



Special Council Meeting

# Minutes

Wednesday 1 May 2024

**MINUTES**

**Minutes of a meeting of the Busselton City Council held in the Council Chambers, Administration Building, Southern Drive, Busselton, on Wednesday 1 May 2024 at 5:30pm.**

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## 1. OFFICIAL OPENING

The meeting opened at 5:34pm.

The Presiding Member welcomed Elected Members, staff, guests and members of the public to the Special Council Meeting of 1 May 2024.

The Presiding Member acknowledged the Wadandi and Bibbulmun people as the traditional custodians of this region and paid respects to Elders past and present.

This meeting was audio recorded for minute taking purposes and was live streamed on the City of Busselton YouTube channel.

## 2. PURPOSE OF MEETING

The purpose of the meeting is to consider the motions carried at the Special Meeting of Electors held 24 April 2024.

## 3. ATTENDANCE

<b>PRESIDING MEMBER</b>	<b>MEMBERS</b>
Mayor Phill Cronin	Cr Anne Ryan (Deputy Mayor)
	Cr Val Kaigg
	Cr Jodie Richards
	Cr Kate Cox
	Cr Mikayla Love
	Cr Richard Beecroft
	Cr Andrew Macnish
	Cr Jarrod Kennedy

<b>OFFICERS</b>	
Mr Tony Nottle	Chief Executive Officer
Mr Gary Barbour	Director Community Planning
Ms Maxine Palmer	Director Economic and Business Development
Mr Oliver Darby	Director Infrastructure and Environment
Mr Ben Whitehill	Acting Director Corporate Strategy and Performance
Ms Tegan Robertson	Governance and Risk Coordinator
Ms Jo Barrett-Lennard	Governance Officer

**APOLOGIES**

Nil

**4. DISCLOSURES OF INTEREST**

**DISCLOSURES OF FINANCIAL INTEREST**

Nil

**DISCLOSURES OF IMPARTIALITY INTEREST**

Nil

**5. PUBLIC QUESTION TIME**

**Mr Andrew Wynne**

**Question**

Is it correct that the City has been given a letter of extension [from the Department of Climate Change, Energy, the Environment and Water (DCCEEW)] to lodge its submission [in response to federal government consultation on the proposed offshore wind area in the Indian Ocean off Bunbury] and have all elected members sighted that letter?

**Response**

**(Mr Tony Nottle, Chief Executive Officer)**

A City officer received a phone call and follow up email from a DCCEEW officer today, confirming that the City has been granted an extension to make a submission to the Department on the proposed offshore wind area. This is expected to be confirmed by the Department by way of a formal letter which confirms the extension date. This has not been received by the City yet, however we understand a letter from the Department is imminent.

**Question**

Does the City have a contingency plan in the event that the City lodges a submission after the public consultation closure date of 3 May 2024 on the understanding it has an extension, but the letter from the Department is not received and / or the Department does not accept the City's late submission?

**Response**

**(Mr Tony Nottle, Chief Executive Officer)**

It is highly unlikely that the Department would not honour an extension for the City, as a Department representative has provided advice that the extension which was requested by the Mayor has been authorised by the Minister.

The Council will consider the motions carried at the special meeting of electors on 24 April 2024 at tonight's meeting, and City officers will action any decisions taken by the Council as soon as practicable.

### **Question**

Have the motions carried at the special meeting of electors on 24 April 2024 been rolled into one letter?

### **Response**

**(Mayor Phill Cronin)**

There were several motions carried at the special meeting of electors, officers have provided a report and recommendation which Councillors have reviewed today. The Council will consider and resolve on this recommendation at tonight's meeting.

### **Response**

**(Mr Tony Nottle, Chief Executive Officer)**

At the special meeting of electors on 24 April 2024 there were a number of motions put forward. There were four motions carried which were reasonably similar and dealt with writing to various members of parliament.

Those motions will be considered by the Council at tonight's meeting, and officers have provided a report and recommendation to the Council on how it may address the electors' motions. This may include making a submission via the DCCEEW public consultation process.

However, there is no formal position of Council on any of the motions carried at the Special Meeting of Electors until the Council considers the motions and the officer report at tonight's meeting and makes its decision.

### **Question**

Will the electors who moved motions be notified by the City?

### **Response**

**(Mr Tony Nottle, Chief Executive Officer)**

Electors who moved motions can view the Council's consideration of their motions by attending tonight's meeting or watching online.

A Special Meeting of Electors provides an opportunity for electors to put forward ideas to the Council, by way of a motion. Officers are obliged to consider those motions and prepare a report for the Council to consider. The Council may then resolve on motions as put by electors, or determine to proceed with an alternative motion or not at all.

**(Mayor Phill Cronin)**

When the special meeting of electors occurred on 24 April 2024, electors had the opportunity to put forward a motion. We encouraged electors to submit their motions to the City in advance so the City could assist electors to word their motions in a way that was actionable. There was no motion moved at the special meeting of electors that requested the City make a submission to the DCCEEW via its public consultation process. Instead a number of motions were carried that requested the City write to specific members of parliament about certain issues. Tonight the Council will consider these motions, and will also consider an alternative motion to make a submission to the DCCEEW via its public consultation process.

### **Question**

Is it possible for the notification email from the DCCEEW regarding the extension for the City to lodge a submission to be published on the City's website?

### **Response**

**(Mr Tony Nottle, Chief Executive Officer)**

I have sighted the email from the Department's representative, which gives me confidence that a letter from the Minister's office confirming the extension will be received by the City imminently. The Mayor will make a statement to that effect during this evening's meeting that will be recorded in the minutes.

**(Mayor Phill Cronin)**

If I can have it recorded for the minutes, the City received an email this afternoon [1 May 2024] from a representative of DCCEEW confirming an extension for the City to make a submission to the Department on the proposal for an offshore wind area off the Bunbury region.

**(Mr Ben Whitehill, Acting Director Corporate Strategy and Performance)**

For clarity, the extension from the Department is for the City of Busselton only. All other submissions to the DCCEEW on the proposed offshore wind area off the Bunbury region are required to be submitted by the closure of the public consultation period on 3 May 2024.

**Ms Mariah Gorla**

### **Question**

The agenda for tonight's meeting states that the officers do not recommend undertaking a survey. Why?

**(Mr Tony Nottle, Chief Executive Officer)**

The officer report explains why and the councillors will consider that tonight during debate when they make their decision.

### **Question**

Was the special meeting of electors on 24 April 2024 advertised in newspapers to inform the Community it was taking place?

### **Response**

**(Mr Tony Nottle, Chief Executive Officer)**

Yes, the Special Meeting of Electors was advertised in the local newspaper.

### **Question**

How many times was the special meeting of electors advertised in the newspaper?

### **Response**

**(Mr Tony Nottle, Chief Executive Officer)**

We will take that question on notice.

***Below is a summary of the questions and responses provided by the Chief Executive Officer on 2 May 2024***

Under section 5.29 of the *Local Government Act 1995*, at least 14 days local public notice is required to convene an electors' meeting. The City met the requirement for local public notice of the special meeting of electors held on 24 April 2024 by providing notice:

- On the City of Busselton website on 3 April 2024
- In the weekly Busselton-Dunsborough Mail newspaper on 10 April 2024
- In social media posts on the City of Busselton's facebook page on 3 April 2024
- On noticeboards at the City Administration Building and Busselton and Dunsborough libraries from 3 April 2024

Additional notice of the meeting was also provided in the Busselton-Dunsborough Mail newspaper on 17 April and 24 April 2024, and on the City of Busselton Facebook page on 10 April, 23 April and 24 April.

## **6. PRESENTATIONS BY PARTIES WITH AN INTEREST**

Nil

## 7. CORPORATE STRATEGY AND PERFORMANCE REPORTS

### 7.1. Response to motions carried at Special Meeting of Electors

<b>Strategic Theme:</b>	Key Theme 1: Environment 1.4 Respond to the impacts of climate change on the City's coastlines through informed, long term planning and action. Key Theme 4: Leadership 4.1 Provide opportunities for the community to engage with Council and contribute to decision making.
<b>Directorate:</b>	Corporate Strategy and Performance
<b>Reporting Officer:</b>	Manager Legal and Governance - Ben Whitehill
<b>Authorised By:</b>	Chief Executive Officer - Tony Nottle
<b>Nature of Decision:</b>	Advocacy: to advocate on its own behalf or on behalf of its community to another level of government/body/agency.
<b>Voting Requirements:</b>	Simple Majority
<b>Disclosures of Interest:</b>	No officers preparing this item have an interest to declare.
<b>Attachments:</b>	1. Notice of proposal to declare area - Bunbury, Western Australia [7.1.1 - 2 pages]

The officer recommendation was moved, there was opposition and debate ensued.

During debate, Cr Anne Ryan foreshadowed an alternative to the officer recommendation.

The officer recommendation was lost.

#### COUNCIL DECISION

**C2405/120** Moved Mayor Phill Cronin, seconded Cr Kate Cox

**That the Council:**

- 1. in response to the motions 1 to 4 carried by the electors, write to the Premier and relevant State and Federal Government Ministers to:**
  - a) advise that approximately 100 electors of the City of Busselton attended a special meeting of electors to collectively express strong concern about the proposal to declare an area for offshore wind development in the Indian Ocean off the Bunbury region in Western Australia (Proposal), in particular:**
    - i. issues with the Federal Government's consultation process for the Proposal;**
    - ii. the impact of the Proposal on the business and tourism industry;**
    - iii. the impact of the Proposal on the marine environment; and**
    - iv. the impact of the Proposal on real estate and development.**
  - b) request that these concerns be taken into account when considering matters related to the Proposal.**



2. in response to motion 5 take no further action as sufficient information is available publicly to answer the matters specified in the motion.
3. In response to motion 6:
  - a) request that the CEO publish all correspondence sent to and received by the relevant State and Federal Government Ministers under resolution 1 in the Elected Members Information Bulletin; and
  - b) resolve not to undertake a survey to determine whether there is a social licence for the wind farm.

**LOST 0 / 9**

**FOR: Nil**

**AGAINST: Mayor Phill Cronin, Cr Anne Ryan, Cr Jodie Richards, Cr Val Kaigg, Cr Andrew Macnish, Cr Mikayla Love, Cr Kate Cox, Cr Jarrod Kennedy and Cr Richard Beecroft**

With the officer recommendation being lost, the alternative motion was moved and carried.

#### **COUNCIL DECISION**

**C2405/121** Moved Cr Anne Ryan, seconded Cr Jodie Richards

**That the Council:**

1. In response to motions 1 – 4 (resolved at the Electors meeting on 24 April 2024) requests the CEO to make a submission to the DCCEEW on behalf of the Electors and community members of the City of Busselton.
2. That the submission acknowledges the circa over 130 people who attended the City of Busselton Special Meeting of Electors in relation to the proposed off shore wind area in the Indian Ocean off the Bunbury region, Western Australia (the Proposal) who collectively express strong concern in declaring an area for offshore wind development.

In particular:

  - a. issues with the Federal Government's poor consultation process for the Proposal;
  - b. the impact of the Proposal on the business and tourism industry;
  - c. the impact of the Proposal on the marine environment;
  - d. the impact of the Proposal on real estate and development; and
  - e. supports local efforts by individuals and community groups seeking to stop the development.
3. In response to motion 5 take no further action as sufficient information is available publicly to answer the matters specified in the motion.
4. Writes to the following MP's (state and federal) to seek their support or opposition (and why) to the Proposal.

**Correspondence to:**

- Hon. Chris Bowen;

- Hon. Tania Plibersek;
- Hon. Roger Cook;
- Hon. Reece Whitby;
- Hon. Murray Watt;
- Hon. Don Punch.

5. In response to motion 6:

- a. Request that the CEO publish all correspondence sent to and received by the relevant State and Federal Government Ministers under resolution 4 in the Elected Members Information Bulletin; and
- b. Resolve not to undertake a survey to determine whether there is a social licence for the wind farm.

**CARRIED 9 / 0**

**FOR: Mayor Phill Cronin, Cr Anne Ryan, Cr Jodie Richards, Cr Val Kaigg, Cr Andrew Macnish, Cr Mikayla Love, Cr Kate Cox, Cr Jarrod Kennedy and Cr Richard Beecroft**

**AGAINST: Nil**

Reasons: To make a submission to the DCCEEW on behalf of the electors and community members of the City of Busselton.

### **OFFICER RECOMMENDATION**

That the Council:

1. in response to the motions 1 to 4 carried by the electors, write to the Premier and relevant State and Federal Government Ministers to:
  - a) advise that approximately 100 electors of the City of Busselton attended a special meeting of electors to collectively express strong concern about the proposal to declare an area for offshore wind development in the Indian Ocean off the Bunbury region in Western Australia (Proposal), in particular:
    - i. issues with the Federal Government's consultation process for the Proposal;
    - ii. the impact of the Proposal on the business and tourism industry;
    - iii. the impact of the Proposal on the marine environment; and
    - iv. the impact of the Proposal on real estate and development.
  - b) request that these concerns be taken into account when considering matters related to the Proposal.
2. in response to motion 5 take no further action as sufficient information is available publicly to answer the matters specified in the motion.
3. In response to motion 6:
  - a) request that the CEO publish all correspondence sent to and received by the relevant State and Federal Government Ministers under resolution 1 in the Elected Members Information Bulletin; and
  - b) resolve not to undertake a survey to determine whether there is a social licence for the wind farm.

## EXECUTIVE SUMMARY

This report considers the motions carried by electors at the special meeting of electors on 24 April 2024, and makes recommendations as to the Council's response to the same.

## STRATEGIC CONTEXT

Special meetings of electors provide opportunity for community members to engage with the Council and contribute to decision making.

## BACKGROUND

On 20 February 2024, the Minister for Climate Change and Energy gave notice under the *Offshore Electricity Infrastructure Act 2021* (Cth) of an intention to declare an area for offshore wind development in the Indian Ocean off the Bunbury region in Western Australia (Proposal). The Minister is seeking feedback on the Proposal and submissions close on 3 May 2024. A copy of the notice and map of the proposed area is attached at Attachment 1. The southern limit of the proposed area is approximately 36km from the Busselton foreshore and 20km from Cape Naturaliste.

The region was selected as one of six areas across Australia due to (according to the Department of Climate Change, Energy, the Environment and Water):

- proximity to areas of high electricity demand, grid connections and port facilities;
- a skilled energy and manufacturing workforce;
- strong, consistent winds; and
- known industry interest in developing projects in the area.

If an area is declared by the Minister, then developers will be able to apply to the federal government for feasibility licences to progress proposals in the declared area. As part of that process, and before obtaining a commercial licence, developers will need to obtain all necessary environmental approvals and develop an approved management plan.

Through public consultation the Department of Climate Change, Energy, the Environment and Water (DCCEEW) is seeking feedback on:

- whether the area is suitable for offshore wind; and
- views on what this industry may mean for the region, including potential interactions with other marine users and interests.

On 25 March 2024, the City received a request from over 300 electors of the district to hold a special meeting of electors. The request was signed by 345 electors and called for a meeting "to hear the views of the electors in regard to the proposed implementing and construction of a Wind Turbine Farm in Geographe Bay".

On 12 April 2024, the Mayor wrote to the Hon. Chris Bowen, Minister for Climate Change and Energy, advising the Minister that the City was holding a special meeting of electors on 24 April 2024 and requesting an extension to the closing date for submissions on the Proposal to 31 May 2024, to allow appropriate community and agency feedback and submissions. As at the time of writing the City has not received a response to that request.

Attendance records show that 107 people attended the special meeting of electors (however 13 of the attendees are recorded as not being electors). Several electors spoke and made statements in

opposition to the Proposal. Six motions were considered, nobody spoke against the motions and all motions were carried by the electors present. Details of the motions carried are provided below.

### **Motion 1**

*The electors of the City of Busselton ask the Councillors and Mayor forward written correspondence to the following ministers within 14 days from this meeting for a thorough explanation why the Department of Climate Change, Energy, Environment and Water, have not followed their own internal due process, policies and procedures regarding the public consultation process.*

*Contact all relevant parties, departments and ministers, not limited to and including:*

- *The Hon. Chris Bowen, Minister for Climate Change and Energy;*
- *The Hon. Tanya Plibersek, Minister for Environment and Water;*
- *The Hon. Reece Whitby, Minister for Energy, Environment and Climate Change Action;*
- *The Hon. Roger Cook, Premier, Minister for State and Industry Development, Jobs and Trade, Public Sector Management, Federal and State Relations.*

#### Summary of rationale as put by mover / seconder

- The public consultation by DCCEEW in Busselton was inadequate because it was held at an inconvenient time at a facility that was not fit for purpose without consideration for the elderly or people with impaired hearing.
- Flyers about the Proposal were only delivered sporadically.
- The nature of the consultation was chaotic and unfriendly, delivered by unqualified staff who were unable to provide answers to the questions asked.
- DCCEEW staff had no knowledge and were not aware of the local considerations about the Proposal.

### **Motion 2**

*That the Electors of the City of Busselton ask the elected Council and Mayor to write to the following ministers for a formal response regarding the following issues associated with the proposed offshore wind turbines, to communicate and strongly express concern regarding direct impact on businesses and tourism in the Busselton region.*

*I request the communications are sent to include, but not limited to:*

- *Hon. Don Farrell, Minister for Trade and Tourism;*
- *Hon. Julie Collins, Minister for Small Business;*
- *Hon. Roger Cook, Premier, Minister for State and Industry Development, Jobs and Trade;*
- *Hon. Stephen Dawson, Minister Assisting for State and Industry Development, Jobs and Trade.*

#### Summary of rationale as put by mover / seconder

- Busselton has a significant reliance on tourism (intrastate, interstate and international).
- There is a strong reliance on our natural environment for our tourism products and the prosperity of our region.
- Industrialization of pristine ocean will negatively impact tourism, and damage to marine ecosystems is a significant risk to the tourism industry.
- The destruction of the marine environment is likely to inhibit the attraction of high value visitors to the region.
- Concerns were also raised about electricity prices and the impacts on affordability for local businesses and tourists.

### Motion 3

*The electors of the City of Busselton ask the Councillors and Mayor forward written correspondence to the following Ministers within 14 days of this meeting, for thorough explanation on how the Federal and State Governments can allow contraventions of the EPBC Act 1999, by the historical knowledge and documented evidence of harm and impact from Offshore Wind Turbine they have planned in Geographe Bay and the City of Busselton region. We the electors have done our due diligence in researching as local experts, professionals and scientifically qualified individuals, we do not support this proposal in any way in our ocean in Geographe Bay or throughout WA.*

Correspondence to:

- *Hon. Chris Bowen;*
- *Hon. Tania Plibersek;*
- *Hon. Reece Whitby;*
- *Hon. Roger Cook;*
- *Hon. Murray Watt;*
- *Hon. Don Punch.*

#### Summary of rationale as put by mover / seconder

- The proposal is likely to have significant adverse effects on fragile marine ecosystems.
- There is a risk of potential interruption to the natural flow of the Leeuwin current.
- There may be impacts on migrating birds, both ocean based and those that use the Ramsar wetlands as well as impacts on rock lobster and associated industry.
- High voltage cables will cause segregation of marine environments as well as impacts associated with electromagnetic fields on sessile and benthic species.
- Infrasound and other noises associated with construction will impact cetaceans (whales, dolphins).
- Wind turbines will contribute to pollution of the marine environment (for example hydraulic fluids, oils and microplastics).

### Motion 4

*The electors of the City of Busselton ask the Councillors and Mayor to forward correspondences to the following minister within 14 days for a full response regarding the Councils and Electors concerns on the following issues with the offshore wind turbine proposal direct impact on electors, businesses and visitors, real estate and development in the City of Busselton.*

Contact all relevant parties, departments and ministers, not limited to and including:

- *Hon. Catherine King, Minister for Infrastructure, Transport, Regional Development and Local Government;*
- *Hon. Murray Watt; Minister for Agriculture, Fisheries and Forestry; and*
- *Hon. Kristy McBain; Minister for Regional Development, Local Government and Territories.*

#### Summary of rationale as put by mover / seconder

- Real estate prices will be affected by offshore wind developments.
- There will be increased industrial traffic on roads like Bussell Highway.
- The creation of a new offshore wind industry will create additional pressure on the existing housing shortages.
- There is a lack of information about where transmission infrastructure will be located.

## Motion 5

*I motion that the City of Busselton sends a formal enquiry to the Federal government seeking clarity regarding the projected power output of the Leeuwin Offshore Wind Farm. Furthermore, we request information on whether this generated power is designated solely for intra-state consumption and if not, how much and what method will be used to distribute it.*

### Summary of rationale as put by mover / seconder

- Some concerns about discrepancies between estimated power generation between government figures and the project proponent's figures.
- Seeking transparency about the destination and use of power.

## Motion 6

1. *Should the Council endorse the motions, we the residents of the City receive a copy of all correspondence sent to all listed Ministers and responses received, and a list of Ministers who did not respond. These letters are to be included in the next practicable 'Elected Members Bulletin' for the next Ordinary Council Meeting.*
2. *Should the Council endorse the motions, a survey of electors be undertaken to establish if there is a social licence for the wind farm.*

### Summary of rationale as put by mover / seconder

- Correspondence should be published for transparency.
- A survey would be useful to determine whether there exists a social licence for offshore wind.

## OFFICER COMMENT

Officers recommend that the motions be dealt with by the Council as follows.

### Consideration of Motions 1-4

Motions 1-4 request that the City correspond with relevant state and federal government ministers on various matters including failures with the DCCEEW public consultation process, concerns associated with impacts of the Proposal on local business and tourism, the marine environment, and real estate and development.

The views expressed at the special meeting of electors indicated strong opposition to the Proposal. However, the electors meeting was only attended by 94 electors, which represents 0.3% of the electors in the district. Officers note that there is likely to be a diversity of views in the community about the Proposal and recommend that the Council exercise some caution when determining how to respond to motions carried. Unfortunately, without undertaking a referendum or survey on the Proposal (which is not recommended), it will be difficult for elected members to accurately ascertain the views of all electors.

Motions 2 and 4 request that the City write to the relevant ministers to express concerns about impacts on local business and tourism, and real estate and development. In contrast, motions 1 and 3 are specific in their requests for thorough explanations about perceived failures of the state or federal government. For example, motion 1 requests a thorough explanation on alleged breaches of DCCEEW's internal due process, policies, and procedures regarding the public consultation process. This claim is made without providing substantiation. Similarly, motion 3 seeks thorough explanations

on how the Federal and State Governments can allow contraventions of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act). Again, the City has no detailed substantiation to support these claims. Both motions 1 and 3 propose to send correspondence to ministers that have no responsibility for the matters they are being requested to respond to. Therefore, for the purposes of providing professional and respectful correspondence to the relevant ministers, and to avoid making unsubstantiated claims, officers recommend that the Council, in response to motions 1 and 3, note concerns with the consultation process and the potential impacts on the marine environment (only).

Officers note that motions 1-4 request the City to write to 11 state and federal government ministers. Officers recommend that one letter is prepared in response to motions 1-4 (subject to the above with respect to motions 1 and 3) and that the same letter be sent to all ministers to ensure that each of them is fully aware of all the concerns raised by electors. Officers further note that any decisions made by the local government will be carried out by the CEO or the Mayor, and not by individual councillors (in their capacity as a councillor) as was requested in the carried motions.

Specifically, officers recommend that the City write to the relevant State and Federal Government Ministers to:

1. Advise that approximately 100 electors of the City of Busselton attended a special meeting of electors to collectively express concern about the Proposal, in particular:
  - a) issues with the Federal Government's consultation process for the Proposal;
  - b) the impact of the Proposal on the business and tourism industry;
  - c) the impact of the Proposal on the marine environment; and
  - d) the impact of the Proposal on real estate and development.
2. Request that these concerns be taken into account when considering matters related to the Proposal.

This recommendation is consistent with the approach taken by the Council in March 2022 in response to a special meeting of electors held in February 2022 to consider, amongst other things, the impacts of the vaccination mandates on the City of Busselton community. That meeting was attended by approximately 450 electors and in that instance the Council resolved to write to the Premier and relevant state government ministers on behalf of those electors to express the concerns raised by the electors and ask that those concerns be taken into account.

### **Consideration of Motion 5**

Motion 5 requests that the City submit an enquiry to the federal government to seek clarity regarding the projected power output of the Leeuwin Offshore Wind Farm. It further requests information on whether this generated power is designated solely for intra-state consumption and if not, how much and what method will be used to distribute it.

Officers do not recommend that the Council make an enquiry to the federal government because the information requested is publicly available from the proponent's (Leeuwin Offshore Wind Farm) website and in their EPBC referral. At this stage, the Leeuwin Offshore Wind Farm is only a proposal, and the proponent does not hold any environmental approvals or have a licence to operate.

From a review of the information available:

- The projected power output is stated to be up to 3 GW and is estimated to be capable of generating up to 11 Terawatt-hour (TWh) of power per annum.
- The generated electricity will be brought onshore via export cables proposed to reach land north of Binningup in the Shire of Harvey. Once onshore, electricity is proposed to be

transmitted, via underground and/or overhead cables, to a substation and connected into the South West Interconnected System (SWIS).

### **Consideration of Motion 6**

Motion 6 is in two parts and requests that all correspondence be publicly available and that a survey be conducted to determine social licence for offshore wind as set out in the Proposal.

Officers are supportive of publishing all relevant correspondence in the Elected Members Information Bulletin in the monthly Council agenda which is publicly available.

With respect to the second part of the motion, conducting a survey to determine social licence is not recommended. Officers believe it is not advisable to undertake a survey for a Proposal that does not fall within the jurisdiction of local government. In addition, the public consultation period closes on 3 May 2024, and it is unlikely that the City would be able meaningfully utilise any data gathered, as the minister would not be required to consider the results. On this basis a survey is not recommended or considered to be an effective use of the City's resources. Instead, it is strongly recommended that all interested community members, businesses, and other entities respond to the federal government's consultation process before the 3 May 2024 deadline.

### **DCCEEW consultation response**

None of the motions specifically requested that the City make a formal submission to the DCCEEW consultation portal prior to the 3 May 2024 deadline. It is open for the Council to make a submission, which has been undertaken by some local governments in the eastern states in respect to proposals in proximity to their local government areas. Importantly, if a submission is made by the City prior to 3 May 2024, that submission must be considered by the Minister when deciding whether to declare an area (see s 19(1)(b) of the *Offshore Electricity Infrastructure Act 2021* (Cth)). Submissions made after this date may be, but do not have to be, considered by the Minister.

If the Council wishes to make a formal submission it should consider all relevant information including the information on the DCCEEW website about the Proposal, the information provided in the presentation to elected members by DCCEEW on 10 April 2024, the potential positive and negative impacts of the Proposal, the views of electors and the City's policy position on climate change.

Due to the short timeframe between the special meeting of electors, the special council meeting, and the closing date for consultation, the lack of specific expertise to accurately assess potential impacts and the lack of information about broad elector views on the Proposal, officers are unable to provide the Council with a detailed assessment and recommendation for a proposed response to the consultation.

### **Statutory Environment**

Section 5.28 of the *Local Government Act 1995* requires a special electors meeting to be held on the request of not less than 300 electors or 5% of the number of electors, whichever is the lesser number. Section 5.33 of the *Local Government Act 1995* provides that all decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable at a special meeting called for that purpose.

The *Offshore Electricity Infrastructure Act 2021* (Cth) sets out the framework to regulate the development of electricity infrastructure in Commonwealth waters. It is under this legislation that



the Minister for Climate Change and Energy gave notice of an intention to declare an area for offshore wind development in the Indian Ocean off the Bunbury region in Western Australia.

### **Relevant Plans and Policies**

The officer recommendation aligns to the following adopted plan or policy:

Plan:

Not applicable.

Policy:

[Climate Change](#)

The City is a signatory to the WALGA Climate Change Declaration and has adopted the Climate Change policy which states the City's position on climate change. Relevantly the policy states that the City acknowledges (at paragraph 5.1):

1. *The science is clear: climate change is occurring and greenhouse gas emissions from human activities are the dominant cause;*
2. *Climate change threatens human societies and the Earth's ecosystems;*
3. *Urgent action is required to reduce emissions, and to adapt to the impacts from climate change that are now unavoidable;*
4. *A failure to adequately address this climate change emergency places an unacceptable burden on future generations.*

Furthermore, the policy states that "the City is committed to addressing climate change" and calls for "strong climate change action, leadership and coordination at all levels of government". The City's policy position is a relevant consideration when determining the City's position in relation to the Proposal.

### **Financial Implications**

Not Applicable

### **External Stakeholder Consultation**

This report considers motions carried at a special meeting of electors on 24 April 2024.

### **Risk Assessment**

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

### **Options**

As an alternative to the proposed recommendation the Council could decide:

1. Not to advocate on behalf of the electors who attended the special meeting of electors.
2. To conduct a survey of electors to determine whether offshore wind farms have a social licence. For the reasons outlined in the officer comment this is not recommended.

3. To make a submission to the DCCEEW Consultation prior to the 3 May 2024 deadline, noting that the Council will need to determine the content of that submission.
4. To take some other course of action.

### **CONCLUSION**

Motions carried at a special meeting of electors on Wednesday 24 April 2024 are required to be considered by the Council. This report recommends that the Council advocate on behalf of those electors who attended the special meeting to ensure their concerns are considered by relevant state and federal government ministers.

### **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The officer recommendation will be implemented in full, or in stages as per the following table:

<b>Milestone</b>	<b>Completion Date</b>
Send correspondence to relevant State and Federal Government Ministers	Early May 2024

## 8. CONFIDENTIAL MATTERS

Nil

## 9. CLOSURE

The meeting closed at 5:54pm.

The minutes of the Special Council Meeting held 1 May 2024 were confirmed as a true and correct record on:

Date:

12/6/24

Presiding Member:

*Akyen*