

COMMUNITY CONSULTATION SUBMISSIONS – DRAFT OPERATIONAL PLAN 2023/2023 INCLUDING REVENUE STATEMENT AND FINANCIAL BUDGET

SUBMITTER	COMMENTS	RESPONSE
<p>1 – Resident of Tenterfield IN23/1F96B95D</p>	<ul style="list-style-type: none"> • I acknowledge the work in preparing this draft plan and commend those involved. However, the lack of information provided to the community and the previous Council regarding the Council’s precarious financial situation plus inadequate decision making and work subsequently on several major projects undermines the good intentions and future plans. • The contributions to the Community Strategic Plan 2022-32 were not fully informed financially and some suggestions are aspirational and hence not realistic in the current economic situation. The official decision on the SRV is pending. Our small ratepayer base, socio-economically poor shire population with a significant proportion aged over 55 are key factors barely acknowledged. • p.3 ‘finishing what we have started’ requires full explanation and re-assessment. The Council Chambers and Memorial Hall have not met community expectations. • p.4 Councillors ‘make considered and well informed decisions’ is questionable and the recent resignation of the diligent and questioning first term councillor is unfortunate. • Tenterfield Shire Council’s Mission and Vision Statements have not been borne out in recent years. • The town’s swimming pool, library, Federation Park and saleyards are listed for substantial funding despite low patronage. • Financial sustainability appears to be an impossibility under current circumstances locally. This level of government is unsustainable and the development of a system of regional government must be considered for the benefit of those living in rural/regional Australia. 	<ul style="list-style-type: none"> • All Council reports, including Monthly and quarterly financial reports are presented to Council, and are available to the public. The Monthly Operational Report is presented to Council meetings and is available to the public. • The requirement to assist the community to develop an aspirational CSP is part of the NSW State wide planning process. IPART have acknowledged the socioeconomic position of our community, and have approved only one year of the SRV. • Opinion. • Opinion. • Opinion. • Proposed amendments to the OP include these. • Opinion.
<p>2 – Resident of Liston IN23/1CC24CF9</p>	<p>RATEPAYER submission #1 re GOV22/23 Resolution #55/23 Public Exhibition – “TSC Draft Operational Plan 2023/2024” & other documents including TSC Fees & Charges 2023-2024; Revenue Policy & Rates Tables; Unaffordable Delivery Plan; No list of Priorities; No highlights. <i>This is an ‘outsiders’ opinion & suggestions based on public information, documents, recordings.</i></p> <p>SUMMARY:</p> <p>1 TSC’s IP&R documents STILL Include an UNREASONABLE Rate increase of 104.49% over the next 2 years & 125% - 200+% over the next 10 years OR a totally unviable Deficit for which the Responsible Accounting Officer has indicated Loans are NOT recommended.</p> <p>2 The 3 page covering agenda report GOV22/23, reflects on the State purpose of these documents, but unfortunately does NOT include a Summary for Ratepayers or</p>	<ul style="list-style-type: none"> • Opinion. • Opinion.

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	<p>Councillors re NEW CHARGES, extended charging areas, variations to the Rate Tables, significant variations; new expenditure; or even the HUGE & Unreasonable & immediate proposed Special Variation Rate Increase</p> <p>3 I have yet to see EVIDENCE that the majority of Ratepayers support the continuing unstable financial position of TSC or the proposed forced cost shifting of the huge deficits and unstable cash flow to the apparently financially responsible Ratepayers. Much 'consultation' is 'in house' & many Ratepayers would have no idea. Mandatory charges are still over the 4.5% Rate Peg but are not restricted like Rates.</p> <p>4 Immediate Action is urgently requested of our Councillors to contractually remove, restrict or significantly delay all activity except ROADS.</p> <p>5 NO further Grant applications UNLESS the grant will cover 100% of the total current estimate is paid 100% in advance; USER PAYS charges will cover all post 'in service' expenditure. The real test of whether Ratepayers NEED each service or 'local' infrastructure is whether or not they are willing to agree with USER PAYS \$ charges, especially post 'in service' completion. Grants are not Free \$ and ALL conditions, including reimbursement points are known in advance of any 'authorised officer' acceptance of liability. There is a resolution in place restricting grants to those covering 100% of estimated cost but this needs to extend.</p> <p>6 Significant change to documents such as the Community Strategic Plan & the Delivery Plan & the Operational Plan to restore financial stability and stable cash flows.</p> <p>7 Council's plans over the 1, 4, 10,20 years Need to MATCH Entity financial capability without unreasonable rate increases or continuing huge deficits & unstable cash flow.</p> <p>8 ALL Ratepayers deserve to see the PRIORITY list of activities, infrastructure & services & the total \$ budget/allocation by year and over the 10 year long term financial plan, so they can identify which expenditure they recommend be removed. Do the Councillors have this 'PRIORITY & total \$' list information in preparation of the NSW IPART SRV decision? This must include all expenditure post 'in service' including depreciation, retention and leave payments prior to commencement of any activity.</p> <p>9 Any TSC 'hardship' options will need to take into consideration that the NSW Minister has advised that the Interest to be charged on unpaid rates will be 9% for 2023 – 2024. TSC debt management policies appear to require payment within 2</p>	<ul style="list-style-type: none"> • Opinion. • Opinion. • Opinion. • Proposed amendments to OP include this. • Opinion. • Opinion.
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	<p>years – which in my view won't be helpful for those older aged, lower income, fixed income, TSC Residents & Ratepayers.</p> <p>10 I have yet to check all the document pages, including NEW charges. There is a new \$80 pa charge for members of the public who ask for a printed &/or posted copy of Tenterfield Shire Council's (TSC) Business papers. I suggest this need immediate amendment in order to comply with the Local Government Act S9 and doesn't compromise the ability to 'encourage' public and Ratepayer participation in Council Business. Eg Ratepayers who live over an hour from the TSC meeting rooms or can't attend the meetings. NSW legislation S9 DOES require a FREE copy of TSC business papers for the public to take away.</p> <p>LOCAL GOVERNMENT ACT 1993 - SECT 9</p> <p>Public notice of meetings</p> <p>9 Public notice of meetings</p> <p>(1) A council must give notice to the public of the times and places of its meetings and meetings of those of its committees of which all the members are councillors.</p> <p>(2) A council and each such committee must have available for the public at its offices and at each meeting copies (for inspection or taking away by any person) of the agenda and the associated business papers (such as correspondence and reports) for the meeting.</p> <p>(2A) In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public--</p> <p>(a) the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item), and</p> <p>(b) the requirements of subsection (2) with respect to the availability of business papers do not apply to the business papers for that item of business.</p> <p>(3) The copies are to be available to the public as nearly as possible to the time they are available to councillors.</p> <p>(4) The copies are to be available free of charge.</p> <p>(5) A notice given under this section or a copy of an agenda or of a business paper made available under this section may in addition be given or made available in electronic form.</p> <hr/> <p>About Us Copyright Policy Disclaimer Privacy Policy Feedback</p> <p>11 Increased charges over the Rate Peg of 4.5% - as a NSW State declared 'reasonable' increase although not mandatory for fees and charges as it is for Rates. * It seems water charges are up approx 15%, * the invalid multi-year, multi-location Water Infrastructure Charge CREDIT is included & apparently is no more, complying with a previous Council resolution which for some reason did not appear in the Council Resolution Register – including agenda item Res 32/33 of the April 23 agenda. *Some Waste charges are up approx 9% but for the required charging area data (done via maps) - I found the map for "along Mt Lindesay Rd waste" very vague; *as the inclusion of 'charging areas' is mandatory, perhaps a street based description could be used if maps are too difficult at the moment. Eg rateable properties within on the N side of x st, s side of y st OR rateable properties on the inside boundaries of roads w,x,y,z so RATEPAYERS have clarity re charges.</p> <p>12 It isn't clear which 'approved' organisation chart is included in the updated</p>	<ul style="list-style-type: none"> • Correction made to Fees & Charges for provision of business papers. • Rate peg is for Rates. Not Fees & Charges.
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	<p>IP&R documents, nor what the total remuneration estimated expenditure is for that chart. (including leave accruing as there is no leave provision any more). Similar information for casuals, temporary or contract human resources and their total remuneration and overheads is also not easily evident. Human Resources is a significant component of TSC total operating expenditure.</p> <p>13 Why is a \$95,000 PLUS salary, Ranger necessary? One person won't be doing much outside of Tenterfield Town & how many parking, untidy gardens, roaming dogs etc are there to justify this expense. Exactly what activity is MANDATORY in this area of activity, especially if it is so difficult to get appropriate staff.</p> <p>14 It would be helpful if TSC officers etc could cease the practice of colouring-in of font, background & table lines, as this makes the big, complex key documents very difficult to read & takes additional time & editing. Standard protocols for complicated documents designed to be read is black font on white background, with any essential shading very light grey. Marketing documents just look pretty as they aren't really meant to be read in detail.</p> <p>15 Councillors, please seek the Chief Executive's advice on</p> <ul style="list-style-type: none"> (i) additional resolutions so that all the Integrated Planning documents, DO reflect TSC financial capability & reasonable rates & mandatory charges for the majority older age, lower income, longer term resident ratepayers, (ii) where the TSC documented "priorities" reflect publicly evidenced, majority ratepayer needs, any 'aspirations' included are Advocacy ONLY & not TSC financial expenditure & that (iii) any included 'aspirations & wish lists' are clearly identified & at the bottom of the TSC wide 'priority' lists, waiting for a non-ratepayer 'miracle'. (iv) Urgent remedial action to avoid further wasted \$ or potential future SRV issues relating to appointment of administrators. This will just waste yet more scarce dollars & only terminate our elected community representatives. An administrator may incur further expenditure for remuneration & termination & new appointee costs. WASTE of time and Money. The councillors can avoid this by timely & urgent decisions to restore financial stability – especially by NO more unaffordable contractual commitments or additional expenditure and Reduce existing expenditure so there is a balanced year 1 & 10 year long term financial plan and sustainable cash flow. (v) What resolutions Council needs to adopt for the amended Code of Meeting Practice (in the May 2023 agenda) to ensure that all 	<ul style="list-style-type: none"> • Opinion. • Opinion. • Opinion. • Opinion.
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	<p>Officers Recommendations & business paper reports include ALL relevant information especially in the final 'summary' area.</p> <p>Eg #1 The Bendalls items for the past 2 meetings did not indicate the contractual restrictions & apparently presumed the highest bidder had a similar right of 'exclusivity' as the RE agent apparently did. There was no indication of additional expenses if the auction result was not accepted, the report did not indicate potential expenses if the 2nd meeting offer was accepted, the resolution adopted at the first meeting was not referred in the 2nd meeting report & was apparently not complied with. It was also unclear why the 2nd meeting report (ECO5/23 Res #49/23 was in the public section not a confidential section and the minutes did not reflect Council's reminder of the resolution already on the table. The Officer Recommendation was NOT adopted. The 1st report was in the public meeting & perhaps should have included the 'loosing' bidders details (all was public?) but possibly not the offer post the end of the 'auction period)?</p> <p>EG #2 The COM4/23 Arts, Culture & Community Development – Revised Operational Model Addendum Report Res #47/23, where in fact a significant issue which resulted in a Community Consultation (Public Access) presentation by the NSW National Trust Property manager before the public meeting (not recorded as per a recent 'authorised officer' decision) related to attempted termination of a 50 year TSC/NT lease. The public gallery was full. The NT tabled document has not yet appeared on Tenterfield.nsw.gov.au April 2023 meeting papers & attachments tab and was not included in the draft minutes, although it was not determined 'confidential'. Res #46/23. The Officer Recommendation was NOT adopted. The related report did not include any of the material provided by the NT Property Manager, including a potential significant liability if the lease termination was agreed, nor did it recognise that those parts of the SHPSoA building which TSC administration are apparently intending to retain (apparently at a continuing peppercorn rental?) would not be guaranteed as it would be the NT deciding who would have future leased areas and at a NT agreed charge. The OFFICER RECOMMENDATION was NOT adopted.</p>	
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	<p>16 Councillors, please revisit the apparent TSC 'accepted' principle it is reasonable or appropriate for TSC to consider that ratepayers' responsible financial decisions should be compromised by TSC's apparent unsustainable deficits & unstable cash flow. (this situation has apparently continued to deteriorate since Jan 2022 & apparently will continue to deteriorate based on the TSC executive Q&A responses to NSW IPART for TSC's current special rate variation proposal of 104.49% to be implemented over the next 2 years.</p> <p>17 Each financial position (of TSC & each ratepayer) has been deliberate. For TSC, each deliberate financial decision increasing the deficit or compromising the cash flow has been made by an '<i>authorised</i>' officer or a deliberate council resolution.</p> <p>18 '<i>TSC determined</i>' priorities are not an "evidenced" Ratepayer need, locations are too far away or impractical or irrelevant to use for many Ratepayers, especially outside Tenterfield Town.</p> <p>19 Councillors, please, consider the EVIDENCED majority ratepayer NEEDS above all other "aspirations & wish-lists" when making your decisions, please do not allow any further expenditure which does not have an identified REAL source of funding documented before any additional financial commitment.</p> <p>This will likely require an expenditure reduction from the latest 'Approved' budget or plan and should be applied to the March 2023 Quarterly Budget review & all activity for the balance of this financial year and beyond. ie TSC must reprioritise & or stop 'in progress' or scheduled, 'approved' expenditure asap.</p> <p>20 IPART approval, of the proposed 104.49% Rate increase over the next 2 years – compounding to 125% - 200+% over the 10 year long term financial plan, is (hopefully from a ratepayers' perspective) NOT a given and 50 or 200 ratepayers are not a majority.</p> <p>If 50 or 200 Ratepayers provided EVIDENCED support for 'an activity etc' then perhaps this should be totally USER PAYS, <i>NOT</i>, ALL ratepayers pay or even ALL ratepayers in a particular town or locality.</p> <p>21 Correct geographic names need to be consistently used so there is no confusion as to exactly which Ratepayers are to be levied mandatory Rates & charges. Eg town, village, locality. Charging Maps must be clear and if not available</p>	<ul style="list-style-type: none"> • Opinion. • Opinion. • Opinion. • Opinion. • Limitation of maps due to limited resources.
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	<p>then there must be a clear description of the boundaries of the charging area for all Rates & mandatory charges. I suggest, This isn't currently happening</p> <p>22 See IPART SRV 2023-2024 submissions and re-submissions, including TSC updates on documents & Q&A responses. TSC's 104.49% rate increase over the next 2 years compounding to 125% - 200+% over the 10 year long term financial plan "re-submission" re-opened public submissions although IPART has yet to load the final set of public submissions in response to those councils providing late and re-submissions. https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/Reviews/Special-Variations-Minimum-Rates/Special-Variations-Minimum-Rates-2023-24</p> <p>23 The real test of whether the Integrated Planning & Reporting documents fully reflect appropriate consultation & evidenced feedback is if a council Chief Executive receives adopted Council resolution/s to the Officer Recommendation to apply for a special rate variation (being a potential Rate increase larger than the NSW IPART 'approved' Rate Peg); if it meets IPART's tests & IPART approves the full application.</p> <p>The ultimate tests NSW IPART applies relate to RATEPAYERS, not the 'community', nor 'groups', nor Residents, not 'passers by' nor 'out of town' businesses etc.. Ie is the proposed special Rate variation reasonable for RATEPAYERS? How can 104.49% permanent, compounding Rate increase be reasonable in anyone's language? How can anything over 10% plus the Rate Peg permanent, compounding rate increase be reasonable either. Especially when many TSC expenditure items do not have evidenced, support by the majority of TSC approx. 5,000 ratepayers? Ie are the RATEPAYERS willing to pay the rate increase? From what I have seen and heard I don't think so, despite the 'sugar coating' of its only \$xx dollars per week.</p> <p>The apparent 'reductions' over the past 12 months or so, in the proposed special rate variation % calculation have, it appears, related to a changing period covered in the % increase calculation and recently to a change in the future Rate Peg so that 2.5% is used in future years (an IPART requirement I understand), not 7.5%.</p> <p>The % rate increases often are missing from corporate documents, or the % chosen to include is not the full compounding permanent increase. The 10 year long term financial plan result of 200+ % did appear in the first set of documents & is now included in the final set of documents. Ie it was provided, just a little challenging to find for most, especially when there has been much discussion as to what % is 'correct' & what is 'misleading'.</p>	<ul style="list-style-type: none"> • IPART part approval of application. • Opinion.
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	<p><i>Council issues and demonstrating Council’s commitment to openness and accountability.”</i></p> <ul style="list-style-type: none"> *maintain integrity in the principle of ‘webcasting’ TSC meeting content, in particular “ * Including a brief Summary of Purpose of the presentation in the minutes as well as the Speaker name, topic & for/against, agenda item #. *re-establish publishing the Community Consultation session and the related Public meeting recordings as a ‘recording group’ or one recording on Tenterfield.nsw.gov.au & on TSC Utube ‘channel) * use the existing ‘interesting news’ option & the TenterfieldShireCouncil NOTICEBOARD only FB page to advise the ‘community’ of ‘approved’ Community Consultation (Public Access) speakers, their time & topic so the public & Ratepayers can be informed as to when the public meeting is actually starting, thus avoiding confusion all parts of the agenda discussion start at 9.30am when in reality presentations start from 9am if public access speakers are approved. <p>NOTE 1: it appears councillors are advised as approvals are given (following COB Monday for applications) and often the ‘grapevine’ informs the locals. Not really ‘broadening knowledge & participation in Council issues’ nor ‘demonstrating Council’s commitment to openness & accountability’.</p> <p>NOTE 2: Please remember many Ratepayers have to travel at least 1 hour and possibly over 2 hours to attend in person.</p> <ul style="list-style-type: none"> *as TSC pays for a local newspaper advertisement, I suggest this is a ‘media’ item where the full advertisement & any wider distribution to media outlets other than the Tenterfield Star is included in Tenterfield.nsw.gov.au news & events/media links. <p>NOTE: Council’s Utube Channel, Council’s livestreamed Social Media tools & Council’s ZOOM (?) tool may need to be added to the list of TSC current social media tools/sites etc for the Public Exhibition item relating to “Tenterfield Social Media Policy” (submissions close 23 May 2023) https://www.tenterfield.nsw.gov.au/your-council/council-documents/public-exhibition-documents Tenterfield Shire Council DRAFT Social Media Policy</p> <p>This recent public presentation by the NSW National Trust Property Manager concerning TSC administrations proposal to terminate the peppercorn lease (April 2023 agenda Item COM4/23, Resolutions #46/23; 47/23; 48/23) indicated approx. \$500,000 in maintenance would be payable if agreement was reached to terminate the lease AND that any new lease arrangements and charges would be a NT decision, not TSC nor the Friends groups.</p>	
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	<p>(ii) The New NSW Government Minister recently announced additional Emergency Management charges to be imposed on Council's including TSC. The CE should be able to describe and quantify this amount. Approx. \$200,000 yet to include?</p> <p>(vi) The CE should also be able to quantify just what additional expenses & quantity for each which was referred to in the Q&A page required by NSW IPART & included on the NSW IPART SRV website as part of TSC's re-submission for the 104.49% Rate increase (calculated only over the next 2 years). Apparently (see Q&A IPART document in TSC re-submission) the expenditure is not up to date? https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/Reviews/Special-Variations-Minimum-Rates/Special-Variations-Minimum-Rates-2023-24</p>	
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