

Jennifer POVEY



28 February 2019

Local Government Team IPART NSW Level 15, 2-24 Rawson Place Sydney NSW 2000

RE: Lithgow City Council 2019 -20 Special Rate Variation Application

Dear Team Members,

This letter is my submission regarding Lithgow City Council's application to permanently increase the minimum rate above the statutory limit <u>and my opposition</u> as a ratepayer to this application.

Lithgow City Council mailed a letter, dated 4 December 2018 to the ratepayers providing only two options of:

- 1. 2.7% rate peg added to the lower rate base
- Maintain the current SRV (4.77% that was only temporary but maintained for a few years)
   + rate peg (2.7%) + one-off (permanent) 4.23% = 11.7%

The letter also provided the only options for ratepayer consultation including:

- Micromex Consulting 'to undertake a telephone survey of residents within the Lithgow local government area during December'
- Survey 'online at <u>www.haveyoursay.lihgow.com</u> from 14 December 2018 to 11 January 2019.'

I went online to do this survey and I was disheartened and frustrated for the following reasons:

- No Acknowledgement for residents / ratepayers from Meadow Flat, even though localities such as Rydal, Cullen Bullen, Hartley had been mentioned.
- There were only two options that one could vote for (as per the letter)
- There was no section where one could really have their say

I felt that the survey, a consultative process between Lithgow City Council and the Micromex Consulting group, was flawed, biased, selective and **Selective Council and the Micromex** acknowledgement of the properties and ratepayers in Meadow Flat and other localities within the Lithgow LGA.

I am totally opposed to the way how Lithgow City Council has gone about this process regarding the proposed Special Rate Variation, which includes:

• The online survey (as itemised above)

- Lack of community consultation nights / evenings / days e.g. at venues in Lithgow, Portland, Wallerawang, as what had previously been done in the past
- Lithgow City Council could state they had prior consultation with the community but a Report (attachment to Item 14) presented at the August 2018 General Meeting from Micromex Research (the questionnaire developed by both Lithgow City Council and the Research group) was based on an initial sample of 631 residents of which 401 were telephoned, some of whom were not ratepayers. The Research group's figure of Nett 52% (Page 30) was a cumulative value of two different conceptual and non-related options ("52% of residents already accept that they need to pay directly (via rates: 31%) or indirectly (via service charges and fees: 38%")) and thus one would question the validity of the results. This survey is NOT a true reflection of the ratepayers in the Lithgow LGA when only 31% of the 401 residents favoured an increase in rates. Of the 401 residents, 16% were nonratepayers. Thus, rounding up, only 31% of 337 (=104) residents, being ratepayers, were in favour of a rate increase. I do question the section of the report (pages 31-32) that addresses Community Consultation (which is only 401 residents). I also question the style of the questions (as per the report tabled at the August 2018 General Meeting) especially when they were read (pg 23 - "This statement was read to residents prior to asking further questions") to the resident on the telephone, are closed- style questions (pages 51-57) that were skewed with no option to add comments. The disclaimer at the beginning of the report "no guarantee .....accuracy and reliability" is questionable as the scientific definition of reliability when applying research methodology is the repeatability with similar results. This survey was not repeated and thus is not reliable. Furthermore, very few residents were advised that consultancy of this nature was to occur in 2018. Again questionable actions of Lithgow City Council that one could state lack transparency.
- Extraordinary Meeting conducted on Tuesday 29 January which, prior to the commencement of the meeting, no public forum could be held. It was only after cumulative negative ratepayer reaction (including social, printed and televised media) did Councillor
   Provide the start of the meeting, that a vote be called to allow for a Public Forum for 15 minutes only. This time period was not sufficient for many members of the public gallery to voice their concerns regarding the special rate variation. This was the one and only time that the public the ratepayers could consult publicly with the Lithgow City Council.
- Telephone survey conducted by Micromex Consulting only surveyed a small percentage of the ratepayers (less than 1000 people) and being conducted during a period when many families would be on holidays / vacations as was highlighted at the Extraordinary Meeting (29 January 2019)
- Lack of communication between the Lithgow Council members
   as identified at the Extraordinary Meeting (29 January 2019) and acknowledged by Councillors
   by Councillors
   ('accept..understand... confusion and anger...poorly communicated')
- Some of the Councillors at the Extraordinary Meeting (29 January 2019) going to the extent of blaming the current NSW Government for Lithgow City Council's current financial state e.g. Councillors ("...asking the community...current NSW government...blame...would not have to ask for money...asking the ratepayer for the long term...") and ("...government direction...pressure from NSW government Fit for the Future put in place prior to council amalgamations...page 7 of the report the then Minister Paul Toole ...ironic..)

• The current 4.77% SRV, as identified at the Extraordinary Meeting (29 January 2019), was only temporary but had been for a few years. Thus the question to be asked is why was this rate initially implemented and if for financial difficulties why is Lithgow City Council still in this position – mismanagement? This is a possibility as there has been a change in the projected total revenue raised quoted in the ratepayers letter (December 2018) from the

using the same

SRV value of 11.7%. I do question the ability of Lithgow City Council to budget, when keeping in mind the current councillors (as identified by **Sector Council to budget**, when Extraordinary Meeting, most of them being 'a change of faces since 2016') voted at the August 2018 General Meeting (Minutes - Item 18) for a 2.5% pay increase for themselves, and most households in the Lithgow LGA are struggling but able to budget on - wages that have been static for the last couple of years (with a maximum of 1% annual increase)

- wages that are below the NSW (and in many cases Australian) average as per the 2016 Census

- Centrelink payments (Newstart, various pensions) that have not increased whilst each year the cost of living increases with expenses such as car registration (rural location), insurance policies (health, car, house/contents), utilities, food increase between a minimum of 5% averaging +10% annually.

The letter to ratepayers is flawed as the costings are based on the 2016 Land Valuation set by the Valuer General. The costings are NOT based on the Land valuations effective at 1 July 2018 which will come into effect for the 2019/2020 financial year. An article in the Village Voice Issue 243 – 18 January 2019 – quoted there has been a significant increase averaging 7.5% in the residential land values and in particular 13.9% increase in Lithgow commercial land values. If Lithgow City Council had provided a third Option of just retaining the 4.77% I have estimated (using the 7.5% land valuation increase effective from the 1 July 2018) that just with my property alone, there would be an approximate annual increase of \$120 - \$150 in my residential rates.

Whilst there has been a 13.9% increase in commercial land values in Lithgow, it is to be noted that is not an attraction for new business(es) to invest in Lithgow. A further disincentive for potential business(es) would be the

proposed and accepted Option / Scenario 2. It is to be noted that a few business owners present at the Extraordinary Meeting (29 January 2019) voiced their opposition and dismay with the proposed special rate variation. It also should be noted the

submitted to the Village Voice (1 February 2019 edition), from a ratepayer (also a business owner) who was not afforded the opportunity to speak at the Extraordinary Meeting (29 January 2019). Within the last two years many residents (including ratepayers) have verbalised their concern regarding the closure of many businesses in Lithgow and surrounding towns within the Lithgow LGA.

Lithgow City Council councillors voted (7 in favour, 2 against) at the Extraordinary Meeting for a permanent 11.7% SRV. It would be a timely reminder to Lithgow City Council a snapshot of Lithgow LGA as per the results of the 2016 Census.

- The median age of the 21,090 people in Lithgow LGA was 45 years
- Private dwellings median weekly household income was \$984 (approx.. \$51168) well below the NSW and Australian annual average income
- Permanent employment fulltime of 54.8 % below both NSW and Australian averages

- Median Personal Weekly income of \$510 below both NSW and Australian averages
- Household Gross weekly income below \$650 is 31.2% which is significantly HIGHER than that in NSW and Australia
- Household Gross weekly income above \$3000 is 9.5% which is significantly LOWER than that of NSW and Australia

It is quite apparent, using the 2016 ABS Census statistics (and a concept utilised by Micromex Research for their August 2018 Report), that ratepayers of Lithgow LGA cannot afford the permanent 11.7% SRV. Lithgow LGA has an aging population whose annual income is below both the NSW and Australian averages.

It is also disconcerting to read of bullish tactics being publicised (article from Village Voice – Issue 243 – 18 January 2019 and Issue 248 – 22 February 2019) that Lithgow City Council will adopt to raise revenue. Whilst there is no source from Lithgow City Council being quoted / referred to in the article it has raised ire and questions from residents (including ratepayers) regarding the validity of Council taking such actions including fines. Recently, within the last week, a Lithgow LGA business owner was confronted with a recent 100% increase in application fees. There was no consultation and one would question the lack of transparency displayed by Lithgow City Council especially as the fees were accepted (with no prior consultation) at the August 2018 General Meeting but addressed as Water and Sewage charges. These two examples display the blatant and desperate disregard that Lithgow City Council has towards the ratepayers and further disincentive to promote and encourage growth and investment from businesses.

It is also of interest that the letter from Lithgow City Council – 'Why can't my current rates pay for the additional maintenance and renewal works' itemises Executive, communication and support services as one of the many services being funded. My proposal to reduce costs in this area includes:

- whose annual income would be between 4 to 5 times more than the average annual income of the residents (many of them being ratepayers) of the Lithgow LGA
- Reduce the number of councillors from 9 to 7, especially when they are 'supposedly' representing only 21,090 people. This in turn would weed out the non-performing councillors who just got in due to preferences from other candidates.

To summarise, I am OPPOSED to the proposed SRV rate of 11.7% as voted by majority of the Lithgow City councillors. I suggest an alternative option of retaining just the current 4.77%, which in line with new land valuation rates will provide a suitable revenue, along with

r and reducing the councillor numbers from 9 to 7.

I would like my letter with my opposition to Lithgow City Council's application to the Special Rate Variation (in particular Option 2):

- 1. be assessed by IPART, and
- IPART not approve Lithgow City council's application based on points 2 and 3 of 2.2 Assessment Criteria and the Attachment 2 – Minimum rate increase application checklist – for evidence of the impact on ratepayers and evidence of community consultation (Guidelines for the Preparation of an Application to Increase Minimum Rates above the Statutory Limit, September 2018).

I will be submitting this letter online but also posting the letter with most of the documents cited (excluding the Minutes and Attachments from the Lithgow City Council August 2018 General Meeting – easily accessed on line). Finally, I along with many ratepayers look forward to a positive outcome and not having to be put in an additional financially stressful situation.

Yours Sincerely



Jennifer Povey Ratepayer

# 2016 Census QuickStats





Level of highest educational attainment People aged 15 years and over	Lithgow (C)	%	New South Wales	%	Australia	%
Bachelor Degree level and above	1,522	8.7	1,424,716	23.4	4,181,406	22.0
Advanced Diploma and Diploma level	1,153	6.6	543,142	8.9	1,687,893	8.9
Certificate level IV	540	3.1	167,947	2.8	551,767	2.9
Certificate level III	3,066	17.5	730,498	12.0	2,442,203	12.8
Year 12	1,695	9.7	930,654	15.3	2,994,097	15.7
Year 11	646	3.7	203,574	3.3	941,531	4.9
Year 10	3,113	17.8	702,178	11.5	2,054,331	10.8
Certificate level II	27	0.2	4,849	0.1	13,454	0.1
Certificate level I	3	0.0	625	0.0	2,176	0.0
Year 9 or below	2,170	12.4	513,209	8.4	1,529,897	8.0
No educational attainment	45	0.3	54,870	0.9	145,844	0.8
Not stated	3.016	17.2	627,465	10.3	1.974.794	10.4

Of people aged 15 and over in Lithgow (C) (Local Government Areas), 9.7% reported having completed Year 12 as their highest level of educational attainment, 20.6% had completed a Certificate III or IV and 6.6% had completed an Advanced Diploma or Diploma.

#### People — employment

demographics & education | cultural & language diversity | employment

Employment People who reported being in the labour force, aged 15 years and over	Lithgow (C)	%	New South Wales	%	Australia	%
Worked full-time	4.627	54.8	2.134.521	59.2	6.623.065	57.7
Worked part-time	2.678	31.7	1.071.151	29.7	3,491,503	30.4
Away from work	489	5.8	174,654	4.8	569.276	5.0
Unemployed	651	7.7	225,546	6.3	787.452	6.9

There were 8.445 people who reported being in the labour force in the week before Census night in Lithgow (C) (Local Government Areas). Of these 54.8% were employed full time, 31.7% were employed part-time and 7.7% were unemployed.

The ABS Labour Force Survey provides the official estimates of Australia's unemployment rate. More information about Census and labour force status is provided in Understanding the Census and Census Data.

View the data quality statement for Labour force status (LFSP)

Median weekly incomes People aged 15 years and over	Lithgow (C)	%	New South Wales	%	Australia	%
Personal	510		664		662	
Family	1,328		1,780	**	1.734	
Household	984		1,486		1,438	

The median weekly personal income for people aged 15 years and over in Lithgow (C) (Local Government Areas) was \$510.

View the data quality statements for: Total personal income (INCP) Total family income (FINF) Total household income (HIND)

#### Dwellings — household composition

dwelling structure | household composition | mortgage & rent | number of motor vehicles | internet connection

Household composition	Lithgow (C)	%	New South Wales	%	Australia	%
Family households	5,114	65.0	1,874,524	72.0	5,907.625	71.3
Single (or lone) person households	2.561	32.6	620,778	23.8	2.023.542	24.4
Group households	188	2.4	109.004	4.2	354,917	4.3

In Lithgow (C) (Local Government Areas), of all households, 65.0% were family households, 32.6% were single person households and 2.4% were group households. View the data quality statement for Household composition (HHCD)

Household income	Lithgow (C)	%	New South Wales	%	Australia	%
Less than \$650 gross weekly income		31.2		19.7	**	20.0
More than \$3000 gross weekly income	No. of the second s	9.5	-	18.7		16.4

In Lithgow (C) (Local Government Areas). 31.2% of households had a weekly household income of less than \$650 and 9.5% of households had a weekly income of more than \$3000.

View the data quality statement for Household income, total weekly (HIND)

### Source:

http://quickstats.censusdata.abs.gov.au/census\_services/getproduct/census/2016/quickstat/LGA14870?Ope ndocument - accessed 27 January 2019 at 3.52pm Reference: SRV19-20



13 February 2019

Ms Jennifer Povey

Dear Ms Povey

# SPECIAL RATE VARIATION APPLICATION

On behalf of Council, I would like to take this opportunity to thank you for your feedback on the proposed special rate variation. Council has taken your concerns into consideration and wishes to advise that at the Extra Ordinary meeting on 29 January 2019, Council resolved to submit an application to IPART for a permanent increase, above the normal rate peg, in our general rate income to commence on 1 July 2019. This process is called a Special Rate Variation (SRV) application.

Council resolved to:

- Apply to retain the current SRV of 4.77% which expires on 30 June 2019; and
- Request an additional one-off SRV of 4.23%;

In addition, the 2.7% rate peg would be added to general rates, as is usual practice for all NSW Councils.

In total the SRV application is for a 9% increase in rates revenue plus the 2.7% (set by IPART for 2019/20) rate peg would also be added.

## Why has Council applied for a Special Rate Variation?

Like many other NSW Councils, our roads, footpaths, buildings, drainage and other community assets are ageing and need to be renewed or upgraded. Our community have told us they place a high value on these assets, in particular our road network. In fact, this has been further demonstrated by the submissions that Council received from the community as part of the SRV consultation process.

Our assets in their current state are continually deteriorating and need costly maintenance. To improve our public assets we need to allocate additional funds to maintain and renew these assets to ensure that they meet the needs of our community. Also, a small portion of the Special Rate Variation will be allocated to business improvement initiatives which will either save long term costs or generate revenue.

The proposed Special Rate Variation is an important step to help maintain and manage our current assets to ensure that we deliver services in line with community expectations and are financially sustainable into the future.

### What will the Special Rate Variation funds be used for?

The projected total SRV income (from maintaining the current SRV plus adding the new SRV) is estimated at \$1.14 million for the 2019/20 year

- \$725,000 on Transport (sealed roads, unsealed roads, footpaths, cycleways, bridges and road drainage)
- \$100,000 on stormwater drainage
- \$250,000 on buildings

Increasing the level of funding for these assets will allow council to renew and maintain those which are currently in a poor condition. It will also ensure that the number of assets in poor condition does not continue to grow. It is essential that our community assets are safe, in working order and meet community expectations. The expenditure will ensure that the NSW Government 'Fit for the Future' asset benchmarks are met over time.

The Proposed Buildings, Transport & Stormwater Drainage Program for 2019/20 (available online http://www.haveyoursay.lithgow.com/srv/ or at the Council Administration Centre and Lithgow, Wallerawang or Portland Libraries) provides a list of projects currently under consideration as part of the Draft 2019/20 Operational Plan. This program is subject to change and will be considered by Council in June 2019. The works identified in the program to be funded from the Special Rate Variation cannot proceed in 2019/20 without IPART approval of a Special Rate Variation.

The remainder of the increased funding (approx. \$70,000 p.a.) will be spent on business improvement initiatives which will either generate additional revenue or reduce long-term costs. This could include projects like the installation of solar panels on Council buildings or implementation of new computer systems designed to streamline processes.

#### How has the Council considered the capacity of the community to pay?

Council has completed a full analysis of the community's capacity to pay additional rates and this has been detailed in the Long-Term Financial Plan 2019-2029 (available online http://www.haveyoursay.lithgow.com/document-library/ or at the Council Administration Centre and Lithgow, Wallerawang or Portland Libraries)

The Council has a Hardship Policy to accommodate the special needs of those unable to pay their rates in full on time. The Council is committed to working with such ratepayers to agree on affordable payment plans.

Council has developed a Rates Calculator to enable ratepayers to see what the likely impact of the proposed special rates variation will be on their rates. The Special Rate Variation is only applied to the base property rates and is not applied to other charges such as waste, sewerage or water charges.

The Rates Calculator is available online at http://www.haveyoursay.lithgow.com/rates-calculator/ to use the calculator you will need to know the valuation of your property that is set by the Valuer General (which is available on your rates notice). This value is based on the land value only and does not include any improvements such as buildings.

If you do not have access to the internet, contact the Council Customer Service Centre on **Staff** at Lithgow, Wallerawang or Portland Libraries are also able to assist however, you will need to bring a copy of your rates notice to use the Rates Calculator.

How can I view Lithgow Council's Application for a Special Rate Variation? All applications for a Special Rate Variation must be submitted to IPART by 11 February 2019. Submissions from ratepayers will be received by IPART from 11 February to 11 March 2019.

View Council's application or make a submission to IPART online at www.ipart.nsw.gov.au.

Yours sincerely

Councillor Ray Thompson MAYOR





Dear Ratepayer

#### Proposed Special Rate Variation 2019/20

Lithgow City Council is proposing to apply for a permanent increase, above the normal rate peg, in our general rate income. This process is called a Special Rate Variation (SRV) application.

#### Why is Council Considering a Special Rate Variation?

Like many other NSW Councils, our roads, footpaths, buildings, drainage and other community assets are ageing and need to be renewed or upgraded. We know that our community places a high value on these assets, in particular our road network. Our assets in their current state are continually deteriorating and need costly maintenance. To improve our public assets we need to spend more money on maintaining and renewing these assets to ensure that they meet the needs of our community. Also, a small portion of the Special Rate Variation will be allocated to business improvement initiatives.

The proposed Special Rate Variation is an important step to help maintain and manage our current assets to ensure that we deliver services in line with community expectations and remain financially sustainable into the future.

# Why can't my current rates pay for the additional maintenance and renewal works?

The role of local Councils has come a long way since the days of roads, rates and rubbish. Today, we now fund many more services to meet our community's needs and expectations.

Some of these include:

- Parks, sports grounds, playgrounds and community halls; Libraries, arts and culture;
- Community development services for children, youth, older people, people living with a disability and Aboriginal and Torres Strait Islander People;
- Public and environmental health;
- Environmental sustainability projects and invasive species management;
- Transport services including roads, footpaths, car parks, road safety and traffic facilities;
- Business development, events and tourism;
- Development services, such as development applications and certification;
- Land use and natural environmental planning; Stormwater and flood management; Emergency management;



- Community and council strategic planning;
- Executive, communication and support services

#### What are the options Council is considering?

There are two options that we would like you to consider; each option will have varying impacts on our assets and service quality.

#### Scenario 1

# Current SRV expires + rate peg

On 1 July 2019, the current 4.77% SRV expires. A 2.7% rate peg would be added to the lower rate base. The projected loss of rates revenue due to the expiry of the current SRV is estimated at \$624,000 for the 2019/20 year.

#### Scenario 2

Maintain the current SRV + rate peg + one-off (permanent) 4.23% SRV

Council proposes to apply to retain the current SRV of 4.77%. Council also plans to request an additional one-off SRV of 4.23%. The total SRV application will be for a 9% increase in rates revenue (i.e. the current 4.77% SRV plus a new 4.23% SRV). The 2.7% rate peg will also be added. The impact on ratepayers will be a new 4.23% SRV plus the rate peg. The projected total SRV income (from maintaining the current SRV plus adding the new SRV) is estimated at \$1.178 million for the 2019/20 year

Council is proposing to increase funding for the following assets:

- Transport (sealed roads, unsealed roads, footpaths, cycleways, bridges and road drainage)
- Stormwater Drainage
- Buildings

Increasing the level of funding for these assets will allow council to renew those which are currently in a poor condition. It will also ensure that the number of assets in poor condition does not continue to grow. It is essential that our community assets are safe, in working order and meet community expectations. The expenditure will ensure that the Fit for the Future asset benchmarks are met over time.

The remainder of the increased funding (approx. \$100,000 p.a.) will be spent on business improvement initiatives which will either generate additional revenue or reduce long-term costs.

How has the Council considered the capacity of the community to pay?

- The Council has completed a full analysis of the community's capacity to pay additional rates and this will be detailed in the Long-Term Financial Plan 2019-2029 being publicly exhibited from 29 November - 11 January.
- Within available funding, the Council is committed through its integrated planning to building a sustainable future for the Lithgow Local Government Area. Council's actions support the creation of a vibrant economy / town centres providing increased local employment opportunities and advocating for the provision of services and facilities that meet the needs of all age groups and special needs groups.
- The Council has a Hardship Policy to accommodate the special needs of those unable to pay their rates in full on time. The Council is committed to working with such ratepayers to agree on affordable payment plans.

Council has developed a Rates Calculator which is available on the Have Your Serverses to wave haveyoursay lithgow.com.

To use the calculator you will need to know the valuation of your property that is set by the valuer General. This value is based on the land value only and does not include any improvements such as buildings. The valuation of your property can be found in the financial details section of your rate notice.

<u>Please note</u> This rates calculator is only for the base property rates and does not include other charges such as waste, sewerage or water charges.

Impact on average rate	Average Rate 2018/19 \$	Average Rate 2019/20	Vinance per anobri	<ul> <li>variance \$</li> <li>per week</li> </ul>
Residential Rates				
Scenario 1	763.00	747.00	-16.00	
Scenario 2	763.00	815.00	52.00	1.00
Susiness Rates				
See	3950.00	3,868.00	-82.00	
Scerario 2	3,950.00	4,225.00	275.00	5.29
Fermiand Rates				
Scenario 1	1,439.00	1,410.00	-29.00	
Scerario 2	1,439.00	1,539.00	100.00	1.92
Mining Rates				
Steration	150,461.00	157,139.00	-3,322.00	
Scenario 2	160,461.00	171,581.00	11,120	213.85

Table 1: Likely impact of Scenario 1 and Scenario 2 on average rates

#### What is the proposed increase in funding?

The table 2 below shows the current amount of funding allocated each year, towards renewal and maintenance work across our main asset types, as well as recommendations for increases to improve their condition.

AssetType	Current Maintenance & Renewal Budget (\$'000 p.a.)	Proposed increase in Investment (\$'ooo p.a.)	Proposed Total Investment (\$'000 p.a.)	Proposed % increase in investment
Transport	4,188	725	4,913	17%
Stormwater Drainage	107	100	207	93%
Buildings	831	250	1,051	26%

Council has engaged Micromex Consulting to undertake a telephone survey of residents within the Lithgow local government area during December to ascertain their level of support for the proposed Special Rate Variation. For those ratepayers who do not live in the Lithgow LGA or who are not contacted to by Council's Consultants, the survey will be available online at <u>www.haveyoursay.lithgow.com</u> from 14 December 2018 to 11 January.2019.

There is a significant amount of information associated with this proposal on the Have Your Say Website (<u>www.haveyoursay.lithqow.com</u>) including an overview of the benefits of the SRV and the process being followed. If you require additional information or wish to discuss this further please contact Council staff on

Cr Ray Thompson MAYOR

Yours Sincerely

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