

Message

Message Header

From: ray@carterbros.com
To: paul.toole@bathurst.nsw.gov.au
Recipients: paul toole/bathurstcc@bathurstcc
Subject: Sewer Access Charge
Delivered: 24/05/2009 05:53 PM
Msg ID: 988515
Form: memo
Signature: 302d0215008d5442af2619fb032631123b963c2bd754663bb7021429481c99c4e2bdc1c

Attachments

[david sherley -may 09.doc](#)

Message

Dear Paul
thank you for passing the Roger Heath report on to the councillors.
Attached is a copy of a recent letter of mine to GM David Sherley.
I hope that this may better clarify my position for you as well and
could you pass this on to the Councillors (please let me know)
regards
Ray Carter
0407258882
- David Sherley -May 09.doc

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Message

Message Header

From: david sherley/bathurstcc@bathurstcc
To: group records@bathurstcc
Cc: david shaw/bathurstcc@bathurstcc, carla winkley/bathurstcc@bathurstcc, david sherley denyer/bathurstcc@bathurstcc, bob roach/bathurstcc@bathurstcc
Recipients: helen hurditch/bathurstcc@bathurstcc, brian dwyer/bathurstcc@bathurstcc, council/bath gordon/bathurstcc@bathurstcc, donna ball/bathurstcc@bathurstcc, narelle heness/bath trainee/bathurstcc@bathurstcc
Subject: Letter fr Ray Carter : 1. Sewer Access Charge & 2. DA2007/0650
Delivered: 25/05/2009 07:22 AM
Msg ID: 988735
Form: memo
Signature: 302c02141b21c7aca291c3cba8546bfc6792ca7885093d60214598d540a0d44632e021

Attachments

david sherley -may 09.doc

Message

Letter from Mr Carter covers two topics. It is probably in the mail.

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 25/05/2009 07:22 AM -----

Paul Toole/BathurstCC
24/05/2009 08:02 PM

To
david.sherley@bathurst.nsw.gov.au
cc

Subject
Fw: Sewer Access Charge

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 22/05/2009 02:23 PM -----

Ray Carter <ray@carterbros.com>

24/05/2009 05:52 PM

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

Subject
Sewer Access Charge

Dear Paul
thank you for passing the Roger Heath report on to the councillors.
Attached is a copy of a recent letter of mine to GM David Sherley.
I hope that this may better clarify my position for you as well and
could you pass this on to the Councillors (please let me know)
regards
Ray Carter
0407258882
- David Sherley -May 09.doc

- 1 DEC 2009

REF. 16.00116-02/011

Donna Ball/BathurstCC
30/11/2009 01:09 PM

To Carla Winkley/BathurstCC,
cc
bcc
Subject DRAFT MANAGEMENT PLAN - SUBMISSION
16.00116

----- 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 assesed 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 comparrison 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

DCSF

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- 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

3 Toronto St
Kelso
22/5/09

Mr David Sherley
General Manager
Bathurst Regional Council

Dear Mr Sherley

re section 94 Contributions DA 2007/0650 and the Sewer Access Charge
your letter DS:WM:DA2007/0650

You are correct. The amount was paid. I did not mean for it to be paid. It was an error on the part of my staff and made from the wrong Company.

You seem impervious to my real complaints so I will recount some of them here.

Council tried to wrongly claim an amount that would have come to approx \$28,000 by trying to include the 18m setback in the area calculation of the above. In frustration over that argument and finding late, more evidence for my claim, I paid two weeks late and you pounced on the calculation to be done for the next year. Council agreed with my area calculation in only Nov 08. Why was that ? The fire trail was never to be included. What avenue would I have had if someone in my office had slipped up and paid the incorrect amount you were claiming as has happened with the above ?

In regard to the matter of the refund for meter downsize refunds; you offhandedly called the three letters from Council promising that, alongside the one from the Minister, "illegal" and refused to repay the \$31000 until ,(I note) a couple days after Mayor Norm Mann lost his position.

When I made known to you that I found in Councils own internal report (which you said must be a public document seeing I had a copy) that non residential ratepayers had the right to have the load put on the sewer assessed in ET s. your written reply avoided the issue and you made it clear when I phoned that in effect Council would find other means to put the non residential rate up if the first option was used. I knew that this was not so as you have another report from your financial director stating in such a case the residential rate would have to rise.

Much the same as the preceding happened when the Bathurst Business Chamber wrote to you on the same matter, though the Chamber President was adamant that what you told him also was definitely the case (or rather, "had to be believed") and for a time refused to take the matter further.

It costs approx. 87 cents at one of my properties to flush the toilet. You apparently think this is fair under Fair User Pays which is calculated supposedly on the "Load put on the sewer system". Council gathers several hundred thousand dollars per annum under a

charge headed "Fair User Pays". A charge that is supposed to be comparable to the residential charge I think not. Hardly fair on the businesses of Bathurst I think.

The use of the first option involving assessment of the sewer load in ET s precludes Council using the second option. Last year I called the then Council Administrator Kath Knowles who was in charge during the changover and implementation of the so called Fair User Pays Sewer Charge and asked did she know of the first option. She did not, until I explained it to her . As you know Council did not volunteer it (let alone advertise it as the only possible way to put fairness into the charge). It only came to light on more careful reading of your reports by myself some three years after the implementation of the "Fair User Pays" system. Kath Knowles ,Administrator , Consultant John Humphreys who did the report for the Chamber as Minister Sartor suggested and everyone else concerned with the unfairness inherent in the charge would have been able to deal with the matter properly at the proper time had they known ! You could not show the coutresy of revealing the first option to the Consultant Jonh Humphreys as appropriate; but your staff could find the time to make inappropriate contact with him. How could anyone feel that this is becoming behavior by our local council ?

When I did recently present Council with a report as per option one, you now have simply moved the goal posts off the field altogether saying I have no right to even present such a report.

Perhaps this may explain why I feel I have nowhere else to appeal but to the NSW Ombudsman.

Yours faithfully

Ray Carter



22. 01972 /021

Civic Centre Telephone 02 6333 6111
Cnr Russell & William Sts Facsimile 02 6331 7211
Private Mail Bag 17 council@bathurst.nsw.gov.au
Bathurst NSW 2795 www.bathurstregion.com.au

22 May 2009

Mr Ray Carter
3 Toronto Street
KELSO NSW 2795

Dear Mr Carter

Re: 16 Vale Road

Council acknowledges receipt of your letter dated 10 February 2009.

Council wishes to advise that a downsize of your meter at the above property will occur from a 40mm meter to a 32mm meter as recommended by Council's plumbing contractor. This account will be adjusted from the date of your initial request on 10 February 2009.

If you require further assistance please contact Council's Systems Accountant Ms Lesley Haley on (02) 6333 6237.

Yours faithfully

R Roach 
DIRECTOR
CORPORATE SERVICES & FINANCE

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alt

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Message

Message Header

From: monica@belindas.com.au
To: paul.toole@bathurst.nsw.gov.au
Recipients: paul toole/bathurstcc@bathurstcc
Subject: RE: Sewer Access Charge
Delivered: 25/05/2009 08:36 AM
Msg ID: 988812
Form: memo
Signature: 302d021500ad4ed9c6137b6ba62faa609ef664ace742ef6d9302141e1c313c925f8e5b93

Message

Thanks Paul - a bit of reading to do on this issue!!

Monica Morse

Director

Belinda's Business Centre

Telephone: 02 6331 8766

123 Howick Street

Bathurst NSW 2795

www.belindas.com.au

Protected by NOD 32 AntiVirus

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

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

Sent: 24 May 2009 22:45

To: ian.north@bathurst.nsw.gov.au; bobby.bourke@bathurst.nsw.gov.au;
paul.toole@bathurst.nsw.gov.au; TraceyCarpenter@bathurst.nsw.gov.au;
warren.aubin@bathurst.nsw.gov.au; ross.thompson@bathurst.nsw.gov.au;
greg.westman@bathurst.nsw.gov.au; graeme.hanger@bathurst.nsw.gov.au;
monica.morse@bathurst.nsw.gov.au; mayor@bathurst.nsw.gov.au
Subject: Fw: Sewer Access Charge

Ray asked this to be sent on to each of you as well.

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 22/05/2009 05:04 PM -----

Ray Carter

<ray@carterbros.com>

To

paul.toole@bathurst.nsw.gov.au

24/05/2009 05:52

cc

PM
Subject
Sewer Access Charge

Dear Paul
thank you for passing the Roger Heath report on to the councillors.
Attached is a copy of a recent letter of mine to GM David Sherley.
I hope that this may better clarify my position for you as well and
could you pass this on to the Councillors (please let me know)
regards
Ray Carter
0407258882
(See attached file: David Sherley -May 09.doc)

"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 both the content of this communication and
the purpose for which it is copied or forwarded are work related."

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.

This is NOT adopted policy @.

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.

[attachment "3_submission(d).pdf" deleted by mayor/BathurstCC]

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.

[attachment "1_Submission_Sewer_Charges.pdf" deleted by mayor/BathurstCC]

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

Records

26.00010-03/032

MEMORANDUM

TO: MANAGER WATER AND WASTE
FROM: DIRECTOR ENGINEERING SERVICES
DATE: 29 MAY 2009
SUBJECT: BEST PRACTICE GUIDELINES
FILE: DP:CB: 26.00010

On the 24 June 2009 a Councillor's Working Party is proposed with one of the items being an update on Council's current position on the Department of Water and Energy's Guidelines for Best Practice of Water and Sewerage.

Would you please arrange for the preparation of a report to this working party.



Doug Patterson
**DIRECTOR
ENGINEERING SERVICES**

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Nil if the recommendation is adopted.

(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.

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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.

(e) **Gilmour Street and Sydney Road Medium Island Landscaping**

Recommendation: That Council not amend its Management Plan for 2009/2010 in respect of the request by Mr Cassidy.

Report: Council has received a request from Mr Bob Cassidy to reconsider an item that is currently below the line (refer to **attachment 4**). As Council is aware the budget this year has been extremely difficult to keep in surplus and some previously planned projects have been moved "below the line" as funds are not available. These projects can be brought forward into later years when the economic climate has recovered.

Financial Implications

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REPORT TO WORKING PARTY TO BE HELD ON WEDNESDAY 9 NOVEMBER 2005

3. USER PAYS SEWERAGE (26.00010)

In July 2004 Council introduced Best Practice sewer user pays. The introduction of this sewer pricing policy was at the recommendation of the NSW State Government. In August 2003 Council recommended that it replace its ad-volorem charges with annual sewer charges for all categories of Council's customers. Extensive modeling was carried out and numerous reports presented to Council. Council has had an extremely high acceptance of the new user pay sewer which was based on cost recovery as well as elimination of cross subsidisation between various categories of customers.

The information supplied to Council, in particular, detailed the implementation schedule together with the recommendation of the various based options available to Council. Contained within the **attachments** is a detailed calculation which shows the cross subsidy that existed and Council's system of eliminating this cross subsidy over the next three years. Since the introduction of user pays sewer Council has had several discussions with rate payers in the business sector of the community who would like to see a reduction in the access charge and an increase in the volumetric consumption charge. This has been discussed with each of the people concerned and also Council has had discussions with the Minister in relation to these problems.

Also **attached** is the latest reply from the Minister in respect to the Government's position on the use of nominal charges in respect to water meters used for fire fighting purposes. Council, at the present time, has not made any changes to its present user pays system adopted on 1 July 2005.

Councillors are reminded that for Council to apply for Best Practice user pays it should not introduce cross subsidisation between categories of residential and business type customers and also it must have a cost recovery type policy where all categories of customers pay their respective amounts for the use of Council's Sewerage systems.



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

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16.00116 / 033



Civic Centre
Cnr Russell & William Sts
Private Mail Bag 17
Bathurst NSW 2795
Telephone 02 6333 6111
Facsimile 02 6331 7211
council@bathurst.nsw.gov.au
www.bathurstregion.com.au

18 June 2009

Mr Ray Carter
3 Toronto Street
BATHURST NSW 2795

Dear Mr Carter

Submission to Draft 2009/2010 Management Plan

I refer to your submission to the Draft Management Plan dated 19 May 2009.

Council, at its meeting held on 17 June 2009, considered a report detailing the methods available for the charging of sewer charges. This report detailed the Sewerage Discharge Factor method (SDF) and the Equivalent Tenement (ET) method.

On this occasion Council resolved not to amend its practice of charging for sewerage charges.

Council thanks you for your time and effort made in making your submission.

Yours faithfully

R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

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Paul Toole/BathurstCC
 20/05/2009 04:05 PM
 File Number.
 16.00116/018
 Your Ref.
 Full Name. Ray
 Carter
 Title.
 Organisation.

To Ray Carter <ray@carterbros.com>
 cc
 bcc Council/BathurstCC
 Subject Re: management plan submission

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

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>
 20/05/2009 12:06 PM

To paul.toole@bathurst.nsw.gov.au
 cc
 Subject management plan submission

Dear Paul

hope you are keeping well.

Attached is a submission I have submitted for the 09 Management Plan. It is a report I commissioned from Consulting Engineer Mr Roger Heath on the sewer access charge as implemented by BRC. You will find it a succinct document which clearly demonstrates the inequities inherent in the manner in which BRC administers the Sewer Access Charge. It is obvious from the report that BRC has loaded the Access portion of the two part charge Charge for non residential ratepayers in order that the cost of water be kept low. While everyone may enjoy low cost water in Bathurst it should not be at the expense of low load sewer users as demonstrated in in the example used (ie 300-400% overcharge or 87cents

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to flush an industrial toilet.)

When we met at the visitors Information Center one time you said you would like to "see me go up against Mr Roach". Having taken that on board I have sent this report to the NSW Ombudsman in the hope that the matter be resolved.

Could you forward this report to the Councillors please. Please let me know on that.

regards

Ray Carter

0407258882



RHeathL02_08_064.pdf

4:3
18

BATHURST REGIONAL COUNCIL
20 MAY 2009
REF: 16.00116/018

19/5/09.
3 Toronto St
Bathurst

The GM
Bathurst City Council
Mr David Sturley.

submission for the Draft Management Plan

I request that Council release this submission and previous correspondence of mine in regard to the Sewer Access Charge in regard to revising the charge to add-fairness to the issue. by making the charge reflect actual usage and load on the sewer system.

regards
Ray Carter

GM
MCG
DES
Swan
DCSF

87

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

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 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 R2B 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.

- The winner of each category will be decided by an independent selection process - the public votes with their
- A gala presentation night on Friday 18 September 2009 with entertainment

6 WESTERN ADVOCATE, Wednesday, July 8, 2009

X
Note ①

16/3/09

