



# **REPORT ORDINARY COUNCIL MEETING 21 JANUARY 2025**

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

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Director Organisational Performance, the Manager Corporate Governance, the Governance Officer, the Director Strategy, Partnerships and Engagement, the Communications Team Leader, the IT Infrastructure Specialist, the IT Support Officer Wellington, the Director Development and Environment (J Lobb), the Manager Building and Development Services, the Manager Growth Planning, the Director Infrastructure (C Godfrey), the Director Community, Culture and Places (L Christof) and the Manager Fleet and Depot Services.

Mayor 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 J Cowley.

**CCL25/1 LEAVE OF ABSENCE (ID24/2406)**

There were no requests for Leave of Absence.

**CCL25/2 CONFLICTS OF INTEREST (ID24/2407)**

There were no Conflicts of Interest declared.

**CCL25/3 PUBLIC FORUM (ID24/2408)**

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

Greg Kilby – Fire Danger – Macquarie Regional Floodplain

Ian Selby – Water Meter/Guttering Issues/Property Costs

**CCL25/4      CONFIRMATION OF MINUTES - EXTRAORDINARY COUNCIL MEETING - 4  
DECEMBER 2024 AND ORDINARY COUNCIL MEETING - 10 DECEMBER 2024  
(ID24/2409)**

Confirmation of the minutes of the proceedings of the Extraordinary Council meeting held on 4 December 2024 and at the Ordinary Council meeting held on 10 December 2024.

Moved by Councillor S Chowdhury and seconded by Councillor P Toynton

**MOTION**

**That the minutes of the proceedings of the Dubbo Regional Council at the Extraordinary Council meeting held on 4 December and at the Ordinary Council meeting held on 10 December (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, A Ryan, P Toynton, P Wells and M Wright.

**Against:** Nil

**NOTICES OF MOTION:**

**CCL25/5      REVIEW OF ALL SISTER CITY RELATIONSHIPS (ID25/13)**

Council had before it a Notice of Motion dated 10 January 2025 from Councillor M Dickerson regarding the Review of all Sister City Relationships.

Moved by Councillor M Dickerson and seconded by Councillor M Wright

**MOTION**

- 1. That the CEO provide a report to Council in April 2025 regarding the current status of all sister-city relationships involving Dubbo Regional Council, including those formed by the former Wellington Shire Council and Dubbo City Council.**
- 2. The report shall include:**
  - **An overview of activities and engagements for each relationship.**
  - **Recommendations for MOUs or agreements required to continue active partnerships or whether formal cessation of these ties is appropriate.**
- 3. That the Council consider the outcomes of the report and, where appropriate, initiate steps to:**
  - **Formalise MOUs for active partnerships to ensure mutual benefits.**
  - **Engage with cities linked to dormant relationships to determine their interest in reactivating the partnership.**
  - **Politely discontinue ties with cities where mutual engagement is no longer feasible.**

**CARRIED**

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

**Against:** Councillors J Black, L Butler, K Richardson, A Ryan and P Toynton.

**REPORTS FROM STAFF:**

**CCL25/6      D22-528 - CONCRETE WORKS - LOT 2101 DP1227782 AND LOT 211  
DP1220433, 19L-20L SHERATON ROAD, DUBBO  
APPLICANT: REGIONAL HARDROCK PTY LTD  
OWNER: REGIONAL HARDROCK PTY LTD (ID24/2081)**

The Council had before it the report dated 7 November 2024 from the Team Leader Growth Planning Projects regarding D22-528 - Concrete Works - Lot 2101 DP1227782 and Lot 211 DP1220433, 19L-20L Sheraton Road, Dubbo

Applicant: Regional Hardrock Pty Ltd

Owner: Regional Hardrock Pty Ltd.

Moved by Councillor K Richardson and seconded by Councillor M Wright

**MOTION**

1. That Development Application No. D22-528 for a Concrete Works at Lot 2101 DP1227782 and Lot 211 DP1220433, 19L-20L Sheraton Road Dubbo be approved subject to the conditions listed in Appendix 1.
2. That Council grant delegation to the Chief Executive Officer to sign the determination (approval).

**CARRIED**

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

**Against:** Nil

**CCL25/7      DRAFT PLANNING AGREEMENT VPA24-001 - CONCRETE WORKS - 19L AND  
20L SHERATON ROAD DUBBO (ID24/2166)**

The Council had before it the report dated 6 January 2025 from the Team Leader Growth Planning Projects regarding Draft Planning Agreement VPA24-001 - Concrete Works - 19L and 20L Sheraton Road Dubbo.

Moved by Councillor P Toynton and seconded by Councillor P Wells

**MOTION**

1. That a draft Planning Agreement be prepared generally in accordance with the updated terms identified in this report and the letter of offer provided by Regional Hardrock Pty Ltd (attached in Appendix 1).
2. That the \$124,000 contribution to the upgrade of Sheraton Road be paid to Council within 30 days of the issue of notice of determination for Development Application D22-528.
3. That a further report be presented to Council for consideration if a Planning Agreement cannot be successfully negotiated.
4. That a draft Planning Agreement and Explanatory Note prepared in accordance with

the terms identified in this report be placed on public exhibition in accordance with the Environmental Planning and Assessment Act, 1979.

5. That following the conclusion of the public exhibition period, a further report be presented to Council for consideration, including any submissions received.

**CARRIED**

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

**Against:** Councillor M Dickerson.

#### **CCL25/8 COMMENTS AND MATTERS OF URGENCY (ID24/2410)**

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:

- *CCL25/9 - Quotation For The Supply And Delivery Of One 15,000 Kg Front End Loader* - the matter concerned commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council (Section 10A(2)(d)(ii)).
- *CCL25/10 – Quotation For The Supply And Delivery Of One Prime Mover Truck* - the matter concerned commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council (Section 10A(2)(d)(ii)).
- *CCL25/11– State Highways Heavy Patching Program - Quotation Recommendation* - the matter concerned information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).
- *CCL25/12 - Engagement For Concept Design, Investigation Works And Detailed Design For The Upgrade Of Keswick Sewer Pump Station And Wheelers Lane Town Water Supply Bore In 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)).
- *CCL25/13 - Dubbo Advanced Wastewater Treatment Plant - Review Of Tender Submissions* - the matter concerned information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

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

At this juncture it was moved by Councillor L Butler and seconded by Councillor Richard Ivey that the Council resolves into closed session, the time being 6:10pm

The open session resumed at 6:17pm.

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

**CCL25/9      QUOTATION FOR THE SUPPLY AND DELIVERY OF ONE 15,000 KG FRONT END LOADER (ID25/7)**

The Council had before it the report dated 7 January 2025 from the Manager Fleet and Depot Services regarding Quotation for the Supply and Delivery of One 15,000 kg Front End Loader.

Moved by Councillor L Butler and seconded by Councillor R Ivey

**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 commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council (Section 10A(2)(d)(ii)).**

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

**MOTION**

- 1. That the quotation from WesTrac Pty Ltd to supply one Caterpillar 938-BR front end loader for the purchase price of \$353,823.39 (excl. GST) be approved.**
- 2. That Plant 2193 be traded-in to WesTrac Pty Ltd for the price of \$160,000.00 (excl. GST).**
- 3. That all documentation in relation to this matter remain confidential to Council.**
- 4. 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, A Ryan, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/10      QUOTATION FOR THE SUPPLY AND DELIVERY OF ONE PRIME MOVER TRUCK (ID25/8)**

The Council had before it the report dated 8 January 2025 from the Manager Fleet and Depot Services regarding Quotation for the Supply and Delivery of One Prime Mover Truck.

Moved by Councillor L Butler and seconded by Councillor R Ivey

**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 commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council (Section 10A(2)(d)(ii)).

Moved by Councillor L Butler and seconded by Councillor P Wells

**MOTION**

**RECOMMENDATION**

1. That the quotation from Hino Motor Sales Australia Pty Ltd to supply one Hino FS 2848 prime mover truck for the purchase price of \$249,603.64 (excl. GST) be approved.
2. That Plant 2233 be sent to Pickles Auction for disposal.
3. That all documentation in relation to this matter remain confidential to Council.
4. 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, A Ryan, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/11 STATE HIGHWAYS HEAVY PATCHING PROGRAM - QUOTATION  
RECOMMENDATION (ID24/2076)**

The Council had before it the report dated 7 November 2024 from the Project Engineer regarding State Highways Heavy Patching Program - Quotation Recommendation.

Moved by Councillor L Butler and seconded by Councillor R Ivey

**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)).

Moved by Councillor S Chowdhury and seconded by Councillor P Toynton

**MOTION**

1. That the contract for Full Service for Heavy Patching and Shoulder Widening Works on State Highways be awarded to Downer Edi Works Pty Ltd in the amount of \$764,981.35 (incl GST).

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, A Ryan, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/12      ENGAGEMENT FOR CONCEPT DESIGN, INVESTIGATION WORKS AND  
DETAILED DESIGN FOR THE UPGRADE OF KESWICK SEWER PUMP STATION  
AND WHEELERS LANE TOWN WATER SUPPLY BORE IN DUBBO (ID24/2448)**

The Council had before it the report dated 6 January 2025 from the Director Infrastructure regarding Engagement for Concept Design, Investigation Works and Detailed Design for the Upgrade of Keswick Sewer Pump Station and Wheelers Lane Town Water Supply Bore in Dubbo.

Moved by Councillor L Butler and seconded by Councillor R Ivey

**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 J Cowley and seconded by Councillor S Chowdhury

**MOTION**

1. That Council directly engage NSW Public Works under the provisions of Section 55(3)(b) of the Local Government Act 1993 for \$297,319.00 (incl GST).
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 variations for this contract subject to budget limitations.
4. That all documentation in relation to this matter be signed under the Common Seal of Council.
5. 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, A Ryan, P Toynton, P Wells and M Wright.

**Against:** Nil

**CCL25/13      DUBBO ADVANCED WASTEWATER TREATMENT PLANT - REVIEW OF TENDER SUBMISSIONS (ID25/20)**

The Council had before it the report dated 12 January 2025 from the Director Infrastructure regarding Dubbo Advanced Wastewater Treatment Plant - Review of Tender Submissions.

Moved by Councillor L Butler and seconded by Councillor R Ivey

**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)).**

Moved by Councillor J Cowley and seconded by Councillor S Chowdhury

**MOTION**

- 1. That, in accordance with Clause 178(1)(b) of the Local Government (General) Regulation 2021, Council decline all tenders received for the Advanced Wastewater Treatment Plant Dubbo due to budget constraints.**
- 2. That, in accordance with Clause 178(3)(e) of the Local Government (General) Regulation 2021, Council enter negotiations with the preferred tenderer, TWS Evolution Pty Ltd, with a view to entering a contract in relation to the subject matter of the tender.**
- 3. That all documentation in relation to this matter remain confidential to Council.**
- 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 be signed under the Common Seal of Council.**
- 6. That it be noted that this project enables Council to utilise the currently stranded asset that is the Dubbo non-potable pipeline in the Dubbo urban area.**

**CARRIED**

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

**Against:** Nil

The meeting closed at 6:18pm.

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CHAIRPERSON