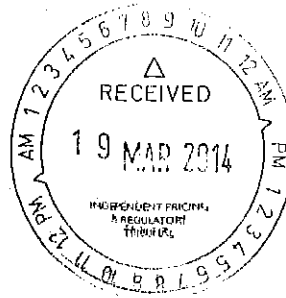


Douglas Preston



To the Commissioners of I.P.A.R.T. //

Dear Sirs

I will just use the one word that has the most important meaning when used by men to decide the outcome of submissions, either by Councils or individuals, that word is Veracity, meaning Truthfulness or Accuracy. All documents submitted have to meet that standard, truthful and accurate.

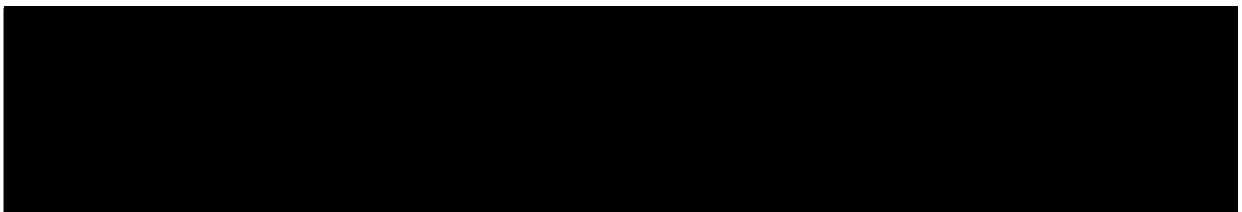
Together with this short letter, I have enclosed a large amount of material, this was supplied because I was attempting to 'prove' my theories regarding my assertion that the Survey used by Maitland City Council was flawed. After I began the document Council have admitted that over 400 persons were surveyed and 13 surveys have been deleted. They describe it as their "key element" in their Intent to submit an application to IPART, document.

They use it as proof that they had accurate proof that they had made the population aware of the need for the SRV. Some surveys suggest that the Public don't support the Councils application but that is of no consequence to IPART. All that Council have to prove is that the Community is aware of the 'need' for the special rate variation. They don't have to agree and all the facts that council supplies seem to indicate that Maitland City Council has achieved that.

But I will submit that Council has an obligation to accurately inform its citizens, using truthful information. And all the information. I state that Council are not allowed to use false statements, use flawed Surveys and quote figures from said Surveys as reliable information. By using inaccurate comments, figures percentages, etc. the information that Council is conveying to its citizens is inaccurate. I state that the proof of Council informing its citizens has not been met.

IPART can not recommend the Large SRV. I quote the case of the Ku-ring-gai application in 2013. IPART said, after not granting the complete request made by Ku-ring-gai. "After assessing the councils application, we decided to allow the Council to retain the revenue from the special variation above the rate peg for 1-year, rather than 5 years as requested in the councils application. THIS IS BECAUSE THE COUNCIL HAD NOT MADE THE COMMUNITY SUFFICIENTLY AWARE OF ITS INTENTION TO CONTINUE THE LEVY FOR A FURTHER 5 YEARS."

Now this is a precedent set by IPART. If the community has not been sufficiently made aware of the intended rates increase, IPART can't agree to the application. If IPART is not completely satisfied by the veracity of the Documents supplied by Council then it can't use them as evidence.



[REDACTED] But still submitted it to IPART. There must be a breach of some law there?

Maitland City Council states it needs to raise the rates. It has gone through a process that is required by IPART. I.e. ongoing consultation with the public etc. This Consultation ended with an alleged random survey conducted by Micromex Research. This survey was to be the final proof that the majority of citizens of Maitland, support the Special Rates Variation application. The support is not required, just the proof that Council have informed the citizens of the 'need' for the rates increase.

The Survey was conducted, the results were proclaimed as a resounding success by Council as a true and accurate opinion that the citizens of Maitland agreed or knew about the large rates increase.

These are the stated facts by Maitland City Council.

The survey was conducted between the 18th and 21st November 2013 and a Random selected population of 400 persons were surveyed.

The Report was used by Councillors to justify the application to IPART for a large rates increase. Numerous Councillors have stated that this is a true and accurate survey that conveys to them that the people of Maitland are supportive of the SRV.

The Problem is that the veracity of the Survey is absolutely destroyed by the actual truth.

The Survey was not random, it was taken from a Targeted group of 1000. and we don't know exactly how that 1000 persons were selected and became the targeted group. what was special about them.

The Survey was not conducted between the 18th and 21st November 2013 but had not been completed by the 25th November 2013.

The sample size was not 400 persons, it was admitted to as being 413 persons and 13 responses have been deleted. Now they admit to 13 Maitland Citizens surveys being deleted, lost, gone not counted. It could have been more. If they can do this, to manipulate a result can you really trust the Council to supply accurate estimates and costings.

I have looked at other surveys conducted by Micromex and other companies that supply Survey reports to Council to be used in applications sent to IPART. In the questions invariably, the first question asked is "do you or a close family relative, work for (name of council). ?" if the answer is yes, then the survey is terminated. I have six examples printed, and one of them was the June 2012 survey for Maitland City Council. Micromex or Maitland city Council did not ask this question in the November 2013 Survey, were Council Employees part of the Targeted Group of 1000. Can Council prove there were no Council employees surveyed and used in the results. They can't. They can not use the reason, "Council employees have a right to be surveyed" as they have a vested interest in Council getting a good result. Any way it is asked in other surveys for other councils but why not in this one?

The problem as I see it, the whole surveys veracity, truth and accuracy can not be proven. It can not be used in a Tribunal as accurate. [REDACTED]

I told the Counsellors on the 25th of November, via a letter that the sample was more than 400 and it was still being conducted. I didn't know at the time that it was from a Targeted 1000 citizens.

Not one Councillor appears to have questioned this document, they went ahead on the 10th December 2013 to submit an application to IPART. This was sent to you late last year 2013. And Councillors have since again voted to submit the application to IPART. Again using the flawed Survey.

[REDACTED] I have no idea why they used it in that format, they just wanted to push this through. Do they have the Machiavellian attitude, "the ends justify the means" Or hope no one will notice? Or do they rely on the fact that all they have to do is prove to IPART that sufficient number of the community were informed of the 'need' of the rate rise, not that they agree with it. By using the Guidelines of IPART they may have succeeded. I believe that Council has shown a disregard for the Members of IPART [REDACTED]

[REDACTED] They appear to have become careless with the facts.

Now it gets personal. [REDACTED]

[REDACTED] If I lied in Court, it would be perjury, because I swore an oath to tell the truth. Are Councils and Councillors allowed to submit untruthful documents to Tribunals? Are they exempt from Ethical Behaviour. Council staff are only admitting the truth when questioned. If they are trying to deceive with the Survey, what truths are they bending elsewhere in their application.

I believe Councils use the process of public consultation to just tick boxes to satisfy IPART, the fact that 48 percent of the population stated in the survey that they knew nothing about the Rates increases shows either, Council don't get their message across, or that nearly half the population, for what ever reason, are just impossible to communicate with. If any thing comes of this, is that surveys only seem to indicate that about half of populations can make informed decisions. Maybe that's why Council and Councillors have pushed this through, 'They know what's best for every one'.

If the amounts of monies involved were considerably less, and the length of time involved were less maybe the people of Maitland would have accepted the advise of the Council. Unfortunately for Council and fortunately for the citizens, the Key Element of the Submission to IPART can no longer be used.

If you want to read my larger submission for details please do so. I know you have a policy of displaying all the submissions, but I believe my submissions are interesting but a bit rambling, you can just display this one to save time and just put my larger submission on file, you can show it to Council if you like, they know who I am. I've never hidden anything from them.

This is my personal opinions based on Council Minutes and other information. I know that the workers get less pay than other LGA's and I know that Council workers to the number of the Population ratio is the best in the immediate LGA's. So Council is doing its job with less people and unfortunately paying them less than other LGA's.

I believe that Council are starting unnecessary public works and are borrowing monies for them. I also believe that the population growth of Maitland should have a moratorium placed on it. This would allow infrastructure to catch up with what's needed by 70,000 plus people.

They claim that the increasing population causes higher costs, it is in the power of Councillors and Council to inform State Government, that Maitland is 'full'. I believe they need the large Rates increases because they have overcommitted themselves on future spending and borrowings and they are levying the population with increased Rates to cover up their mistakes.

I also believe that they over estimated the costs of works by up to at least 3 times the cost and sometimes 5 times to justify the Rates increase. I have evidence, I know the builder who did it, off a Disabled Toilet being built in Lake Macquarie Council area, a public toilet, to Council standards costing 30,000 dollars. Maitland City Council costings are for 4 disabled toilets, 150,000 dollars each. 5 times the cost of the Lake Macquarie toilet.

I have also noted that IPART want to set benchmark prices on infrastructure that developers have to contribute. These prices also flow on to what Council consider fair prices that they state as their future costings. I note that Maitland City Council object to nearly every benchmark price that IPART suggests.

In this matter of Benchmark Costings, I have no doubt that you have done your research, you have not just picked numbers and costs out of thin air. But Maitland City Council object to your costs for infrastructure. They can't use remote location as an excuse. I have noticed that Council often state (in Council minutes) they have so much money to spend on a project then call for tenders. Its the only organisation that tells the contractors how much they have budgeted for, then call for quotes It doesn't seem right to me. Unless the Council intended to do the work themselves, but again, the cost estimates are way over what's realistic.

To finish, the Survey Results conducted by Micromex Research between the 18th and at least the 25th November 2013 can not be used by Council as proof they have Public Support for the Special Rates Variation submitted to IPART. But public support was not the aim of the Survey, it was to prove that the citizens were aware of the need for a rates increase, whether they agreed with them or not. [REDACTED] council can't use it as proof of anything. [REDACTED]

I don't think that the citizens of Maitland or even NSW know about the Guidelines, especially the one regarding the Council don't need the support of its citizens. They are still under the impression their views against the SRV are able to be counted. But IPART does not have to take them into account, this Public Support Criteria was removed in October 2012.

If by some chance, Council, change their figures they submitted to IPART with an apology and explanation, I still state that these people in charge are not capable of managing large sums of monies. They can't be trusted. If Council get their large Rate Rise though IPART it will turn out to be a pyrrhic victory for Council, and a disaster for some of it's citizens. They have tried to deceive the citizens and IPART once and they would try again. I believe they are that desperate.

But the basic fact is Council and the Councillors attempted to deceive IPART. There's no way of explaining this deception, other than they knew the people were against the large rates increase, they admit this themselves, I say it again, IPART does not have to take into account that people are against the rate increases. Councils deception has been uncovered. I have no doubt that Council will contact you, sometime soon to amend the results, but it should be considered by IPART as too late. As I have said before, and I will say it again, this just makes me saddened and fed up with it all..

Yours sincerely,

[REDACTED]
G.D.Preston
8th March 2014.

Doug Preston



To the Commissioners of IPART.

Basically I believe that IPART should grant Maitland City Council part of its Special Rates Variation. Even if half of what they tell us and yourselves is true they still need the money. Or the citizens of Maitland will suffer.

I believe that the Council are desperate, and have attempted to deceive the citizens and IPART. When they have been challenged they just said, oops sorry our mistake, or just bluffed their way through it.

Just for IPART's information, On the pamphlet Funding our future, Council stated the cumulative percentage increase was 62% for Urban rates. It was in fact 82%. I pointed this out to them, I think they have included my photo from the Maitland Mercury. Since then after the public have reacted they have lowered the rate to 77%. I believe that the initial quote of 62% was to play down the figure, both to the citizens and to IPART. I note that in 2013/14 the highest cumulative increase you granted was 63%, I don't know what the monetary baseline that council was using, but even IPART recognised it was a large but necessary increase. But the figure of 82% would make even IPART commissioners sit back in their seats. This understating of the true figure was deliberate they were trying to conceal the exact percentage increase, 62% was not as shocking as 82%. They said it was a mistake. A mistake worth millions of dollars.

One of the Criteria before October 2012 was that the Council needed Public support for the Rate Rises, this caused problems, in the year of 2011/12 only 13 out of 23 councils got what they wanted, Criteria 2, stated Councils must prove Public Support for the increase.

Councils complained in a survey conducted by IPART. The Division of Local Government Changed the wording of Criteria 2, now Councils only have to prove that they have informed the majority of residents of the need and the extent of the rate rise. The public no longer have to agree with it.

In 2012/13, 16 applied and 12 got what they wanted, 3 reasons given by IPART was that Criteria 2 was not met. They had not proven that they had the public support. Then in October 2012 The DLG changed the intent of Criteria 2.

In 2013/14 22 Council applied and 20 out of 22 got all they wanted, one council had a small reduction, one council did not meet the criteria but was given a rate increase for one year and told to submit its application again. This year IPART invoked the Criteria 2 section, where a Council only needs to prove that the majority of its citizens were informed of Councils need and the extent of the rate rise. IPART used this 10 times to pass the applications.

Now do you see why I am sceptical that IPART even has to listen to the probably less than a thousand, or less than 200 public Submissions. I don't believe the people have a chance, they used to when the Council had to prove public support. I won't dwell on this, it has been said.

I would say that 99.9% percent of people never even knew about Criteria 2. Most people are under the delusion that Councils have to have Public support. The way the process is carried out gives this impression, It seems as if the council is campaigning to change peoples minds and convince them that this is a good thing and in effect get their support. The people were never going to support this large rate increase. But the people did not know that the council does not need their support. This is the con the Government and the Council are exposing the citizens of Maitland too. Most people think that they can change IPART's mind by writing in their submissions. Unless the submissions reveal some miss doing by the council, IPART probably won't take any notice, they don't have to due to Criteria 2 being changed.

This has been Councils big secret, their ultimate trump card. The Council have even encouraged people to write into IPART but they never explained Criteria 2. Some ancient Chinese general wrote a book and in it he said, "let the enemy do useless things, they will be distracted from your true intentions" Well Council have certainly done that.

Council even stated in their submission to IPART, via Leah Flint " We acknowledge that the majority do not support the application" This sentence could have been insurance. What numbers were they quoting from, it was not the "random sample of 400" because in that they claimed they had support for the rate increase. These two documents contradict each other.

Council admit and state that over two years 3400 persons have contributed, via surveys telephone surveys, online surveys postal surveys etc. Some were against the SRV but some were for it. I am going to be generous and say all 3400 are for it. They agree for the rate rise, but this is the only number of people who council can prove who know about councils need and extent of the rate rise.

Council were going to use the November 2013 survey as statistical evidence. Apart from one question, most of the surveys questions were irreverent to what they needed to prove they had complied with the 6 Criteria.. What this survey was needed for was to prove statistically that the majority of the citizens of Maitland were aware of the need and extent of the Councils application for a SRV. The only question they needed to be answered In the positive was Question 8. " before this call was made, were you aware of the Councils special rate variation application" or words to that effect.

I have a problem that this question was asked well into the survey, the interviewee was primed to answer positively. We can argue this all day, then the interviewee was given prompts as to where they had got the information from. It turned out that the figures used in a sample of 400 was 52% percent of persons claimed they knew about the rate increase application. So perhaps Council have met Criteria 2. 52% is not enough, with a plus/minus factor of 4.9% the figure could be under 50% and the didn't knows could have been over 50%. Even the figure of 52% is not an overwhelming majority, and in an election would demand a recount.

Out of the 6 Criteria to be met, Council have total control of the figures and information that they submit to IPART to prove they have met the Criteria 1,3,4,5,and 6. The only one fact that they have to prove, that is not totally in their control is 'they need to prove they have conveyed to the public the need and extent of the rate increase. This is where the survey comes into the scene.

Possibly the real result based on the fact that 413 samples were admitted to as being taken could be. Since 13 samples were deleted. Quick maths, if you add the 13 deleted samples to the DID NOT KNOWS the percentage of persons who DID NOT KNOW move up to 49.67% and the Did

KNOW's moves down to 50.33%. As is said, in statistics two thirds of a person can live, one third might not, round up and down. 50% of persons did not know about the rate rise application. This can be the only explanation why the 13 persons were deleted. Council state it is because they wanted to reflect the 2011 ABS statistics. The ABS use 5 year increments, the Micromex and Council used 15 year increments. You can not accurately reflect ABS statistics using 15 year increments. For instance in the 30 to 45 year section all the people could be 30 years old, and non of the older persons in the 15 year increment would be sampled. Ring me if you need clarification. So councils explanation carries no weight, if fact if they thought this through they would not have used this as an explanation. They look stupid. Stupid people should not be deciding the fate of 70.000 persons and millions of Dollars.

[REDACTED]

[REDACTED] Another slight problem, the question 'do you or a close family member worker work for Maitland C.C'' was not asked. It was asked in June 2012 and on every survey conducted by Micromex and other Survey companies such as Jetty or Iris. This question was not asked in this survey. Were Council workers seeded in the Targeted 1000. again more doubt.

If a Survey is going to be used as evidence in a submission to IPART where hundreds of millions of dollars are involved it should be beyond reproach, no suspicion should be cast upon it or even basic facts should be correct. Council can not use this survey as evidence to prove anything, including that the majority of persons were aware of the need and extent of the rate increase.

At best they can say 3400 person are aware and at best 3400 persons agree for the rate increase, that in statistical terms is at best 8% of the citizens over 18 years old. All these figures are supplied by Council spokes persons and documents. Except the date 25th November, I quoted. I have supplied this short letter, just in case you missed my larger rambling submission, it was large but the information kept on emerging.

Yours Sincerely

[REDACTED]

G.D.Preston.

16th March 2014.

PS. I will just explain why I became involved. This is the first time I have ever took notice of Local Politics of any sort, I have never wrote to IPART before, Council have always appeared to be fair. They have always done a good job, they have passed my building applications easily, the paper work was correct and the inspectors were helpful, I have always been satisfied and I have always liked living in Maitland, I have been here since 1996 but have lived in the Hunter valley since 1982.

What 'set me off' was the pamphlet stating incorrect facts, 62% instead of 82% compound interest over 7 years. Council were trying to play down the increase. I attended a meeting and was not satisfied with the answers. I started to read the council documents and on the 25th November while I was waiting to see someone regarding the 400 person survey, I read in a large book, over 250 pages, one line, Council borrowed 10 million dollars for the Levee project..

I spoke to the lady, we discussed the Survey it had not been completed, then I mentioned the 10 million dollars. She told me to look in the council minutes, I did, there it was on the June the 10th Council borrowed 10 million dollars for the Levee Project. They had not told anyone, it was not in the papers. I wrote a letter, this caused a flurry of letters from Citizens and Councillors.

Councillors claimed that the SRV is not to pay for the Levee project, only to pay the Interest.

Council already owed 12.5 million, then they borrowed another 10 million, remember, the 92 million projected deficit had not been made public by Council, but they were borrowing another 10 million dollars for a project the majority of people don't want, they want a road through High street, but not this expensive project, most people agree for the swimming pool.

The General Manager, knew in June 2013 that the Council was heading to deficit, but he still did not inform his counsellors officially. Maybe they knew unofficially. I believe he should have informed the Councillors about the looming deficit. He knew it was coming, that's why Council had started the "engagement" with the community as far back as 2012 or earlier, this is one of the criteria that Council have to prove. But it is also expected that Council be totally honest with its councillors and public. This may not prove to be true in this case.

The council did not make it clear to the public that they had borrowed 10 million, until I made it public. I also made the percentages on the pamphlet public, and I have made Criteria 2 public.

During all the public consultation and documents put out by council, and also the figures listed in the 400 person survey, no mention of the 22.5 million dollar debt has been made. It is an important fact. But no doubt it is in there somewhere, hidden in plain view, if you can find it.

And this is the problem Council have not been clear in what they tell us, they over inform in language the average man would not comprehend, ABS statistics state that 53% of citizens in Maitland do not have a tertiary education. Using terms of 'intergenerational and intragenerational' are designed to confuse people. Most people I speak with thought the "funding our future" pamphlet was a real estate advert, it went straight into the bin. Most who read the rates notice could not understand what council was trying to explain, and once the year 2021 was mentioned it was too far into the future, they turned off, put it down and forgot about it.

The other thing that bothers me is the apparent large costs in building and other works that Council quote. I just don't believe the figures. It's that simple. I've built things, I've got builders to build extensions, I know what tradesmen want as a fair price for their services. The Council Costs and estimates are far too high.

My suggestion. Based on nothing but intuition, 6.5% for 4 years. That will not starve Council and they will have to adjust their priorities, they have not signed any contracts yet and they can use the Italian stone around the swimming pool and use the loan to build the pool. Council can build the road through the Mall. So Council get more money, get the Pool and don't have to borrow any more. The people will accept the road, the pool and the moderate rates increase. We all have to compromise. I speak to a lot of people, they sense there is something wrong with the figures, Maitland has grown, but the rate base has grown as well, and using the increasing population, the one that Council has allowed to happen as the reason does not make sense to the people.

The basic fact is because the 400 survey it can't be used to prove anything. It's that simple. All that Council can prove is that 3400 person knew about the rate rise application and their stated need and extent of it. They can't prove anything else. So Council can't prove they have achieved Criteria 2. I don't think reasonable men could prove otherwise.

G.D.Preston

16th March 2014