



# REPORT ORDINARY COUNCIL MEETING 25 FEBRUARY 2025

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**PRESENT:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Director Organisational Performance, the Chief Financial Officer, the Manager Dubbo Regional Livestock Markets, the Manager Corporate Governance, the Governance Officers, the Governance Administration Officer, the Director Strategy, Partnerships and Engagement, the Communications Team Leader, the IT Infrastructure Specialist, the IT Support Officer, the Director Development and Environment, the Director Infrastructure, the Manager Infrastructure Strategy and Design, The Manager Strategy Water Supply and Sewerage, the Director Community, Culture and Places and the Manager People, Culture and Safety.

Councillor J Black assumed the Chair of the meeting.

The proceedings of the meeting commenced at 5:30 PM at the Dubbo Civic Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities read by Councillor L Butler. The Acknowledgement of Country was also read by Councillor P Wells.

**CCL25/14 LEAVE OF ABSENCE (ID25/71)**

A request for leave of absence was received from Councillor A Ryan who was absent from the meeting due to personal reasons.

Moved by Councillor P Toynton and seconded by Councillor K Richardson.

**MOTION**

That such request for Leave of Absence be accepted and Councillor A Ryan be granted leave of absence from this meeting.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/15      CONFLICTS OF INTEREST (ID25/72)**

There were no Conflicts of Interest declared.

**CCL25/16      PUBLIC FORUM (ID25/177)**

The Council reports having met with the following persons during Public Forum:

Mr Ian Parkes – Fowler Steam Engine  
Mr Mark Conn – State of the Roads  
Mr James Brown – Wellington Museum  
Ms Margaret McDonald – CCL25/31 – Control of Pest Birds  
Ms Noreen Reeves - CCL25/31 – Control of Pest Birds  
Ms Kirsten Parkes - Fowler Steam Engine  
Mr Ian Rindfleish - CCL25/31 – Control of Pest Birds

**CCL25/17      CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 21 JANUARY  
2025 (ID25/174)**

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 21 January 2025.

Moved by Councillor J Cowley and seconded by Councillor P Toynton.

**MOTION**

**That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 21 January 2025 (as attached) be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**MAYORAL MINUTES:**

**CCL25/18      WATERWAY SAFETY PROGRAM (ID25/170)**

The Council had before it the Mayoral Minute regarding Waterway Safety Program.

Moved by Councillor J Black.

**RECOMMENDATION**

- 1. That Dubbo Regional Council notes the tragic passing of Taonashe 'Latroy' Chivhaku who drowned in the Macquarie River at Sandy Beach, Dubbo on 3 February 2025, and expresses our deep sympathy to the family and friends of Latroy.**
- 2. That Dubbo Regional Council notes the enormous outpouring of community support**

at the vigil held at Sandy Beach on the evening of 6 February 2025.

3. That Dubbo Regional Council discuss with the Chivhaku family regarding their desire for an appropriate memorial to Latroy at Sandy Beach.
4. That the CEO provide a report back to Council on appropriate safety measures that could be implemented at Sandy Beach to reduce the risk of future drowning incidents, and investigate any suitable Water Safety programs that can be provided to schools in the LGA to assist with educating students in river safety, and options for delivery.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

#### **CCL25/19 COST SHIFTING ONTO LOCAL GOVERNMENT (ID25/176)**

The Council had before it the Mayoral Minute regarding Cost Shifting onto Local Government.

Moved by Councillor J Black and seconded by Councillor P Toynton.

#### **RECOMMENDATION**

1. That Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year; and
2. That a copy of the Cost Shifting report be placed on Council's website so that our communities can access it until 30 June 2025; and
3. That Council write to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

#### **INFORMATION ONLY MATTERS:**

#### **CCL25/20 MAYORAL APPOINTMENTS AND MEETINGS (ID25/100)**

The Council had before it the report dated 29 January 2025 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor J Black and seconded by Councillor P Toynton.

#### **MOTION**

**That the information contained within the report be noted.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/21 MAYORAL EXPENSES - DECEMBER 2024 AND JANUARY 2025 (ID25/132)**

The Council had before it the report dated 31 January 2025 from the Chief Executive Officer regarding Mayoral Expenses - December 2024 and January 2025.

Moved by Mayor J Black and seconded by Councillor J Cowley.

**MOTION**

**That the information contained within the report be noted.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/22 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - JANUARY 2025 (ID25/62)**

The Council had before it the report dated 3 February 2025 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - January 2025.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright.

**MOTION**

**That the information contained within the Investment under Section 625 of the Local Government Act Report be noted.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/23 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - DECEMBER 2024 AND JANUARY 2025 (ID25/3)**

The Council had before it the report dated 31 January 2025 from the Corporate Strategy Performance Coordinator regarding Monthly Reporting Snapshot for Councillors - December 2024 and January 2025.

Moved by Councillor J Cowley and seconded by Councillor M Wright.

**MOTION**

**That the information contained within the report of the Corporate Strategy and Performance Coordinator, dated 31 January 2025, be noted.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/24 SUBMISSION TO THE UPPER HOUSE INQUIRY - IMPACT OF RENEWABLE ENERGY ZONES IN NSW (ID25/146)**

The Council had before it the report of the Manager Growth Planning.

Moved by Councillor P Toynton and seconded by Councillor K Richardson.

**MOTION**

**That Council note the submission to the Upper House Inquiry – Impact of Renewable Energy Zones on rural and regional communities and industries in New South Wales (Appendix 2).**

**CARRIED**

**For:** Councillors J Black, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Councillor L Butler.

**MATTERS CONSIDERED BY COMMITTEES:**

**CCL25/25 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING 9 DECEMBER 2024 (ID25/156)**

The Council had before it the report of the Audit, Risk and Improvement Committee meeting held 9 December 2024.

Moved by Councillor R Ivey and seconded by Councillor K Richardson.

**MOTION**

**That the report of the Audit, Risk and Improvement Committee meeting held on 9 December 2024, be adopted.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/26 REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE - MEETING 11 FEBRUARY 2025 (ID25/197)**

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 11 February 2025.

Moved by Councillor P Toynton and seconded by Councillor M Wright.

**MOTION**

**That the report of the Infrastructure, Planning and Environment Committee meeting held on 11 February 2025, be adopted.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/27      REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 11  
FEBRUARY 2025 (ID25/198)**

The Council had before it the report of the Culture and Community Committee meeting held 11 February 2025.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury.

**MOTION**

**That the report of the Culture and Community Committee meeting held on 11 February 2025, be adopted.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/28      REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 11 FEBRUARY  
2025 (ID25/199)**

The Council had before it the report of the Corporate Services Committee meeting held 11 February 2025.

Moved by Councillor P Toynton and seconded by Councillor S Chowdhury.

**MOTION**

**That the report of the Corporate Services Committee meeting held on 11 February 2025, be adopted save and except items CSC25/7 and CSC25/8 with such matters being dealt with separately.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Councillor R Ivey.

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**CSC25/7 DETERMINATION OF COUNCILLOR REPRESENTATION ON COUNCIL  
COMMUNITY COMMITTEES**

The Council had before it the report dated 30 January 2025 from the Governance Team Leader regarding Determination of Councillor Representation on Council Community Committees.

Moved by Councillor M Dickerson and seconded by Councillor S Chowdhury.

**ALTERNATIVE MOTION**

- 1. That the election of Councillor representation on each Community Committee be deferred.**
- 2. That the Terms of Reference for each Community Committee be finalised and presented to the March Ordinary Council meeting for consideration and adoption.**
- 3. At the March Ordinary Council meeting and following the adoption of the Terms of Reference, determine the Councillor representation on each Community Committee in line with the Terms of Reference.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CSC25/8 DRAFT COUNCIL POLICY - CODE OF MEETING PRACTICE - RESULTS OF PUBLIC  
EXHIBITION**

The Committee had before it the report dated 29 January 2025 from the Governance Team Leader regarding Draft Council Policy – Code of Meeting Practice – Results of Public Exhibition.

Moved by Councillor M Dickerson and seconded by Councillor M Wright.

**MOTION**

That the draft Council Policy, Code of Meeting Practice, as attached at Appendix 1, be amended to include

*5.28 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The Councillor's camera must be on at all times. The Councillor must be visible on screen when speaking and when called upon by the Chair by opening their microphone, at any time during the meeting, except as may be otherwise provided for under this code.*

Moved by Councillor P Toynton and seconded by Councillor K Richardson

**AMENDMENT**

- 1. That the draft Council Policy, Code of Meeting Practice, as attached at Appendix 1, be amended to include:**  
*5.28 A councillor must give their full attention to the business and proceedings of*

*the meeting when attending a meeting by audio-visual link. The Councillor's camera must be on at all times. The Councillor must be visible on screen when speaking and when called upon by the Chair by opening their microphone, at any time during the meeting, except as may be otherwise provided for under this code.*

2. That Council elects the Mayor as the deputy chairperson for the Infrastructure, Planning and Environment Committee, Culture and Community Committee and the Corporate Services Committee.

The amendment on being put to the meeting was carried.

CARRIED

**For:** Councillors J Black, J Cowley, K Richardson, P Toynton and P Wells.

**Against:** Councillor M Dickerson, R Ivey, M Wright, L Butler S Chowdhury  
*The Mayor used their casting vote and therefore the motion was carried.*

The amendment then became the motion and on being put to the meeting was carried.

CARRIED

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Councillor R Ivey

#### NOTICES OF MOTION:

##### **CCL25/29 DUBBO REGIONAL COUNCIL FACILITIES FEES AND CHARGES (ID25/131)**

Council had before it a Notice of Motion dated 30 January 2025 from Councillor S Chowdhury regarding the Dubbo Regional Council Facilities Fees and Charges.

Moved by Councillor S Chowdhury and seconded by Councillor J Cowley.

#### MOTION

**That the CEO provide a report to Council, as part of the draft budget process, outlining the existing rates, discounts and subsidies for community groups and non-profit organisations accessing Dubbo Regional Council assets and facilities.**

CARRIED

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

##### **CCL25/30 CENTENARY DUBBO CENOTAPH (ID25/144)**

Council had before it a Notice of Motion dated 28 January 2025 from Councillor S Chowdhury regarding the Centenary Dubbo Cenotaph.

Moved by Councillor S Chowdhury and seconded by Councillor J Cowley.



**MOTION**

That the CEO organise events in conjunction with the Dubbo RSL Subbranch to commemorate the Centenary of the Dubbo Cenotaph which was dedicated on 25 April 1925.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/31 CONTROL OF PEST BIRD SPECIES (ID25/192)**

Council had before it a Notice of Motion dated 14 February 2025 from Councillor P Toynton regarding the Control of Pest Bird Species.

Moved by Councillor P Toynton and seconded by Councillor S Chowdhury.

**MOTION**

That the Chief Executive Officer prepare a report for consideration at the April 2025 Ordinary Council Meeting detailing the following:

1. The role of State and Local Government in the management of pest Bird Species (Pigeons and Indian Myna).
2. Actions undertaken by State Government in the management of pest Bird Species (Pigeons and Indian Myna).
3. Any options available for external funding for Local Government and/or local community groups for control and management programs.
4. Any options for collaborative programs, with an invitation to businesses, to source funding from property owners in the Dubbo Central Business District and the Wellington Town Centre for the management of pest bird species that are problematic/causing issues for private property owners.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/32 FLUORIDATION OF DUBBO DRINKING WATER SUPPLY (ID25/193)**

Council had before it a Notice of Motion dated 14 February 2025 from Councillor P Toynton regarding the Fluoridation of Dubbo Drinking Water Supply.

Moved by Councillor P Toynton and seconded by Councillor K Richardson.

**MOTION**

That the CEO provide a report to the 27 May 2025 Ordinary Council meeting which includes:

- a. The original rationale for the fluoridation of Dubbo drinking water supply.
- b. The documented health risks and benefits of fluoridation.
- c. How fluoride is absorbed by the human body.
- d. Which Councils and/or water authorities in NSW do not fluoridate their water supplies.
- e. Have any NSW Councils or water authorities successfully removed fluoride from the water supply?
- f. Is informed consent necessary for the introduction of fluoride, if so, how is it achieved? If not, why not?
- g. Please advise any statistics if available of tooth decay in the years prior to and after the failure of the fluoride system.

**CARRIED**

**For:** Councillors J Black, L Butler, J Cowley, K Richardson, P Toynton and P Wells.

**Against:** Councillors M Dickerson, R Ivey, S Chowdhury and M Wright.

**CCL25/33 DUBBO WAR MEMORIAL CIVIC HALL (ID25/203)**

Council had before it a Notice of Motion dated 14 February 2025 from Councillor M Dickerson regarding the Dubbo War Memorial Civic Hall.

Moved by Councillor M Dickerson and seconded by Councillor J Cowley.

**MOTION**

That Council:

1. Submit an application to the relevant heritage authority for the inclusion of the Dubbo War Memorial Civic Hall (now part of the Dubbo Regional Theatre and Convention Centre) on the New South Wales War Memorials Register, given its historical significance as a war memorial and civic space.
2. Investigate and identify other historically significant buildings, sites, or structures within the Dubbo Local Government Area that may be eligible for listing on the New South Wales War Memorials Register, and report back to Council with recommendations for further submissions.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**REPORTS FROM STAFF:**

**CCL25/34 FEASIBILITY FOR A NEWELL HIGHWAY BYPASS (ID25/97)**

The Council had before it the report dated 28 January 2025 from the Manager Infrastructure Strategy and Design regarding Feasibility for a Newell Highway Bypass.

Moved by Councillor R Ivey and seconded by Councillor P Toynton.

**MOTION**

**That the report prepared by Council's Manager Infrastructure Strategy and Design be noted.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/35 TREE PRESERVATION ORDER - PROPOSED FRAMEWORK FOR TREE PRESERVATION ORDER AND RESOURCING IMPACTS (ID24/1835)**

The Council had before it the report dated 14 February 2025 from the Manager Recreation and Open Spaces regarding Tree Preservation Order - Proposed Framework for Tree Preservation Order and Resourcing Impacts.

Moved by Councillor L Butler and seconded by Councillor J Cowley.

**MOTION**

**That Council:**

- 1. That Council not proceed with the establishment of a Tree Preservation Order for Private Trees and continue to work with the community to voluntarily identify and include targeted private trees on the Significant Tree Register.**
- 2. That as part of a Greening Strategy to improve urban tree canopy of public trees, Council conduct an education campaign to promote the retention of trees in the urban landscape.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, R Ivey, K Richardson, P Toynton and M Wright.

**Against:** Councillors M Dickerson and P Wells

**CCL25/36 DUBBO REGIONAL COUNCIL STRUCTURE REVIEW (ID25/134)**

The Council had before it the report dated 3 February 2025 from the Manager People Culture and Safety regarding Dubbo Regional Council Structure Review.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright.

**MOTION**

**That Council note the report from CEO, Murray Wood, dated 3 February 2025.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/37 DISCLOSURE OF INTEREST RETURNS - NEW COUNCIL TERM - 2024 (ID25/148)**

The Council had before it the report dated 5 February 2025 from the Manager Corporate Governance regarding Disclosure of Interest Returns - New Council Term - 2024.

Moved by Councillor S Chowdhury and seconded by Councillor P Toynton.

**MOTION**

- 1. That the tabling of the Disclosure of Interest Returns, as detailed in the report of the Manager Corporate Governance dated 5 February 2025, be noted.**
- 2. That the tabling of the Disclosure of Interest Returns, as detailed in the report, be noted.**
- 3. That it be noted that as there were no failures to lodge Disclosure of Interest Returns, no advice is required to be provided to the Office of Local Government on this matter.**
- 4. That the lodged Disclosure of Interest Returns for Councillors be placed on Council's website noting that some private information will be redacted prior to publishing online.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/38 DRAFT SUBMISSION TO THE OFFICE OF LOCAL GOVERNMENT - PROPOSED CODE OF MEETING PRACTICE AND CONDUCT REFORMS (ID25/191)**

The Council had before it the report dated 14 February 2025 from the Manager Corporate Governance regarding Draft submission to the Office of Local Government - Proposed Code of Meeting Practice and Conduct Reforms.

Moved by Councillor K Richardson and seconded by Councillor P Toynton.

**MOTION**

**That the draft letter at appendix 2, be endorsed for submission to the Office of Local Government.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/39 DECEMBER 2024 QUARTERLY BUDGET REVIEW STATEMENT (ID25/159)**

The Council had before it the report dated 10 February 2025 from the Chief Financial Officer regarding December 2024 Quarterly Budget Review Statement.

Moved by Councillor R Ivey and seconded by Councillor S Chowdhury.

**MOTION**

1. That the Quarterly Budget Review Statements as at 31 December 2024, as attached to the report of the Director Organisational Performance dated 10 February 2025, be adopted and such sums voted for such purpose.
2. That the Statement of the Responsible Accounting Officer that Council is in a satisfactory financial position having regard to the changes herewith to the original budget, be noted.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/40 IMPACT OF SECTION 22C OF THE BAIL ACT 2013 (NSW) (ID25/212)**

Council had before it the report in response to the Question on Notice submitted by Councillor M Dickerson.

Moved by Councillor M Dickerson and seconded by Councillor J Cowley.

**RECOMMENDATION**

**That the information contained within the report be noted.**

**CCL25/41 COMMENTS AND MATTERS OF URGENCY (ID25/175)**

There were no matters recorded under this clause.

**CONFIDENTIAL**

In accordance with Section 9(2A) Local Government Act 1993, in the opinion of the Chief Executive Officer, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

The items listed come within the following provisions of the Act:

- *CCL25/42 – Dubbo Advanced Wastewater Treatment Plant – Award of Construction Tender* - the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

- *CCL25/43 – John Gilbert Water Treatment Plant – Liquid Carbon Dioxide Supply and Delivery – Proposed Contractor Engagement - BOC Limited Australia* - the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).
- *CCL25/44 – Tender for Stock Handling at the Dubbo Regional Livestock Markets* - the matter concerned information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).
- *CCL25/45 – Compulsory Acquisition of Trunk Sewer Easement on Lot 15 DP1285243 – Lot 16 DP1285243 – Lot 32 DP1219695 Bunglegumbie Road Dubbo* - the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).
- *CCL25/46 – People, Culture and Safety Quarterly Metrics Report* – the matter concerned information that would, if disclosed, reveal personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).
- *CCL25/47 – 2023/2024 CEO Performance Review* - the matter concerned information that would, if disclosed, reveal personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).
- *CCL25/48 – Chief Executive Officer’s Performance Agreement* - the matter concerned information that would, if disclosed, reveal personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).

There were no submissions as to whether the meeting should be closed for this item.

At this juncture it was moved by Councillor J Cowley and seconded by Councillor M Wright that the Council resolves into closed session, the time being 8:57pm.

The open session resumed at 9:52pm.

The following resolutions made in the closed session in Council were displayed on the screen.

**CCL25/42      DUBBO ADVANCED WASTEWATER TREATMENT PLANT - AWARD OF CONSTRUCTION TENDER (ID25/209)**

The Council had before it the report dated 17 February 2025 from the Acting Director Infrastructure regarding Dubbo Advanced Wastewater Treatment Plant - Award of Construction Tender.

Moved by Councillor J Cowley and seconded by Councillor M Wright.

**MOTION**

**The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).**

Moved by Councillor M Dickerson and seconded by Councillor P Wells.

**MOTION**

1. That Council engage TWS Evolution Pty Ltd to undertake the construction of the Dubbo Advanced Wastewater Treatment Plant (AWTP) for the sum of \$7,041,700 (incl GST).
2. That it be noted that an additional allowance of \$330,000 (incl GST) has been provided for the construction of a recycled water truck filling station on Yarrandale Road, to be performed under a separate contract.
3. That Council delegate the Chief Executive Officer to approve the extension options for this contract if required.
4. That Council delegate the Chief Executive Officer to approve variations for this contract subject to budget limitations.
5. That all documentation in relation to this matter remain confidential to Council.
6. That all documentation in relation to this matter be signed under the Common Seal of Council.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/43      JOHN GILBERT WATER TREATMENT PLANT - LIQUID CARBON DIOXIDE SUPPLY AND DELIVERY - PROPOSED CONTRACTOR ENGAGEMENT - BOC LIMITED AUSTRALIA (ID25/61)**

The Council had before it the report dated 10 February 2025 from the Manager Operations Water and Sewer regarding John Gilbert Water Treatment Plant - Liquid Carbon Dioxide Supply and Delivery - Proposed Contractor Engagement - BOC Limited Australia.

Moved by Councillor J Cowley and seconded by Councillor M Wright.

**MOTION**

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

**CARRIED**

Moved by Councillor S Chowdhury and seconded by Councillor P Toynton.

**MOTION**

1. That Council resolve to enter into a five year contract with BOC Limited for the hire of chemical storage vessel, supply and delivery of liquid carbon dioxide (CO<sub>2</sub>) to ensure treatment of safe quality drinking water at the John Gilbert Water Treatment Plant.

2. That Council delegate the Chief Executive Officer to approve the extension options for this contract if required.
3. That Council delegate the Chief Executive Officer to approve contract variations for this contract subject to budget limitations.
4. That all documentation in relation to this matter remain confidential to Council.
5. That all documentation in relation to this matter be signed under the Common Seal of Council.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/44 TENDER FOR STOCK HANDLING AT THE DUBBO REGIONAL LIVESTOCK MARKETS (ID25/135)**

The Council had before it the report dated 3 February 2025 from the Manager Dubbo Regional Livestock Markets regarding Tender for Stock Handling at the Dubbo Regional Livestock Markets.

Moved by Councillor J Cowley and seconded by Councillor M Wright.

**MOTION**

**The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).**

**CARRIED**

Moved by Councillor S Chowdhury and seconded by Councillor L Butler.

**MOTION**

1. That the contract for Cattle Stock Handling services be awarded to Dubbo Stock and Station Agents in the amount of \$1.10 (incl GST) for Agent that are a member of the Dubbo Stock and Station Agents and for a New Agent that is not a member of the DSSA, the charge of \$10 per head + GST for a yarding over 50 head and \$5.00 per head + GST for any cattle yarded under 50 head.
2. That the contract for Delivery Services be awarded to Dubbo Stock and Station Agents in the amount of \$1.10 (incl GST) for Agent that are member of the Dubbo Stock and Station Agents.
3. That the contract for Sheep Stock Handling Services be awarded to Dubbo Stock and Station Agents in the amount of \$1.10 (incl GST) for Agent that are a member of the Dubbo Stock and Station Agents and for a New Agent that is not a member of the Dubbo Stock and Station Agents the cost of \$2.00 + GST per head.
4. That Council delegate the Chief Executive Officer to approve the extension options for this contract if required.



5. That Council delegate the Chief Executive Officer to approve contract variations for this contract subject to budget limitations.
6. That all documentation in relation to this matter remain confidential to Council.
7. That all documentation in relation to this matter be signed under the Common Seal of Council.

LOST

**For:** Nil

**Against:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

Moved by Councillor M Dickerson and seconded by Councillor P Toynton

#### **MOTION**

1. That Council defer the decision of the Stock Handling Services to allow the Councillors to attend a workshop on the matter.
2. That the matter be reported to the Ordinary Council meeting, 25 March 2025.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

#### **CCL25/45 COMPULSORY ACQUISITION OF TRUNK SEWER EASEMENT ON LOT 15 DP1285243 - LOT 16 DP1285243 - LOT 32 DP1219695 BUNGLEGUMBIE ROAD DUBBO (ID24/2210)**

The Council had before it the report dated 13 February 2025 from the Property and Land Development Officer regarding Compulsory Acquisition of Trunk Sewer Easement on Lot 15 DP1285243 - Lot 16 DP1285243 - Lot 32 DP1219695 Bunglegumbie Road Dubbo.

Moved by Councillor J Cowley and seconded by Councillor M Wright.

#### **MOTION**

**The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).**

**CARRIED**

Moved by Councillor M Dickerson and seconded by Councillor S Chowdhury.

#### **MOTION**

1. That Council approve and proceed with the compulsory acquisition of easements for the areas and purposes as detailed in this report, over the following properties:
  - (a) Lot 15 on DP1285243;
  - (b) Lot 16 on DP1285243; and

- (c) Lot 32 on DP1219695.
2. That the compulsory acquisition of easements over the properties noted in resolution no. 1 (above) are acquired:
    - (a) pursuant to s186(1) of the *Local Government Act 1993*; and
    - (b) in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*, and upon acquisition, that Council's interests are classified as Operational in accordance with Chapter 6, Part 2 of the *Local Government Act 1993*.
  3. That Council register an acquisition plan against the properties noted in resolution no. 1 (above).
  4. That Council approve the making of an application to the Minister for Local Government to issue a Proposed Acquisition Notice under the *Land Acquisition (Just Terms Compensation) Act 1991* for Council to compulsorily acquire easements over the properties noted in resolution no. 1 (above).
  5. That Council approve the making of an application to the Governor of NSW for the publication of an Acquisition Notice in the NSW Government Gazette under the *Land Acquisition (Just Terms Compensation) Act 1991* for Council to compulsorily acquire easements over the properties noted in resolution no. 1 (above).
  6. That Council delegate to the Chief Executive Officer the power to negotiate, finalise and execute any applications, notices, documents and compensation claims required to be executed as part of the process for Council to compulsorily acquire the easements over the properties noted in resolution no. 1 (above).
  7. That any documents which may not be executed by the Chief Executive Officer under delegation be executed under the Common Seal of Council.
  8. That all documentation in relation to this matter remain confidential to Council.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/46 PEOPLE CULTURE AND SAFETY QUARTERLY METRICS REPORT (ID25/155)**

The Council had before it the report dated 7 February 2025 from the Manager People Culture and Safety regarding People Culture and Safety Quarterly Metrics Report.

Moved by Councillor J Cowley and seconded by Councillor M Wright.

**MOTION**

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).

**CARRIED**

Moved by Councillor M Wright and seconded by Councillor P Wells.

**MOTION**

1. That the information contained within the report of the Manager People Culture and Safety dated 7 February 2024 be noted.
2. That this report be provided quarterly to the relevant ordinary meeting of Council.
3. That all documentation in relation to this matter remain confidential to Council.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

*At this juncture the Chief Executive Officer, the Director Organisational Performance, the Chief Financial Officer, the Manager Dubbo Regional Livestock Markets, the Governance Officers, the Governance Administration Officer, the Director Strategy, Partnerships and Engagement, the Communications Team Leader, the IT Infrastructure Specialist, the IT Support Officer, the Director Development and Environment, the Director Infrastructure, the Manager Infrastructure Strategy and Design, The Manager Strategy Water Supply and Sewerage, and the Director Community, Culture and Places left the meeting.*

**CCL25/47 2023/2024 CEO PERFORMANCE REVIEW (ID25/12)**

The Council had before it the report dated 10 January 2025 from the Mayor regarding 2023/2024 CEO Performance Review.

Moved by Councillor J Cowley and seconded by Councillor M Wright.

**MOTION**

**The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).**

**CARRIED**

Moved by Mayor J Black and seconded by Councillor M Dickerson.

**MOTION**

1. That Council approve an increase as outlined in this report, effective 27 November 2024.
2. That all documentation in relation to this matter remain confidential to Council.

**CARRIED**

**For:** Councillors J Black, L Butler, M Dickerson, R Ivey, and M Wright.

**Against:** Councillors S Chowdhury, J Cowley, K Richardson, P Toynton and P Wells.

*The Mayor used their casting vote and therefore the motion was carried.*

**CCL25/48 CHIEF EXECUTIVE OFFICER'S PERFORMANCE AGREEMENT (ID25/145)**

The Council had before it the report dated 3 February 2025 from the Mayor regarding Chief Executive Officer's Performance Agreement.

Moved by Councillor J Cowley and seconded by Councillor M Wright.

**MOTION**

**The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).**

**CARRIED**

Moved by Mayor J Black and seconded by Councillor M Dickerson.

**MOTION**

**That the Mayor be authorised to execute the Chief Executive Officer's Performance Agreement.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, P Toynton, P Wells and M Wright.

**Against:** Nil

The meeting closed at 9:54pm.

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CHAIRPERSON