



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

BUDGET ESTIMATES 2023-2024

Supplementary questions

Portfolio Committee No. 8 – Customer Service

Local Government

(Hoenig)

Hearing: Wednesday 6 March 2024

Answers due by: Tuesday 2 April 2024

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BUDGET ESTIMATES 2023-2024
SUPPLEMENTARY QUESTIONS

Questions from Dr Amanda Cohn MLC

LOCAL GOVERNMENT

Multicultural advisory

- (1) What progress towards the establishment of Multicultural Advisory Committees within local councils has been made? Where can information on councils with these advisories or in the process of application be found?
- (2) What support or endorsement exists for the creation of Multicultural Advisory Committees in local councils? What instructions or guidelines are provided to ensure collaboration between diverse community groups and council officials to address the rise and spread of extremism?
- (3) Specifically, has the Office or Minister been notified that since July 16, 2023 groups including the Periyar Ambedkar Thoughts Circle of Australia, Alliance Against Islamophobia, Sovereign Sikh Society, and dozens more other diverse multicultural organisations have sent letters on these subjects to the Parramatta and Hills Shire Councils?

Questions from Hon Chris Rath MLC *(on behalf of the Opposition)*

LOCAL GOVERNMENT

- (4) Rates are the primary source of income for councils. The IPART baseline rate peg determination for 2023-24 is only 3.7% while inflation has been in the range of 6-8% during 2022-2023 and continues at around 6% in 2023-24. Local government revenue is rapidly declining in real terms, which is demonstrated by the multiple SRV applications currently underway. This is not sustainable and will inevitably result in the need to cut infrastructure and services. As you would be aware many councils are applying to IPART for Special Rate Variations (SRVs) which ultimately impacts ratepayers at a time when they can least afford it. What is the NSW Government doing to assist the sector?
 - (a) You have announced a review into the financial sustainability of Councils, what will this reform entail?

- (b) Will there be funding attached to this reform?
 - (c) Will this reform consider the impost that inflation has had on councils?
 - (d) Without support from the state government, local councils will inevitably need to cut infrastructure and services, which infrastructure and services should local councils give up first?
 - (e) What have you done in regards to this rise in SRV applications?
 - (f) What advocacy have you undertaken to the Federal Government to restore the sectors previous 1% of taxation income?
- (5) In relation to the Local Government (General) Amendment (Tendering) Regulation (No 2) 2023. The private sector looks after the collection of 60% of municipal contracts, the remaining 40% is collected by the councils themselves, why was neither group (nor their registered peak bodies) consulted on this amendment which has huge implications on the conditions under which they operate?
- (a) The definition of “waste” as outlined in the regulation is quite broad, was it intended that this regulation would impact cleaning contracts within Local Government that include the collection of sanitary and medical wastes?
 - (b) There is no definition of employee, was it intended that this regulation impacts only drivers, or was the regulation intended to impact all waste staff (including mechanics, education staff, call centre staff, and management)?
 - (c) Was the regulation also intended to also impact employees who have a dual role with municipal and commercial contracts?
 - (d) Section 178 states that each relevant registered organisation must be consulted and satisfied, for any individual contract - as this can include WCRA, and three unions: TWU, AWU and MSU – if an agreement is not reached will a council be required to issue another tender, or does the regulation allow Council veto their tender processes?
 - (e) What consideration was given to the significant risk the regulation imposes to any tenderer that operates with a workforce which is not able (or agrees) to provide details regarding individual entitlements?
 - (f) What requirements are there for registered organisations to indicate to a council that they are “satisfied” pursuant to s.178 (1A)?

- (g) If the registered organisations cannot be provided with tender details when the process is still confidential, what requirements are there for registered organisations to act reasonably in indicating their satisfaction regarding the industrial arrangements?
- (h) Do incumbent contractors have an obligation to provide information during the tender process?
 - i. If the details for each individual is gained by the registered organisation, what obligation does the organisation have towards the accuracy and quantum of entitlements to be paid?
 - ii. How will the incumbent contractor be obligated to then transfer entitlements?
 - iii. Will entitlements be transferred between contractors?
 - iv. What mechanism is in place to ensure that successful contractors do not just pocket the transferred entitlements?
 - v. What if existing enterprise agreements provide for all entitlements to be paid out at expiry?
 - vi. How will the NSW Government monitor this?
 - vii. How will the Local Government monitor this?
- (i) What obligation is the former contractor under to disclose entitlements if they are competitors?
- (j) If the individual is paid out (effectively by Council paying the old contractor) what protection does Council have that they don't then have to pay the same entitlements under a new contract?
- (k) What if the individuals don't want to disclose their work conditions or accrued entitlements?
 - i. Can they be compelled to?
- (l) What if the registered organisation cannot gain these details. Will it be reasonable not to include as per the new s. 170 (3)?
- (m) Who will hold the personal employee and entitlements information?
- (n) What happens when a council is seeking to implement strategies to achieve the NSW resource recovery targets – one example where the Council currently has weekly

garbage + weekly FOGO collections. They are wanting to drive more food waste out of the red bin so are tendering with garbage to be reduced to fortnightly collections. If there are currently 20 garbage collection individuals and under the new fortnightly services there may be 12 individuals. Is the new contractor expected to offer employment to the extra 8 individuals that are not needed?

- (o) What undertakings do tenderers have that any enforcements won't reach further than the specified matters contained within the new s.173 (5)?
 - (p) The power in s. 178 (1A) (b) can be used for purposes unrelated to the matters sought to be addressed by the amendments. What about tenders that are currently in the market? Is it reasonable that the new s.170 (3) would apply to these?
- (6) Minister, last estimates you advised that the office of Local Government received \$4.5 million to set up a strategic policy unit, has that happened?
- (a) If not, what progress has been made?
 - (b) If no progress, what is your plan to progress this matter?
- (7) Previously, you also noted that the Code of Conduct system is broken, you stated that your intention was to have a new policy around the Code of Conduct and that it would be completed before the Local Government elections.
- (a) Will this occur?
 - (b) If not, when is it likely to be completed?
 - (c) If no progress, what is your plan to progress this matter?
- (8) The Treasurer is undertaking ESL reform, with Council's likely to be impacted by this reform, have you made representations to the Treasurer regarding the reform?
- (a) What issues have been raised by the Local Government sector raised with you in relation to the ESL?
 - (b) Are Councils likely to be impacted?
 - (c) Are you aware of any consultation that has occurred with Councils?
- (9) Minister, you confirmed you would consider a review into Pensioner rebates for Council charges. Please advise when that review will commence and who will be consulted.

Questions from Ms Abigail Boyd MLC

LOCAL GOVERNMENT

NSW Pet Registry

- (10) Of the \$9.1M allocated for 2023/2024 to update the Registry, please break down this figure into how much is going toward:
 - (a) building the register?
 - (b) consultation?
 - (c) external user testing?
 - (d) other?
- (11) Is any funding dedicated toward community engagement and education, to inform pet owners of the changes to the Registry, and how to engage in responsible pet ownership?
- (12) How much money has been spent trying to upgrade the NSW Companion Animals Register over the last 10 years, for each financial year?
- (13) Will the new Pet Registry validate the accuracy of records, particularly in relation to breeder information?
- (14) Please provide a confirmed timeline for the production and release of the new Pet Registry, including external user testing and public release?