planning and infrastructure to meet the needs of the community

ITEM	OUTCOMES AND STRATEGIES
B2	Enhanced and Sustainably Managed Assets and Infrastructure
B2.1	Ensure the provision of roads, footpaths and drainage takes into account the needs of the community, including the needs of the agriculture industry
B2.2	Ensure the provision of community facilities and other built assets takes into account the needs of the community

## COMMUNITY CONSULTATION

No Community consultation was required or undertaken in relation to this report.

### RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating is assessed as Medium. Neither agreement will require commitment to pay a Co-contribution in the 2020/2021 Year, however this is expected into the future. There is insufficient financial information to provide an accurate assessment of Risk beyond the current year.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. Council as a Ratepayer and Customer Service organisation requires fast and reliable Internet connection and services. Council and Staff have experienced the poor connectivity for Data and Phones in the District. There is a risk in selecting one Company over the other, where the selected Proponent is not successful in its Application to the Federal and State Governments. FSG are requiring Council to enter into an exclusive MOU.

Operation – Risk Matrix Rating is assessed as Low. It is expected that following an agreement with one party, the Shire will assist in the completion of a Grant submission. This will be by way of helping to show the social and economic improvements from network within the district. This is not expected to impact current Council operations.

Natural Environment – Risk Matrix Rating is assessed as Low. Environmental Impact (if any) of the proposed networks has not been assessed in the preparation of this Report as any Funded Network would have to comply with all Environmental and Government Assessments and Approvals.

## COMMENT

CRISP are seeking only a Letter of Support to progress Council's interest at this time.

FSG appear to have been liaising with a larger number of Councils in the Central Midlands and the Avon Region however require Council participating in the form of an exclusive MOU.

Further feedback has been sought from neighbouring Council's CEO's and the latest information and feedback will be provided to the Meeting.



DRAFT LETTER OF SUPPORT FOR CRISP WIRELESS APPLICATION  
FEDERAL GOVERNMENT - REGIONAL CONNECTIVITY PROGRAM

LOGO

DATE

NAME

RE: BETTER INTERNET CONNECTIVITY FOR THE SHIRE OF QUAIRADING

The Federal Government has announced the ‘Regional Connectivity Program’ grant. We are most pleased to support the CRISP Wireless application for the grant to help support the connectivity issue within our shire.

*The Regional Connectivity Program is to use a place-based approach to target telecommunications infrastructure investment to provide economic opportunities and improve participation in the digital economy for regional communities and businesses. (Source: Regional Connectivity Program grant guidelines, 2020)*

The importance of businesses including primary producers, schools, health centres and residents having fast and secure internet connectivity has been magnified with the effects of COVID19 virus.

CRISP Wireless has a full telecommunications license and has been successfully operating delivering fast and reliable internet in regional WA since early 2017. CRISP are a recognised amongst Local Government Authorities (LGA) as a supplier of superior business grade synchronous service, supplying 10 LGA’s in the Wheatbelt in Western Australia.

CRISP Wireless are regionally based in the Wheatbelt, in Narrogin and are very focussed and committed to providing faster internet and communications services to regional Western Australia. CRISP Wireless is delivering faster and reliable internet into 12 regional shires and across almost 25,000 square kilometres.

The capital costs for the infrastructure such as the equipment, towers and also the servicing are borne by CRISP Wireless. Local government agencies have been very supportive by contributing cash and in-kind support. The way our pricing structure works is that consumers pay for internet use at a commercial (not inflated) rate, just like people in the city.

We would be able to support CRISP Wireless with in-kind support with the waiving of planning fees and marketing support should they be successful with the grant.

WHY better connectivity will be good for ratepayers and residents in Quairading Shire

How better internet and connectivity with the outside world will improve social and economic outcomes in the shire.

We are pleased to offer this *Letter of Support*. We look forward to working with CRISP Wireless in the future should they be successful with the grant application.

Yours Sincerely



The logo for CRISP WIRELESS features a stylized antenna icon at the top, composed of concentric circles in orange and grey. Below this, the word "CRISP" is written in a large, bold, orange sans-serif font. Underneath "CRISP", the word "WIRELESS" is written in a smaller, grey, spaced-out sans-serif font.



W: [www.crispwireless.com.au](http://www.crispwireless.com.au)  
E: [sales@crispwireless.com.au](mailto:sales@crispwireless.com.au)  
T: (08) 6809 2100



## IT'S NOT NBN AND IT'S NOT SATELLITE

CRISP Wireless is a leader in delivering fast and reliable internet deploying high quality point to point, fixed wireless systems and infrastructure which ,have been proven across Australia and in many countries globally.

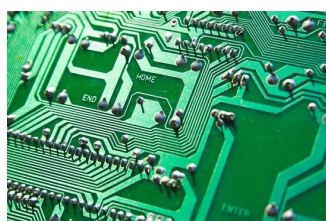
CRISP Wireless reaches across 12 local government areas in Western Australia, broadly speaking this equates to reaching across almost 27,000 square kilometres or 2.7 million hectares.

We reach into the shires of Narrogin, Murray, Waroona, Serpentine-Jarrahdale, Merredin, Mount Marshall, Mukinbudin, Trayning, Nungarin, Koorda, Wyalkatchem and Kellerberrin. Many of these shires are long term CRISP Wireless customers - which is a testament to the services provided. We aim to extend into the Bruce Rock and Narembeen shires by the end of 2020.

CRISP Wireless adheres to all of the necessary licensing, compliance and performance obligations that apply to all licensed telecommunications providers.

As a fully licensed provider, of fast and reliable internet, CRISP Wireless proudly complies with all of the relevant consumer protection and privacy obligations applying to all licensed Australian telecommunication providers.

Many of our customers have told us the CRISP Wireless fast and reliable internet service saves them time and money which translates into less frustration and even better, increased profits - some are enjoying up to 30 % increase in productivity and significantly reduced input costs.



# WHO WE ARE

CRISP Wireless has established itself as an innovator and key strategic supplier in the ISP sector consistently providing fast and reliable internet to our happy customers.

All of our customers receive high quality business grade symmetrical service with low contention rates and low latency, plus we offer customised telecommunications solutions for specific local governments, health centres, community hubs, business and residential customers, plus bespoke solutions in agriculture and across regions.

A clear leader, CRISP Wireless looks beyond the obvious, working on advances in technology, and offering transformational communication solutions to ensure social, economic and environmental sustainability.

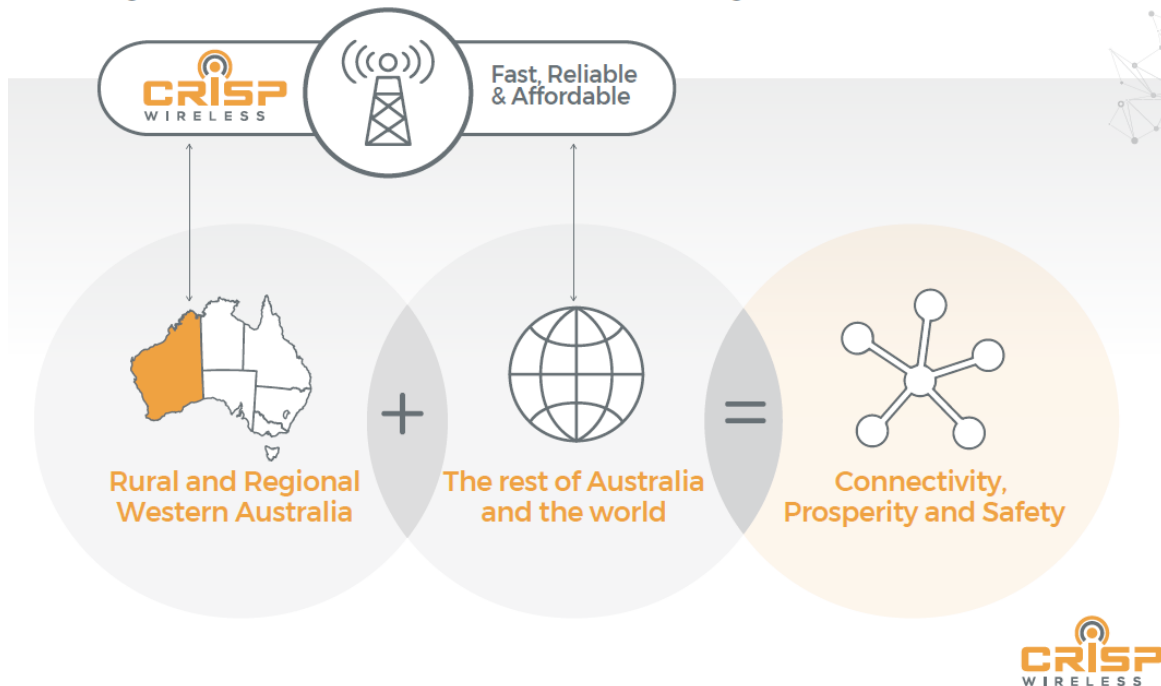
## BENEFITS OF WORKING WITH CRISP WIRELESS

- Customer Focused
- Cost Effective
- Flexibility in Design and Deployment
- Solutions Focused
- Environmentally Sustainable
- Extensive in-house expertise: Technical, Finance; Business; IoT
- Australian based Support Team



# Our Key Goal

Building Connectivity, Prosperity & Safety across Regional Western Australia



## OUR POINT OF DIFFERENCE

CRISP Wireless operates as an independent supplier of fast and reliable internet.

Even in an emergency situation like a fire across an entire district, CRISP customers with their own UPS will be able to stay connected and access reliable internet for up to 72 hours.

Our Data Centres have private off-grid power with a dedicated UPS (uninterrupted power supply). The system acts as its own 'micro-web'.

## CONTACT DETAILS

T: (08) 6809 2100

W: [www.crispwireless.com.au](http://www.crispwireless.com.au)



# The Wireless Wheatbelt Project: Memorandum of Understanding

---

This Memorandum of Understanding (“MOU”), is made and entered into as of [EFFECTIVE DATE].

**BETWEEN:** Field Solutions Group (ASX:FSG) (the “Company”), a corporation organised under the laws of the state of New South Wales, Australia, with its head office located at: 23 Narabang Way, Belrose, NSW, Australia.

**AND:** [PARTY B] (the “Shire”), a corporation organised and existing under the laws of the State of [STATE], with its head office located at [COMPLETE ADDRESS].

## PURPOSE & SCOPE

The purpose of this MOU is to set out the roles and responsibilities of each party as they relate to the exclusive development and submission of an application for funding under the Federal Government’s Regional Connectivity Program (RCP) and the WA State Government’s Co-Contribution Offer for the RCP.

## PREAMBLE

This MOU has been created following engagement from Field Solutions Group with select shires throughout the Western Australian Wheatbelt Region that will benefit from the deployment and operation of advanced Digital Connectivity Solutions in their shires.

This MOU is required as part of the next phase of the project to ensure that all parties required to participate in the successful submission and ongoing operation of the Digital Connectivity solutions have entered into an exclusive agreement with each other for this purpose and have each other’s full endorsement to proceed in good faith and collaboration on developing a truly “game changing” solution for the Wheatbelt Region.

## FIELD SOLUTIONS GROUP (FSG) RESPONSIBILITIES UNDER THIS MOU

1. FSG will be the primary applicant and ultimately responsible for the submission of an application to the RCP and the reciprocal State Government funding mechanism.
2. FSG will provide the necessary resources to design, cost and detail a “fit for purpose” Digital Connectivity Solution for the [PARTY B].
3. FSG will work with the [PARTY B] to ensure that the proposed Digital Connectivity solution, including plans and pricing, aligns with the requirements of the [PARTY B] and its constituents.
4. FSG will provide necessary commitment for matched funding as required by the RCP Guidelines and Reciprocal State Funding program.
5. FSG will commit to the ongoing operation of the Digital Connectivity Solution for a minimum period of 7 Years (as per the requirement of the RCP guidelines).
6. FSG will commit to the ongoing support and expansion of network coverage throughout the broader areas of the region, including that area associated with the [PARTY B] and will do so in collaboration with local entities i.e. businesses and consumers.

## [PARTY B] RESPONSIBILITIES UNDER THIS MOU

1. The [PARTY B] will not enter into other discussions or agreements with another party in regard to funding applications under the RCP or State Government Reciprocal Funding arrangement.
2. The [PARTY B] will provide information in regard to the key merit criteria for the program being the “Social and Economic Benefits” of improved Digital Connectivity in their shire.
3. The [PARTY B] will provide endorsement for the proposed Digital Connectivity solution, **upon consensus by [PARTY B]**.

## TERM

This MOU is effective from the date it is executed by the last party to this MOU and shall remain in full force and effect for 24 months. This MOU will be terminated by either party providing the other party 30 days written notice, which notice shall be delivered by certified mail to the address of the other party.

## UNDERSTANDING

1. The primary objective of the proposed Digital Connectivity Solution is to provide Enterprise, Business & Consumer Fixed Wireless Broadband services to the specified population centres of the Wheatbelt.
2. FSG's proposed solution involves the deployment and operation of Fixed Wireless Broadband **Infrastructure, recognising that** FSG can provide additional value-added services to the [PARTY B] through its existing capabilities, **if required**.
3. FSG has a strong collaboration with Tier 1 Telecommunications Companies and is leveraging these relationships to provide a holistic broad scale digital connectivity solution to the Western Australian Wheatbelt.
4. FSG is collaborating with various other entities in regard to providing value added outcomes for the Wireless Wheatbelt Project including but not limited to:
  - 4.1. The Blue Tree Project
  - 4.2. Optus™
  - 4.3. Nbn™
5. Funding for the application will be pursued on the basis that the “bulk” of Co-Contribution funding required under the RCP program is gained from the reciprocal state funding.
6. **An additional co-contribution may be required in the form of cash or in-kind from the [PARTY B] subject to the co-contribution requirements being acceptable to [PARTY B].**
7. **The funding strategy for this project is to endeavour to minimise the financial impost on [PARTY B].**

## Entirety of Agreement

This MOU, consisting of 4, pages, represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations and agreements, whether written or oral.

## Third Party Beneficiary Rights

The parties do not intend to create in any other individual or entity the status of a third-party beneficiary, and this MOU shall not be construed so as to create such status. The rights, duties and obligations contained in this MOU shall operate only between the parties to this MOU, and shall inure solely to the benefit of the parties to this MOU. The provisions of this MOU are intended only to assist the parties in determining and performing their obligations under this MOU. The parties to this MOU intend and expressly agree that only parties signatory to this MOU shall have any legal or equitable right to seek to enforce this MOU, to seek any remedy arising out of a party's performance or failure to perform any term or condition of this MOU.



**Executed by Field Solutions Group (FSG)**

SIGNED SEALED AND DELIVERED by Field Solutions Group Pty Ltd ABN: 62 155 490 074

.....

Signature of Director

in the presence of:

.....

Signature of Witness

.....

Name of Director

.....

Name of Witness

**Executed By [PARTY B]**

SIGNED SEALED AND DELIVERED by [insert name, ABN and ACN if applicable] in the presence of:

.....

Signature of Director

.....

Signature of Witness

.....

Name of Director

.....

Name of Witness

## Nathan Gilfellow

---

**From:** Graeme Fardon  
**Sent:** Friday, 4 September 2020 1:55 PM  
**To:** Nathan Gilfellow  
**Subject:** FW: Avon Valley - Wireless Wheatbelt Communications Pack  
**Attachments:** FSG ASX 2020 Annual Report.pdf; FSG RCP - Memorandum of Understanding - V3.2.docx

Latest in

Regards

**Graeme Fardon**

CHIEF EXECUTIVE OFFICER

T: 9645 2400 | M: 0429 451 001 | E: [ceo@quairading.wa.gov.au](mailto:ceo@quairading.wa.gov.au)

PO Box 38, 10 Jennaberring Road, Quairading WA 6383



[www.quairading.wa.gov.au](http://www.quairading.wa.gov.au)

---

**From:** Richard Fear [mailto:[richard.fear@fieldsolutions-group.com](mailto:richard.fear@fieldsolutions-group.com)]

**Sent:** Friday, 4 September 2020 1:49 PM

**To:** Peter Bentley <[ceo@goomalling.wa.gov.au](mailto:ceo@goomalling.wa.gov.au)>; [ceo@tammin.wa.gov.au](mailto:ceo@tammin.wa.gov.au); [ceo@dowerin.wa.gov.au](mailto:ceo@dowerin.wa.gov.au); [ceo@cunderdin.wa.gov.au](mailto:ceo@cunderdin.wa.gov.au); Graeme Fardon <[ceo@quairading.wa.gov.au](mailto:ceo@quairading.wa.gov.au)>; [ceo@york.wa.gov.au](mailto:ceo@york.wa.gov.au); [ceo@beverley.wa.gov.au](mailto:ceo@beverley.wa.gov.au)

**Cc:** Steve Mason <[steve@cmcwa.net.au](mailto:steve@cmcwa.net.au)>; Andrew Roberts <[andrew.roberts@fieldsolutions-group.com](mailto:andrew.roberts@fieldsolutions-group.com)>; Philippe Benoliel <[philippe.benoliel@fieldsolutions-group.com](mailto:philippe.benoliel@fieldsolutions-group.com)>

**Subject:** Re: Avon Valley - Wireless Wheatbelt Communications Pack

Afternoon All,

It's been another busy week and you've provided us some valuable feedback in regard to the Wireless Wheatbelt Project and the MOU.

Regarding the MOU, after further discussions we've included additional clauses and amendments to the wording in "Understandings" to clearly indicate that any financial contribution under the project will be made purely at the discretion and approval of the Shire.

To update everyone on our timeline of having the MOU in place by the 11/09, we have not received an executed MOU back from any of the Avon Valley Shires as of 13:20 today.

The MOU is a key piece of the project strategy as the power of a consolidated and collective approach for Digital Connectivity Solutions for the Avon will not only play a significant role in our discussions with the State and Federal Government Funding Programs but will also ensure that a truly superior solution can be rolled out across the region. The power and success of this project and accompanying submission will be underpinned by each individual shires commitment and support for a solution that benefits not only your shire but the broader Avon community.

Further to this we have been engaging with the state in regards to the \$10M RCP Co-Funding Program that they've announced and we have been informed that we need to have a completed submission by the 2<sup>nd</sup> of October for their official consideration and endorsement prior to the 20<sup>th</sup> October Deadline for the RCP Program.

Following an engaging conversation I had earlier today in regards to clarifying what FSG does and who we are, I wanted to take the opportunity to provide a bit more information on that aspect of our proposal, to recap:

- We are a full service ICT and Internet Service Provider and are proud to call ourselves Australia's Leading Rural, Regional, and Remote ISP.
- We have built and operate our own infrastructure extensively across Regional QLD and NSW with network assets that provide >80,000sqkm of coverage making us the largest Non-NBN Fixed Wireless Network in Australia.
- The company and these networks are supported by established on-shore teams today, we're proudly 100% Australian.
- We're the first and only carrier to be awarded funding under the Federal Governments Mobile Blackspot Program outside Telstra, Optus, and Vodafone.
- We have just released our Annual Report to the ASX (which I have attached for your review) that outlines the scale, success and ambitions of the organisation.
- I've also included links to some interesting public announcements that have been made in regards to major developments for the organisation:
  - <https://www.asx.com.au/asxpdf/20200421/pdf/44h3ny3szv9kbz.pdf>
  - <https://www.asx.com.au/asxpdf/20200722/pdf/44kr61nrv40p14.pdf>
  - <https://themarketherald.com.au/188986-2020-05-07/>
  - <https://www.crn.com.au/news/telco-field-solutions-group-makes-double-acquisition-531709>
  - <https://www.arnnet.com.au/article/621448/field-solutions-group-stumps-up-1-5m-regional-telco/>
  - <https://www.arnnet.com.au/article/620108/field-solutions-acquires-wireless-network-player-regional-push/>

Please, as always, do not hesitate to reach out to me directly for additional information or clarifications on FSG or the Wireless Wheatbelt Project.

Kind Regards

**Richard Fear | Head of R.A.N (Regional Australia Network)**



m + 61 434 781 877 | [www.fieldsolutions-group.com](http://www.fieldsolutions-group.com)

The information in this email is confidential. If you are not the intended recipient, please do not use or disseminate this email or the information in it and please promptly alert us then destroy all copies of this email and all information therein. The information in this email remain the Intellectual Property and Copyright of Field Solutions Pty Ltd. This email and information therein must not be altered or transferred without the written approval of Field Solutions.

**From:** Richard Fear <[richard.fear@fieldsolutions-group.com](mailto:richard.fear@fieldsolutions-group.com)>

**Date:** Monday, 31 August 2020 at 6:29 pm

**To:** Peter Bentley <[ceo@goomalling.wa.gov.au](mailto:ceo@goomalling.wa.gov.au)>, "[ceo@tammin.wa.gov.au](mailto:ceo@tammin.wa.gov.au)" <[ceo@tammin.wa.gov.au](mailto:ceo@tammin.wa.gov.au)>, "[ceo@dowerin.wa.gov.au](mailto:ceo@dowerin.wa.gov.au)" <[ceo@dowerin.wa.gov.au](mailto:ceo@dowerin.wa.gov.au)>, "[ceo@cunderdin.wa.gov.au](mailto:ceo@cunderdin.wa.gov.au)" <[ceo@cunderdin.wa.gov.au](mailto:ceo@cunderdin.wa.gov.au)>, "[ceo@quairading.wa.gov.au](mailto:ceo@quairading.wa.gov.au)" <[ceo@quairading.wa.gov.au](mailto:ceo@quairading.wa.gov.au)>, "[ceo@york.wa.gov.au](mailto:ceo@york.wa.gov.au)" <[ceo@york.wa.gov.au](mailto:ceo@york.wa.gov.au)>, "[ceo@beverley.wa.gov.au](mailto:ceo@beverley.wa.gov.au)" <[ceo@beverley.wa.gov.au](mailto:ceo@beverley.wa.gov.au)>

**Cc:** Steve Mason <[steve@cmcwa.net.au](mailto:steve@cmcwa.net.au)>, Andrew Roberts <[andrew.roberts@fieldsolutions-group.com](mailto:andrew.roberts@fieldsolutions-group.com)>, Philippe Benoliel <[philippe.benoliel@fieldsolutions-group.com](mailto:philippe.benoliel@fieldsolutions-group.com)>

**Subject:** Re: Avon Valley - Wireless Wheatbelt Communications Pack

Evening All,

I just wanted to follow up on this communique in light of some feedback we've received over the past week.

Please find attached an updated version of the MOU with adjustments in **BOLD** writing that should clarify the intent of the agreement.

In regards to the feedback received this week I wanted to take the opportunity to raise the points below, to align the conversations being had across the entire group:

- The MOU has been designed to be as simple and transparent as possible.
- The commitment proposed (for both the Avon and Central Midlands) by FSG to develop and submit this application is significant but is done so in good faith on the basis that FSG believes the proposed project is viable (with an appropriate injection of funding from the state and federal governments) and will provide a win-win outcome for everyone involved.
- There has been concern raised about the section entitled Understanding - Point 6, "*...A potential cash and/or in-kind contribution from the individual shires...*".
  - As stated in the same section (point 5), it is the intention of FSG (with the support of the shires) to gain as much government (federal and state) and private funding as possible, thus minimising the impost on the shires.
- If any of the shires are not supportive of the proposal, once the detailed design, engineering and financial modelling has been completed, they are able to withdraw from the project but in order to commit the time and cost associated with preparing the application, FSG requires the exclusive support from the shires.
- Given the positive feedback received (to date) from the Department of Primary Industries and Regional Development (DPIRD) regarding the areas "targeted" i.e. the Avon and Central Midlands, I am confident of receiving support for the application at both state and federal government levels, recognising the co-contribution funding proposed by the DPIRD will be used to support specific applications made for RCP funding.

- FSG has had recent and positive discussions with a Tier 1 telco regarding co-contributions for some of the towers (as depicted in the slide deck) which, if successful, further reduces the impost on the shires and increases the viability of the project.
- The FSG “Capability Statement” (sent previously) highlights the significant “footprint” that FSG covers and showcases its spectrum of services available to people located in rural and regional Australia.
- As mentioned during the presentation at Cunderdin, the system proposed is robust and scalable. It will be designed to use as many local contractors as possible during the construction phase and where possible, will engage the shires and/or local contractors and/or employed local skilled labour to assist with any future maintenance with the back-up and support of this network being coordinated by myself.
- We have also received the first MOU from the Central Midlands and we met with the broader Innovation Central Midlands team this afternoon to brief them on the project as well.

If you have any other queries or clarification please feel free to contact myself directly (0434 781 877) re: the MOU or any aspect of the project proposal. Please also feel free to contact Steve Mason (0438 825 555) re: Innovation Central Midlands and its perspective on the project proposed for the Central Midlands.

Kind Regards

**Richard Fear | Head of R.A.N (Regional Australia Network)**



m + 61 434 781 877 | [www.fieldsolutions-group.com](http://www.fieldsolutions-group.com)

The information in this email is confidential. If you are not the intended recipient, please do not use or disseminate this email or the information in it and please promptly alert us then destroy all copies of this email and all information therein. The information in this email remain the Intellectual Property and Copyright of Field Solutions Pty Ltd. This email and information therein must not be altered or transferred without the written approval of Field Solutions.

---

**From:** Richard Fear <[richard.fear@fieldsolutions-group.com](mailto:richard.fear@fieldsolutions-group.com)>

**Date:** Monday, 24 August 2020 at 6:14 pm

**To:** Peter Bentley <[ceo@goomalling.wa.gov.au](mailto:ceo@goomalling.wa.gov.au)>, "[ceo@tammin.wa.gov.au](mailto:ceo@tammin.wa.gov.au)" <[ceo@tammin.wa.gov.au](mailto:ceo@tammin.wa.gov.au)>, "[ceo@dowerin.wa.gov.au](mailto:ceo@dowerin.wa.gov.au)" <[ceo@dowerin.wa.gov.au](mailto:ceo@dowerin.wa.gov.au)>, "[ceo@cunderdin.wa.gov.au](mailto:ceo@cunderdin.wa.gov.au)" <[ceo@cunderdin.wa.gov.au](mailto:ceo@cunderdin.wa.gov.au)>, "[ceo@quairading.wa.gov.au](mailto:ceo@quairading.wa.gov.au)" <[ceo@quairading.wa.gov.au](mailto:ceo@quairading.wa.gov.au)>, "[ceo@york.wa.gov.au](mailto:ceo@york.wa.gov.au)" <[ceo@york.wa.gov.au](mailto:ceo@york.wa.gov.au)>, "[ceo@beverley.wa.gov.au](mailto:ceo@beverley.wa.gov.au)" <[ceo@beverley.wa.gov.au](mailto:ceo@beverley.wa.gov.au)>

**Cc:** Steve Mason <[steve@cmcwa.net.au](mailto:steve@cmcwa.net.au)>, Andrew Roberts <[andrew.roberts@fieldsolutions-group.com](mailto:andrew.roberts@fieldsolutions-group.com)>, Philippe Benoliel <[philippe.benoliel@fieldsolutions-group.com](mailto:philippe.benoliel@fieldsolutions-group.com)>

**Subject:** Avon Valley - Wireless Wheatbelt Communications Pack

Hi All,

Thank you for your participation in our proposal last week, we hope that you enjoyed the presentation and see as much value in these ambitions as we do.

Please find attached a Communications Pack containing relevant documentation regarding the proposal including the MOU we are requesting as part of the next phase of the project.

We are aiming to have all MOU in place by the 11/09 to allow us the runway needed to ensure this project funding request is successful.

Please reach out if you would like to clarify anything further in regards to this content and the project.

We're excited and looking forward to working with you to bridge the digital divide.

Kind Regards

**Richard Fear | Head of R.A.N (Regional Australia Network)**



m + 61 434 781 877 | [www.fieldsolutions-group.com](http://www.fieldsolutions-group.com)

The information in this email is confidential. If you are not the intended recipient, please do not use or disseminate this email or the information in it and please promptly alert us then destroy all copies of this email and all information therein. The information in this email remain the Intellectual Property and Copyright of Field Solutions Pty Ltd. This email and information therein must not be altered or transferred without the written approval of Field Solutions.

## 5.2 Confidential: Lease of Council Properties - No.83 (Lot 80) Heal Street and Reserve 28892 Louden Street

<b>Meeting Date</b>	8 <sup>th</sup> September 2020
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	CEO Graeme Fardon
<b>Attachments</b>	Nil
<b>Owner/Applicant</b>	N/A
<b>Disclosure of Interest</b>	Nil

### OFFICER RECOMMENDATION

**MOVED Cr \_\_\_\_\_ SECONDED Cr \_\_\_\_\_**

That Council: -

1. Support the Concessional Rent of \$210.00 (incl. GST) per Week for the remainder of the Term of the 12 months Lease for Mr John Greenwood on the Factory Unit located at No.83 (Lot 80) Heal Street.
2. Endorse the Chief Executive Officer's actions of offering tenancy of the Old Drive-In Site on Reserve 28892, Louden Street to the Hospital Auxiliary Op Shop for an Annual Lease Fee of \$250.00 (inc GST).
3. Authorise the Chief Executive Officer to prepare and execute the Lease documents with Mr Greenwood of CWB Electrical for No. 83 Heal Street and Mrs Kathy Hudson of the Hospital Auxiliary Op Shop for the Old Drive-In Site (Reserve No 28892) on Louden Street.

**CARRIED \_\_\_/\_\_\_**

### VOTING REQUIREMENTS – Simple Majority

#### IN BRIEF

- Council at its Special Meeting on the 11<sup>th</sup> August 2020 resolved to support the relocation of Mr John Greenwood of CWB Electrical to the Factory Unit located at No. 83 (Lot 80) Heal Street and continuation of the Lease (12 Months).
- Mr Greenwood has sought a Concessional Rent of \$210.00 (inc GST) per Week based on No 83 Heal Street having a smaller floor space than No. 81 Heal Street, disturbance of having to relocate and also that the Factory Unit does not have a Hot Water System installed.
- Council has granted a Concessional Rental of \$210.00 per Week (including GST) to Farmarama Pty Ltd for the first 12 months of the tenancy of No. 81 Heal Street.
- Mr Greenwood was not offered the Concessional Rent in his first 12 months of trading from the Factory Unit at 81 Heal Street.
- In preparation for Mr Greenwood's occupancy of the Factory Unit, it was necessary to seek an alternative location for the volunteer run Op Shop. Floor space within the Main Street Precinct was not achieved within the timeframe available and the Chief Executive Officer (CEO) has negotiated and approved the use of the disused Drive-In Site Building for the operation of the Op Shop.
- All proceeds of the Volunteer Op Shop are directed towards the Quairading Hospital Auxiliary with the funds going towards the operation of the Community Medical Transport Car and to fund the Changeover Cost when the vehicle is replaced.

## **MATTER FOR CONSIDERATION**

Council to consider Concessional Rent for Mr John Greenwood (CWB Electrical) -Factory Unit at No. 83 Heal Street and endorse the Hospital Auxiliary Op Shop's move to the Old Drive-In Site on Reserve 28892 Loudon Street.

## **BACKGROUND**

The Hospital Auxiliary Op Shop were granted Rent free occupancy of the Council Factory Unit at No. 83 Heal Street a number of years ago on the basis that they would have to vacate the Factory Unit if Council had a Commercial Use for the premises.

Mr John Greenwood took up tenancy of Council's Factory Unit at No. 81 Heal Street for 12 months from the 1<sup>st</sup> July 2019 and has recently renewed the Lease for a further 12 months.

Mr Greenwood advised the CEO that he was agreeable to relocate to No. 83 Heal Street to facilitate Farmarama Pty Ltd commencing business in No.81 Heal Street.

## **STATUTORY ENVIRONMENT**

Section 3.58 Local Government Act 1995

In summary, Leasing of Council Property is defined as a "Disposal of Property" under Section 3.58 of the LG Act.

Local Government (Functions and General) Regulations 1996 Reg 30

Regulation 30 provides Exemptions from the need to obtain a Sworn Valuation for Market Rental and for the Proposal to be advertised in a newspaper circulating in the District prior to Council deciding to enter into the Lease.

One of these exemptions is for the Lease period to be less than 2 years and for the Tenant not to have exclusive use of the land.

A further exemption is provided for where land is disposed of to a body, whether incorporated or not –

- (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
- (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

## **POLICY IMPLICATIONS**

### **Council's Delegation Register**

The CEO has Delegated Authority on the Disposal of Council property (Delegation Reference A.13) in accordance with Section 3.58 of the Local Government Act on the Condition that the disposition is in Council's Adopted Annual Budget.

The Matter has been referred to Council for the granting of a Concessional Rent for the remainder of Mr Greenwood's 12 Months Lease of the Factory Unit at 83 Heal Street.

The CEO has used the Delegated Authority to approve the use of the Old Drive-In Site by the local Charitable Group.

## **FINANCIAL IMPLICATIONS**

It is envisaged that there will be minor building maintenance expenditure on the Factory Unit and the Old Drive-In building which will be within Council's Building Maintenance Budget Provision. The Op Shop Volunteers have already commenced the clean-up of the Old Drive-In Building and Surrounds.



Council will receive additional Rental Income by having both Factory Units let to Commercial enterprises and a nominal Annual Rental on the Old Drive-In Site which will cover Utilities consumed.

### **STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027**

#### **Economic Objective: Growing economy and employment opportunities**

<b>ITEM</b>	<b>OUTCOMES AND STRATEGIES</b>
ED1	Economic diversity and resilience
ED1.1	Economic and tourism development

### **COMMUNITY CONSULTATION**

Consultation has taken place with Mr John Greenwood of CWB Electrical and Mrs Kathy Hudson of the Hospital Auxiliary Op Shop.

No broader Community Consultation undertaken during the preparation of this Report.

### **RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.**

Financial – Risk Matrix Rating assessed as Low. It is envisaged that there will be minor building maintenance expenditure on the Factory Unit and the Old Drive- In Site which will be within Council's Building Maintenance Budget Provisions.

The CEO granted approval for the Op Shop Volunteers to clean out the Drive In Building and Site and the building and surrounds have proven suitable for their Activity.

Council will receive additional Rental Income by having both Factory Units let to Commercial enterprises and the Op Shop has committed to pay an Annual Lease Payment of \$250 to offset utilities consumed.

Health - Risk Matrix Rating assessed as Low

Reputation – Risk Matrix Rating of Low. The movement in the tenancies of the Factory Units has come as a direct result of Farmarama Pty Ltd's Expression of Interest of commencing Business at Council's Factory Unit located at 81 Heal Street.

Council's Strategy of encouraging new businesses to Town is met while accommodating the existing business and also the Community Group's activities of local charitable fundraising.

Operation – Risk Matrix Rating assessed as Low. It is considered that the Proposal will not have any adverse effect upon Council's operations.

Natural Environment – Risk Matrix Rating assessed as Low.

## ITEM 6 CLOSURE

---

There being no further business, the Chairman closed the Meeting at \_\_\_\_\_ pm.