

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
21 AUGUST 2024

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 5.33pm

The Shire of Moora acknowledges the traditional custodians of the land we are meeting on, the Yued people, and pay our respects to Elders past, present, and emerging.

1.2 DISCLAIMER READING

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

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

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

ATTENDANCE

TL Lefroy	-	President
SJ Gilbert	-	Deputy President
DV Clydesdale-Gebert	-	Councillor
SA Bryan	-	Councillor
TL Errington	-	Councillor
TW Dugan	-	Councillor
KM Seymour	-	Councillor (from 5.40pm via electronic means)

The President advised members that Cr Seymour had sought approval to attend the meeting via electronic means from the United Kingdom. WALGA provided advice confirming Cr Seymour's attendance by electronic means was permissible.

GW Robins	-	Chief Executive Officer
MM Murray	-	Executive Support Officer

PUBLIC

Mr Malcolm Blythe

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Mr Blythe provided Council with a senate report entitled *Senate Inquiry: The Social Impact of Rural Wind Farms* dated February 2011. Although not asking a specific question, Mr Blythe was granted leave to express his concern for the need to preserve the right of community members to the quiet

enjoyment and amenity of their property, wherever they may live in the Shire. He said appropriate setbacks were critical to the preservation of the amenity and quiet enjoyment of land holdings.

5. **PETITIONS / DELEGATIONS / PRESENTATIONS**

Nil

6. **APPLICATIONS FOR LEAVE OF ABSENCE**

The Shire President announced that written requests for Leave of Absence had been received from:

- Cr Denise Clydesdale-Gebert for the meetings of Council to be held for the period 16 October to 6 November 2024 inclusive; and
- Cr Tracy Lefroy for the Ordinary meeting of Council scheduled to be held on 18 September 2024.

COUNCIL RESOLUTION

59/24 Moved Cr Bryan, seconded Cr Gilbert that leave of absence be granted to; Cr Denise Clydesdale-Gebert for the meetings of Council to be held for the period 16 October to 6 November 2024 inclusive; and Cr Tracy Lefroy for the Ordinary meeting of Council to be held on 18 September 2024.

CARRIED 6/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Bryan, Errington, and Dugan

7. **ANNOUNCEMENTS BY THE PRESIDING MEMBER**

The following Council associated engagements were attended;

Cr Lefroy, President

- 22/7 Rural Water Council meeting
- 26/7 Bringing Dowerin downtown luncheon as a panel speaker, Perth
- 31/7 meeting concerning Aboriginal Men's Group, with Iluka representatives
- 2/8 WALGA Mayors and Presidents Forum, Perth
- 2/8 meeting with Jai Thomas – Deputy Director General Energy WA
- 2/8 WALGA Awards night, Perth
- 7/8 Officiated a Citizenship Ceremony, Moora
- 13/8 Official opening of Moora Hospital 'Serenity Garden'
- 20/8 Teams meeting with Minister McBain's office re potential visit

Cr Errington

- 23/7 Chamber of Commerce AGM, elected as Shire representative

At 5.40pm Cr Seymour joined the meeting via electronic means.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY COUNCIL MEETING - 17 JULY 2024****COUNCIL RESOLUTION**

60/24 Moved Cr Errington, seconded Cr Clydesdale-Gebert that the Minutes of the Ordinary Meeting of Council held on 17 July 2024 be confirmed as a true and correct record of the meeting.

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

9. REPORTS OF OFFICERS**9.1 GOVERNANCE AND CORPORATE SERVICES****9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.15****REPORT DATE:** 13 August 2024**OFFICER DISCLOSURE OF INTEREST:** Nil**AUTHOR:** Gavin Robins, Chief Executive Officer**SCHEDULE PREPARED BY:** Charlene Sawyer, Creditors Officer**ATTACHMENTS:** Accounts Paid Under Delegated Authority**PURPOSE OF REPORT**

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

BACKGROUND

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

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

POLICY REQUIREMENTS

Delegation 1.15 – Making Payments from Municipal and Trust Funds

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 - Section 6.10

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

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS**➤ Environment**

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

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

FINANCIAL IMPLICATIONS

Payments are in accordance with the adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

61/24 Moved Cr Dugan, seconded Cr Errington that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.15

Municipal Funds	EFT31752-31877	-\$790,557.44
Municipal Cheque	62624-62627	-\$4,365.00
Credit Card	DD16272.1	-\$3,156.68
Direct Debit	DD16232.11-DD16304.13	-\$127,713.80
NETT Pay	02/07/2024	-\$105,641.84
NETT Pay	16/07/2024	-\$102,557.57
NETT Pay	30/07/2024	-\$100,753.01

PAYMENT TOTAL FOR JULY 2024 **-\$1,234,745.34**

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 JUNE 2024

REPORT DATE: 5 August 2024

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Travis Bate, Financial Accountant (RSM Australia)

ATTACHMENTS: Statement of Financial Activity for the Period Ended 30 June 2024

PURPOSE OF REPORT

To receive and endorse the Statement of Financial Activity for the period ended 30 June 2024.

BACKGROUND

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

COMMENT

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

POLICY REQUIREMENTS

Nil

LEGISLATIVE REQUIREMENTS

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS

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

SUSTAINABILITY IMPLICATIONS➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS

Year to date income and expenditure is provided by program to enable comparison to 2023/24 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

62/24 Moved Cr Gilbert, seconded Cr Bryan that Council endorses the Statement of Financial Activity for the period ended 30 June 2024.

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

9.1.3 WRITE-OFF UNRECOVERABLE DEBTS

FILE REFERENCE: F/SUDI-4

REPORT DATE: 15 August 2024

APPLICANT/PROPONENT: Shire of Moora

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Geize Teixeira, Manager Financial Services

ATTACHMENTS: Nil

PURPOSE OF REPORT:

The purpose of this report is to provide information that supports the write-off of rates and service charges outstanding for assessments listed below. It is recommended that Council approve the write-off of monies totalling an amount of \$20,491.25, pursuant to section 6.12 (1)(c) of the Local Government Act 1995.

Assess #	Lot Number	Property Description	PREVIOUS OWNER	CURRENT TITLED OWNER	Write Off \$Amount
A6140	Gardiner Street MOORA	Vacant Land	ROBINSON. Jane	STATE OF WA	\$ 19,850.23
A6615	Exploration Licence		COVENTRY ENTERPRISES PTY LTD & John MINT	None	\$ 35.24
A6647	Exploration Licence		META-FINTECH AUSTRALIA PTY LTD	None	\$ 605.78
					\$ 20,491.25

BACKGROUND:

A6140 – Gardiner Street – Moora – \$19,850.23

The Shire has made efforts to recover this debt for over 10 years through legal means, unfortunately unable to collect the outstanding amounts. The land was reverted to the Crown in November 2021, and as a result, all arrears associated with it are to be written off.

A6615 – Exploration Licence – \$35.24

The tenement lapsed as of 17 July 2023. The portion of debt from 1 July 2023 to 17 July 2023 is considered unrecoverable from the then-current tenement holders.

A6647 – Exploration Licence – \$605.78

The tenement lapsed as of 13 August 2023. The portion of debt from 31 August 2022 to 30 June 2023 is considered unrecoverable from the then-current tenement holders.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 6.12

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

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

STRATEGIC IMPLICATIONS:

Outcome 5.5 – Ensure effective and efficient corporate and administrative services.

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL IMPLICATIONS:

Writing off the outstanding balances will result in an uncollected amount of \$20,491.25, which was previously invoiced. This will, in turn, reduce the Shire's net cash position by this amount.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

63/24 Moved Cr Gilbert, seconded Cr Clydesdale-Gebert that Council agrees to write off the debtor balances as noted, totalling \$20,491.25.

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

At 5.43pm Cr Lefroy declared an indirect financial interest in item 9.1.4 as she has signed a land exclusivity agreement to potentially host wind turbines and left the meeting.

Deputy President Cr Gilbert assumed the Chair.

9.1.4 RENEWABLE ENERGY FACILITIES, ASSOCIATED TRANSMISSION AND STORAGE INFRASTRUCTURE AND FUTURE TECHNOLOGIES POLICY AND COMMUNITY BENEFIT POLICY

FILE REFERENCE: ED/RENI &**REPORT DATE:** 15 August 2024**APPLICANTS/PROPONENT:** Shire of Moora**OFFICER DISCLOSURE OF INTEREST:** Nil**PREVIOUS MEETING REFERENCES:** Nil – Initiating document**AUTHOR:** Gavin Robins, Chief Executive Officer**ATTACHMENTS:** Renewable Energy Facilities, Associated Transmission and Storage

Infrastructure and Future Technologies – Community Benefit Fund

Community Benefit Fund Advisory Committee – Terms of Reference

PURPOSE OF REPORT

The purposes of this paper are to:

- i highlight the emergence and proliferation of renewable energy projects in the Shire of Moora and their immense impact on the community;
- ii. highlight the importance of community benefit funds in delivering genuine fair benefits to communities as a result of disproportionately large and disruptive projects by establishing priorities, order and structure in relationships with developers;

and recommend the endorsement of the;

- A. Renewable Energy Facilities, Associated Transmission and Storage Infrastructure and Future Technologies Policy; and
- B. Community Benefit Fund Policy.

BACKGROUND

Large scale development projects including renewable energy, minerals exploration and extraction and commercial initiatives are occurring in the Moora region because developers have recognised the prospective developmental qualities of the region. Developments by these industries will be disruptive and will place heavy loads on existing infrastructure and community resources. Significantly, in their current form, they will potentially create little, or only selective benefit to the community.

The establishment of a renewable energy facilities, associated transmission and storage infrastructure and future technologies policy is essential to create and enable an administrative and governance framework that authorises Council to enter agreements with developers proposing to establish any of the current or future renewable technologies within the Shire of Moora.

The authority establishing the Shire's power to make agreements and provide development approvals for the range of renewable energy developments that may be undertaken in the Shire is contained in Shire of Moora Local Planning Scheme No 4 (LPS 4). This authority is supplemented by the *Planning and Development Act 2005*, *Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)* and *DPLH Position Statement: Renewable Energy Facilities (March 2020)* and the *Department of Planning Lands and Heritage*

Although lacking specific reference to the broad span of renewable energy developments in the current market, the Shire of Moora Local Planning Scheme No 4 (LPS 4), when combined with the powers contained in other legislation, is applicable to renewable energy projects that may occur in the Shire.

Ideally, the Shire of Moora Local Planning Scheme No 4 (LPS 4) would contain within its relevant structure, the framework necessary to assess and determine development applications in their entirety without the use of any other instrumental framework.

The policy as recommended creates the contemporary frameworks necessary to enable the Shire of Moora Local Planning Scheme No 4 (LPS 4) to be applied in its entirety to the assessment and approval of Development Applications that seek approval for renewable energy projects.

The policy will create the framework and mechanisms that enable the Shire to enter negotiations with renewable energy developers to establish developer agreements as part of the development approval process. An endorsement of the policy will provide the Shire with the capacity to negotiate community benefit arrangements with developers subsequent to the granting of a development approval.

It should be noted that developer agreements in Western Australia are not enforceable; unlike other states and territories of the commonwealth, the state of Western Australia does not require renewable energy developers to commit to a developer agreement and community benefit fund as part of a mandatory renewable energy licencing process.

This is a significant point as any developer acting under agreement made in the absence of an enforceable framework but struck in good faith efforts to be a good corporate citizen, could be abandoned by the developer without repercussion.

The second part of the policy recommendation relates to the Community Benefit Fund Policy. The Community Benefit Fund policy governs the Fund that is established under the terms of the Developer Agreement. It involves establishing a structure that shares project benefits with host communities. It aims to sustainably integrate these projects into local communities by contributing to the community's growth, cohesion, resilience, and longevity.

Generally, the projects addressed by this policy are considered to be of state significance and will allocate funds towards a nominated community benefit program. Funds can be distributed in many ways, but primarily by investing in the future of legacy projects, those projects that would not have been possible to fund if it had not been for the opportunity arising from the renewable energy project. Other options may include long-term funding partnerships or opportunities for co-ownership or investment.

While the proponent of project (there may be multiple projects involving multiple proponents) may have individual approaches to consultation and collaboration, no agreed, mandatory mechanism ensures adequate, open and transparent consultation exists. The potential to discuss and agree Community Benefit Sharing, beyond a small group of companies, typically with eastern state experiences, is very limited in Western Australia. At present, it is not compulsory for developers in Western Australia to participate in community benefit arrangements.

The Community Benefit Fund Policy creates a framework to guide the Shire in the development and establishment of a Community Benefit Fund policy. The policy will provide for the governance and administration of the Fund and the management of contributions received into the fund.

Summary of Key Points

- Substantial new industries are moving into the Shire of Moora and its region with plans to expand new industries.
- The Shire of Moora Local Planning Scheme No 4 (LPS 4) requires amendment to include contemporary provisions that recognise and address issues relating to renewable energy facilities, associated transmission and storage infrastructure and future technologies.
- Community Benefit Sharing schemes designed to ensure communities benefit from the undertaking of large, disruptive, and beneficially skewed projects that have typically shared benefits among only a few beneficiaries despite whole communities being affected.
- Community Benefits Schemes designed to share sustainably, the rewards of these substantial developments by integrating projects into communities and facilitating community growth, cohesion, resilience, and longevity.
- Community Benefits Schemes designed to ensure communities do not forgo the one-off opportunity presented by the substantial disproportionate rewards generated by these projects – particularly given many enjoy substantial public funding.

COMMENT

Benefit-sharing initiatives can offer a clear and transparent way of demonstrating how developments contribute to and benefit host communities and can assist in building community support.

Some of the reasons that make benefit sharing particularly relevant in local government's consideration and assessment of large-scale renewable energy and other project proposals, that justify a different approach include:

- society benefits from the growth of the renewable energy, and resources sector, however, the impacts of development are not evenly distributed. Regional communities experience disproportionate pressures and changes, including impacts from individual projects, as well as broader changes to the local landscape and community that may be difficult to foresee, budget for and plan for in advance.
- Other forms of development are commonly accompanied by financial contributions to local communities. However standard methods of collecting revenue from new developments have not been applied equally or effectively to energy and resources projects. This has often left communities experiencing impacts akin to the *oil curse*, leaving disenchantment and resentment because of limited money finding its way to the community.

The framework proposed in the policy is essential for building positive relationships between a project proponent and the host community. Communities will benefit from a more strategic co-designed and coordination approach, which should be able to respond in an intergenerational manner to achieve lasting social, economic and community impacts.

By establishing a community benefit sharing fund, multiple proponents can assist in contributing to multiple projects leaving a greater impact on important local needs and issues, address key community aspirations. Further, the establishment of such a fund can reduce consultation fatigue where there are multiple competing projects but diminished leverage due to confusing information and competing wants.

The overriding principles of Benefit Sharing include:

- Develop strong and meaningful partnerships between proponents and communities
- Making a positive contribution in host communities
- Delivering value and positive connections in the communities that surround a project
- Having planned and coordinated strategies
- The project is valued by community
- Community willingness for change
- Recognising the shared value of energy and natural resources

Community Benefit Sharing Value/Benchmarks

Globally there is a move to establish benchmark rates for community benefits sharing through Government Policy. These benchmark models are many and varied and unlike Western Australia, are legislated or part of a mandatory framework. By way of example, some European countries have established community benefit rates of between \$2,000 - \$8,000/ megawatt/annum for the life of the project, which is generally 25 years. These benchmark contributions are significantly higher than their equivalent Australian benchmarks, but international pressure is coming to bear on and equivalence model that more evenly captures the value of benefit allocations.

The states of New South Wales, Victoria, Queensland and Tasmania have established or are in the process of establishing legislation which will facilitate strong Community Benefit Sharing for community investment arising from renewable energy projects. The policy presented intends to use the same methodology across all renewable energy project partners.

Some examples of proposed benefit sharing benchmarks across the nation are:

- Narrogin WA – 1.5% of CIV annualised over the life of the project – LPP Wind Farm/Turbines
- Warrumbungle, Dubbo, and Mid-Western councils LPP NSW – 1.5% of CIV
- NSW Govt - \$850/MW/ annum Solar
- \$1,050/MW/ annum Wind
- Tas Govt - \$1,800/MW of installed capacity per year for Tasmania northwest Renewable Energy Zone (REZ)

These benchmarks are generally derived from the long term 1.5% of CIV (Capital investment Value), which is considered equitable. This figure, however, would be revised for very large projects of significant CIV; for example, projects valued over \$5B. where a social impact assessment would be used to determine what benefit sharing arrangement would occur as projects of this scope would be managed by the government with little involvement by Council.

The unit of benefit may be by product or output, for example, by tonne of product transported, energy generating capacity, % of CIV or even set \$ amounts for specific projects or programmes, all of which would be identified in a Development Agreement or common law Agreement.

The establishment of a mechanism for developer agreements is currently only by way of discretion or voluntary engagement as planning legislation to create a mandatory framework does not yet exist. Facilitating community benefit or creating a passage to benefits relies on the good will of developers working with Council. It is critically important that the Shire of Moora create the necessary framework to achieve the outcomes and advantages of a Community Benefits Scheme.

The framework presented includes an overarching Community Benefit Policy underpinned by Terms of Reference for the establishment of a “Community Benefit Trust Fund Board of Directors.” The role of the Board of Directors is to make recommendations to Council for the expenditure of monetary contributions made in connection with renewable energy and other resource industry developments, including the allocation of funds from the Moora Community Benefit Trust Fund.

A draft model developer agreement has also been drafted to assist in negotiations and document any resulting community benefit sharing outcomes.

Expenditure of funds from the Moora Community Benefit Trust Fund must:

1. be for a public purpose
2. not be used for operational costs of Shire of Moora or other entities.
3. be done having considered the recommendations of the Board of Directors, Moora Community Benefit Trust Fund; and
4. be consistent with any policy adopted by the Shire of Moora in relation to a renewable energy or other resource industry community benefit restricted fund (as in force from time to time) or, if no such policy has been adopted, the policy principles set out in any benefit sharing guideline prepared by the Department of Planning, or its successors (as in force from time to time).

Consultation

Other local and state government entities both intrastate and external to WA.

POLICY REQUIREMENTS

Nil – This report is to establish such

LEGISLATIVE REQUIREMENTS

State Planning Policy 3.6 Infrastructure Contributions - April 2021

The Policy provides a system for local governments to plan and charge for community infrastructure items that are not included in the standard provisions through development contribution plans and introduces a framework for the requesting of contributions for community infrastructure.

State Planning Policy 3.6 Infrastructure Contributions - April 2021

6.9 Developer Agreements

Contributions may also be implemented in limited circumstances through Developer Agreements or by a voluntary agreement between a landowner or developer and the relevant local government, pursuant to a request from the landowner or developer.

Circumstances include large-scale, single ownership projects with a long development timeframe, or in regional areas where a formal DCP is not considered by local government and contributing owners to be necessary to achieve desired infrastructure delivery outcomes.

Notwithstanding that Developer Agreements do not form part of a local planning scheme, infrastructure contributions prepared under this arrangement should be consistent with the principles outlined in this policy and any decision to deviate from these principles, including the provision of facilities of a higher quality or specification than standard, should be a voluntary decision by all parties to the agreement.

State Planning Policy 3.6 Infrastructure Contributions Guidelines - April 2021

2.3 Imposition of infrastructure contributions

(iii) Developer Agreements

Developer Agreements may be considered in limited circumstances – usually large-scale projects under single ownership – and pursuant to a request from the landowner or developer, or in regional areas where a formal DCP is not considered by local government and contributing landowners to be necessary to achieve the desired infrastructure delivery outcomes.

Developer Agreements are voluntary and fall outside the formal infrastructure contributions system, and do not require State Government assessment or approval. Any agreement for infrastructure contributions via a Developer Agreement should be consistent with the principles outlined in SPP 3.6 and any decision to deviate from these principles, including the provision of facilities of a higher-quality or specification than standard, should be a voluntary decision by all parties to the agreement.

National Legislative Framework/Policy Development

The 2024 National General Assembly of Local Government endorsed motion “to implement a nationwide compulsory community benefit sharing framework. This framework would eliminate the need for individual councils to negotiate separate voluntary planning agreements for each project proposal within their respective Local Government Area.”

STRATEGIC IMPLICATIONS

The strategy of developing a Community Benefit Sharing framework is consistent with the objective of expanding the potential of the Shire of Moora, building its capacity and reinforces and actions outlined in the Shire’s Strategic Community Plan. The strategy is consistent with the Shire’s objective of creating a degree of financial independence, but not replace or absolve the Commonwealth or State governments of their mutual obligations to provide the Shire with its fair allocation of taxation revenue.

SUSTAINABILITY IMPLICATIONS

➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS

The establishment of a Community Benefit Sharing framework will assist in facilitating the generation of funds necessary to help communities adjust and grow because of the growth of renewable energy and resource industries, and the accelerated growth of local communities.

VOTING REQUIREMENTS

Absolute Majority Required

RECOMMENDATIONS

That Council:

- 1) *Adopt the Renewable Energy Facilities, Associated Transmission and Storage Infrastructure and Future Technologies – Community Benefits Policy as presented.*
- 2) *Establish a Community Benefit Fund and Board of Governors.*

- 3) *Adopt the Community Benefit Fund Board of Governors, Terms of Reference as presented.*
- 4) *By an Absolute Majority, appoint the following persons to the Board of Governors; the*
 - *President, Deputy President and Chief Executive Officer of the Shire of Moora;*
 - *President and Deputy President of the Moora Chamber of Commerce and Industry;*
 - *An independent person having proven financial, funds management, banking or legal experience;*
 - *A developer representative;*
 - *An eminent community member; and*
 - *One other person qualified or experienced in a technical skill / need according to the Fund's operating environment.*
- 5) *Authorise the Chief Executive Officer to distribute this policy to the Shire's industry partners as a mechanism to communicate and reinforce Shire expectations.*
- 6) *Establish an essential governance framework surrounding any commitments to the Shire of Moora community.*

COUNCIL RESOLUTION

64/24 Moved Cr Dugan, seconded Cr Clydesdale-Gebert that Council authorise the Chief Executive Officer to advertise for public comment the proposed Renewable Energy Facilities, Associated Transmission and Storage Infrastructure and Future Technologies Policy in accordance with Regulatory requirements.

CARRIED BY ABSOLUTE MAJORITY 6/0

FOR: Cr's Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

Reason for change to recommendation

Council considered that the policy documentation should be released for public consideration in its simplest prior to Council adoption. Comments from the public consultation would then be considered by Council prior to the adoption of the of the policy governing the Community Benefit Fund and its governance structures.

At 6.07pm Cr Lefroy rejoined the meeting, and the Council resolution read aloud by Cr Gilbert.

The President resumed the Chair

9.1.5 SPORT & RECREATION PRECINCT REDEVELOPMENT

FILE REFERENCE: B/MORI-3

REPORT DATE: 13 August 2024

APPLICANTS/PROPONENT: Shire of Moora

OFFICER DISCLOSURE OF INTEREST: Treasurer of Central Midlands Hockey Association; Robins Hockey Club; and Central Midlands Netball Association

PREVIOUS MEETING REFERENCES: 21/2/2024 (Res#11/24), 19/4/2023 (Res#41/23), 28/9/2022 (Res#67/22), 29/07/2020 (Res#96/20), 19/2/2020 (Res#9/20)

AUTHOR: Amy Watts, Manager Community Development & Stakeholder Services

ATTACHMENTS: Concept Plans

PURPOSE OF REPORT

To consider and endorse the revised Sport and Recreation Precinct Concept Plan, project staging and funding strategy.

BACKGROUND

In approximately 2017, the Shire of Moora considered the future refurbishment of its main sport and recreation facilities. The facilities were ageing, contained asbestos and losing functionality. In 2021, the grandstand and changerooms were demolished due to safety concerns. Between 2018 and 2022, various consultants were engaged to populate the detail necessary to prepare a Sport & Recreation Masterplan. A working group, comprising all sporting associations, was established in 2020 to inform the shire and the consultants as to community expectations of refurbished facilities.

In its community consultations the Shire accepted the community's wish to preserve the 50-metre swimming pool in its existing location. Consultations also noted and accepted State Government policy to allocate funding to projects that collocated sports facilities in a single location and eliminated duplication of facilities such as kitchens, toilets and function centres. These principles were embedded into the Sport and Recreation Centre rejuvenation strategy.

The first version of the Masterplan was released in January 2020 and further work noted the need to reflect even further sport and recreation changes. In 2022, the Masterplan expanded to undertake the assessment of the full range of community sport, recreation and leisure needs and how best plan for these in a rational and prioritised manner. In 2023-2024, further community consultation by Paterson Architects refined and produced a Concept design that was presented to the Sport and Recreation Redevelopment Working Group in early 2024. The presentation defined the works proposed for stages 1 and concepts for stage 2 & 3. The proposed design was endorsed by the group as the basis for the forthcoming funding submission.

COMMENT

Following endorsement of the concept plan, the Shire engaged NAJA Consulting to assemble the supporting documents and submission for the Community Sport and Recreation Facilities Fund (CSRFF) grant application. Applications close on 30 September 2024. The concept plan has been updated in consultation with the relevant State Sporting Associations to meet regional standards. Project costings were sought based on these updated designs. The costings are significantly greater than anticipated and have resulted in a highly segmented construction plan and funding strategy as set out below.

Stage 1A currently comprises oval change rooms, drop off zone, tiered seating to the front of the recreation centre and changerooms, and public toilets. The total cost of Stage 1A is currently estimated to be \$3,911,250.

Stage 1B currently comprises demolition of the aged hockey facility, new shared facility, new multi-purpose courts, and realignment of the hockey fields. Stage 2 and beyond are subject to redefinition based on available funding sources. It is currently estimated that the collective cost of Stage 1B is \$5,557,858. Funding for this Stage will be sought through the Growing Regions Fund, noting that this grant has not been announced but is expected in September / October, and only covers half of project costs.

The works and costs set out above are subject to change depending on priorities, funding, and availability of materials. It should be noted that future changes in funding schemes may also enable an alternative mix of grant funding to be applied for however, this will not be known until the respective grant guidelines are issued.

Points that need to be noted include the Shire's priorities for existing funding and reserves, ability to responsibly borrow further Treasury Corporation funding subject to existing priorities, Council's needs in respect of the weighted priority of the Sport and Recreational Precinct Plan in relation to other commitments and decide what financial commitment it is prepared to make. The community and sporting bodies, having been widely consulted over the past 7 years and are expecting some progress.

Current facilities for Football, Cricket, Darts and Ceramics are not fit for purpose and the Hockey facilities are now in functional decline. The Netball courts are no longer safe for use and have been temporarily relocated to the Tennis club. Current public toilets have an inadequate number of toilets for park users, no facilities for changing babies in either toilet or in the sporting precinct, and no disabled access (noting we do have a Changing Place facility at the other side of the precinct).

In considering its position, Council should note the socioeconomic benefits that sporting endeavours bring to the town. Including community cohesion - sports often bring people together, fostering a sense of community and belonging. Regular participation in local sports events can strengthen social ties and improve community spirit. Economic development - local sports events can boost the local economy by attracting visitors who spend money on accommodation, food, and other services. This is significant in our rural area where economic opportunities to attract 'out-of-towners' are limited and sports bring a consistent flow of visitors to the town. Youth engagement and development - sports programs provide young people with constructive activities, helping to keep them engaged and reducing the likelihood of involvement in negative behaviours. Participation in sports can also teach valuable life skills such as teamwork, discipline, and leadership. Health and well-being - regular physical activity through sports can improve physical health and mental well-being. In rural areas where access to healthcare and recreational facilities are limited, sports can provide an essential outlet for maintaining health. Job creation - the organisation and management of sports events and programs can create job opportunities, from coaching and umpiring to event management and facility maintenance. Education and skill development - participation in sports can enhance educational outcomes by promoting discipline, focus, and time management. Additionally, scholarships and opportunities related to sports can open doors to further education and career paths. Social integration - sports can serve as a bridge for different groups within the community, promoting social integration and reducing divisions based on age, gender, or socioeconomic status.

POLICY REQUIREMENTS

The Shire has adopted the principles Government has established for the allocation of grants for the upgrade of sport and recreational complexes.

Central to the Shire's development of the sport and recreation precinct will be the priorities of community benefit, resilience, cohesion, and adaptability. These characteristics will be further amplified in the Community Strategic Plan.

LEGISLATIVE REQUIREMENTS

Apart from complying with the Shire's current general legislative obligations, there are no additional obligations for the Shire to meet currently. Subject to the completion of the sport and recreation upgrade plans, the Shire may need to observe newly introduced legislative criteria.

STRATEGIC IMPLICATIONS

Shire of Moora Strategic Community Plan 2018-2028 Outcome 1.1: A healthy community through participation in sport, recreation, arts, culture and leisure opportunities. Strategy 1.1.1: Provide and promote sport, recreation and leisure facilities and programs.

SUSTAINABILITY IMPLICATIONS

➤ Environment

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

➤ Economic

The long-term economic implications of this proposal have not yet been developed and will rely on the outcome of the overall project plan and grant approvals.

➤ Social

The absence of sporting facilities in rural areas can have several social sustainability implications, impacting the community's quality of life, cohesion, and overall social health, including limited social interaction, weakened community bonds, reduced volunteerism, impact on youth development, fewer opportunities for youth engagement, increased risk of youth isolation, reduced physical activity, mental health implications, educational and personal development and impact on learning and growth, lowered aspirations, loss of cultural and recreational activities, reduced community pride, inclusivity and access, barriers for marginalized group (gender, race, disabilities, age).

FINANCIAL IMPLICATIONS

The financial implications of this proposal require further investigation based on other funding sources, however, will be in excess of \$3,000,000 over the next 3 financial years.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

65/24 Moved Cr Bryan, seconded Cr Errington that Council

- 1. Endorse the Sport and Recreation Precinct Redevelopment – Stages IA and IB funding applications to be submitted.**
- 2. Endorse the development of a funding application to the Department of Local Government, Sport and Cultural Industries based on Stage IA.**
- 3. Endorse the development of a funding application to the Federal Government's Growing Regions Fund based on Stage IB of the development plan.**
- 4. Commit in principle to funding the proposed stages in the relevant financial years subject to final amounts being presented to the September 2024 Council meeting.**

CARRIED 7/0

9.2 DEVELOPMENT SERVICES

Nil

9.3 ENGINEERING SERVICES

9.3.1 TENDER NO. 03/2024 – SUPPLY OF ROAD SURFACE STABILISATION SERVICES, AND TENDER NO. 02/2024 – SUPPLY OF ROAD SURFACE SEALING SERVICES

FILE REFERENCE: L/TER1-3

REPORT DATE: 15 August 2024

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Keith Dickerson, Manager Engineering Services

ATTACHMENTS: Matrix of Tenders received

PURPOSE OF REPORT

Council calls tenders in accordance with the requirements of the Local Government Act and Regulations for the value of services over \$250,000.

BACKGROUND

Each year tenders are called for the supply and spray of bitumen products including aggregate and for road cement stabilisation services. Tenders for the stabilisation services and the tender for supply of road surface sealing have been requested for, **full service where the shire works crew will not be involved in the works.**

To assist with the tender process, the WALGA Proforma tender document is used to simplify tenderers understanding of council requirements. Within the Request for tender document under Appendix D there is a reference to a Regional Price Preference Policy. In the case of both Tenders 02/24 and 03/24 Regional Price Preference will not apply as no local companies can provide these services.

To undertake Councils Road sealing and road works programme, it is necessary to call tenders for the supply of bitumen and stabilisation services.

COMMENT

In summary, tenders were called for the following quantities across the following roads;

	<u>Stabilising</u>	<u>2 coat Bitumen</u>	<u>Resealing</u>
• Watheroo West Rd	17,000m ²	13,600m ²	
• Watheroo Miling Rd	30,000m ²	24,000m ²	
• Airstrip Rd			6,700m ²
• Bullbarnet Rd			8,700m ²
• Namban East Rd			9,300m ²
• Moora Miling Rd			4,000m ²

Supply of Road Stabilisation (Full Service)

Council will require approximately 47,000m² of stabilisation services for the 2024-2025 road programme.

Supply, Spray and Cover of 2 coat Bitumen Products (Full Service including aggregate)

Council will require approximately 94,000 litres of bitumen (37,600m² two coat) for the 2024-2025 road programme.

Supply, Spray and Cover of Bitumen Reseal Products (Full Service including aggregate)

Council will require approximately 61,000 litres of modified S45R bitumen (28,700m² single coat) for the 2024-2025 road programme.

POLICY REQUIREMENTS

Nil

LEGISLATIVE REQUIREMENTS

Section 3.57 of the Local Government Act 1995

Regulations 11 (1) & 18 of the Local Government (Functions & General) Regulations 1996

STRATEGIC IMPLICATIONS**Outcome 3.3: A safe and reliable transport system.**

Strategy 3.3.1: Enhance the transport infrastructure in the Shire. Council needs to continue with the upgrading and maintenance of their road network.

SUSTAINABILITY IMPLICATIONS:**➤ Environment**

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

➤ Economic

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

➤ Social

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

FINANCIAL IMPLICATIONS:

The purchase of various products and services as per these items are within the budgeted allocations for the Shire's 2024-2025 Roadworks Programme, adopted on Wednesday 17th of July 2024.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

66/24 Moved Cr Errington, seconded Cr Seymour that Council accepts

1. Tender RFT 03/2024 – received from Western Stabilisers Pty Ltd for the supply of road surface stabilisation services at 2.5% /weight of cement, as per the attached rate of \$11.19/m² incl GST.

And

2. Tender RFT 02/2024 – received from Bitutek for (one) the supply of road surface 2 coat sealing services, as per the attached rate of \$8.69/m² incl GST and (two) the supply of road surface single coat resealing sealing services, as per the attached rate of \$6.01/m² incl GST.

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

9.3.2 **GARDINER STREET BEAUTIFICATION**

FILE REFERENCE: S/TOPI
REPORT DATE: 15 August 2024
APPLICANT/PROPONENT: Shire of Moora
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Keith Dickerson, Manager Engineering Services
ATTACHMENTS: Nil

PURPOSE OF REPORT

To get endorsement regarding the beautification of the centre island on Gardiner Street.

BACKGROUND

This project has been one of contention for a period of time, so to complete the required beautification work a resolution from Council is required.

The idea of positioning concrete pots in the centre island was discussed briefly by Council at a previous meeting, during that discussion the legal requirement around positioning non- frangible structures in a centre island was raised. Main Roads WA have advised the distance from the back of a concrete kerb to a non-frangible structure in a centre island is 1.5 metres, so positioning the concrete pots would be compliant.

COMMENT

When a suitable/workable resolution is presented then the necessary work can be carried out and the project completed.

POLICY REQUIREMENTS

Nil

LEGISLATIVE REQUIREMENTS

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications to Council in relation to this item.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATIONS

That Council

1. *Agree to the use of 1500 x 900mm pots as part of the beautification of the centre island on Gardiner Street, Moora;*
or
2. *Offer an alternative to the use of pots as part of the beautification of the centre island on Gardiner Street, Moora.*

COUNCIL RESOLUTION

67/24 Moved Cr Errington, seconded Cr Gilbert that Council agree to the use of 1500 x 900mm pots as part of the beautification of the centre island on Gardiner Street, Moora.

CARRIED 5/2

FOR: Cr's Lefroy, Gilbert, Seymour, Bryan, and Errington

AGAINST: Cr's Clydesdale-Gebert and Dugan

9.3.3 **TRAFFIC FLOW CHANGE ON KING STREET, MOORA**

FILE REFERENCE: S/ROCI & S/ROGI-2

REPORT DATE: 15 August 2024

APPLICANT/PROPONENT: Shire of Moora

OFFICER DISCLOSURE OF INTEREST: Author has property on the corner of King and Padbury Streets, Moora

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Keith Dickerson, Manager Engineering Services

ATTACHMENTS: Nil

PURPOSE OF REPORT

For Council to endorse the proposal for one-way traffic on King Street, from Padbury to Roberts Street.

BACKGROUND

In view of the construction of the new Early Childhood Centre and the proposed Day Care Centre intersecting Padbury and the North side of King Street, along with the expected increase in vehicle and pedestrian traffic in the vicinity, it is proposed to introduce a one-way traffic flow to facilitate angle parking on the northern side adjacent to the new facilities and offer a safer area for pedestrians.

COMMENT

Main Roads WA have advised, changing a street from two-way to one-way requires ministerial approval, council endorsement, and consultation with all residents residing in that section of the street. The consultation survey has been completed with no objections received to the proposal.

POLICY REQUIREMENTS

Nil

LEGISLATIVE REQUIREMENTS

Ministerial approval is required to one-way any street.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS

There are no financial implications to Council in relation to this item.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

68/24 *Moved Cr Errington, seconded Cr Gilbert that Council endorse the proposal to one-way traffic flow on King Street from Padbury to Roberts Street, in order to facilitate parking, and increase safety for pedestrians adjacent to the new Early Childhood Development site.*

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

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

Nil

11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**COUNCIL RESOLUTION**

69/24 *Moved Cr Gilbert, seconded Cr Bryan that the CEO be permitted to provide an update to Council on two matters, being the Perth Symphony Orchestra Green Shoots program and CCTV system.*

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

Shire of Moora and Perth Symphony Orchestra Green Shoots program Partnership

The CEO advised Council that the Perth Symphony Orchestra (PSO) *Green Shoots* program funded by the Department of Local Government, Sport and Cultural Industries & Shire will be holding its launch in Moora on the 25th of August 2024, with a function inviting potential musicians and commercial sponsors to consider the ways in which the community could support the main event, which is scheduled to be held in March 2025. The Shire has partnered with the PSO to bring the innovative Green Shoots program to Moora. Musicians from around the region have been invited to play with the PSO in an outdoor agricultural setting.

CCTV System

Following concerns regarding the reliability and quality of the Shire's CCTV system, the Shire engaged Sapio to inspect and advise them as to the current technical issues, equipment and software. The company reset the system, reconfigured its operating parameters, and brought the system back into operation, which has been tested and validated by the Moora Police.

12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

13. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 6.38pm.

CONFIRMED

PRESIDING MEMBER