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24 April 2019

TRRA makes the following submissions on the draft Schedule currently on exhibition. We have no objection to the unredacted publication of this submission.

### **Draft Fees and Charges Schedule 2019-20**

It is very difficult for any interested party to make a considered submission on this document as it gives no clear indication as to what changes are proposed from previous years. The agenda paper on this item (#10) for the 26 March Council meeting does not provide any additional explanation.

The 147 page draft Schedule (which is all that is on exhibition) includes a page (p9) noting 'additions and deletions' which we have to assume are the only changes proposed from the previous year? However the specific items in the table of fees/charges do not show the changes, which makes it very difficult for interested parties to comment meaningfully.

For example, it is noted on page 9 that there are additions and/or deletions to Certification fees, and for Application and Inspection fees for Engineering Services, but it is not clear from the table what these changes actually are?

Pages 7-8 explains the 5 different pricing methods/structures (full cost, partial cost, statutory, market or zero/free), and the table in the rest of the Schedule indicates for each fee/charge which method has been applied, which is helpful as far as it goes. However, it remains unclear how much discretion Council has to decide both between methods for different fees/charges, and what actual \$ level to charge (e.g. what is the 'full' or 'market' cost?)

While most fees/charges do not appear to have been changed and may have been the same for many years (there is no indication that any of them are 'index linked'?), no 'benchmark' information is included which would allow councilors or other interested parties to assess whether Port Stephens Council's application of pricing policy is in line with that of comparable councils.

This is of particular importance with two categories of fees and charges where Council has discretion to set the level, or apply discounts (we assume some fees and charges are set by the State Government?).



Firstly, those fees and charges which act as either an incentive or a deterrent for particular types of behavior. Examples include hall hire fees (a low fee encourages civic activity while a high fee would limit access) and dumping fines (self-evident effect).

Secondly, those fees and charges which relate to development activity, where a balance needs to be struck between meeting the cost to ratepayers (e.g. of processing a development application) and not unfairly penalising the activity. Development fees and charges are of particular sensitivity as any Council discretion must be seen to be exercised in the overall public interest and not in the interests of particular private interests.

As an example of the latter issue, we note the current proposal by Council (and the subject of a separate consultation) to remove the 50% discount on s.94 development contributions for manufactured home estates. We welcome this proposal as a good example of using discretion in the wider public interest.

We also recognize that fees and charges make a significant contribution to overall Council revenue, and this obviously needs to be considered in making any adjustments.

We submit that Council should in future years provide briefings for Councillors and the public on how particular fees and charges compare with practice in other Councils. We recognize that this would be time consuming and suggest that Council focus in the short term on the fees and charges which are most significant, either in dollar amounts or in potential sensitivity, such as development charges.

Nigel Waters  
On behalf of

**President, Tomaree Ratepayers & Residents Association Inc.**