

Message

Message Header

From: paul toole/bathurstcc@bathurstcc
To: group councillors@bathurstcc
Cc: david sherley/bathurstcc@bathurstcc
Recipients: mayor/bathurstcc@bathurstcc, paul toole/bathurstcc@bathurstcc, bobby bourke/bathurstcc@bathurstcc, tracey carpenter/bathurstcc@bathurstcc, warren aubin/bathurstcc@bathurstcc, greg westman/bathurstcc@bathurstcc, ross thompson/bathurstcc@bathurstcc
Subject: Fw: Sewer Access Charge
Delivered: 17/07/2009 01:20 PM
Msg ID: 1105926
Form: memo
Signature: 302e021500c6f3eb8fd879da9750d3551a3b20beb83ae89a91021500a7fd639adaeaf9c

Message

Councillors,

I was asked to forward this on to you as well, as you can see in the email listed below.

Paul Toole
Mayor
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6205
Fax: 02 63317211
Web: www.bathurst.nsw.gov.auPaul Toole

Councillor
Bathurst Regional Council
----- Forwarded by Paul Toole/BathurstCC on 17/07/2009 01:20 PM -----

Ray Carter <ray@carterbros.com>
17/07/2009 09:06 AM

To
paul.toole@bathurst.nsw.gov.au
cc

Subject
Sewer Access Charge

Dear Paul

Could you please forward the attached to the Councillors and present this material to the Council

regards
Ray Carter
0407258882

BLANK

BLANK

BLANK

BLANK

Message

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To: group councillors@bathurstcc
Bcc: david sherley/bathurstcc@bathurstcc
Recipients: mayor/bathurstcc@bathurstcc, paul toole/bathurstcc@bathurstcc, bobby bourke/bathurstcc@bathurstcc, tracey carpenter/bathurstcc@bathurstcc, warren aubin/bathurstcc@bathurstcc, greg westman/bathurstcc@bathurstcc, ross thompson/bathurstcc@bathurstcc
Subject: Fw: Sewer Access Charge
Delivered: 16/07/2009 04:52 PM
Msg ID: 1104975
Form: memo
Signature: 302d02150096790898d60850624d469c41db1ae533baaac20102144d8474a5d4b3b56f

Message

This was passed on to me last week Councillor's, for your information. It was sent too late to be included in the Business Paper for July, and was dealt with at the Budget meeting. Council has an adopted position on this matter.

Paul Toole
Mayor
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6205
Fax: 02 63317211
Web: www.bathurst.nsw.gov.auPaul Toole

Councillor
Bathurst Regional Council
----- Forwarded by Paul Toole/BathurstCC on 16/07/2009 04:52 PM -----

Ray Carter <ray@carterbros.com>
09/07/2009 09:48 AM

To
paul.toole@bathurst.nsw.gov.au
cc

Subject
Sewer Access Charge

Mayor Paul Toole
Bathurst Regional Council
9/7/2009

Dear Paul

I note Council's decision in regard to the Traffic Control tender and attach a copy of the article on that from the Western Advocate 8 July 2009. In this article you note and defend both Councils "obligation under its charter" and that "we had guidelines to follow". I formally request that the same standards be applied to the Sewer

Access Charge.

BRC's charter states that Council apply fairness to rates and charges.

Both the report I had done for my property at 16 Vale Rd (demonstrating a 3-400% overcharge) and the submission I made for the Management Plan demonstrate the unfairness in the Sewer Access Charge. These together with the non disclosure of the Equivalent Tenement option in an appropriate manner is clearly at odds with Councils Charter. That Council has refused to apply the Equivalent Tenement method to my property at 16 Vale Rd is certainly unfair because Council by its own management plan can only implement the Access Charge using the "service connection size times the discharge factor) in the absence of the report that I have submitted. (this being in accordance with Councils Management Plan and confirmed in latter Council correspondence)

Just as there are Guidelines for Council to deal with tenders there are Guidelines for the application of Sewer Rates and Charges. These clearly state that the Charge must reflect the "load put on the sewer system" and that the Charge must be comparable to the residential charge. The study I submitted for my property demonstrate that the charge could not be compared to the residential charge and bears no connection to the load put on the sewer by several hundred percent.

As stated, I request that the same standards you rightly defend in regard to tender matters be applied to the Sewer Access Charge and that the study I had done for 16 Vale Rd, (the invitation to do this being but forward by Council itself) assessing the load put on the sewer system be accepted and applied in accordance with Councils own management plan.

On the dozen or so properties I own that are subject to sewer access charges I estimate that what I consider to be an overcharge is costing my companies thirteen to twenty two thousand dollars per annum. Should I seek restitution from Council at any time in the future please note that the base date for such restitution would be the date at which Council refused to consider the study I submitted for 16 Vale Rd.

Please present this letter at the next Council meeting.

regards
Ray Carter



Subject Sewer Access Charge

Mayor Paul Toole
Bathurst Regional Council
9/7/2009

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regards
Ray Carter

OVERWHELMED: Bathurst Traffic Services owner Gary Jackman says he has been by what he calls an 'unbelievable' community response to his plight. Photo: ZENIO LAPRA 070300rain63

A decision council had to make

By BRIAN WOOD

BATHURST Regional Council had little choice but to accept the Dubbo Traffic Control tender to provide traffic services across the region, councillors say.

Despite the fact local jobs may have been put at risk, Mayor Paul Toole said the Local Government Act does not allow council to go outside the boundaries of the tender criteria.

"We would dearly love to see local businesses supported where ever possible," Cr Toole said yesterday.

However, council has an obligation under its charter to address the details of the tender and to use ratepayers' funds the best way possible.

"On this occasion we looked at the price, ability to provide a service and OH&S issues. Once all this data comes in it is assessed by council's officers and then ranked in order of suitability before a decision is made.

"However, community input wasn't part of the tender when we called for traffic services."

Cr Toole agreed that what businesses do for the community is important. "But we had guidelines to follow and that's what we did," he said.

But Cr Bobby Bourke said he was less than impressed with the outcome.

"Concerns were expressed about the possible loss of local jobs and the impact on community events during the closed door discussions regarding this tender," Cr Bourke said. "Price was the main issue though and obviously council went with the lowest tender."

"Unfortunately there is no room in the tender process for commonsense."

Really, our hands were tied. That was the advice we received from council's senior officers."

Cr Bourke said he would push for council to pay for traffic services for events like the Edgell Jog and B2B cycle race if they were in danger of folding. "But first we will have to see how meetings between the organisers of these community events and Dubbo Traffic Control go," he said.

- Revised selection process - the public votes with...
- The winner of each category will be decided by an inc...
- A gala presentation night on Friday 18 September 2...

6 WESTERN ADVOCATE, Wednesday, July 8, 2009

X
Note ①

Note ②

FYI

Paul Toole
Mayor
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6205
Fax: 02 63317211
Web: www.bathurst.nsw.gov.auPaul Toole

Councillor
Bathurst Regional Council

----- Forwarded by Paul Toole/BathurstCC on 09/07/2009 11:52 AM -----



Ray Carter
<ray@carterbros.com>
09/07/2009 09:48 AM

To paul.toole@bathurst.nsw.gov.au
cc
Subject Sewer Access Charge

Mayor Paul Toole
Bathurst Regional Council
9/7/2009

Dear Paul

I note Councils decision in regard to the Traffic Control tender and attach a copy of the article on that from the Western Advocate 8 July 2009. In this article you note and defend both Councils "obligation under its charter" and that "we had guidelines to follow". I formally request that the same standards be applied to the Sewer Access Charge.

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Please present this letter at the next Council meeting.

regards
Ray Carter

26.00010-03/034

David Sherley/BathurstCC
17/07/2009 07:53 AM
File Number. 1
Your Ref.
Full Name.
Lachlan Sullivan
Title.
Organisation.

To David Sherley/BathurstCC@BathurstCC
cc
bcc Council/BathurstCC
Subject Mayor response to L. Sullivan re query on : SDF's or ET's /
Ray Carter

Sewer Discharge Fees

David Sherley
General Manager
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6201
Fax: 02 6331 7211
Mobile: 0408 637 527
Web: www.bathurst.nsw.gov.au

----- Forwarded by David Sherley/BathurstCC on 17/07/2009 07:50 AM -----

Paul Toole/BathurstCC
17/07/2009 07:48 AM

To david.sherley@bathurst.nsw.gov.au
cc bob.roach@bathurst.nsw.gov.au
Subject Re: SDF's or ET's

Gentlemen,

This was my response to this latest email.

Dave Sherley, can you also put this email on file please.

Lachlan,

This matter through previous submissions has been considered by the Council when looking at the Budget.

I also understand that it has been raised with the Bathurst Business Chamber and they are satisfied with the response.

Discussions in this matter have only seen one person, raising the issue over the past number of years and it has been dealt with appropriately by being considered, by the Council, each year in it's Management Plan. A Working Party was also held on Rates and Charges.

On any matter presented to Council, it is an individual right's to take Council to court if he/she so

141

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desires.

This is the process and if you have a different suggestion that you think should be considered, then please include it in writing to the Council.

Paul Toole
Mayor
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6205
Fax: 02 63317211
Web: www.bathurst.nsw.gov.auPaul Toole

Councillor
Bathurst Regional Council

"Westpoint News Toys & Gifts"

<wpntg@bigpond.net.au>

16/07/2009 10:54 AM

To "Cr Paul Toole" <Paul.Toole@bathurst.nsw.gov.au>

cc

Subje SDF's or ET's
ct

Paul

I have just received a copy of Carter Bros last email to you.

I know we have had this conversation before but in can't believe that this issue between BRC and Carter Bros had lingered for what seems years to me.

This issue has had more twists and turns from BRC than I can believe.

Frankly I agree with Carters that BRC appear's to be duplicitous.

As I have stated to you before, I think BRC's interpretation of the State Government guidelines regarding User Payers Sewerage charges is a rip off for Bathurst Business and I was concerned that if this issue went to Court it may place you as Mayor in a position that could be perceived as anti business.

I want to reiterate my comments in an earlier email this week regarding the BTS issue, that the senior staff will not be at the ballot box and I employe you to ensure that you don't sign documents that may put you at odd's with the constituency.

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BLANK

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Message

Message Header

From: paul toole/bathurstcc@bathurstcc
To: info@millahmurrah.com
Subject: RE: Sewer Access Charge
Delivered: 17/07/2009 02:15 PM
Msg ID: 1106092
Form: reply
Signature: 302d0215008968a75e8d7f990b430c04b68f9907c4e7be74dd021464681d035564d7336

Message

He will never be satisfied and that is correct "if he pays less, then someone else is going to pay more"

The Bathurst Business Chamber are satisfied with what we do and over the past few years, only one person has a complained.

I will be asking for a pay rise soon!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!! I wish, along with you all!!!!!!!!!!!!!!!!!!1

Paul Toole
Mayor
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6205
Fax: 02 63317211
Web: www.bathurst.nsw.gov.auPaul Toole

Councillor
Bathurst Regional Council

"Ross Thompson" <info@millahmurrah.com>

17/07/2009 02:15 PM

Please respond to
<info@millahmurrah.com>

To
<paul.toole@bathurst.nsw.gov.au>
cc

Subject
RE: Sewer Access Charge

Thanks...I do find it hard to understand completely, but recall being satisfied about the ETs as what Ray wants will penalise someone else...Can I have your job please? Thanks for taking the heat on this one for us!!!!
RT

-----Original Message-----

From: paul.toole@bathurst.nsw.gov.au [mailto:paul.toole@bathurst.nsw.gov.au]

Sent: Friday, 17 July 2009 1:24 PM
To: Group_Councillors@bathurst.nsw.gov.au
Cc: david.sherley@bathurst.nsw.gov.au
Subject: Fw: Sewer Access Charge

Councillors,

I was asked to forward this on to you as well, as you can see in the email listed below.

Paul Toole
Mayor
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6205
Fax: 02 63317211
Web: www.bathurst.nsw.gov.auPaul Toole

Councillor
Bathurst Regional Council
----- Forwarded by Paul Toole/BathurstCC on 17/07/2009 01:20 PM -----

Ray Carter
<ray@carterbros.com>
17/07/2009 09:06 AM
To
paul.toole@bathurst.nsw.gov.au
cc
Subject
Sewer Access Charge

Dear Paul

Could you please forward the attached to the Councillors and present this material to the Council

regards
Ray Carter
0407258882

(Embedded image moved to file: pic09515.jpg) (Embedded image moved to file: pic17964.jpg)(Embedded image moved to file: pic23342.jpg)
(Embedded image moved to file: pic08075.jpg)(Embedded image moved to file: pic17913.jpg)

"This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender, and are not necessarily the views of Bathurst Regional Council, unless otherwise stated.
For the purposes of the Copyright Act, the permission of the holder of copyright in this communication may be taken to have been granted, unless stated otherwise, for the copying or forwarding of this message, as long as

Message

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To: paul.toole@bathurst.nsw.gov.au
Recipients: paul toole/bathurstcc@bathurstcc
Subject: RE: Sewer Access Charge
Delivered: 17/07/2009 02:14 PM
Msg ID: 1106070
Form: memo
Signature: 302d0214222a1ced721f24788ef8f8be911dc78d8523694ae0215009c50cf83dcfa1ce6314

Message

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RT

-----Original Message-----

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Sent: Friday, 17 July 2009 1:24 PM
To: Group_Councillors@bathurst.nsw.gov.au
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Web: www.bathurst.nsw.gov.auPaul Toole

Councillor
Bathurst Regional Council

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Ray Carter
<ray@carterbros.com> To
paul.toole@bathurst.nsw.gov.au cc
17/07/2009 09:06 AM
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File No: 22.01972

15 September 2009

Mr Ray Carter
233 College Road
BATHURST NSW 2795

Dear Mr Carter

16 Vale Road

Council wishes to advise that the meter downsize for the above property has been processed and the adjustment of water and sewer availability charges for part of 2008/2009 and 2009/2010 are set out below.

Assessment: 4758.50000.5

Remove	2008/2009 Part year charge for 40mm Water Charge and Sewer Charge 95% SDF	-\$849.23
Add	2008/2009 Part year charge for 32mm Water Charge and Sewer Charge 95% SDF	\$543.55
Remove	2009/2010 full year charge for 40mm Water Charge and Sewer Charge 95% SDF	-\$1829.05
Add	2009/2010 full year charge for 32mm Water Charge and Sewer Charge 95% SDF	\$1171.20
	Total	-\$963.53

If you require further information, please contact Council's Rates Department on 6333 6132.

Yours faithfully

R Roach 
DIRECTOR, CORPORATE SERVICES
AND FINANCE

22. 01972/023
26. 00010-03

David Sherley/BathurstCC
17/07/2009 07:19 AM

To group records@BathurstCC
Bob Roach/BathurstCC@BathurstCC, Tony
cc Burgoyne/BathurstCC, Brian
Dwyer/BathurstCC@BathurstCC, David
bcc
Subject Email from Ray Carter Fw: Sewer Access Charge

Records

Please file.

Bob, Tony, Brian for information.

David Sherley
General Manager
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6201
Fax: 02 6331 7211
Mobile: 0408 637 527
Web: www.bathurst.nsw.gov.au

----- Forwarded by David Sherley/BathurstCC on 17/07/2009 07:18 AM -----

Paul Toole/BathurstCC

16/07/2009 05:00 PM

To Ray Carter <ray@carterbros.com>
cc
Subject Re: Sewer Access Charge

Thanks Ray!

Your letter was forwarded on to all Councillor's and was not included in the Business Paper last meeting as it missed the cut off date.

Council did consider your submissions previously, in the Budgetary process

Paul Toole
Mayor
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6205
Fax: 02 63317211
Web: www.bathurst.nsw.gov.au Paul Toole

Councillor
Bathurst Regional Council
Ray Carter <ray@carterbros.com>



Ray Carter
<ray@carterbros.com>
09/07/2009 09:48 AM

To paul.toole@bathurst.nsw.gov.au
cc

Message

Message Header

From: donna ball/bathurstcc@bathurstcc
To: carla winkley/bathurstcc@bathurstcc
Subject: DRAFT MANAGEMENT PLAN - SUBMISSION16.0011
Delivered: 30/11/2009 01:09 PM
Msg ID: 1376868
Form: memo
Signature: 302e021500810ec315557efa563912c8fd2b0aaff8f840b127021500c8dbe9bd78606c69c

Attachments

[rheathl02_08_064.pdf](#)

Message

----- Forwarded by Donna Ball/BathurstCC on 30/11/2009 01:09 PM -----

"Ray Carter" <ray@carterbros.com>
30/11/2009 12:46 PM

To
<council@bathurst.nsw.gov.au>
cc

Subject

19/05/09

Mr David Sherley
Bathurst Regional Council
Civic Center

Attached is a submission I make to be considered in regard to the Draft Management Plan 2009/2010- 2012-2013.

The submission is in regard to the method used by Council to implement the Sewer Access Charge.
The submission demonstrates that the manner in which Council implements the Sewer Access Charge does not meet the Fairness criteria set out in the User Pays Guidelines for the Sewer Access Charge in the following manner-

- it does not encourage lower water usage as required, as it is predominately a charge on the unrelated water meter size
- it includes the impost of stand by fire service capacity which has no bearing on sewer load
- it does not reflect properly a charge based on the load put on the sewer system as required
- it does not take into account the fact that in non residential situations the hose reels could be sealed as some Councils have done.
- it is based on the false premis that water from fire hose reels is permanently entering the sewer system which is false and very unlikely to occur.
- it is an unfair impost on businesses that use little water. ie in the example case it presently costs 87 cents to flush the toilet.
- Councils charge is up to 400% over what should fairly be charged in some cases
- it has been backed up by option one (never advertised but allowing Council to present its methods as fair to the Local Govt Dept) which allowed the non residential ratepayer to have the load properly assessed in equivalent

tenements (ETs) only to become evident that this was a ruse by Council who dismissed this right when presented with just one study. as allowed

- Council has no right to have the Charge done the way it is done where option one is used. Now that one study on ETs has been done Council has grandly dismissed my right right to submit this
- The dismissal of the one study done has proved that quite probably option one was never meant to surface or could indeed have been a ruse.
- Council should be fair and genuinely assess the true load put on the sewer system for non residential ratepayers such that the charge compares with residential charges as required by the State Govt.
- Council should compare the manner in which it applies the charge in comparison with say Orange City Council who have ensured fairness in their charge
- Council should have advertised the option of using ETs which precluded the method which has been used in an above board manner without fear or favour from the beginning ie July 04
- Council has extracted from non residential ratepayers perhaps up to three million dollars over the past five years by its (personally I think ,covert) manner of never making public the first option
- It would appear that Council has loaded up the business sector charge by using the two part charge with an uneven hand in order to keep the cost of water itself down (for reasons of popularity in certain quarters I guess) but this is a patently and demonstrably unfair impost on Bathurst business and expansion in hard times. AND flies in the face of water conservation which is a paramount criteria of the State Govt.

The professional submission that is made here backs up my contention set out in letters over the last five years as to the unfairness inherent in the manner in which Council implements the so called Fair User Pays , Sewer Access Charge. I request that that correspondence be attached to this submission. I request that Council review the Sewer Access Charge and bring fairness into it by causing the charge to reflect the load put on the sewer system and make it comparable to the residential charge as was envisaged in the term itself "Fair User Pays"

regards
Ray Carter.

- RHeathL02_08_064.pdf

Message

Message Header

From: paul toole/bathurstcc@bathurstcc
To: david sherley/bathurstcc@bathurstcc
Cc: bob roach/bathurstcc@bathurstcc
Subject: Sewer
Delivered: 30/11/2009 03:33 PM
Msg ID: 1377513
Form: memo
Signature: 302d02150089025f6af23ca279620569dbc10ba9b100bbc4fb021445730e64e0fda390e1

Attachments

[rheathl02_08_064.pdf](#)

Message

Another letter.

I'll forward on to other councillors late tomorrow.

Show Bob as well.

Below was my response to him back in May of this year, after the same accusation.

Dear Ray

Your submission has been forwarded on for consideration in the 2009/10 Management Plan. It has also been forwarded on to each of the Councillors

With our meeting at the Visitor Information Centre, I do not recall saying that I would like to "see you up against Mr Roach". To the best of my memory I recall suggesting that any action you take as an individual is for you to determine.

Regards

Paul

When I respond i will resubmit this again!!!!!!

Paul Toole
Mayor
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6205
Fax: 02 63317211
Web: www.bathurst.nsw.gov.auPaul Toole

Councillor
Bathurst Regional Council

----- Forwarded by Paul Toole/BathurstCC on 30/11/2009 03:33 PM -----

"Ray Carter" <ray@carterbros.com>
30/11/2009 12:46 PM

To
<paul.toole@bathurst.nsw.gov.au>
cc

Subject

Dear Paul

hope you keep well.

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look forward to hearing from you

regards

Ray Carter

Message

Message Header

From: david sherley/bathurstcc@bathurstcc
To: russell deans/bathurstcc@bathurstcc, doug patterson/bathurstcc@bathurstcc
Cc: david sherley/bathurstcc@bathurstcc, bob roach/bathurstcc@bathurstcc
Bcc: council/bathurstcc@bathurstcc
Subject: Ray Carter correspondence about sewerage charges
Delivered: 03/12/2009 04:43 PM
Msg ID: 1386399
Form: memo
Signature: 302d0215008df12fc757d413078c46788b4afa86f111d757280214552b0985465a947b9c

Attachments

[rheathl02_08_064.pdf](#)

Message

Doug & Russell

Any thoughts? Liaise with DCSF.

David Sherley
General Manager
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6201
Fax: 02 6331 7211
Web: www.bathurst.nsw.gov.au

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Paul Toole/BathurstCC
30/11/2009 03:38 PM

To
David Sherley/BathurstCC@BathurstCC
cc
Bob Roach/BathurstCC@BathurstCC
Subject
Sewer

Another letter.

I'll forward on to other councillors late tomorrow.

Show Bob as well.

Below was my response to him back in May of this year, after the same accusation.

Dear Ray

Your submission has been forwarded on for consideration in the 2009/10 Management Plan. It has also been forwarded on to each of the Councillors

With our meeting at the Visitor Information Centre, I do not recall saying that I would like to "see you up against Mr Roach". To the best of my memory I recall suggesting that any action you take as an individual is for you to determine.

Regards

Paul

When I respond i will resubmit this again!!!!!!

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Mayor
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6205
Fax: 02 63317211
Web: www.bathurst.nsw.gov.auPaul Toole

Councillor
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Fw: submission

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158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6205
Fax: 02 63317211
Web: www.bathurst.nsw.gov.auPaul Toole

Councillor
Bathurst Regional Council
----- Forwarded by Paul Toole/BathurstCC on 11/12/2009 12:05 AM -----

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10/12/2009 05:33 PM

To
paul.toole@bathurst.nsw.gov.au
cc

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> Mayor
> Bathurst Regional Council
> 158 Russell Street Bathurst NSW 2795
> Phone: 02 6333 6205
> Fax: 02 63317211
> Web: www.bathurst.nsw.gov.auPaul Toole

>
> Councillor
> Bathurst Regional Council

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> 30/11/2009 12:46 PM

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Message

Message Header

From: bob roach/bathurstcc@bathurstcc
To: david sherley/bathurstcc@bathurstcc
Cc: mayor/bathurstcc@bathurstcc
Subject: Re: Ray Carter : submission management plan : sewer - 2009/2010 & 2010/11 plans
Delivered: 11/12/2009 10:18 AM
Msg ID: 1401653
Form: reply
Signature: 302d021500a819195b28460953e3e66c840bc9e07859e8205c021416ea40511e515225

Attachments

3 submission(d).pdf, 1 submission sewer charges.pdf

Message

Dave and Paul,

Ray received the letter a few days after Man Plan was adopted....said his request had been considered but on this occasion Council went with the SDF method...have not heard back from him...until the recent letter and report from Heath Consulting...will refer to next Man Plan for consideration

Bob Roach
Director
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6257
Fax: 02 6331 7211
Mobile: 0408 639 543
Web: www.bathurst.nsw.gov.au

David Sherley/BathurstCC
11/12/2009 07:52 AM
File Number. 16.00112 &
Your Ref.
Full Name. Ray Carter
Title.
Organisation.

To
Bob Roach/BathurstCC@BathurstCC
cc
David Sherley/BathurstCC@BathurstCC, Carla Winkley/BathurstCC@BathurstCC
Subject
Ray Carter : submission management plan : sewer - 2009/2010 & 2010/11 plans

Records

Please place on both files i.e. 2009/10 mgent plan file (16.00112) & 2010/11 (?????) mgent plan file

Paul

The following was part of the report to council on the 2009/10 management plan (DCSF #4, Ordinary meeting 17.06.2009). This had the Heath Consulting letter of 13 May 2009 attached. The last 2 pages that you sent yesterday to councillors are not included in the submissions put to the management plan (????).

Also when the Mgent Plan went on public exhibition refer DCSF #4, 15.04.2009, Ray had another submission up on the same issue, see below. This was included in the business paper.

I think you can respond to Ray that yes the submission was considered.

Bob,

Did you send a letter to Ray after the Mgent Plan was adopted, covering his submission? If so can you let Paul know please.

REPORT TO COUNCIL 17.06.2009.

(d) Change to Sewer Access Pricing

Recommendation: That Council not amend its Management Plan for 2009/2010 in respect of the submission received from Mr Carter.

Report: Council has received a submission from Mr R Carter (attachment 3) to change the already adopted best practice system in regard to non residential sewer access charges. This is a further submission to the Management Plan as his previous submission that was considered by Council at its meeting 15 April 2009 was not successful.

Council currently charges an access fee based on the size of the installed meter at a property, using the same methodology that applies to the water fund. When the system was introduced, Council agreed to downsize meters at no cost to the ratepayer upon presentation of a certificate from a hydraulic engineer.

Mr Carter's proposed system is based on nominal meter access charges to compensate for premises where the water meter is oversized for the purpose of firefighting. The alternate method proposed is based on Equivalent Tenements (ET's) and bases the access charges on the peak load that the discharger places on the sewerage system. Such dischargers therefore have the option of providing to Council an expert report to establish the peak load that their operations place on the sewerage system.

The access charge that Council has adopted reflects the actual access that a property has to the system. Accordingly, it is recommended to continue the existing method for the user pays sewerage charges.

Financial Implications

Adoption of a new charging structure would require recalculation of the entire sewerage user pays system using the new methodology. Council's operating margins in the sewerage system are minimal and a loss in revenue from Mr Carter's property would require the deficit to be recovered from the rest of the community.

REPORT TO COUNCIL 15.04.2009
SEWERAGE SERVICES

The Sewerage Services budget will have a total expenditure of \$9.124 million this year.

Council's income from Sewerage charges in 2009/2010 has been prepared with a proposed increase in charges of 4.5% in order to maintain the status quo in service delivery.

Council is now in its fifth year of user pays pricing for sewerage services. The introduction of the pricing system was completed to comply with "Best-Practice Management of Water Supply and Sewerage" guidelines issued by the Department of Energy, Utilities and Sustainability (DEUS) and the "Water Supply, Sewerage and Trade Waste Pricing Guidelines" issued by the Department of Land and Water Conservation.

The guidelines state that best practice involves a two part charge, an access charge based on the size of the meter serving the property and a usage charge based on the water usage registered by the meter. A Sewerage Discharge Factor (SDF), being an estimation of the ratio of water returned to the sewerage system compared to total water usage, is then applied to the charges to create equity across non residential customers. DEUS issued a standard set of SDF's for categories of businesses which Council used in its implementation, ranging from 45% to 95%. For example, a hairdressing salon in the CBD will return nearly all its water consumption to the sewerage system as its water would be only used for hair washing and toilets and would be allocated a high SDF. A school, on the other hand, would use a large proportion of its water usage on its grounds and therefore would have a lower SDF as the water is not being returned to the sewerage system.

Council has received a submission from a ratepayer (attachment 1) to change the already adopted best practice system in regard to non residential access charges. Council currently charges an access fee based on the size of the installed meter at a property, using the same methodology that applies to the water fund. When the system was introduced, Council agreed to downsize meters at no cost to the ratepayer upon presentation of a certificate from a hydraulic engineer. The proposed system is based on nominal meter access charges to compensate for premises where the water meter is oversized for the purpose of firefighting. The alternate method proposed is based on Equivalent Tenements (ET's) and bases the access charges on the peak load that the discharger places on the sewerage system. Such dischargers therefore have the option of providing to Council an expert report to establish the peak load that their operations place on the sewerage system.

The access charge that Council has adopted reflects the actual access that a property has to the system and is considered to be the most equitable methodology available.

The submission also contains a letter from the then Planning Minister to the ratepayer advising that "Best practice pricing is sometimes a difficult adjustment to make for local water utilities and some of their customers. Bathurst Regional Council has taken a responsible approach in moving to such a tariff".

Accordingly, it is recommended to continue the existing method for the user pays sewerage charges.

The major capital works proposed for 2009/2010 include:

- Construction of Rankin Street high level sewer main interconnections to reduce overflows.
- Replacement of sewerage pumps and aged switchboards at Sewer Pump Stations.
- Concrete reinstatement at inlet works at Wastewater Treatment Works.
- Various treatment work upgrades.
- Various minor capital upgrades.

David Sherley
General Manager
Bathurst Regional Council
158 Russell Street Bathurst NSW 2795
Phone: 02 6333 6201
Fax: 02 6331 7211
Web: www.bathurst.nsw.gov.au

----- Forwarded by David Sherley/BathurstCC on 11/12/2009 07:34 AM -----

Paul Toole/BathurstCC
11/12/2009 12:07 AM

To
David Sherley/BathurstCC@BathurstCC
cc

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Web: www.bathurst.nsw.gov.auPaul Toole

Councillor
Bathurst Regional Council
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David Sherley/BathurstCC
03/12/2009 04:44 PM
File Number. 1
Your Ref.
Full Name. Ray
Carter
Title.
Organisation.

To Doug Patterson/BathurstCC@BathurstCC, Russell
Deans/BathurstCC@BathurstCC
cc David Sherley/BathurstCC@BathurstCC, Bob
Roach/BathurstCC@BathurstCC
bcc Council/BathurstCC
Subject Ray Carter correspondence about sewerage charges

Doug & Russell

Any thoughts? Liaise with DCSF.

BATHURST REGIONAL COUNCIL
- 4 DEC 2009
REF 16.00116-02/013

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GM ✓
DES ✓
ESRD ✓
Mayor ✓

169

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Councillor
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RHeathL02_08_064.pdf