

TABLE OF CONTENTS

ITEMS FOR DETERMINATION.....	1
ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE	1
ITEM - 2 DECLARATIONS OF INTEREST	1
ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS.....	1
ITEM - 4 MAYORAL MINUTE - APPOINTMENTS.....	1
ITEM - 5 COMMITTEE OF THE WHOLE	4
ITEM - 6 CONFIRMATION OF THE MINUTES	4
ITEM - 7 CONFIRMATION OF THE COMMITTEE MEETING MINUTES.....	4
ITEM - 8 MAYORAL MINUTE - ALGA FEDERAL ELECTION PRIORITIES 2022.....	4
ITEM - 9 2022 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (NSW) ANNUAL CONFERENCE	5
ITEM - 10 2022 NATIONAL GENERAL ASSEMBLY	5
ITEM - 12 ANZAC DAY 2022	5
ITEM - 13 REQUEST FOR DONATION	6
ITEM - 14 DRAFT CABONNE FAMILY DAY CARE POLICY.....	6
ITEM - 15 MEDIA AND SOCIAL MEDIA PROTOCOLS POLICY.....	7
ITEM - 16 EXEMPTION TO THE ALCOHOL PROHIBITED AREA AND ALCOHOL FREE ZONE IN GASKILL STREET, CANOWINDRA FOR AN EVENT - CANOWINDRA MAIN STREET DINNER.	7
ITEM - 17 EUGOWRA MULTI-PURPOSE CENTRE - ENGAGEMENT OF CONSTRUCTION CONTRACTOR.....	7
ITEM - 18 DEVELOPMENT APPLICATION 2022/0111 - BOUNDARY ADJUSTMENT - LOT 1 DP748824 AND LOT 144 DP 1018708.....	7
ITEM - 19 DEVELOPMENT APPLICATION 2022/0078 - DUAL OCCUPANCY LOT 100 DP 1122908, 295 NANCARROW LANE, NASHDALE	8
ITEM - 20 QUESTIONS FOR NEXT MEETING.....	8
ITEM - 21 BUSINESS PAPER ITEMS FOR NOTING	8
ITEM - 1 CENTRAL NSW JOINT ORGANISATION	9
ITEM - 22 MATTERS OF URGENCY	9
ITEM - 23 COMMITTEE OF THE WHOLE SECTION OF THE MEETING	9

ITEM - 11 INTEGRATED PLANNING AND REPORTING - ENDORSEMENT/ADOPTION OF DRAFT PLANS FOR PUBLIC EXHIBITION	9
ITEM - 24 MODIFICATION DA 2018/0151/2 - AMEND OR DELETE CONDITION 14 - LOT 3 DP 591749, 2951 THE ESCORT WAY, BOREE.....	11
CONFIDENTIAL ITEMS	12
ITEM - 1 CARRYING OF COMMITTEE RESOLUTION INTO CLOSED COMMITTEE OF THE WHOLE MEETING.....	12
ITEM - 2 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL MATTERS CONSIDERED AT COMMITTEE OF THE WHOLE MEETING	12
ITEM - 3 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL MATTERS CONSIDERED AT COMMITTEE MEETINGS	12
ITEM - 4 ELECTRICITY PROCUREMENT.....	13
ITEM - 5 MID-SCALE SOLAR PLANT.....	15
ITEM - 6 CONTRACTS FOR LINEMARKING SERVICES.....	15
REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE.....	16

PRESENT Clr K Beatty (in the Chair), Clrs P Batten, J Jones, M Nash, L Oldham, K O’Ryan, A Pull, A Rawson, J Weaver.

Also present were the General Manager, Deputy General Manager - Cabonne Services, Deputy General Manager - Cabonne Infrastructure, Department Leader – Innovation & Technology, Department Leader – Governance & Corporate Performance and Governance Officer.

ITEMS FOR DETERMINATION

ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE

MOTION (Oldham/Nash)

THAT it be noted there were nil applications for leave of absence.

22/03/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

MOTION (Jones/Weaver)

THAT it be noted there were nil declarations of interest.

22/03/02 Carried

ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS

MOTION (Oldham/O’Ryan)

THAT it be noted there were nil declarations for political donations.

22/03/03 Carried

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

Clr Beatty

22/02/2022 – Attended meeting practice session with councillors. Attended the Ordinary Council meeting.

23/2/2022 – Attended the Orange 360 Board meeting. Attended a meeting with Jenny Bennett, CEO, CNSWJO.

24/02/2022 – Attended the CNSWJO Board meeting at Canowindra.

25/02/2022 – Attended the office for a meeting with the General Manager. Attended a site visit at Smith Street, Molong with the Deputy General Manager – Infrastructure regarding storm water issues.

27/02/2022 – Attended the LGNSW Conference at Sydney.

28/02/2022 – Attended the LGNSW Conference at Sydney. Attended an interview with 2MC Bathurst.

01/03/2022 – Attended the LGNSW Conference at Sydney.

02/03/2022 – Attended the LGNSW Conference at Sydney. Attended an interview with the Neil Gill Radio Program.

03/03/2022 – Attended the Yeoval community strategic plan consultation and BBQ.

04/03/2022 – Attended the office for a meeting with the Molong Show Society Committee. Attended the opening of CSU Orange Medical School. Attended a meeting with the Hon. Sam Faraway, MLC.

07/03/2022 – Attended an interview with B Rock FM Bathurst. Attended the office for a meeting with the General Manager.

08/03/2022 – Attended the office for committee meetings and councillor workshop. Attended the Nashdale community strategic plan consultation and BBQ.

10/03/2022 – Attended the Orange, Blayney and Cabonne Alliance meeting. Attended the office for a meeting with Jenny Bennett, CEO, CNSWJO. Attended a meeting with the General Manager. Attended the Lewis Ponds Community Strategic Plan meeting and BBQ.

11/03/2022 – Attended an interview with ABC Radio Program. Attended the Country Mayors Association meeting in Sydney.

16/03/2022 – Attended an interview with Neil Gill Radio Program.

17/03/2022 – Attended CSU Bloomfield Campus. Attended CNSWJO meeting with representatives from federal opposition. Attended an interview with Prime Television.

Clr Jones

22/02/2022 – Attended the Ordinary Council meeting.

22/02/2022 – Attended the Manildra community strategic plan consultation and BBQ.

23/02/2022 – Attended the Cumnock community strategic plan consultation and BBQ.

24/02/2022 – Attended the Mullion Creek community strategic plan consultation and BBQ.

08/03/2022 – Attended the Infrastructure (Other) Committee meeting. Attended the councillor workshop.

10/03/2022 – Attended the Molong Advancement Group meeting.

11/03/2022 – Attended the Eugowra Music and Movies in Villages event.

Clr Batten

01/03/2022 – Attended Yeoval Progress Association meeting.

07/03/2022 – Attended Cargo community strategic plan consultation and BBQ.

08/03/2022 – Attended Councillors workshop.

17/03/2022 – Attended Cumnock Progress Association Meeting.

18/03/2022 – Attended the Association of Mining and Energy Related Councils meeting in Orange.

19/03/2022 – Attended Yeoval Music and Movies in Villages event.

Clr Rawson

10-11/02/22 – Attended Council Strategy and Leadership Forum in Bathurst.

15/02/2022 – Attended community strategic plan consultation and BBQ in Molong.

16/02/2022 – Attended Central Tablelands Board Meeting in Canowindra and community strategic plan consultation and BBQ in Canowindra.

17/02/2022 – Attended community strategic plan consultation and BBQ in Eugowra.

21/02/2022 – Attended community strategic plan consultation and BBQ in Cudal.

22/02/2022 – Attended the Ordinary Council Meeting and the Manildra community strategic plan consultation and BBQ.

23/02/2022 – Attended the Cumnock community strategic plan consultation and BBQ.

24/02/2022 – Attended the Mullions Creek community strategic plan consultations and BBQ.

28/02/2022 to 02/03/2022 – Attended LGNSW Conference in Sydney on behalf of Central Tablelands Water.

03/03/2022 – Attended a meeting with residents, Clr Batten and Clr Oldham regarding Mount Lofty Road, Nashdale. Attended the Yeoval community strategic plan consultation and BBQ.

07/03/2022 – Attended the Cargo community strategic plan consultation and BBQ.

08/03/2022 – Attended the councillor workshop and standing committee meeting. Attended the Nashdale community strategic plan consultation and BBQ.

10/03/2022 – Attended the Lewis Ponds community strategic plan consultation and BBQ.

Clr Oldham

February and March – attended the community strategic plan consultations and BBQ's in Molong, Canowindra, Eugowra, Cudal, Manildra, Cumnock, Mullion Creek, Yeoval, Nashdale and Lewis Ponds.

Clr Nash

February and March – attended the Cargo, Manildra, Cudal, Cumnock, Yeoval and Mullion Creek community strategic plan consultations and BBQs. Attended the LGNSW Conference.

MOTION (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

22/03/04 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

Proceedings in Brief

It was noted that Clr Rawson called Item 11 to be debated in committee of the whole.

MOTION (Oldham/Weaver)

THAT Item 11 be debated in Committee of the Whole.

22/03/05 Carried

ITEM - 6 CONFIRMATION OF THE MINUTES

MOTION (Nash/Weaver)

THAT the minutes of the Ordinary Council meeting held on 22 February 2022 be adopted.

22/03/06 Carried

ITEM - 7 CONFIRMATION OF THE COMMITTEE MEETING MINUTES

MOTION (Batten/Jones)

THAT the report and recommendations of the Environment, Innovation & Energy & Infrastructure (Other) Committee Meetings of Cabonne Council held on 08 March 2022 be adopted.

22/03/07 Carried

**ITEM - 8 MAYORAL MINUTE - ALGA FEDERAL ELECTION PRIORITIES
2022**

MOTION (Beatty/-)

THAT Council:

1. Supports the national funding priorities of the Australian Local Government Association (ALGA), which would contribute an estimated \$6.39 billion per year to Australia's GDP and create 42,975 jobs; and
2. Agree to support and participate in the Australian Local Government Association's advocacy for their endorsed national funding priorities by writing to the Federal Member(s) of Parliament, all known election candidates in local Federal electorates and the President of the Australian Local Government Association to:
 - a) express support for ALGA's funding priorities.
 - b) identify priority local projects and programs that could be progressed with the additional financial assistance from the Federal Government being sought by ALGA; and
 - c) seek funding commitments from the members, candidates and their parties for these identified local projects and programs.

22/03/08 Carried

**ITEM - 9 2022 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S
ASSOCIATION (NSW) ANNUAL CONFERENCE**

MOTION (Oldham/Rawson)

THAT Cllrs Oldham, Nash, O'Ryan and Weaver be authorised to attend the 2022 ALGWA (NSW) Conference.

22/03/09 Carried

ITEM - 10 2022 NATIONAL GENERAL ASSEMBLY

MOTION (Rawson/Jones)

THAT:

1. Council authorise the attendance of the Mayor and General Manager at the 2022 National General Assembly.
2. The General Manager prepare a motion for submission to the National General Assembly in consultation with the councillors.

22/03/10 Carried

It was noted Item 11 was debated in Committee of the Whole.

ITEM - 12 ANZAC DAY 2022

Proceedings in Brief

Borenore service will be attended by Cllrs Oldham and Rawson.

Canowindra Dawn service will be attended by Cllr Weaver.

Canowindra Soldiers Memorial Hospital service will be attended by Cllr Weaver and O’Ryan.

Canowindra Junction Hotel to Memorial Park service will be attended by Cllr Weaver.

Cudal service will be attended by Cllr Pull.

Cumnock service will be attended by Cllr Batten.

Eugowra service will be attended by Cllr Jones (TBC) or Cllr Rawson as alternative.

Manildra service will be attended by Cllr Nash.

Molong Dawn service will be attended by Cllr Pull.

Molong Main service will be attended by the Mayor.

Obley service will be attended by the Mayor.

Toogong service will be attended by Cllr Jones.

Yeoval Dawn service will be attended by Cllr Nash.

Yeoval Main service will be attended by Cllr Batten.

MOTION (Nash/Weaver)

THAT Council:

1. Authorise Councillors to represent Council at ANZAC Day services throughout Cabonne as detailed in the proceedings in brief; and
2. Advise the Police that Council offers no objection to the temporary closure of streets involved, subject to compliance with local police regulations, in any of the towns and villages which are to conduct ANZAC Day marches in the Cabonne LGA.

22/03/11 Carried

ITEM - 13 REQUEST FOR DONATION

MOTION (Rawson/Nash)

THAT Council donate \$200 to the CWA Central Western Group for the annual sponsorship of the school’s Public Speaking Competition 2022.

22/03/12 Carried

ITEM - 14 DRAFT CABONNE FAMILY DAY CARE POLICY

MOTION (Jones/Nash)

THAT Council endorse the draft Cabonne Family Day Care Policy and place the draft policy in public exhibition.

22/03/13 Carried

ITEM - 15 MEDIA AND SOCIAL MEDIA PROTOCOLS POLICY

MOTION (Weaver/O'Ryan)

THAT Council adopt the Media and Social Media Protocols Policy.

22/03/14 Carried

**ITEM - 16 EXEMPTION TO THE ALCOHOL PROHIBITED AREA AND
ALCOHOL FREE ZONE IN GASKILL STREET, CANOWINDRA
FOR AN EVENT - CANOWINDRA MAIN STREET DINNER.**

MOTION (O'Ryan/Pull)

THAT Council:

1. Agrees for the request from the Canowindra Business and Progress Association to suspend the Alcohol-Free Zone for Gaskill St, Canowindra including road reserve/pavement for their Canowindra Main St Dinner Event.
2. Advertises the changes in the Canowindra News prior to the event.

22/03/15 Carried

**ITEM - 17 EUGOWRA MULTI-PURPOSE CENTRE - ENGAGEMENT OF
CONSTRUCTION CONTRACTOR**

MOTION (Pull/Jones)

THAT the Council:

1. Endorse the General Manager's acceptance of negotiated price submission of \$1,126,441.00 (excl. GST) for the design and construction of the Eugowra Multi-purpose Centre.
2. Approve the increased costs of project delivery and the need to increase the project budget by \$316,000, to be funded from the Capital Works Reserve and be recognised in the third quarter budget review.

22/03/16 Carried

**ITEM - 18 DEVELOPMENT APPLICATION 2022/0111 - BOUNDARY
ADJUSTMENT - LOT 1 DP748824 AND LOT 144 DP 1018708.**

MOTION (Oldham/O'Ryan)

THAT Development Application 2022/0111 for a boundary adjustment between Lot 1 DP 748824 and Lot 144 DP 1018708, 82 Kjoller Road and

Gazzard Lane, Clergate, be refused, as it is inconsistent with clause 4.2B(3)(b)(c) and (d) of the Cabonne Local Environmental Plan 2012.

22/03/17 Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a vote for the motion as follows:

For: Clrs K Beatty, P Batten, J Jones, M Nash, L Oldham, K O’Ryan, A Pull, A Rawson and J Weaver.

Against – Nil

**ITEM - 19 DEVELOPMENT APPLICATION 2022/0078 - DUAL
OCCUPANCY LOT 100 DP 1122908, 295 NANCARROW LANE,
NASHDALE**

Proceedings in Brief

The Mayor advised the councillors that the proponent had withdrawn the application.

MOTION (Nash/Rawson)

That Council note that the application has been withdrawn.

22/03/18 Carried

ITEM - 20 QUESTIONS FOR NEXT MEETING

MOTION (Oldham/Weaver)

THAT Council receive a report at the next Council meeting in relation to the following matters:

1. Process for obtaining additional street lighting in Eugowra; and
2. Lighting/light bulb replacement at Cabonne football grounds.

22/03/19 Carried

ITEM - 21 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

It was noted that Clr Rawson called Item 1 to be further considered.

MOTION (Weaver/Nash)

THAT:

1. Item 1 be further consider; and
2. The balance of the items be noted.

22/03/20 Carried

ITEM - 1 CENTRAL NSW JOINT ORGANISATION

Proceedings in Brief

Clr Rawson queried the process of determining the list of priorities. The Mayor and General Manager provided clarification.

MOTION (Rawson/O'Ryan)

THAT the information be noted.

22/03/21 Carried

ITEM - 22 MATTERS OF URGENCY

MOTION (Weaver/Oldham)

THAT it be noted there will nil matters of urgency.

22/03/22 Carried

ITEM - 23 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

MOTION (Weaver/Oldham)

THAT Council hereby resolve itself into Committee of the Whole to discuss matters called earlier in the meeting.

22/03/23 Carried

**ITEM - 11 INTEGRATED PLANNING AND REPORTING -
ENDORSEMENT/ADOPTION OF DRAFT PLANS FOR PUBLIC
EXHIBITION**

Proceedings in Brief

The Mayor advised the figure in point 6 has been amended to \$115,099.

Clr Rawson queried the wording in the recommendation and moved an amendment. After considerable debate the amendment was put and lost.

Clr Jones moved a further amendment that was put and carried, becoming the motion.

MOTION (Rawson/Pull)

THAT Council:

1. Endorse the draft Community Strategic Plan.
2. Adopt the draft Delivery Program.
3. Adopt the draft Operational Plan, including:
 - a) Activities;
 - b) Budget;

- c) Statement of Revenue Policy; and
- d) Fees & Charges.
- 4. Adopt the draft Long Term Financial Plan.
- 5. Place all of the documents on public exhibition for 28 days.
- 6. Apply for an additional special variation to Council's general income of 1.1% (equivalent to approximately \$115,099p.a.) over and above the 2022 rate peg of 0.9%, and that this increase be retained permanently in the rate base, in order to assist Council's long term financial sustainability.
- 7. Note that Council has considered the impact on ratepayers and the community in future years and considers that it is reasonable.

AMENDMENT (Rawson/Pull)

THAT Council:

- 1. Endorse the release of the draft Community Strategic Plan for public exhibition.
- 2. Endorse the release of the draft Delivery Program for public exhibition.
- 3. Endorse the release of the draft Operational Plan for public exhibition, including:
 - a) Activities;
 - b) Budget;
 - c) Statement of Revenue Policy; and
 - d) Fees & Charges.
- 4. Endorse the release of the draft Long Term Financial Plan for public exhibition.
- 5. Place all of the documents on public exhibition for 28 days.
- 6. Apply for an additional special variation to Council's general income of 1.1% (equivalent to approximately \$115,099p.a.) over and above the 2022 rate peg of 0.9%, and that this increase be retained permanently in the rate base, in order to assist Council's long term financial sustainability.
- 7. Note that Council has considered the impact on ratepayers and the community in future years and considers that it is reasonable.

The amendment was put and lost.

AMENDMENT (Jones/Pull)

THAT Council:

- 1. Endorse the draft Community Strategic Plan.
- 2. Endorse the draft Delivery Program.
- 3. Endorse the draft Operational Plan, including:
 - a) Activities;
 - b) Budget;
 - c) Statement of Revenue Policy; and
 - d) Fees & Charges.
- 4. Endorse the draft Long Term Financial Plan.

5. Place all of the documents on public exhibition for 28 days.
6. Apply for an additional special variation to Council's general income of 1.1% (equivalent to approximately \$115,099p.a.) over and above the 2022 rate peg of 0.9%, and that this increase be retained permanently in the rate base, in order to assist Council's long term financial sustainability.
7. Note that Council has considered the impact on ratepayers and the community in future years and considers that it is reasonable.

The amendment was put and carried becoming the motion, the motion was put and carried.

RECOMMENDATION (Jones/Pull)

THAT Council:

1. Endorse the draft Community Strategic Plan.
2. Endorse the draft Delivery Program.
3. Endorse the draft Operational Plan, including:
 - a) Activities;
 - b) Budget;
 - c) Statement of Revenue Policy; and
 - d) Fees & Charges.
4. Endorse the draft Long Term Financial Plan.
5. Place all of the documents on public exhibition for 28 days.
6. Apply for an additional special variation to Council's general income of 1.1% (equivalent to approximately \$115,099p.a.) over and above the 2022 rate peg of 0.9%, and that this increase be retained permanently in the rate base, in order to assist Council's long term financial sustainability.
7. Note that Council has considered the impact on ratepayers and the community in future years and considers that it is reasonable.

1. Carried

**ITEM - 24 MODIFICATION DA 2018/0151/2 - AMEND OR DELETE
CONDITION 14 - LOT 3 DP 591749, 2951 THE ESCORT WAY,
BOREE.**

RECOMMENDATION (Oldham/Nash)

THAT Modification of Development Application 2018/0151/2 to amend condition 14 of the development consent be refused, as council cannot issue a partial occupation certificate as requested, and that the requirements to adequately address road access and public road safety matters should be retained.

2. Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a vote for the motion as follows:

For: Clrs K Beatty, P Batten, J Jones, M Nash, L Oldham, K O’Ryan, A Pull, A Rawson and J Weaver.

Against – Nil

It was noted the time being 2.49pm the Chair announced that the Council would now be resolving into a Closed Committee of the Whole.

CONFIDENTIAL ITEMS

ITEM - 1 CARRYING OF COMMITTEE RESOLUTION INTO CLOSED COMMITTEE OF THE WHOLE MEETING

RECOMMENDATION (Jones/O’Ryan)

THAT the committee now hereby resolve into Closed Committee of the Whole for the purpose of discussing matters of a confidential nature relating to personnel or industrial matters, personal finances and matters which the publicity of which the Committee considers would be prejudicial to the Council or the individual concerned and that the press and the public be excluded from the meeting in accordance with the conditions of Council’s Confidentiality Policy AND FURTHER that as reports to the Closed Committee of the Whole are likely to be confidential and their release prejudicial to the public interest and the provisions of Council’s confidentiality policy, that copies of these reports not be made available to the press and public.

3. Carried

ITEM - 2 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL MATTERS CONSIDERED AT COMMITTEE OF THE WHOLE MEETING

RECOMMENDATION (Pull/Oldham)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Ordinary Council meeting held on 22 February 2022 are sufficient to state the general effect of the proceeding in Closed Committee.

4. Carried

ITEM - 3 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL MATTERS CONSIDERED AT COMMITTEE MEETINGS

RECOMMENDATION (Weaver/Nash)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Environment Innovation and Energy Committee committee meeting held on 08 March 2022 are sufficient to state the general effect of the proceeding in Closed Committee.

5. Carried

*

ITEM - 4 ELECTRICITY PROCUREMENT

MOTION (Nash/Batten)

THAT Council:

1. Note the report on electricity procurement;
2. Note that a reduced tender period has been considered;
3. Resolve that because of the extenuating circumstances set out in the report a satisfactory result would not be achieved by inviting tenders for the aggregated procurement of electricity for large market sites and street lighting which are due to commence on 1 January 2023;
4. Note that the reasons for the decision of the Council in resolution 3 are as follows:
 - a. The services with respect to which the tender relates can only be provided by energy retailers.
 - b. Council has received expert advice that due to the nature of the relevant market, offers from those retailers which will be made in response to the request for tender will only be open for acceptance for a period of 1-2 weeks.
 - c. Even if the tender period was shortened to 7 days as permitted under the Regulations, some if not all of the relevant tenders would expire prior to Council being able to undertake an assessment of tenders, report the matter to Council and resolve to accept or reject any tenders.
 - d. This would result in Council either having no valid tenders which it is able to accept, or it would not be able to consider for acceptance all of the tenders lodged in response to the request for tender.
 - e. This would not be a satisfactory result for Council.
5. Delegate the authority to execute the contracts for the supply of electricity for large market sites and street lighting to the General Manager; and
6. Advise Central NSW Joint Organisation of Council's decision.

AMENDMENT (Rawson/O'Ryan)

THAT Council:

1. Note the report on electricity procurement;
2. Note that a reduced tender period has been considered;
3. Resolve that because of the extenuating circumstances set out in the report a satisfactory result would not be achieved by inviting tenders for the aggregated procurement of electricity for large market sites and street lighting which are due to commence on 1 January 2023;
4. Note that the reasons for the decision of the Council in resolution 3 are as follows:
 - a. The services with respect to which the tender relates can only be provided by energy retailers.
 - b. Council has received expert advice that due to the nature of the relevant market, offers from those retailers which will be made in response to the request for tender will only be open for acceptance for a period of 1-2 weeks.
 - c. Even if the tender period was shortened to 7 days as permitted under the Regulations, some if not all of the relevant tenders would expire prior to Council being able to undertake an assessment of tenders, report the matter to Council and resolve to accept or reject any tenders.
 - d. This would result in Council either having no valid tenders which it is able to accept, or it would not be able to consider for acceptance all of the tenders lodged in response to the request for tender.
 - e. This would not be a satisfactory result for Council.
5. Recommend to CNSWJO that further legal advice be sought on a suitable delegated authority structure, both within individual councils, and the JO, that both satisfies the Local Government Act and allows timely acceptance of offers; and
6. Advise Central NSW Joint Organisation of Council's decision.

The amendment was put and lost. The motion was put and carried.

RECOMMENDATION (Nash/Batten)

THAT Council:

1. Note the report on electricity procurement;
2. Note that a reduced tender period has been considered;
3. Resolve that because of the extenuating circumstances set out in the report a satisfactory result would not be achieved by inviting tenders for the aggregated procurement of electricity for large market sites and street lighting which are due to commence on 1 January 2023;

4. Note that the reasons for the decision of the Council in resolution 3 are as follows:
 - a. The services with respect to which the tender relates can only be provided by energy retailers.
 - b. Council has received expert advice that due to the nature of the relevant market, offers from those retailers which will be made in response to the request for tender will only be open for acceptance for a period of 1-2 weeks.
 - c. Even if the tender period was shortened to 7 days as permitted under the Regulations, some if not all of the relevant tenders would expire prior to Council being able to undertake an assessment of tenders, report the matter to Council and resolve to accept or reject any tenders.
 - d. This would result in Council either having no valid tenders which it is able to accept, or it would not be able to consider for acceptance all of the tenders lodged in response to the request for tender.
 - e. This would not be a satisfactory result for Council.
5. Delegate the authority to execute the contracts for the supply of electricity for large market sites and street lighting to the General Manager; and
6. Advise Central NSW Joint Organisation of Council's decision.

6. Carried

ITEM - 5 MID-SCALE SOLAR PLANT

RECOMMENDATION (Nash/Pull)

THAT Council:

1. Note the details included in the report and annexures.
2. Endorse the actions taken to date.
3. Endorse the development of the project to a shovel ready state.
4. Continue to seek and apply for external funding.

7. Carried

ITEM - 6 CONTRACTS FOR LINEMARKING SERVICES

RECOMMENDATION (O'Ryan/Pull)

THAT Council:

1. Accept and sign contracts with Avante Linemarking, Central West Linemarking, Complete Linemarking and Oz Linemarking for Linemarking services, and

2. Advise the Central NSW Joint Organisation of its decision.

8. Carried

It was noted the time being 3.18pm the Mayor resumed the Ordinary Meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Weaver/Oldham)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 22 March, 2022 be adopted.

22/03/24 Carried

There being no further business, the meeting closed at 3.19pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 26 April, 2022 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.