

**Submission to Independent Pricing and Regulatory Tribunal regarding Council Special Variation applications 2019-20 by Port Stephens Council.**

Port Stephens Council held community meetings, conducted surveys, posted on their website, used social media and even sent letters in the mail to inform the community of the Special Rate Variation and promote the projects. On the surface it appears that there was extensive consultation undertaken.

I believe further investigation of the documents provided by Port Stephens Council in its application to IPART for an SRV, reveal this consultation was superficial and invalid.

The documents provided in the application to IPART are different to those placed on exhibition and voted on at Council meetings throughout 2018. Tables of changes were exhibited at the extra ordinary Council meeting on 29<sup>th</sup> January 2019, rather than the full version of the IP&R documents. There was no opportunity at all for residents to make further comment on the changes to the final draft sent to IPART. Though described by Port Stephens Council as “minor”, clearly, by the four examples that follow, they are not.

1. The “administrative error” of the omission of \$3 million dollars from the list of projects in Raymond Terrace, was only picked up at the very end of the process (January 29<sup>th</sup> 2019). The delay in making the error public reflects either a lack of attention to accounting detail and/or transparency.

2. Port Stephens Council admits it has been using outdated data to underpin its plans in its application to IPART - “SAMP9 uses Census 2011 data. For SAMP10, these figures will be updated using Census 2016 material” . Therefore any corresponding conclusions made, such as the economic outcomes of these projects, is also outdated. Port Stephens Council is unable to make an effective relevant plan for the community if the basic statistics of that community are not applied.

3. The Tanilba Bay area, (pop. 3,156) was omitted from the original list of Town Centre and Neighbourhood revitalisation projects exhibited through 2018. Port Stephens Council's solution to the community's feedback was to add Tanilba Bay to the projects listed for Lemon Tree Passage (pop. 2,603), without any corresponding increase in funding.

4. In the list of SRV funded projects on exhibition some projects lack very basic details. For example, residents have made repeated requests for details of the project in Lemon Tree Passage titled “McCann Park Improvements”. Submissions over the years by both individuals and community groups asking for details have been unanswered. Submissions to the SRV also asked for details yet it remains in the application as a project title with absolutely no detail. In the 2018-28 Capital Works Plan Plus “McCann Park Master Plan Scoping \$30,000” is described in the SRV as “Lemon Tree Passage/Tanilba Bay Town Centre Improvement”, though it isn't in the centre of either area.

Until the extra ordinary meeting in January 2019, submissions to previous plans on exhibition were not published. A community group made a 30 page submission titled “Tilligerry Forward” which contained detailed drawings of the plans for McCann Park. Since the “Tilligerry Forward” submission was made to the revised IP&R plans, residents have not had any opportunity for feedback or comment.

- If you wished to manipulate either the Customer Satisfaction Survey or the SRV online survey it was easy to do. No name and address details were required and the survey could be submitted repeatedly on the same device.

- Despite the extensive community consultation conducted in 2018, Port Stephens Council asserts that the residents of Tilligerry Peninsula are not able to agree on projects. Council proposes to form an Implementation Panel similar to the groups in Raymond Terrace, Nelson Bay and Medowie. “These panels were formed to drive delivery of strategic plans...” (page 38 IPART application). There is no Implementation Plan for the Tilligerry Peninsula and Port Stephens Council has not mentioned one in its Delivery Program. There is no funding allocated for a Tilligerry Peninsula Implementation Plan to be drawn up (after extensive community consultation). Until there is, an Implementation Panel isn't able to make decisions on behalf of the community regarding the choice of which projects to be funded by an SRV.
- If the NSW Environment Protection Agency continues to cancel its licence to use household garbage for fill material, Port Stephens will need to dramatically change its waste management. There is no allowance or mention in financial reports for this likely scenario and how funds will be sourced in the future to cover the change in delivery of an essential local Council service.

Thank you for the opportunity to comment.