



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

BUDGET ESTIMATES 2021-2022 Supplementary Questions

Portfolio Committee No. 7 – Planning and Environment

LOCAL GOVERNMENT

Hearing: 1 November 2021

Answers due by: 29 November 2021

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LOCAL GOVERNMENT

Questions from Mr David Shoebridge MLC

Election

1. What advice have you received about the risk of some or all of the 4 December 2021 council elections failing or being contested in court because of the settings you have put in place?

Synthetic turf

2. Following the findings of the NSW Planning Synthetic Turf study what direction if any have you given to councils across NSW about installation of these fields?
3. How many fields are being funded through Local Government?

Demergers and Demerge NSW

4. Are you aware of the formation of a statewide coalition called the Demerge NSW Alliance (DNA) representing communities from the majority of merged councils who are collectively campaigning for a binding plebiscite on demerging?
5. Given financial viability was given as a main reason for the forced council mergers, can you provide details on the extent of special rates variations applied for by merged councils?

Armidale Council

6. It is understood that 3 Armidale councillors made complaints to the OLG in September, October and November 2019. Please provide details of the dates and the nature of the responses provided by the OLG, e.g. acknowledgements or other information, and whether the complaints remained unresolved when Armidale Regional Councillors were suspended on 12 June 2020.

Snowy Valleys Demerger

7. Why did the Minister refer the demerger to Cabinet? Do you have the power to determine this alone without reference to Cabinet?
8. Will you release the full report from Deloitte Touche Tomatsu commissioned by the Boundaries Commission (BC)?
9. Is the Minister aware that based on its ever worsening financial position Snowy Valley Council (SVC) has declared it is not financially sustainable and is set to endorse a proposed 38% Special Rate Variation (SRV)?

Questions from Ms Abigail Boyd MLC

RSPCA Capital Works Funding

10. In the last round of estimates, you provided responses to questions taken on notice about RSPCA NSW funding for capital works. Is there any requirement for RSPCA to provide evidence that the funds are directly contributing to improved animal welfare outcomes?
11. In this information you provided, there is an amount of \$20,000 allocated to Tweed Heads for “compliance works”, however there is no RSPCA NSW shelter in the Tweed region. Can you please clarify what the \$20,000 went towards?

Council Pounds

12. Bourke euthanasia of dogs by shooting
 - (a) What specifically has the Office of Local Government done in direct response to the euthanasia by shooting of 15 dogs in Bourke Council pound in August?
 - (b) What changes have been made to OLG’s council pound data collection, audit processes, or guidelines following the euthanasia by shooting of 15 dogs in Bourke Council pound in August?
13. Companion animals born in council pounds
 - (a) If pregnant companion animals give birth at the pound (regardless of the length of time they spend at the pound or whether they go to rescue eventually), are these kittens and puppies required by the OLG to be given individual impound numbers and entered on the Impound Register by Council?
 - (b) If they are not required by the OLG to be individually entered on the Impound Register by Council, how can the Pound Data Reports be considered accurate?
 - (c) If some of these kittens/puppies die or need to be euthanised at the pound and they have not been given individual impound numbers, is there a record of this kept by Council and is this information sent to the OLG for their data/Pound Data Reports?

Questions from the Hon Mark Buttigieg MLC on behalf of the Opposition

Model Code of Conduct

14. In June this year you announced a review into the model code of conduct. When will that review be complete?
- (a) What agency/organisation has been tasked with conducting that review?
 - (b) How much is the agency/organisation being paid to conduct the review?
 - (c) How much did the Office of Local Government spend on investigating code of conduct complaints (including resources, staffing hours, etc) in 2018/19?
 - i. How much did the Office of Local Government spend on investigating code of conduct complaints (including resources, staffing hours, etc) in 2019/20?
 - ii. How much did the Office of Local Government spend on investigating code of conduct complaints (including resources, staffing hours, etc) in 2020/21
 - (d) How many full time equivalent staff at the Office of Local Government were tasked with investigating code of conduct complaints in 2018/19?
 - i. How many full time equivalent staff at the Office of Local Government were tasked with investigating code of conduct complaints in 2019/20?
 - ii. How many full time equivalent staff at the Office of Local Government were tasked with investigating code of conduct complaints in 2020/21?
 - (e) Has the Office of Local Government investigated why 52 code of conduct complaints were lodged with Lismore Council in 2019/20?
 - (f) Has the Office of Local Government investigated why Georges River Council were forced to spend more than \$200,000 in 2019/20 to investigate code of conduct complaints?
 - (g) Has any councillor in NSW being reprimanded/sanctioned/warned for making blatantly baseless code of conduct complaints?

Coastal and Estuary Fund

15. A total of \$83.6 million was made available as part of the 2016/17 to 2020/21 Coastal and Estuary Grants package. \$7 million was for 'investment in state-wide science and technical advice. How much of that \$7 million has been spent?
 - (a) Can you provide a detail breakdown of how that \$7 million (if it was all spent) was spent?
 - (b) How much of the \$83.6 million was spent prior July 1, 2021?
 - i. Are unspent funds still accessible to councils under the same grants program and if so, when does the funding window expire?
16. In 2019 Claudine Lyon was commissioned to conduct an independent report that looked at increasing access to funds under the program. How many of the 38 recommendations were adopted?
 - (a) How much was Claudine Lyon paid to prepare the report?
 - (b) Was money from the Coastal and Estuary Grants Program used to pay the fees of Claudine Lyon?

Local Government Grants Commission

17. How regularly do the members of the Local Government Grants Commission meet?
 - (a) Were the three roles on the commission appointed by yourself (held by Aileen MacDonald, Bruce Notley-Smith and Allan Baptist) advertised?
 - i. If they were advertised, how many applicants were there?
 - (b) How much are the members of the commission paid annually?
 - (c) How much were the previous members of the commission paid annually?

Local Government Boundaries Commission

18. How regularly do the members of the Local Government Boundaries Commission meet?
 - (a) How much are the members of the commission paid annually?
 - (b) How much were the previous members of the commission paid annually?
 - (c) Were the positions on the commission advertised?

- i. If so, how many people applied for a position on the commission?
19. In July this year you announced an independent statutory review into the commission. Has that review commenced?
 - (a) When is that review expected to be concluded?
 - (b) Why did you call for the review?
 - (c) Who is conducting the review and how much are they being paid to do so?

Council finances

20. The Time Series Data for 2019/20, published by the Office of Local Government showed there were a number of councils that had negative Operating Performance Ratios. Several of those were merged councils including: Hilltops (-21.4); Cootamundra Gundagai (-19.5); Central Coast (-15.9); Murray River (-14.2); Snowy Valleys (-11.1); Federation (-10.4); Murrumbidgee (-9.1); Georges River (-8.2); and Snowy Monaro. What has the Office of Local Government done to specifically address the negative operating performance ratios of each of those councils?
 - (a) Do you anticipate any of those councils will be placed in administration within the next 12 months?
 - (b) Do you anticipate any of those councils will be placed in administration within the next 24 months?

Office of Local Government

21. On 1/11/2021, Secretary of the Department of Planning, Industry and Environment, Keirsten Fishburn confirmed the Office of Local Government had its “own identity” despite being part of a larger cluster. Given that fact, how many full time equivalent staff are currently employed in the Office of Local Government?
 - (a) How many full time equivalent staff were employed in the Office of Local Government in 2020/21?
 - (b) How many full time equivalent staff were employed in the Office of Local Government in 2019/20?
 - (c) How many full time equivalent staff were employed in the Office of Local Government in 2018/19?

22. What is the budget of the Office of Local Government in 2021/22?
- (a) What was the budget of the Office of Local Government in 2020/21?
 - (b) What was the budget of the Office of Local Government in 2019/20?
 - (c) What was the budget of the Office of Local Government in 2018/19?
23. How much was the payout figure for the former head of the Office of Local Government, Tim Hurst following his resignation?
- (a) What was Mr Hurst's salary prior to leaving the Office of Local Government?
 - (b) What is Brett Whitworth's salary as head of the Office of Local Government?