

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE LOXTON ROOM, ADMINISTRATION CENTRE, CAMPBELLS CORNER, 60-82 BRIDGE STREET, MUSWELLBROOK ON WEDNESDAY 21 SEPTEMBER, 2022 COMMENCING AT 6.00PM.

PRESENT: Cr S.M. Reynolds (Mayor), Cr A. Barry (VC), Cr M. Bowditch, Cr D. Douglas, Cr J. Drayton (VC), Cr L. Dunn, Cr J.A. Lecky, Cr G.T. McNeill, Cr R. Mahajan, Cr D.E. Marshall Cr R. Scholes and Cr B.N. Woodruff.

IN ATTENDANCE: Mr D. Finnigan (Acting General Manager), Mr D. Walsh (Director – Corporate Services & Chief Financial Officer), Mr M. Lysaught (Director – Works, Property & Building Services), Ms M. Cleary (Manager – Governance (VC)), Ms A. Hathway (Corporate Lawyer) and Mrs M. Sandell-Hay (Governance Officer) .

1. Acknowledgement of Country

The Acknowledgement of Country was read by Cr D. Douglas.

2. Civic Prayer

The Civic Prayer was read by Cr L. Dunn.

3. Apologies and Applications for a Leave of Absence or Attendance by Audio Visual Link by Councillors

59 RESOLVED on the motion of Cr M. Bowditch and Cr R. Mahajan that:

Authority be given for Cr A. Barry, Cr J. Drayton, Ms M. Cleary to attend the Council Meeting via video link.

In Favour: Cr S. Reynolds, Cr J. Lecky, Cr A. Barry, Cr M. Bowditch, Cr D. Douglas, Cr J. Drayton, Cr L. Dunn, Cr R. Mahajan, Cr D. Marshall, Cr R. Scholes and Cr B. Woodruff.

Against: Nil.

60 RESOLVED on the motion of Cr M. Bowditch and Cr D. Douglas that:

The apologies for inability to attend the meeting submitted by Cr G. McNeill be ACCEPTED and the necessary Leave of Absence be GRANTED.

In Favour: Cr S. Reynolds, Cr J. Lecky, Cr A. Barry, Cr M. Bowditch, Cr D. Douglas, Cr J. Drayton, Cr L. Dunn, Cr R. Mahajan, Cr D. Marshall, Cr R. Scholes and Cr B. Woodruff.

Against: Nil.

4. Disclosure of any Pecuniary or Non-Pecuniary Interests

Nil

5. Mayoral Minute

Nil



6. Public Participation

Nil

7. Business

7.1. Corporate Services

7.1.1. Electricity LGP Tender

61 RESOLVED on the motion of Cr B. Woodruff and Cr L. Dunn that:
Council delegates to the Acting General Manager the authority to enter into a binding agreement, and further to negotiate, agree and execute a contract with an energy supplier under Local Government Procurement Tender EL0122.

In Favour: Cr S. Reynolds, Cr J. Lecky, Cr A. Barry, Cr M. Bowditch, Cr D. Douglas, Cr J. Drayton, Cr L. Dunn, Cr R. Mahajan, Cr D. Marshall, Cr R. Scholes and Cr B. Woodruff.

Against: Nil.

8. Notices of Motion

Nil

9. Adjournment into Closed Council

62 RESOLVED on the motion of Cr M. Bowditch and Cr D. Douglas that:

Council adjourn into Closed Session and members of the press and public be excluded from the meeting of the Closed Session, and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the provisions outlined in Section 17 below.

In Favour: Cr S. Reynolds, Cr J. Lecky, Cr A. Barry, Cr M. Bowditch, Cr D. Douglas, Cr J. Drayton, Cr L. Dunn, Cr R. Mahajan, Cr D. Marshall, Cr R. Scholes and Cr B. Woodruff.

Against: Nil.

10. Closed Council

10.1. Potential Litigation

63 RESOLVED on the motion of Cr B. Woodruff and Cr R. Scholes that:

Option 2:

Council does not endorse the pursuit of legal action against Mojo Power East.



In Favour: Cr S. Reynolds, Cr J. Lecky, Cr A. Barry, Cr M. Bowditch, Cr D. Douglas, Cr J. Drayton, Cr L. Dunn, Cr R. Mahajan, Cr D. Marshall, Cr R. Scholes and Cr B. Woodruff.

Against: Nil.

11. Resumption of Open Council

64 RESOLVED on the motion of Cr D. Douglas and Cr L. Dunn that:

The meeting return to Open Council.

In Favour: Cr S. Reynolds, Cr J. Lecky, Cr A. Barry, Cr M. Bowditch, Cr D. Douglas, Cr J. Drayton, Cr L. Dunn, Cr R. Mahajan, Cr D. Marshall, Cr R. Scholes and Cr B. Woodruff.

Against: Nil.

The Mayor read out the determinations from Closed Council.

12. Closure

The meeting was declared closed at 5.39pm.

THE MINUTES OF THE MEETING (PAGES 1 to 3) WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD ON 25 OCTOBER, 2022 AND ARE A FULL AND ACCURATE RECORD OF PROCEEDINGS OF THE MEETING HELD ON WEDNESDAY 21 SEPTEMBER, 2022.

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Mr D. Finnigan
Acting General Manager

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Cr S. Reynolds
Chairperson