

SHIRE OF MOORA
MINUTES OF THE SPECIAL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
30 OCTOBER 2024

TABLE OF CONTENTS

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	2
1.1 DECLARATION OF OPENING.....	2
1.2 DISCLAIMER READING	2
2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE.....	2
3. PUBLIC QUESTION TIME.....	2
4. PROPOSED NEW LOCAL PLANNING POLICY - RENEWABLE ENERGY FACILITIES, ASSOCIATED TRANSMISSION AND STORAGE INFRASTRUCTURE AND FUTURE TECHNOLOGIES	3
5. CEO'S PERFORMANCE REVIEW	5
6. CLOSURE OF MEETING.....	5

Separate Attachments

Item 4. Attachment 1 – Proposed Local Planning Policy No. 1 & Attachment 2 – Public Submissions received

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Deputy President declared the meeting open at 3.30pm and advised he would be the presiding officer for the meeting as President Lefroy had declared an interest in a renewable energy development and had absented herself from the meeting; and then announced

I would like to acknowledge the traditional custodians of the land we are meeting on today, 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

SJ Gilbert	-	Deputy President / Presiding Member
KM Seymour	-	Councillor
SA Bryan	-	Councillor
TL Errington	-	Councillor
TW Dugan	-	Councillor
DV Clydesdale-Gebert	-	Councillor
GW Robins	-	Chief Executive Officer
MM Murray	-	Executive Support Officer

APOLOGIES

Cr T Lefroy	-	President
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PUBLIC

Jayden Cocking	Bart Cocking	Colin Headland	June Headland
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3. PUBLIC QUESTION TIME

Nil

4. PROPOSED NEW LOCAL PLANNING POLICY - RENEWABLE ENERGY FACILITIES, ASSOCIATED TRANSMISSION AND STORAGE INFRASTRUCTURE AND FUTURE TECHNOLOGIES

FILE REFERENCE: ED/RENI & TP/TPSI

REPORT DATE: 29 October 2024

APPLICANT/PROPONENT: Shire of Moora

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: 21/8/2024 (64/24)

AUTHOR: Gavin Robins, Chief Executive Officer

ATTACHMENTS: Attachment 1 – Proposed Local Planning Policy No. 1
Attachment 2 – Public Submissions received

PURPOSE OF REPORT

For Council to resolve to adopt the proposed new Renewable Energy Facilities, Associated Transmission and Storage Infrastructure and Future Technologies policy and authorises the Chief Executive Officer to publish the policy.

BACKGROUND AND COMMENT

At its Ordinary Meeting of 21 August 2024 Council resolved:

64/24 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

This report is to INITIATE the process required to formally adopt the following proposed new local planning policy in accordance with the procedural requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

Local Planning Policy No.1 – Renewable Energy Facilities, Associated Transmission and Storage Infrastructure and Future Technologies policy.

The purpose of the new policy is to:

provide direction and guidance as to the definition and substance required for development approval for the construction and activation of Renewable Energy Facilities, Associated Transmission and Storage Infrastructure and Future Technologies on all 'Rural' zoned land in the Shire's municipal district used for extensive agricultural purposes.

Following completion of the mandatory twenty-one (21) day public advertising process, three submissions were received by the Shire within the specified time period; one submission was received outside the specified period. One submission expressly endorsed the proposed new policy while three others accepted or opposed individual sections of the proposed new policy.

In view of this outcome, it is reasonable to conclude the local community is generally satisfied with the proposed policy and does not have any compelling objections to their final adoption and use by the Shire when dealing with proposals relating to the direct relevance of the policy.

Accordingly, it is recommended that Council resolve to adopt the policy and authorise the Shire's Chief Executive Officer to publish a copy of the policy on the Shire's website pursuant to the specific requirements of clause 4(4), Part 2 and clause 87, Part 12, Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* at which point they will have full legal effect.

STATUTORY ENVIRONMENT

- *Planning and Development Act 2005 (as amended)*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Shire of Moora Local Planning Scheme No.4

POLICY IMPLICATIONS

There are no immediate policy implications aside from introducing the new local planning policy as proposed which, if adopted by Council as recommended, will help guide future decision making by the Shire and create greater certainty for local landowners and developers.

COMMUNITY CONSULTATION

Completed in accordance with the specific requirements of clause 4(4), Part 2 and clause 87, Part 12, Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a minimum period of twenty-one (21) days with three (3) submissions received before the closure of the formal consultation period and one submission received after the formal close of consultation.

The proposed policy reflects in red adjustments made in recognition to community feedback received during the consultation period.

Any future possible amendments to the policy, or any decision by Council to revoke them, must also be advertised for public comment in accordance with the procedural requirements of the Regulations.

FINANCIAL IMPLICATIONS

Nil immediate financial implications for the Shire aside from the administrative costs associated with preparing, adopting and advertising the proposed policy which are provided for in Council's annual budget for town planning related matters.

STRATEGIC IMPLICATIONS

The proposed new local planning policy is consistent with the following elements of the *Shire of Moora Strategic Community Plan 2018-2028*

Outcome 2.3 Sustainable climate practices

Strategy 2.3.1: Consider the impact of the addition of renewable energy sources

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION (OFFICER RECOMMENDATIONS)

90/24 Moved Cr Seymour, seconded Cr Errington that Council resolve to:

1. Adopt the following new local planning policy without modification:

Local Planning Policy No.1 – Renewable Energy Facilities, Associated Transmission and Storage Infrastructure and Future Technologies policy.

and

2. Authorise the Shire's Chief Executive Officer to publish a copy of the policy on the Shire's website pursuant to the specific requirements of clause 4(4), Part 2 and clause 87, Part 12, Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

CARRIED 5/1

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

NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL

The Presiding Member advised of a matter of urgent business to be introduced 'CEO's Performance Review'.

COUNCIL RESOLUTION

91/24 Moved Cr Bryan, seconded Cr Clydesdale-Gebert that the urgent business 'CEO's Performance Review' be introduced for consideration.

CARRIED BY ABSOLUTE MAJORITY 6/0

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

5. CEO'S PERFORMANCE REVIEW**COUNCIL RESOLUTION**

92/24 Moved Cr Bryan, seconded Cr Clydesdale-Gebert that the CEO's Performance Review as tabled to Councillors at their in-camera session on 30 October 2024 be endorsed, and that President Lefroy & Deputy President Gilbert meet with the CEO to discuss the outcome.

CARRIED BY ABSOLUTE MAJORITY 6/0

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

6. CLOSURE OF MEETING

There being no further business, the Deputy President declared the meeting closed at 5.40pm.

CONFIRMED



PRESIDING MEMBER