



ORDINARY MEETING OF
COUNCIL FOLLOWING POLICY
COMMITTEE

29 August 2018

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 5 September 2018

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 5 September 2018 commencing at approximately 7.00 pm (or immediately following the conclusion of the Policy Committee/Discussion Forum).

A handwritten signature in blue ink, appearing to read "D J Sherley".

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

TO BE HELD ON WEDNESDAY, 5 SEPTEMBER 2018

1. 7:00 PM - MEETING COMMENCES

2. APOLOGIES

3. DECLARATION OF INTEREST

To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Section 451 of the Local Government Act, in relation to Declaration of Interest at meetings.

4. RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS

* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

* DIRECTOR ENGINEERING SERVICES' REPORT

5. RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS

Recommendation: That:

- (a) Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
- (c) Correspondence and reports relevant to the subject business be withheld from access.

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005,:

- 1. In accordance with Section 9(2A) of the Local Government Act 1993, it is the opinion of the General Manager that the following business is of a kind as referred to in section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public.
- 2. In accordance with Section 10B(1) it is considered that discussion of the matter in open meeting, would on balance, be contrary to the public interest.

3. In accordance with Section 10A(4) members of the public are invited to make representations to the Council as to whether the matters should or should not be dealt with in Confidential Committee.

*** DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST AQUA PARK - LICENCE AND RENTAL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR LANDSCAPE CONSTRUCTION OF FREEMAN PARK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

6. RESOLVE INTO OPEN COUNCIL

7. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

8. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

Present: Councillors Hanger (Chair), Aubin, Bourke, Christian, Jennings, Morse, North, Rudge.

MINUTE

2 APOLOGIES

MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That the apology from Cr Fry be accepted and leave of absence granted.

MINUTE

3 DECLARATION OF INTEREST 11.00002
MOVED: Cr I North SECONDED: Cr M Morse

RESOLVED: That the Declaration of Interest be noted.

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND
MINUTES**

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

5 SEPTEMBER 2018

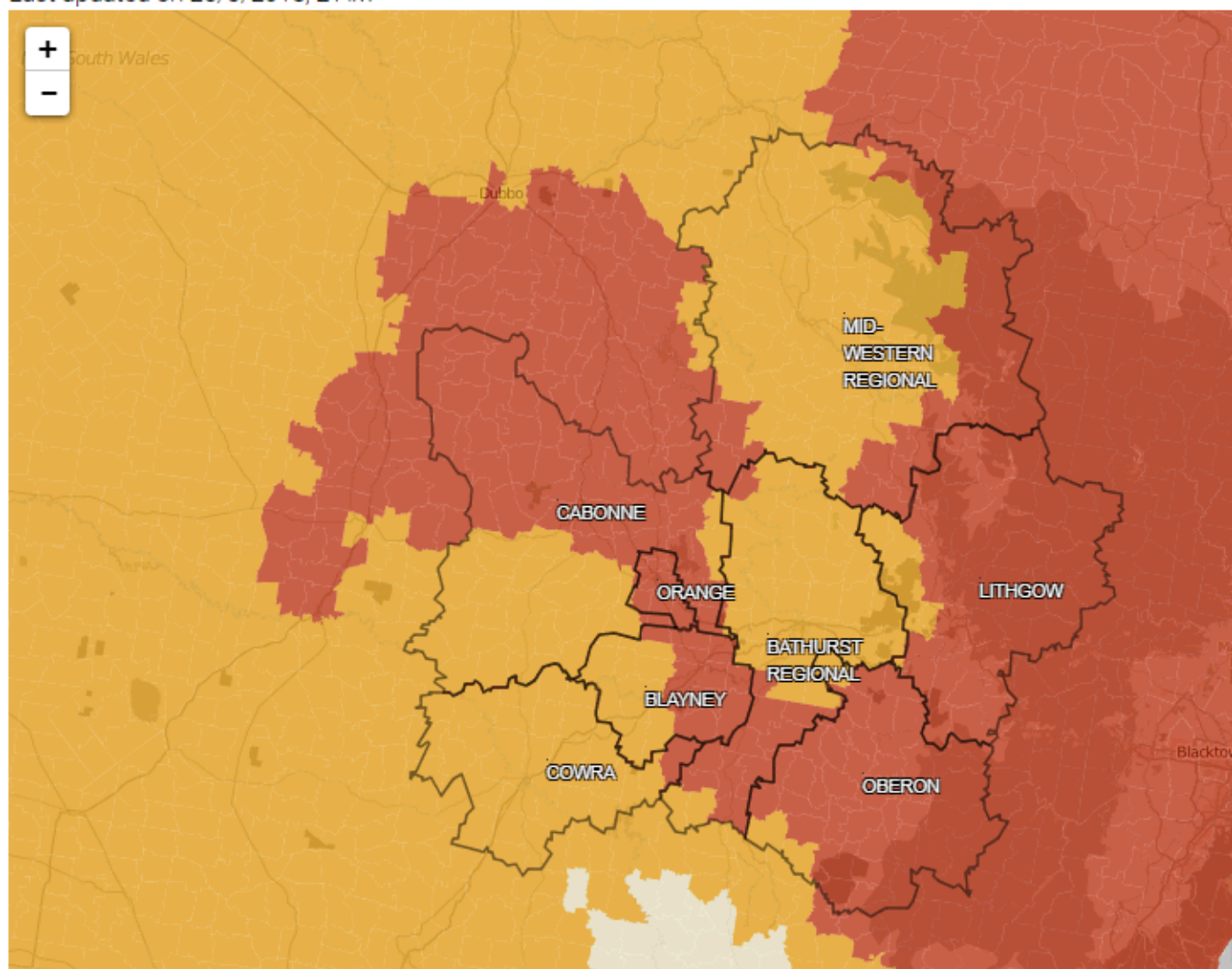
1 FREE WATER FOR VERIFIED PRIMARY PRODUCERS (16.00155)

Recommendation: That Council provides free water for verified primary producers until the drought declaration for the Bathurst Local Government Area has been removed or as resolved by Council.

Report: Drought is an inevitable feature in our landscape, therefore it should be considered in the same light as other risks to farm businesses. However, the length and severity of the current drought is the worst on record and, according to the Department of Primary Industries, 61 per cent of NSW is either in drought or intense drought, while nearly 39 per cent is drought affected.

As at 23 August 2018, the drought statistics for the Central Tablelands are "Intense Drought" at 50.1% and "Drought" at 49.9%, shown in the map below from the Department of Primary Industries.

Last updated on 23/8/2018, 2 AM



Council has a pass card system in place at its standpipes in Hereford Street for the provision of water. This is normally charged out at \$5.00 per kilolitre as per Council's adopted

Revenue Policy 2018/2019. Council, at its Policy Meeting of 6 June 2018, resolved to decrease the price to \$2.50 per kilolitre, in accordance with the Revenue Policy whilst part of the region is drought declared. At the same meeting, Council resolved to consider the provision of free water to verified primary producers, after a period of public consultation. That period has now closed with twelve submissions received; nine in favour and three against. A copy of each submission is provided at **Attachment 1** for consideration by Council.

The proposed scheme will have the following guidelines:

- An application form must be submitted (available on the website or at the Civic Centre).
- The applicant must produce proof of Bathurst LGA residency/ownership of a farmland rate parcel of land, eg drivers licence, Council staff can look up the rates record.
- The applicant must provide a Property Identification Code from Local Land Services.
- The free water allocation will be limited to 20 Kilolitres of water per week per rate notice (non-accruing), to be reviewed regularly and adjusted if necessary based on Ben Chifley Dam levels.
- The water must be used for stock and domestic purposes only, and not be on sold to a third party.
- Council is not responsible for cartage nor the quality of the water once it has been dispensed from the standpipe and users of this service are solely responsible for cleanliness of containers/tanks filled from filling stations.
- Council will monitor usage and reserves the right to cancel access to filling stations if conditions of use are not complied with.
- The scheme will cease in the event of any of the following:
 - (a) When Ben Chifley Dam reaches a capacity of 40% or lower;
 - (b) Drought declaration is lifted for the Bathurst Regional Council area; or
 - (c) Four months from the commencement of the scheme.

Financial Implications: The financial implications of this scheme are very difficult to estimate. Council has approximately 1,450 properties rated as farmland, however, the take-up rate and length of time until the drought declaration is lifted are completely unknown factors. Bulk water sales are estimated at \$30,000 for the 2017/2018 year, the effect of half-price sales, that has already been provided for, means the loss of at least \$15,000 in revenue, however the increased usage also means Council's operating costs will also increase markedly, as well as faster depletion of the Dam water

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 2: A smart and vibrant economy Strategy 2.1, 2.4
- Objective 5: Community health, safety and well being Strategy 5.3

Community Engagement

- Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

MINUTE

- 4 Item 1 FREE WATER FOR VERIFIED PRIMARY PRODUCERS (16.00155)
MOVED: Cr J Jennings SECONDED: Cr W Aubin

RESOLVED: That Council provides free water for verified primary producers until the drought declaration for the Bathurst Local Government Area has been removed or as resolved by Council.

**2 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 32.00005)**

Recommendation: That the information be noted.

Report: The following items have been included in the confidential section of the business paper for Council's consideration:

1 BATHURST AQUA PARK - LICENCE AND RENTAL (32.00005)

This report relates to a proposal to enter into a licence agreement and rental agreement with the operators of the Bathurst Aqua Park.at Ben Chifley Dam.

Financial Implications: There are no financial implications resulting from this report.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

MINUTE

5 Item 2 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 32.00005)

MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A Jones', written over a large, hand-drawn oval shape.

A Jones
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

5 SEPTEMBER 2018

1 INTERSECTION OF MITRE, SUTTON & LAMBERT STREETS (25.00095)

Recommendation: That Council:

- (a) note results of the public consultation, and
- (b) call tenders once construction plans are finalised.

Report: Council will be aware of the ongoing matter of the intersection of Mitre, Sutton and Lambert Streets, Bathurst, which has been the subject of numerous reports to Council.

At the Ordinary Meeting of Council in June 2018, Council resolved to place plans for the proposed design of a roundabout at this intersection on public consultation for a period of 28 days. Council also resolved to proceed directly to construction, unless any submissions were received on this topic, in which case a further report on the matter would be presented to Council.

By close of the consultation period, 101 submissions were received from 95 individuals or organisations. These consisted of 62 submissions that were hand delivered or emailed, and 39 submissions made through 'YourSay Bathurst'.

It should be noted that approximately 55 of these submissions were received in the same submission format, and contained similar comments. All of these were supportive of the project, with most offering no objections and no further comment on the proposal beyond support. Furthermore, some members of the public submitted via both formats, namely by written submission and via 'YourSay Bathurst'.

Of the 95 individuals and organisations that provided submissions, the majority indicated general support for the project.

However, it should be noted that this general support was in many cases tempered by comments objecting to elements of the design or concerns over the future implications of the project. Other submissions objected to the construction of the roundabout for similar reasons. Comments and objections received included the following:

- *Lack of parking out the front of the existing shops*

Multiple submissions, including the current tenants of each shop and residents in the area who rely on these shops, objected to the removal of the parking lot on the southern side of Sutton Street. It was noted that this, coupled with the removal of the pedestrian crossing over Sutton Street, would substantially reduce the patronage these businesses experience.

It is necessary to remove the existing parking lot to construct a roundabout at this intersection. Preliminary plans proposed an indented parking bay in front of the businesses, but this could not be incorporated into the final design due to geometric constraints. While parking on the opposite side of the road is not ideal, this will still ensure parking is available for access to the shops.

- *Removal of marked pedestrian crossing on Sutton Street*

Many submissions objected to the removal of the Sutton Street marked pedestrian crossing. Key objections related to the reduction of disability access at the intersection, safety concerns for children and parents, and the likely impact on patronage to the

shops. The overall feedback received stated that the intersection would become less pedestrian-friendly should a roundabout be installed.

The existing pedestrian crossing was constructed prior to the adoption of current design guidelines, and no longer complies. While Council is not required to remove any crossing that has met appropriate standards at the time of construction, Council is required to ensure all new or replacement facilities meet current design standards. Low pedestrian volumes at this location mean that a marked pedestrian crossing cannot be accommodated, as this does not meet the warrants for installation in accordance with the Roads and Maritime Services (RMS) Supplement to AS 1742.

The final design will cater for all pedestrian movements through the provision of pedestrian refuges on pedestrian desire lines, connecting to all current footpaths.

- Negative impact on adjacent businesses and road network during construction

Submissions noted that the disruption to the road network during works would be significant, particularly with respect to school traffic in the morning peak. It was also stated that the construction process would be likely to negatively impact on the adjacent businesses operating on the corner of Mitre and Suttor Streets.

For these works to be undertaken, access through this intersection for school traffic and members of the public will be substantially restricted. Access through this intersection will not be available for the majority of the construction period, and it is highly unlikely, due to the nature and scope of the works being undertaken, that works can be restricted to the school holiday period. Council will need to prepare a traffic management plan, in consultation with Assumption School and adjacent business owners, to provide appropriate access during this time.

As stated above, the project will require the removal of the existing parking spaces in front of the shops. The construction process will necessitate the removal of this parking before the proposed new carpark is constructed, resulting in limited parking and reduced access to these businesses during the construction period. While the inconvenience to these businesses associated with the proposed works is evident, this is unavoidable for the construction of a roundabout at this intersection.

- Negative impact on taxi companies

A submission noted that the proposal requires the removal of the existing taxi rank on Mitre Street during construction of the project, and that the final design does not leave sufficient room for taxis to park at this location to continue to provide the current level of service. It was requested that a temporary taxi zone be provided for the duration of the works, and that the new carpark included specific allocated spaces for six (6) taxis in lieu of the current taxi rank on Mitre Street, which will be replaced by blister islands.

While the inconvenience of removing the taxi rank is recognised, this is necessary for the construction of this project. Council will be required to liaise with the taxi companies to determine the most appropriate means of temporarily relocating these, and to determine a long-term solution for this issue.

- High cost of project

Many of the submissions were concerned about the cost of the project, and stated that this was not an appropriate use of Council funds.

The proposed works at this intersection are expensive for the limited benefit they provide, primarily due to service relocations that must be undertaken to realign this intersection. This has been the primary reason no works have been undertaken at this intersection to date, and the key reason Council's application for Black Spot Funding was not successful.

Council has previously been advised of the substantial cost associated with this project, which will be again addressed briefly later in this report.

- *Vehicles will speed through the intersection*

Both supporters and opponents of the proposal noted that the proposed roundabout will improve traffic flow, but may make the intersection more dangerous by increasing speeds through the intersection.

The proposed roundabout has been designed in accordance with current Austroads design standards, which aim to limit entry speeds to reduce the impact of possible collisions. However, it must be acknowledged that the current intersection layout can be confusing to some road users, which necessarily increases caution at the intersection. This has been previously noted as the likely cause for the lack of recorded crash history at this intersection.

Removing confusion through constructing a roundabout is likely to result in higher vehicle speeds through the intersection, with greater possibility of drivers entering dangerously. However, Council cannot force individual drivers to obey the road rules.

- *Proposed vegetation will make a roundabout unsafe*

Several submissions objected to the inclusion of vegetation on the central island of the proposed roundabout, as per the current design. This was noted as being likely to cause sight distance issues at the roundabout.

Council has a current policy, adopted in 2014, which has assessed the risks associated with vegetation at roundabouts, and provides guidelines for the maintenance of this vegetation. The proposed roundabout will be constructed to meet these guidelines.

- *Proposed new carpark has oddly aligned layout*

The proposed carpark layout has been noted as being unusual and may cause difficulties for vehicles accessing parking spaces.

Council engineers, in conjunction with the design consultant, have endeavoured to provide the most practical layout within the space available. The space for this carpark is a difficult shape, and the proposed carpark makes the best use of the space available.

- *Project is unnecessary, as safety issues at the site are due to driver error*

A number of objections to this project provided anecdotal advice that incidents occurring at this intersection were primarily due to driver error, and that this would continue with a roundabout, or even be exacerbated.

A review of the NSW Police crash history for this intersection would appear to support this, as the only significant recorded crashes at this intersection involved apparent driver error. Furthermore, this project was unsuccessful for Black Spot Funding due to

the lack of crash history at the site, which meant that this intersection did not represent a significant safety concern. However, a majority of submissions claimed that they feel unsafe when using this intersection.

Based on the feedback above, it is noted that, while there is significant support for this project in the community, not all community members who were in support of this project were aware of the full implications of constructing this project, and there exists some opposition to the current proposal. However, as has been addressed above, the current proposal is the only feasible design to construct a roundabout at this intersection.

In terms of cost, initial estimates for this project were preliminary for the purpose of assessing the feasibility of this project and seeking funding. The design process is yet to be finalised, as the necessary work of locating utility services within the intersection before the design can be finalised has revealed additional services, along with some services in different locations to that indicated in initial information, and further complexity has been added to the project. Following a period of two months on site locating services, this process is still underway. Once all services are located, all service relocations can be designed, and the overall project design can be finalised.

Construction cost is affected by the need for all existing services to remain operational whilst the relocation of replacement services occurs.

Until this is complete, the final estimate for the cost of works cannot be provided, and the expected timeframe for construction of works cannot be determined, but it should be noted that it is likely that construction cost will be higher.

Based on this advice, should Council wish to proceed with these works, it is recommended that the design be finalised, and that tenders be called at the earliest possible date. This will enable a further report to be provided to Council detailing pricing and construction timelines for these works.

Financial Implications: \$1,700,000 is provided in the current budget for this project.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.2

Community Engagement

- Consult To obtain public feedback on alternatives and/or decisions

MINUTE

6 Item 1 INTERSECTION OF MITRE, SUTOR & LAMBERT STREETS (25.00095)
MOVED: Cr I North SECONDED: Cr A Christian

RESOLVED: That Council:

- (a) note results of the public consultation, and
- (b) call tenders once construction plans are finalised.

**2 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 36.00680)**

Recommendation: That the information be noted.

Report: The following item has been included in the confidential section of the business paper for Council's consideration:

1 TENDER FOR LANDSCAPE CONSTRUCTION OF FREEMAN PARK (36.00680)

This report considers the tender for the construction of Freeman Park.

Financial Implications: There are no financial implications resulting from this report.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

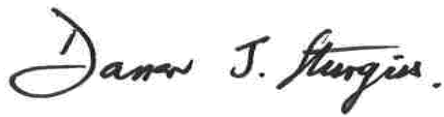
MINUTE

7 Item 2 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 36.00680)

MOVED: Cr I North SECONDED: Cr J Jennings

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in cursive script that reads "Darren J. Sturgiss".

Darren Sturgiss
DIRECTOR
ENGINEERING SERVICES

MINUTE

8 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS

MOVED: Cr W Aubin SECONDED: Cr J Rudge

The Mayor invited members of the public to make submissions on whether the matter should or should not be dealt with in Confidential Committee.

There were no representations from the public.

RESOLVED: That:

- (a) Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
- (c) Correspondence and reports relevant to the subject business be withheld from access.

*** DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST AQUA PARK - LICENCE AND RENTAL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR LANDSCAPE CONSTRUCTION OF FREEMAN PARK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

	Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
--	---

**DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL
MINUTES**

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

5 SEPTEMBER 2018

MINUTE

- (a) **Item 1 BATHURST AQUA PARK - LICENCE AND RENTAL (32.00005)**
MOVED: Cr J Jennings SECONDED: Cr A Christian

That Council enter into a licence agreement, and rental agreement, with the operators of the Bathurst Aqua Park in accordance with this report, with a cabin being made available, and this to be charged at \$200 per week.

DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

5 SEPTEMBER 2018

MINUTE

(b) Item 1 TENDER FOR LANDSCAPE CONSTRUCTION OF FREEMAN PARK (36.00680)

MOVED: Cr W Aubin SECONDED: Cr I North

That Council:

- (a) Decline to accept any of the submitted tenders,
- (b) Invite fresh tenders in accordance with the clause 167 of the Local Government (General) Regulation, and
- (c) Provide additional funding resources in order to implement the works.

MINUTE

- 9** **RESOLVE INTO OPEN COUNCIL**
 MOVED: Cr I North SECONDED: Cr A Christian

RESOLVED: That Council resume Open Council.

MINUTE

10 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
MOVED: Cr I North SECONDED: Cr M Morse

RESOLVED: That the Report of the Committee of the Whole, Items (a) to (b) be adopted.

MINUTE

11 MEETING CLOSE

The Meeting closed at 8.01 pm.

CHAIRMAN: _____

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT -
ATTACHMENTS**

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

5 SEPTEMBER 2018

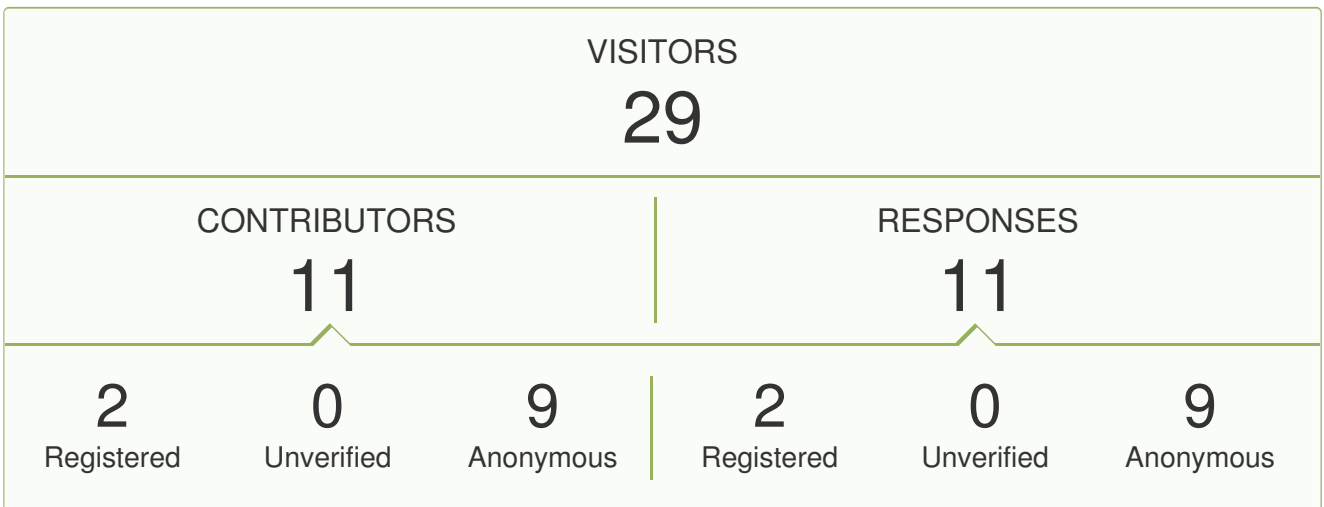
Survey Responses

01 June 2018 - 31 July 2018

Water Access for Primary Producers

Your Say Bathurst Region

Project: Water Access for Primary Producers





Respondent No: 1

Login: Anonymous

Email: n/a

Responded At: Jun 23, 2018 18:11:58 pm

Last Seen: Jun 23, 2018 18:11:58 pm

IP Address: n/a

Q1. **Name**

Michael Lawson

Q2. **Address**

█ Phantom St, Rockley

Q3. **Email address**

█@gmail.com

Q4. **Do you have any comments in regard to Council's proposal to provide access to water at no charge from the Hereford Street standpipes to verified primary producers.**

N, because it is potable drinking water and farmers will take the lot for their dams. Like a lot of residents in villages, my daughter in Rockley lives on tank water, is desperate for rain and has to cart water in. Using Council's potable water for stock would mean she would either get none or would be queuing up at midnight with all the farm trucks. Besides, it could create a black market in farmers onselling the water to people in the villages. We like the fact that the Council has halved the cost of supply for people who need to cart water but don;t go giving it away to the cockies.

Q5. **You can upload a document here**

not answered

**Respondent No:** 2**Login:** Anonymous**Email:** n/a**Responded At:** Jun 26, 2018 10:46:25 am**Last Seen:** Jun 26, 2018 10:46:25 am**IP Address:** n/aQ1. **Name**

Kara

Q2. **Address**

Rockley

Q3. **Email address**

[REDACTED]hotmail.com

Q4. **Do you have any comments in regard to Council's proposal to provide access to water at no charge from the Hereford Street standpipes to verified primary producers.**

Yes I have huge concerns. I live remotely and have to cart water. While I am fretful the price has been reduced. I am concerned that farmers while they do need water, do does everyone else. They are a business and get government tax breaks. Having free water opens the doors to them misusing it to thief gain. They can claim free water under their business name to sell or pass on to friends and family. It also opens the door to them carting water for others without following water Carter's regulations. Not to mention the poor water Carter's that will suddenly be impacted as well. I believe they should be give a break, which council has done by giving half price water to everyone. Please if you give them free water put a cap on it, and make them accountable for it. That water is for everyone and we all pay. Think how fast the dam will drop of you allow it free!!!! It's already at less than 50% with little rain expected, and if next summer is just as bad don't you think it will be even worse next year. Everyone needs to think long term not just a quick fix for the season.

Q5. **You can upload a document here**

not answered

**Respondent No:** 3**Login:** Anonymous**Email:** n/a**Responded At:** Jun 26, 2018 19:59:15 pm**Last Seen:** Jun 26, 2018 19:59:15 pm**IP Address:** n/aQ1. **Name**

Jody Lawson

Q2. **Address**

█ Glenhaven Cres, Perthville 2795

Q3. **Email address**

█@gmail.com

Q4. **Do you have any comments in regard to Council's proposal to provide access to water at no charge from the Hereford Street standpipes to verified primary producers.**

I am strongly in favour of this proposal.

Q5. **You can upload a document here**

not answered

**Respondent No:** 4**Login:** Anonymous**Email:** n/a**Responded At:** Jun 27, 2018 13:18:09 pm**Last Seen:** Jun 27, 2018 13:18:09 pm**IP Address:** n/aQ1. **Name**

Laurence Outim

Q2. **Address**

████ Colonial Circuit Kelso 2795

Q3. **Email address**

██████@hotmail.com

Q4. **Do you have any comments in regard to Council's proposal to provide access to water at no charge from the Hereford Street standpipes to verified primary producers.**

Hello, I think the free water to farmers (subject to eligibility) is a great idea to support them through this difficult drought period.

Q5. **You can upload a document here**

not answered

**Respondent No:** 5**Login:** Anonymous**Email:** n/a**Responded At:** Jun 27, 2018 14:20:38 pm**Last Seen:** Jun 27, 2018 14:20:38 pm**IP Address:** n/a

Q1. **Name** B Johnson

Q2. **Address** ■ 1loftus st

Q3. **Email address** ■■■■■@gmail.com

Q4. **Do you have any comments in regard to Council's proposal to provide access to water at no charge from the Hereford Street standpipes to verified primary producers.**

Of course farmers should have free water in this current drought , they need all the help they can get ! Should be no hesitation !!

Q5. **You can upload a document here** not answered

**Respondent No:** 6**Login:** Anonymous**Email:** n/a**Responded At:** Jun 28, 2018 09:57:56 am**Last Seen:** Jun 28, 2018 09:57:56 am**IP Address:** n/a

-
- Q1. **Name** Daniel
-
- Q2. **Address** [REDACTED] Limekilns Road clear creek
-
- Q3. **Email address** not answered
-
- Q4. **Do you have any comments in regard to Council's proposal to provide access to water at no charge from the Hereford Street standpipes to verified primary producers.**
- Why are you dithering even asking about this. If you are worried about abuse set a limit
-
- Q5. **You can upload a document here** not answered
-

**Respondent No:** 7**Login:** Anonymous**Email:** n/a**Responded At:** Jun 28, 2018 12:48:26 pm**Last Seen:** Jun 28, 2018 12:48:26 pm**IP Address:** n/aQ1. **Name**

Alicia Rennie

Q2. **Address**

■ Knight Place

Q3. **Email address**

■■■■■■@gmail.com

Q4. **Do you have any comments in regard to Council's proposal to provide access to water at no charge from the Hereford Street standpipes to verified primary producers.**

Great idea. Overdue support for our primary producers who are already under stress.

Q5. **You can upload a document here**

not answered

**Respondent No:** 8**Login:** Anonymous**Email:** n/a**Responded At:** Jun 30, 2018 11:34:18 am**Last Seen:** Jun 30, 2018 11:34:18 am**IP Address:** n/aQ1. **Name**

margaret sutton

Q2. **Address**

[REDACTED] Havanna St Bathurst

Q3. **Email address**

[REDACTED]@gmail.com

Q4. **Do you have any comments in regard to Council's proposal to provide access to water at no charge from the Hereford Street standpipes to verified primary producers.**

Approve completely, stop fiddling and start doing. If you were supposed to fiddle you would be in Canberra.(just joking)
Also will need a plan in place for what is to be done if water is required after the 4 month period, otherwise not only we will be talking and fiddling again whilst other are in need, but could undo the good already done making most of it a waste of time. Cheers

Q5. **You can upload a document here**

not answered



Respondent No: 9
Login: Bathurstbob
Email: bathurstbob@bigpond.com

Responded At: Jul 12, 2018 17:18:23 pm
Last Seen: Jul 12, 2018 07:14:28 am
IP Address: 127.0.0.1

Q1. **Name** Bob Triming

Q2. **Address** ■ McKenzie Place Bathurst NSW 2795

Q3. **Email address** ■■■■■@bigpond.com

Q4. **Do you have any comments in regard to Council's proposal to provide access to water at no charge from the Hereford Street standpipes to verified primary producers.**

As long as hefty fines apply to persons on-selling this water to ineligible property owners I do not have a problem. I cannot see why this had to go to public consultation, wasting 28 days when farmers could have made essential use of this offer when some nearby councils just went ahead, proposed the same system, voted on it and immediately started the free or reduced cost supply?

Q5. **You can upload a document here** not answered

**Respondent No:** 10**Login:** Anonymous**Email:** n/a**Responded At:** Jul 15, 2018 20:41:06 pm**Last Seen:** Jul 15, 2018 20:41:06 pm**IP Address:** n/aQ1. **Name**

Keith Worthington

Q2. **Address**

[REDACTED] Limekilns Road, Clear Creek

Q3. **Email address**

[REDACTED]@hotmail.com

Q4. **Do you have any comments in regard to Council's proposal to provide access to water at no charge from the Hereford Street standpipes to verified primary producers.**

I agree with the recommendation that Bathurst Regional Council provide verified primary producers with water from the Hereford Street standpipes at no charge.

Q5. **You can upload a document here**

not answered



Respondent No: 11

Login: Evelyn J McCarthy

Email: evelyn_mccarthy@bigpond.
com

Responded At: Jul 23, 2018 19:50:22 pm

Last Seen: Jul 23, 2018 09:42:01 am

IP Address: 127.0.0.1

Q1. **Name**

Evelyn McCarthy

Q2. **Address**

■ Lorimer St Llanarth

Q3. **Email address**

■@bigpond.com

Q4. **Do you have any comments in regard to Council's proposal to provide access to water at no charge from the Hereford Street standpipes to verified primary producers.**

I think it's a wonderful idea. Please do it.

Q5. **You can upload a document here**

not answered



Media/police

The Mayor, Bathurst Regional Council,

Civic Centre, Bathurst.

BY HAND.

25 June 2018.

FREE WATER, A GOOD IDEA BUT, WILL THE COUNCILLORS PAY FOR IT?

SUMMARY.

The idea of helping drought stricken farmers is a great idea but, is it legal? The Council staff did not think so but, were over-ruled by the Councillors. If the senior staff are correct in their report and recommendation to the Councillors on 20 June, and I believe that they are, the only way in which the "free water" can be lawfully paid for is by the Councillors paying for it themselves. But, will they do so?

HAVE YOUR SAY?

Subsequent to the decision by the Councillors to ignore the recommendations of the senior staff on "half price" water for farmers, the council issued a media release inviting people to have their say on the proposed policy of "free water". As we all know, in life there is virtually nothing that is "free" and that certainly applies to water. Someone has to pay for the cost of the water. The problem is that if it is proposed to be paid for out of the funds of the CUSTOMERS of the Council's Water Supply Service, any comments to be relevant must be from persons who are actually customers. If it is to be paid for out of the rates, then the comments must be from Bathurst Ratepayers. That is, "only those who pay, have a say"!

Who is going to pay was never mentioned in the resolution or the invitation "to have your say" so the invitation is meaningless. Neither was any cost of the amount involved mentioned. This means that those who have a say in favour of "free water for farmers" are effectively signing a blank cheque, which according to the official "book of scams", sounds like a scam! Quote – "If it looks like a duck, acts like a duck and sounds like a duck, then it is probably a duck"!

WHO PAYS?

This arrangement sounds very like that which occurred in respect of the use of funds from the Water Supply Service to build a new Aquatic Centre. Despite some thirty requests, the General Manager and the councillors have NEVER told me (or the ratepayers) how this "transfer" was lawfully done, especially as the Aquatic Centre is shown as an asset of the "General Fund". The costs of the water used are, however, according to the stated Council policy, absorbed (paid for) by the Customers of the Water Supply Service. It is because this is so unusual (only one council in NSW) that I have sought the legal basis for it.

A detailed examination of who should pay in these circumstances is set out in the attached copy of my submission that was rejected by the Council on the grounds that it was defamatory. Because it is in the "public interest" that the people who wish to express an opinion on the "free water" proposal, "need to know", I am willing for the General Manager to delete any information that he thinks could be defamatory and hope that there is something left!

MCC

2.

It will be noted from the submission that a Council levies a rate but, makes a charge and this is the essential difference between the two. The only time that the Council can use "water money" for general purposes such as giving relief to farmers is if the Minister decides to approve a loan ~~s~~ under section 410 of the Local Government Act.

From the statements reported in the "Western Advocate" and in the Business Paper, it is clear that the intentions of the "free water" are social and economic and there is no provision in the Local Government Act for water funds to be used for that purpose! Reference is also made in the council papers to it being in accordance with the Council's "Revenue Policy". However, there does not appear to be any provision in the policies for the present year or for next year that would permit this payment to be made. Making misleading statements is another indicator of a scam according to the official book!

In this case, it is also very concerning that even though it may be proposed to pay for the water out of the "General Fund" monies that there does not appear to be any provision to do so in the budget for the current year or even for the budget for next year! This is especially concerning as following the voting the decision for "free water" the Councillors approved the budget for 2018/19 without making any provision for the cost of the "free water"! (It looks as though there is no intention to pay, another indicator of a scam according to the book.)

I thought I heard someone say that it was a donation and could be paid from that vote. However, the Council has spent all of its' donations vote for 2017/18 and has already committed most of its donation/vote for 2018/19. Certainly, the votes could not pay for the senior officers estimated cost of many tens of thousands of dollars.

THE WAY OUT, THE COUNCILLORS PAY FOR THE COST OUT OF THEIR OWN POCKETS!

If the Councillors are truly interested in the parlous state of the farmers, then they will vote to take the only legal way of paying for the water and it can be introduced IMMEDIATELY! The Councillors can put their hands into their own pockets instead of the pockets of the ratepayers. This will be appreciated by the farmers and remembered by the voters come the next election and would show that what appears could be a scam is not but, only generosity!



G A Crisp, M.Com., FCPA,

P O Box 1024, Bathurst NSW 2795, Ph: 0400374133