

Questions from Mr David Shoebridge, MLC

QUESTION

1. Are there any plans to change or phase out the one-member ward system as operates in Botany?

ANSWER

Electoral representation issues potentially fall within the Terms of Reference of the Independent Local Government Review Panel and the Local Government Acts Taskforce, and may be considered through these processes.

QUESTION

2. What impact on services is expected to occur based on the lack of flexibility Local Councils have in setting rates?

ANSWER

NSW Councils have been subject to rate pegging since 1997. Within this framework councils have the opportunity to apply for special variations, which allow for an increase in general income by an amount greater than the annual rate peg. Special variations can be sought for a range of purposes including community service requirements, infrastructure backlogs, projects of regional significance and other special or unique cost pressures.

In 2010, the responsibility for determining the annual rate peg and applications for special variations was delegated IPART. These arrangements ensure that councils are able to provide the core services that local communities expect, at a cost local communities can afford.

The Government has commissioned an Independent Local Government Review Panel to identify options to improve the strength and effectiveness of local government in NSW.

The Terms of Reference for the Independent Local Government Review Panel require it to investigate and identify options for governance models, structural arrangements and boundary changes for local government in NSW, taking into consideration:

- ability to support the current and future needs of local communities;
- ability to deliver services and infrastructure efficiently effectively and in a timely manner;
- the financial sustainability of each local government area;
- ability for local representation and decision making; and
- barriers and incentives to encourage voluntary boundary changes.

The Panel is due to report to Government by July 2013. Any changes recommended by the Panel will then need to be considered by the Government.

QUESTION

3. Are there plans to improve the fiscal autonomy of local councils?
- If so, what are these plans?
 - If not, why not?

ANSWER

The Government has commissioned an Independent Local Government Review Panel to identify options to improve the strength and effectiveness of local government in NSW.

The Terms of Reference for the Independent Local Government Review Panel require it to investigate and identify options for governance models, structural arrangements and boundary changes for local government in NSW, taking into consideration:

- ability to support the current and future needs of local communities;
- ability to deliver services and infrastructure efficiently effectively and in a timely manner;
- the financial sustainability of each local government area;
- ability for local representation and decision making; and
- barriers and incentives to encourage voluntary boundary changes.

It would not, therefore, be appropriate to either pre-empt the findings of the Panel, or rule in or out options at this stage.

The Panel is due to report to Government by July 2013. Any changes recommended by the Panel will then need to be considered by the Government.

QUESTION

4. How many Code of Conduct complaints were made in 2011-2012?

ANSWER

I am advised that the Division of Local Government does not hold this information – please see answer to Question 5.

QUESTION

5. Is there a centralised comprehensive record of Code of Conduct complaints?
- If not, why not?
 - If not, what changes are proposed to address this?

ANSWER

- While under the current Model Code of Conduct for Local Councils in NSW there is a requirement for General Managers to report annually to their council on numbers of code of conduct complaints, the nature of the issues raised and outcomes, there is no requirement for this information to be reported to the Division of Local Government, Department of Premier and Cabinet.

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- b. Under the proposed new procedures for the administration of the new Model Code of Conduct, councils will be required to report the following statistics to the Division within 3 months of the end of September of each year:
- the total number of code of conduct complaints made about councillors and the General Manager under the code of conduct in the year to September,
 - the number of code of conduct complaints referred to a conduct reviewer,
 - the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints,
 - the number of code of conduct complaints investigated by a conduct reviewer,
 - the number of code of conduct complaints investigated by a conduct review committee,
 - without identifying particular matters, the outcome of code of conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures,
 - the number of matters reviewed by the Division and, without identifying particular matters, the outcome of the reviews, and
 - the total cost of dealing with code of conduct complaints made about councillors and the General Manager in the year to September, including staff costs.
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QUESTION

6. What plans are there to reduce the amount of vexatious Code of Conduct complaints?

ANSWER

The proposed new Model Code of Conduct framework contains a number of mechanisms for deterring and minimising the cost impact of vexatious complaints. These include the following:

- It will be a breach of a council's code of conduct for a council official to make a complaint for an improper purpose. Breaches of this requirement will be dealt with by the Division of Local Government under the new misconduct provisions. Serious penalties potentially apply including suspension or disqualification from civic office.

In the case of vexatious code of conduct complaints made by members of the community, the new procedures for the administration of the proposed new Model Code of Conduct will contain provisions for councils to enter into a special complaints management arrangement with the Division of Local Government. This will relieve councils of the potential cost impacts of having to refer large numbers of such complaints to an independent conduct reviewer for assessment.

QUESTION

7. Has there been any consideration of introducing a form of "parliamentary privilege" to local government?

ANSWER

No.

QUESTION

8. How much money has been budgeted by the Division of Local Government to promote projects that work in partnership with Aboriginal communities in NSW?

ANSWER

Please refer to answers to for Questions 9 and 10.

QUESTION

9. Is the Division of Local Government undertaking any activities to promote Local Government Authorities working with Aboriginal communities, including Local Aboriginal Land Councils?

ANSWER

The Integrated Planning and Reporting Framework (IP&R) provisions of the *Local Government Act 1993* require that each council prepare and implement a Community Engagement Strategy based on social justice principles for engagement with the local community in developing the Community Strategic Plan. This includes engagement with Aboriginal communities, including Aboriginal Lands Councils.

The Division of Local Government, Department of Premier and Cabinet continues to provide councils with assistance to implement IP&R and encourages councils to exchange innovative ideas, including on how to engage with Aboriginal communities. The Division's publication 'Engaging with local Aboriginal communities: A resource kit for Local Government in NSW' provides councils with specific advice in this area.

The Chief Executive of the Division of Local Government is also on a Senior Officer's Group which supports the Ministerial Taskforce on Aboriginal Affairs.

QUESTION

10. Does the Division of Local Government have any strategies or programs in place to help Aboriginal communities to engage with Local Government?
a. Has any money been budgeted for this purpose in 2012/13?

ANSWER

The Local Government and Shires Associations of NSW and many councils employ Aboriginal Liaison Officers. There is also an active Local Government Aboriginal Network which organises an annual conference, the most recent being at Grafton in August 2012.

The Division of Local Government will continue to encourage all councils to further strengthen partnerships with Aboriginal communities. Relationships between councils, Aboriginal communities and Lands Councils is an issue that may be considered by the Independent Local

Government Review Panel, in terms of the impact on governance and the ability to meet the needs of communities in these areas.

QUESTION

11. Does the Division of Local Government have a monitoring system to track how many local government authorities include Aboriginal-specific targets in social and community plans?
 - a. If so, can the Minister provide details about how many Local Government Authorities include such targets and whether Local Government Authorities are on track to include Aboriginal specific targets in social and community plans?

ANSWER

The Division of Local Government does not monitor the number of Aboriginal-specific targets. However, the Integrated Planning and Reporting framework requires all NSW councils to prepare a Community Strategic Plan based on social justice principles. In doing so, councils must ensure that no target group is excluded from the planning process. Councils are required to ensure that the Plan is adequately informed by sound social research and that relevant strategies and targets are in place to support the whole community.

QUESTION

12. Has any money been budgeted to update the Department of Local Government handbook *'Engaging with local Aboriginal communities: A resource kit for Local Government in NSW'* that was published in 2007 to encourage local government to engage with Aboriginal communities?

ANSWER

The Division of Local Government intends updating *'Engaging with local Aboriginal communities: A resource kit for Local Government in NSW'* as part of scheduled work, for release in 2013.

End of questions from Mr David Shoebridge, MLC.

Questions from the Hon. Sophie Cotsis, MLC

Local Government

QUESTION

1. How has the new Organisational Structure (as of 23 January 2012) improved the operation of the Division of Local Government and its distribution of services to local communities in NSW?

ANSWER

The Division of Local Government's Organisational Structure is aligned with its 2011 to 2015 *Strategic Plan*, ensuring the Division is well placed to implement initiatives under seven strategic goals that focus on leadership, community engagement, council collaboration, governance, financial management and the efficient and effective use of the Division's resources.

QUESTION

2. What is the position description for the Chief Executive of the Division of Local Government?
 - a. Does this role directly influence the delivery of local council services? How?
 - b. In what ways does the Chief Executive interact with
 - i. The Innovation and Development group?
 - ii. The Investigations and Performance group?
 - iii. The Operations group?
 - iv. and the Executive Support group?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

3. Does the Chief Executive actively take part in the delivery of services to councils?

ANSWER

Yes.

QUESTION

4. What is the position description for the Deputy Chief Executive of the Division of Local Government?
 - a. Does this role directly influence the delivery of local council services? How?

- b. In what ways does the Deputy Chief Executive interact with
- i. The Innovation and Development group?
 - ii. The Investigations and Performance group?
 - iii. The Operations group?
 - iv. and the Executive Support group?
 - v. The Principal Lawyer of the Executive Support Group?
 - vi. The Coordinator of DLG Governance of the Executive Support Group?
 - vii. The Ministerial Officer of the Executive Support Group?
- c. Does the Deputy Chief Executive actively take part in the delivery of services to councils?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

5. What does the Innovation and Development Group aim to achieve?

ANSWER

Details regarding the Innovation and Development Group are on the Division of Local Government's website.

QUESTION

6. What does the Investigations and Performance group aim to achieve?

ANSWER

Details regarding the Investigations and Performance Group are on the Division of Local Government's website.

QUESTION

7. What does the Operations group aim to achieve?

ANSWER

Details regarding the Operations Group are on the Division of Local Government's website.

QUESTION

8. What does the Executive Support group aim to achieve?

ANSWER

Details regarding the Executive Support Group are on the Division of Local Government's website.

QUESTION

9. What is the position description for the Principal Lawyer play in the Division of Local Government?
 - a. How does this role directly influence the delivery of local council services?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

10. What is the position description for the Manager of Innovation and Development play in the Division of Local Government?
 - a. Does the position directly influence the delivery of local council services? How?
 - b. How does the Manager of Innovation and Development interact with the rest of the Innovation and Development Group?
 - c. Does the Manager of Innovation and Development directly influence the delivery of local council services?
 - d. How does the Manager of Innovation and Development interact with the Acting Leader of Development?
 - e. How does the Manager of Innovation and Development interact with the Leader of Innovation?
 - f. How does the Manager of Innovation and Development interact with the Leader of Council Governance?
 - g. Does the Manager of Innovation and Development actively take part in the delivery of services to councils?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

11. What is the position description for the Manager of Legislative Review in the Division of Local Government?
 - a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Manager of Legislative Review actively take part in the delivery of services to councils?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

12. What is the position description of the Manger of Investigations and Performance in the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - How does the Manager of Investigations and Performance interact with the Leader of Investigations?
 - How does the Manager of Investigations and Performance interact with the Leader of Performance and Compliance?
 - Does the Manager of Investigations and Performance actively take part in the delivery of services to councils?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

13. What is the position description for the Manager of Operations in the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Does the Manager of Operations actively take part in the delivery of services to councils?
 - How does the Manger of Operations interact with i.
 - The Coordinator of ICT?
 - The Executive Officer of Operations?
 - The Excutive Officer of the Grants Commission?
 - The Coordinator of Communications and Operations?
 - The Records Officer?
 - The Coordinator of the Sydney Office?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

14. What is the position description for the Leader of Development in the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Does the Manager of Operations actively take part in the delivery of services to councils?
 - How does the Leader of Development interact with the Manger of Innovation and Development?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

15. What is the position description for the Leader of Innovation in the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Does the Leader of Innovation actively take part in the delivery of services to councils?
 - How does the Leader of Innovation interact with the Manager of Innovation and Development?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

16. What is the position description for the Leader of Council Governance in the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Does the Leader of Council Governance actively take part in the delivery of services to councils?
 - How does the Leader of Council Governance interact with the Manager of Innovation and Development?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

17. What is the position description for the Leader of Investigations in the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Does the Leader of Investigations actively take part in the delivery of services to councils?
 - How does the Leader of Investigations interact with the Manager Investigations and Performance?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

18. What is the position description for the Leader of Performance and Compliance in the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Does the Leader Performance and Compliance actively take part in the delivery of services to councils?
 - How does the Leader of Performance and Compliance interact with the Manager of Investigations and Performance?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

19. What is the position description for Senior Investigators (5) in the Investigations and Performance Group of the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Do the Senior Investigators actively take part in the delivery of services to councils?
 - How do the Senior Investigators interact with the Leader of Investigations?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

20. What is the position description for Senior Performance Analysts (2) in the Investigations and Performance Group of the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Do the Senior Performance Analysts actively take part in the delivery of services to councils?
 - How do the Senior Performance Analysts interact with i.
 - The Leader for Performance and compliance?
 - The Principal Performance Analyst?
 - The Performance Analysts?
 - The Senior Assessment Officer?
 - and the Assessment Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

21. What is the position description for the Principal Performance Analyst in the Investigations and Performance Group of the Division of Local Government?

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- a. Does the position directly influence the delivery of local council services? How?
- b. Does the Principal Performance Analyst actively take part in the delivery of services to councils?
- c. How do the Principal Performance Analysts interact with
 - i. The Leader for Performance and compliance?
 - ii. The Senior Performance Analysts?
 - iii. The Performance Analysts?
 - iv. The Senior Assessment Officer?
 - v. and the Assessment Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

22. What is the position description for Performance Analysts (2) in the Investigations and Performance Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Do the Performance Analysts actively take part in the delivery of services to councils?
 - c. How do the Senior Performance Analysts interact with
 - i. The Leader for Performance and compliance?
 - ii. The Principal Performance Analyst?
 - iii. The Senior Performance Analysts?
 - iv. The Senior Assessment Officer?
 - v. and the Assessment Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

23. What is the position description for the Senior Assessment Officer in the Investigations and Performance Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Senior Assessment Officer actively take part in the delivery of services to councils?
 - c. How does the Senior Assessment Officer interact with
 - i. The Leader for Performance and compliance?
 - ii. The Principal Performance Analyst?
 - iii. The Senior Performance Analysts?
 - iv. The Performance Analysts?
 - v. and the Assessment Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

24. What is the position description for the Assessment Officer in the Investigations and Performance Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Assessment Officer actively take part in the delivery of services to councils?
 - c. How does the Senior Assessment Officer interact with
 - i. The Leader for Performance and compliance?
 - ii. The Principal Performance Analyst?
 - iii. The Senior Performance Analysts? iv. The Performance Analysts?
 - v. and the Senior Assessment Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

25. What is the position description for the Coordinator of ICT in the Operations Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Coordinator of ICT actively take part in the delivery of services to councils?
 - c. How does the Coordinator of ICT interact with i.
 - The Manager of Operations?
 - ii. The Senior ICT Officer?
 - iii. The Companion Animals Helpdesk Officer?
 - iv. The Executive Officer for Operations?
 - v. The Executive Officer of the Grants Commission?
 - vi. The Coordinator of Communications and Operations?
 - vii. The Records Officer?
 - viii. and the Coordinator of the Sydney Office?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

26. What is the position description for the Executive Officer of Operations in the Operations Group of the Division of Local Government?

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- a. Does the position directly influence the delivery of local council services? How?
- b. Does the Executive Officer of Operations actively take part in the delivery of services to councils?
- c. How does the Executive Officer of Operations interact with
 - i. The Manager of Operations?
 - ii. The Coordinator of ICT?
 - iii. The Business Services Operations Officer?
 - iv. The Executive Officer of the Grants Commission?
 - v. The Coordinator of Communications and Operations?
 - vi. The Records Officer?
 - vii. and the Coordinator of the Sydney Office?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

27. What is the position description for the Executive Officer of the Grants Commission in the Operations Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Executive Officer of the Grants Commission actively take part in the delivery of services to councils?
 - c. How does the Executive Officer of the Grants Commission interact with
 - i. The Manager of Operations?
 - ii. The Coordinator of ICT?
 - iii. The Executive Operations Officer?
 - iv. The Coordinator of Communications and Operations?
 - v. The Records Officer?
 - vi. and the Coordinator of the Sydney Office?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

28. What is the position description for the Coordinator of Communications and Operations in the Operations Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Coordinator of Communications and Operations actively take part in the delivery of services to councils?
 - c. How does the Coordinator of Communications and Operations interact with
 - i. The Manager of Operations?
 - ii. The Coordinator of ICT?
 - iii. The Executive Operations Officer?
 - iv. The Executive Officer of the Grants Commission?

- v. The Records Officer?
- vi. and the Coordinator of the Sydney Office?
- vii. Administration Support Officers (6)?
- viii. The Senior Communications and Operations Officers (2)?
- ix. The Cadet?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

29. What is the position description for the Records Officer in the Operations Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How? b. Does the Records Officer actively take part in the delivery of services to councils? c. How does the Records Officer interact with
 - i. The Manager of Operations?
 - ii. The Coordinator of ICT?
 - iii. The Executive Operations Officer?
 - iv. The Executive Officer of the Grants Commission?
 - v. The Coordinator of Communications and Operations?
 - vi. and the Coordinator of the Sydney Office?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

30. What is the position description for the Coordinator of the Sydney Office in the Operations Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Coordinator of the Sydney Office actively take part in the delivery of services to councils?
 - c. How does the Coordinator of the Sydney Office interact with i.
 - The Manager of Operations?
 - ii. The Coordinator of ICT?
 - iii. The Executive Operations Officer?
 - iv. The Executive Officer of the Grants Commission?
 - v. The Records Officer?
 - vi. and the Coordinator of Communications and Operations?
 - vii. The PIDT Admin Officer?
 - iii. The Administrative Support Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

31. What is the position description for the Senior ICT Officer in the Operations Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Senior ICT Officer actively take part in the delivery of services to councils?
 - c. How does the Senior ICT Officer interact with
 - i. The Coordinator of ICT?
 - ii. and the Companion Animals Helpdesk Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

32. What is the position description for the Business Services Operations Officer in the Operations Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Business Services Operations Officer actively take part in the delivery of services to councils?
 - c. How does the Business Services Operations Officer interact with
 - a) The Executive Officer of Operations?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

33. What is the position description for the Business Services Operations Officer in the Operations Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Business Services Operations Officer actively take part in the delivery of services to councils?
 - c. How does the Business Services Operations Officer interact with
 - a) The Executive Officer of Operations?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

34. What is the position description for the Administrative Support Officers (6) in the

Operations Group of the Division of Local Government?

- a. Does the position directly influence the delivery of local council services? How?
- b. Do the Administrative Support Officers actively take part in the delivery of services to councils?
- c. How do the Administrative Support Officers interact with
 - i. The Coordinator of Communications and Operations?
 - ii. The Senior Communications and Operations Officers (2)?
 - iii. and The Cadet?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

35. What is the position description for the Senior Communications Officers (2) in the Operations Group of the Division of Local Government?

- a. Does the position directly influence the delivery of local council services? How?
- b. Do the Senior Communications Officers actively take part in the delivery of services to councils?
- c. How do the Senior Communication Officers interact with
 - i. The Coordinator of Communications and Operations?
 - ii. The Administrative Support Officers?
 - iii. and The Cadet?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

36. What is the position description for the PIDT Admin Officer in the Operations Group of the Division of Local Government?

- a. Does the position directly influence the delivery of local council services? How?
- b. Does the Cadet actively take part in the delivery of services to councils?
- c. How does the PIDT Admin Officer interact with
 - i. The Coordinator of the Sydney Office?
 - ii. and the Administrative Support Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

37. What is the position description for the Leader of Innovation in the Innovation and Development group of the Division of Local Government?

- a. Does the position directly influence the delivery of local council services? How?

- b. Does the Leader of Innovation actively take part in the delivery of services to councils?
- c. How does the Leader of Innovation interact with
 - i. The Manager of Innovation and Development?
 - ii. The Principal Legal Policy Officer?
 - iii. The Principal Finance Policy Officer?
 - iv. The Principal Policy Officer (2)?
 - v. The Senior Finance Policy Officer?
 - vi. The Senior Policy Officer?
 - vii. The Policy Officer?
 - viii. The Coordinator of Education?
 - ix. The Leader of Development?
 - x. The Coordinator of Infrastructure?
 - xi. The Leader of Council Governance?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

38. What is the position description for the Coordinator of Education in the Innovation and Development group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Coordinator of Education actively take part in the delivery of services to councils?
 - c. How does the Coordinator of Education interact with
 - i. The Manager of Innovation and Development?
 - ii. The Leader of Innovation?
 - iii. The Leader of Development?
 - iv. The Coordinator of Infrastructure?
 - iv. The Leader of Council Governance?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

39. What is the position description for the Leader of Development in the Innovation and Development group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Leader of Development actively take part in the delivery of services to councils?
 - c. How does the Leader of Development interact with
 - i. The Manager of Innovation and Development?

- ii. The Leader of Innovation?
- iii. The Coordinator of Education?
- iv. The Coordinator of Infrastructure? v.
The Leader of Council Governance? vi.
The Principal Program Officer (4)? vii.
The Senior Program Officer (2)?
- viii. The Senior Finance Program Officer?
- ix. The Program Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

40. What is the position description for the Coordinator of Infrastructure in the Innovation and Development group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Coordinator of Infrastructure actively take part in the delivery of services to councils?
 - c. How does the Coordinator of Infrastructure interact with
 - i. The Manager of Innovation and Development?
 - ii. The Leader of Innovation?
 - iii. The Leader of Development?
 - iv. The Coordinator of Education?
 - v. The Leader of Council Governance?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

41. What is the position description for the Leader of Council Governance in the Innovation and Development group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Leader Council Governance actively take part in the delivery of services to councils?
 - c. How does the Leader of Council Governance interact with i.
The Manager of Innovation and Development? ii.
The Leader of Innovation?
 - iii. The Coordinator of Education?
 - iv. The Coordinator of Infrastructure?
 - v. The Leader of Development?
 - vi. The Senior Council Governance Officer (2)?

- vii. Principal Council Governance Officer?
- viii. Council Governance Officer (2)?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

42. What is position description for the Principal Legal Policy Officer in the Innovation and Development Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Principal Legal Policy Officer actively take part in the delivery of services to councils?
 - c. How does the Principal Legal Policy Officer interact with i.
 - The Leader of Innovation?
 - ii. The Principal Finance Policy Officer?
 - iii. The Principal Policy Officer (2)
 - iv. The Senior Finance Policy Officer?
 - v. The Senior Policy Officer?
 - vi. The Policy Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

43. What is position description for the Principal Finance Policy Officer in the Innovation and Development Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Principal Finance Policy Officer actively take part in the delivery of services to councils?
 - c. How does the Principal Finance Policy Officer interact with i.
 - The Leader of Innovation?
 - ii. The Principal Legal Policy Officer?
 - iii. The Principal Policy Officer (2)
 - iv. The Senior Finance Policy Officer?
 - v. The Senior Policy Officer?
 - vi. The Policy Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

44. What is position description for the Principal Policy Officer in the Innovation and Development Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Do the Principal Policy Officers actively take part in the delivery of services to councils?
 - c. How do the Principal Policy Officer interact with
 - i. The Leader of Innovation?
 - ii. The Principal Legal Policy Officer?
 - iii. The Principal Finance Policy Officer?
 - iv. The Senior Finance Policy Officer?
 - v. The Senior Policy Officer?
 - vi. The Policy Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

45. What is position description for the Senior Finance Policy Officer in the Innovation and Development Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Senior Finance Policy Officer actively take part in the delivery of services to councils?
 - c. How does the Senior Finance Policy Officer interact with i.
 - The Leader of Innovation?
 - ii. The Principal Legal Policy Officer?
 - iii. The Principal Finance Policy Officer?
 - iv. The Principal Policy Officers?
 - v. The Senior Policy Officer?
 - vi. The Policy Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

46. What is position description for the Senior Policy Officer in the Innovation and Development Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Senior Policy Officer actively take part in the delivery of services to councils?
 - c. How does the Senior Policy Officer interact with i.

- The Leader of Innovation?
- ii. The Principal Legal Policy Officer?
- iii. The Principal Finance Policy Officer?
- iv. The Principal Policy Officers?
- v. The Senior Finance Policy Officer?
- vi. The Policy Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

47. What is position description for the Policy Officer in the Innovation and Development Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Policy Officer actively take part in the delivery of services to councils? c.
- How does the Policy Officer interact with
- i. The Leader of Innovation?
 - ii. The Principal Legal Policy Officer?
 - iii. The Principal Finance Policy Officer?
 - iv. The Principal Policy Officers?
 - v. The Senior Finance Policy Officer?
 - vi. The Senior Policy Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

48. What is position description for the Principal Program Officers (4) in the Innovation and Development Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Do the Principal Program Officers actively take part in the delivery of services to councils?
 - c. How do the Principal Program Officers interact with i.
 - The Senior Program Officers (2)?
 - ii. The Senior Finance Program Officer?
 - iii. The Program Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

49. What is position description for the Senior Program Officers (2) in the Innovation and Development Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Do the Senior Program Officers actively take part in the delivery of services to councils?
 - c. How do the Senior Program Officers interact with
 - a) The Principal Program Officers (4)?
 - b) The Senior Finance Program Officer?
 - c) The Program Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

50. What is position description for the Senior Finance Program Officer in the Innovation and Development Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Senior Finance Program Officer actively take part in the delivery of services to councils?
 - c. How does the Senior Finance Program Officer interact with
 - a) The Principal Program Officers (4)?
 - b) The Senior Program Officers?
 - c) The Program Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

51. What is position description for the Program Officer in the Innovation and Development Group of the Division of Local Government?
- a. Does the position directly influence the delivery of local council services? How?
 - b. Does the Program Officer actively take part in the delivery of services to councils?
 - c. How does the Program Officer interact with
 - a) The Principal Program Officers? b) The Senior Program Officers?
 - c) The Senior Finance Program Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

52. What is position description for the Senior Council Governance Officers (2) in the Innovation and Development Group of the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Do the Senior Council Governance Officers actively take part in the delivery of services to councils?
 - How do the Senior Council Governance Officers interact with
 - The Leader of Council Governance?
 - The Principal Council Governance Officer?
 - The Council Governance Officers (2)?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

53. What is position description for the Principal Council Governance Officer in the Innovation and Development Group of the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Does the Principal Council Governance Officer actively take part in the delivery of services to councils?
 - How does the Principal Council Governance Officer interact with
 - The Leader of Council Governance?
 - The Senior Council Governance Officers?
 - The Council Governance Officers (2)?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

54. What is position description for the Council Governance Officer in the Innovation and Development Group of the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Do the Council Governance Officers (2) actively take part in the delivery of services to councils?
 - How does the Council Governance Officer interact with
 - The Leader of Council Governance?
 - The Senior Council Governance Officers?
 - The Principal Council Governance Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

55. What is the position description for the Coordinator of DLG Governance in the Executive Support Group of the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Does the Coordinator of DLG Governance actively take part in the delivery of services to councils?
 - How does the Coordinator of DLG Governance interact with
 - The Deputy Chief Executive?
 - The Principal Lawyer?
 - The Ministerial Liaison Officer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

56. What is the position description for the Ministerial Liaison Officer in the Executive Support Group of the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Does the Ministerial Liaison Officer actively take part in the delivery of services to councils?
 - How does the Ministerial Liaison Officer interact with
 - The Deputy Chief Executive?
 - The Principal Lawyer?
 - The Coordinator of DLG Governance?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

57. What is the position description for the Senior Lawyer in the Executive Support Group of the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Does the Senior Lawyer actively take part in the delivery of services to councils? c.
 - How does the Senior Lawyer interact with
 - The Principal Lawyer?

ii. The Lawyer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

58. What is the position description for the Lawyer in the Executive Support Group of the Division of Local Government?
- Does the position directly influence the delivery of local council services? How?
 - Does the Lawyer actively take part in the delivery of services to councils?
 - How does the Ministerial Liaison Officer interact with i.
The Principal Lawyer?
ii. The Senior Lawyer?

ANSWER

Please refer to the answer to Legislative Council Question on Notice 2112.

QUESTION

59. Which financial institutions will be participating in the Local Infrastructure Renewal Scheme? Have any financial institutions been approached by local councils?

ANSWER

All 64 councils recommended for funding (subject to a TCorp assessment of financial sustainability) in Round One of the Local Infrastructure Renewal Scheme have approached a third party lender to negotiate in principal terms for a loan for their respective projects.

QUESTION

60. Has the risk that councils may lose substantial revenue been taken into account in TCorp's financial audit and the approval process for the Local Infrastructure Renewal Scheme?

ANSWER

The TCorp financial assessment for each council is a comprehensive review of the councils' finances and takes into account a variety of risk factors councils may face into the future. It includes:

- a review of financial performance and position including specific risks to the council;
- a review of financial forecasts, including borrowing capacity ;
- benchmarking comparisons with other councils;
- historical financial information.

Whilst the assessment cannot warrant or guarantee outcomes of assumed projections, it does provide a reasonable capacity assessment within prudent risk parameters for each

council.

QUESTION

61. If there is a project variation, and it increases the cost of the project and if the council requires an increase in their loan, will the Government increase the interest subsidy to that council project?

ANSWER

Any necessary project variations must be requested in writing by the council and must identify any change in scope, timing or budget. All requests will be considered by the Assessment Panel, taking into account the impact of the variation on the overall Local Infrastructure Renewal Scheme.

QUESTION

62. Will the Government publish the names of contractors awarded tenders?

ANSWER

Councils will run their own tender processes if contractors are required to undertake works for the projects. The Government will not publish the names of contractors awarded tenders unless these are specifically mentioned in the council's project summary reports, which will be submitted to the Division of Local Government and published on the Division's website in due course.

QUESTION

63. Has there been an assessment of each council's capacity to cope with market changes over the period of the interest subsidy loan in circumstances such as a recurrence of the Global Financial Crisis, changes to local demographics, or market shock or interest rate rises?

ANSWER

Please see answer to Question 60.

QUESTION

64. If the cost of a project funded under the Local Infrastructure Renewal Scheme is in excess of original expectations, what will happen?

ANSWER

Please see answer to Question 61.

QUESTION

65. Can the Minister advise what measures the Government will undertake in circumstances where a council is unable to repay its loan?

ANSWER

The Local Infrastructure Renewal Scheme (LIRS) Funding Agreement that each council must enter into an order to access LIRS subsidy funding outlines in detail all “consequences of event of default”, which include a council’s inability to repay its loan with the third party lender used under LIRS.

QUESTION

66. Can the Minister provide details regarding the process for progress work reports?

ANSWER

Under the Local Infrastructure Renewal Scheme Funding Agreement, councils are required to provide 6 monthly progress reports on each project. Reports must be prepared in line with a provided template, submitted in conjunction with each progress payment claim, and will be reviewed by the Division of Local Government.

QUESTION

67. Have rate variations been taken into account in providing the interest subsidy?

ANSWER

The Local Infrastructure Renewal Scheme (LIRS) interest subsidy payments on loans contracted by successful applicants with their lender are fixed in the LIRS Funding Agreement and are calculated based on the rate of LIRS subsidy, the loan amount and the term of each application as contained in the penultimate bank term sheet that was made available by council before announcements of successful applicants. There will be no adjustment to this subsidy amount over the life of the LIRS Funding Agreement.

QUESTION

68. Why do original documents (including circulars to councils) in 2011 state that the Scheme will be rolled out over 5 years, while later documents (including circulars to councils) in 2012 state that the Scheme will be rolled out over 6 years?

ANSWER

The 2011/12 budget allocation for the Local Infrastructure Backlog Policy, of which the Local Infrastructure Renewal Scheme (LIRS) is the key component, was \$70 million over five years starting from 2011. The 2012/13 budget allocated an additional \$30 million over five years starting from 2012. \$100 million has therefore been allocated over the six years starting in 2011.

QUESTION

69. If the Scheme will be rolled out over 6 years, and councils have 10 years to repay the loans, will the interest subsidy provided by the Government cover the full 10 year period?

ANSWER

The interest subsidy provided by the Government will cover the full term of each loan up to a maximum of 10 years. The rollout period of 6 years relates to the budget allocations to the Scheme to date, and does not include future budget allocation timeframes.

QUESTION

70. In 2011, the Government announced that \$70 million in interest subsidies would unlock \$1 billion in infrastructure spending. In 2012, the Government increased the funding from \$70 million to \$100 million yet the figure to be unlocked remains at \$1 billion. Can the Minister account for this variation in input without an increase in output?

ANSWER

In 2011, the Government announced that the Local Infrastructure Renewal Scheme would unlock up to \$1 billion in funds for local councils to upgrade roads, community halls, libraries, parks, sporting grounds and water infrastructure.

The amount to be unlocked by the Local Infrastructure Renewal Scheme is an estimate only. The actual amount will depend on the subsidy rate offered, interest rates and loan terms.

QUESTION

71. Various statements issued by the Government have provided a figure (such as 4% or 5%) for the Government's interest subsidy. Other statements have provided a proportion, namely half. Can the Minister clarify?

ANSWER

Round One of the Local Infrastructure Renewal Scheme (LIRS) provided a 4% interest subsidy on eligible loans.

Round Two of LIRS will provide a 3% interest subsidy on eligible loans.

QUESTION

72. Is the Division of Local Government conducting the actual council by council infrastructure audit? If so, which unit within the Division is responsible for this task? If not, can the Minister provide the name of the person or company conducting the audit and the total cost to government.

ANSWER

Yes. The Division of Local Government is conducting a council-by-council infrastructure audit.

A desktop review of every council and county council is being conducted by the Division's Performance & Compliance Team.

In addition, an on-site audit of thirty five selected councils is being conducted by Morrison Low Pty Limited at a cost of \$387,500 (excluding GST and disbursements).

QUESTION

73. Will a progress report on the council by council infrastructure audit be published on the Division's website?

ANSWER

The Division of Local Government will present its report to the Minister in March 2013. The Division will not be releasing a progress report before that final reporting date.

QUESTION

74. In Budget Estimates Committee Hearings on 11 October, the Minister stated that he had in his possession a list of the councils in NSW that are struggling financially. The Minister referred to Percy Allan's report in 2006 as the basis of this list. Can the Minister advise whether more recent information is available? If so, can the Minister provide recent information to support his claim that "half the councils in NSW are struggling financially"? If not, why not?

ANSWER

The Division has recently commissioned the NSW Treasury Corporation (TCorp) to assess the financial sustainability of NSW councils. The findings from TCorp's assessment will provide the NSW Government with a contemporary benchmark of the financial position and outlook for every council in NSW.

QUESTION

75. In Budget Estimates Committee Hearings on 11 October, the Minister stated his support for the Auditor-General's report *Monitoring Local Government*. Page 2 of the report states that "although DLG meets its legislative obligations, it does not have adequate information to monitor important aspects of council performance, including service delivery. The Act does not require councils to provide such information, nor DLG to review it". In light of these observations regarding the shortcomings of existing legislation, will the Government introduce legislation to strengthen the Division of Local Government's powers?

ANSWER

As I stated in my media release of 26 September 2012, I welcome the Auditor-General's recommendations and will take them into account as we continue our vital integrated reform process.

QUESTION

76. In Budget Estimates Committee Hearings on 11 October, the Minister stated "at any one time there can be up to 20 or 25 councils that are being watched – you might say a credit watch almost. On top of that we have a number of councils that are struggling and may have been on credit watch in the past but have now taken certain measures at the recommendation of the Division of Local Government, or Treasury possibly in more recent times". Can the Minister advise:

- a) Whether any councils currently on "credit watch" have been approved for an interest subsidy?
- b) Where a council has previously been on "credit watch", how long after being taken off "credit watch" a council is eligible for an interest subsidy?
- c) Will the Minister disclose the council "credit watch" monitoring on the Division of Local Government website?
- d) Will the Government disclose further assessments by Fiscal Star that rates local councils' financial sustainability?
- e) Will the Government disclose Fiscal Star data for the 2010/11 and 2011/12 financial years?

ANSWER

- a) To be eligible for LIRS program councils were subject to an independent financial assessment by NSW TCorp. It was not contingent on a current or previous review by the Division of Local Government.
 - b) Please refer to (a).
 - c) No.
 - d) Fiscal Star was not engaged by the NSW Government to undertake financial assessments of councils.
 - e) Please refer to (d).
-

QUESTION

77. On 14 August 2012 the Minister told 2UE Radio that there are "we have way too many councils". If councils are amalgamated in the future, what will be the financial impact on

loans amalgamating councils have taken out under the Local Infrastructure Renewal Scheme?

ANSWER

The Local Infrastructure Renewal Scheme (LIRS) Funding Agreement includes a survival clause, which ensures that:

"any clause of the Agreement that by its nature should survive termination or expiry of this Agreement shall survive such termination or expiry including, without limitation, the following:

- (a) clause 3 General obligations of Council)*
 - (b) clause 5 (Representations and warranties)*
 - (c) clause 6.4 (Consequences of Termination)*
 - (d) clause 7 (Indemnity)*
 - (e) clause 8 (Insurance)"*
-

QUESTION

78. Will the Minister rule out an increase in council rates in cases where councils are unable to afford to pay back their loans under the Scheme?

ANSWER

The TCorp financial assessment for each council has provided a comprehensive review of each council's finances into the future, including the council's borrowing capacity. Councils without a satisfactory TCorp assessment will not receive Local Infrastructure Renewal Scheme (LIRS) funding.

QUESTION

79. Minister, can you update the Committee on the seven reviews you are conducting?

Reviews are:

- a) An audit of council infrastructure needs announced May 2011, due March 2013
- b) Review into the Intergovernmental Agreement announced June 2011
- c) Review of the *Local Government Act 1993* announced June 2011
- d) A Companion Animals Taskforce announced August 2011
- e) Destination 2036 – the outcome of the closed door conference (which cost taxpayers close to \$400,000 was the appointment of an "Implementation Steering Committee" to develop an "Action Plan" for Local Government Reform without the inclusion of ratepayers, employees and pensioners
- f) Local Government Review Panel announced 2012: "listening tour" to begin July 2012, report due July 2013
- g) Review of the *Swimming Pools Act 1992* announced January 2012

ANSWER

Local Government and the North Coast

- a) The council-by-council infrastructure audit is well underway, being conducted by the Division of Local Government.
 - b) I welcome the decision of the members of the Local Government Association of NSW and the Shires Association of NSW to form a single peak industry body which speaks and negotiates on behalf of all NSW councils. A new Intergovernmental Agreement will be finalised once the new Association has been formed.
 - c) The Local Government Acts Taskforce has been established, and has released its Preliminary Ideas Paper for consultation.
 - d) In May 2012, the Companion Animals Taskforce released a discussion paper for public comment. The paper identified issues relating to the microchipping, breeding, sale and desexing of companion animals as well as proposed options to address these issues. The Companion Animals Taskforce received 1,405 submissions on the discussion paper prior to the closing date of 1 July 2012. The Taskforce has also identified the issue of dangerous dog management as one requiring consideration. However, due to the complexity of the issue, it will be dealt with separately to the current recommendations report to the Ministers. The Taskforce has taken into account feedback on the discussion paper, and has prepared a report for consideration by myself and the Minister for Primary Industries.
 - e) The Destination 2036 Action Plan is being implemented in partnership with the local government sector.
 - f) The Independent Local Government Review Panel is continuing its work, and in a Press Release issued on 12 October 2012 Professor Sansom advised that "Panel members were currently preparing a second discussion paper outlining the case for change in the local government sector. The Paper is due for release in November and a second round of consultation is planned to explore the issues raised."
 - g) Please refer to my media release 'Government Delivers on Backyard Pool Safety', released on 23 October 2012, for an update.
-

QUESTION

80. Minister, with regard to the work of the Independent Local Government Review Panel and now that the Council elections have been held returning many new Councillors, do you propose to conduct a second "Listening Tour" by the Panel to hear what the newly elected and re-elected Councillors have to say, given that the meetings were all conducted prior to the 8 September elections?

ANSWER

The Local Government Review Panel, as an independent body, will determine how best to address its Terms of Reference. However, I can advise that in a Press Release issued on 12 October 2012 Professor Sansom advised that "Panel members were currently preparing a second discussion paper outlining the case for change in the local government sector. The Paper is due for release in November and a second round of consultation is planned to explore the issues raised."

QUESTION

81. In the 2010-2011 financial year, the NSW Environmental Trust funded 10 local councils to clean up illegally dumped waste in their local government areas:

- a) Blacktown City Council
- b) Eurobodalla Shire Council
- c) Fairfield City Council
- d) Hawkesbury City Council
- e) Hurstville City Council
- f) Lane Cove Council
- g) Liverpool City Council
- h) Marrickville Council
- i) Strathfield Municipal Council
- j) The Council of Camden

Can the Minister advise whether these councils, or any other councils in NSW, received funding for the clean up of illegally dumped waste in 2011-12?

ANSWER

The Division of Local Government does not monitor or compile data on grants received by councils. The NSW Environmental Trust falls under the portfolio responsibilities of the Minister for the Environment and Heritage, the Hon Robyn Parker MP.

QUESTION

82. Can the Minister advise whether the Government is providing funding for the proper disposal of asbestos and other demolition waste? If so, to which councils and how much?

ANSWER

The responsibility for the proper disposal of asbestos rests with property owners and is provided for under NSW Legislation.

The NSW Government is, however, committed to addressing this important and complex issue.

In 2012, the NSW Government formed the Heads of Asbestos Coordination Authorities (HACA) to develop a state-wide plan for asbestos management. HACA is chaired by the Chief Executive Officer, WorkCover NSW with representatives from, Department of Trade and Investment Regional Infrastructure and Services, Department of Planning and Infrastructure, Division of Local Government, Ministry for Health, Ministry for Police and Emergency Services, Environment Protection Authority, Workers Compensation Dust Diseases Board and the Local Government and Shires Associations of NSW.

HACA aims to improve the management, monitoring and response to asbestos issues in NSW by developing coordinated prevention programs. These programs include a State wide plan for

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asbestos, a model asbestos policy for local councils and a comprehensive public awareness campaign to promote the safe handling of asbestos and help prevent the risk of exposure to asbestos related diseases in the NSW community. I expect that these strategies will be finalised in November 2012.

QUESTION

83. It was reported on Lismore ABC on Tuesday 9 October that a Lismore builder has been fined for illegally disposing of asbestos near a play area and high school in Kadina. What support is the Government providing to Lismore Council to clean up asbestos?

ANSWER

The *Protection of the Environment Operations Act 1997* provides for significant penalties where asbestos is illegally dumped. Money collected through such penalties is returned to relevant councils to assist with the financing of enforcement activities. The Minister for the Environment and Heritage, the Hon Robyn Parker MP, may be able to provide further information.

QUESTION

84. What support are North Coast councils receiving to clean up asbestos?

ANSWER

The State wide plan for asbestos, which is being finalised, will detail the support available to all NSW councils to manage asbestos in local communities.

QUESTION

85. Will your Government continue to provide funding to the Local Government Asbestos Disposal Program ?

ANSWER

This matter falls under the portfolio responsibilities of the Minister for Finance and Services, the Hon Greg Pearce MLC.

QUESTION

86. The last available figures on this program are for the 2010-11 financial year. Did you fund the program in 2011-12? If not, why not?

ANSWER

See answer to Question 85.

QUESTION

87. On the 6th of September 2012, the Minister for Finance and Services was asked in a Question Without notice:

"In light of the Government's support for the Schott report's recommendation for periodic review of all concessional arrangements across government, will the Minister guarantee that the pensioner rebate scheme will not be abolished or reduced?"

The Minister responded that the Government "will be acting on that recommendation".

Will the Minister for Local Government be acting on the Schott report's recommendation to abolish or reduce the pensioner rebate, which will lead to higher rates for pensioners?

ANSWER

To the contrary, the NSW Government would like to be able to increase the level of rebates provided for under the Scheme, particularly given they have remained unchanged for so many years.

However, such an increase could only be achieved once the State's finances have been brought back to a sustainable level.

The Government is also mindful that, as almost half the cost of the rebate is funded by local councils, any increase in the level of rebates could also have a significant impact on the capacity of councils to continue to provide existing levels of service.

QUESTION

88. Can the Minister rule out making changes that will see pensioners pay more for their rates?

ANSWER

Under the *Local Government Act 1993* councils have extensive discretionary powers to determine the appropriate rates and charges for their local areas. Although the legislation enables the Government to limit the overall income that councils can derive each year from rates and charges, this does not directly relate to rates on individual properties. Any variations in rates for individual property owners will also depend on changes in their land value and the council's rating structure.

QUESTION

89. Has the Government received any unsolicited proposals with regards to the roads and

maintenance contracts?

ANSWER

This matter falls under the portfolio responsibilities of the Minister for Roads and Ports, the Hon Duncan Gay MLC.

QUESTION

90. Last year in Budget Estimates, the Minister stated that the Local Infrastructure Renewal Scheme would be funded by T-Corp. Can the Minister explain why part of the \$13 million increase to the Division of Local Government is to do with the Local Infrastructure Renewal Scheme if it's being overseen by a completely separate government body?

ANSWER

The following is taken from the official record of the 2011 Budget Estimates Hearing:

The Hon. SOPHIE COTSIS: I refer to your \$70 million interest subsidy over five years that will unlock \$1 billion of infrastructure upgrades. Where is the funding coming from?

Mr DONALD PAGE: From Treasury. It is a special allocation from Treasury.

[http://www.parliament.nsw.gov.au/Prod/parlment/committee.nsf/0/dc925912ba274730ca2579360029e4aa/\\$FILE/20111027%20Local%20Government,%20The%20North%20Coast.pdf](http://www.parliament.nsw.gov.au/Prod/parlment/committee.nsf/0/dc925912ba274730ca2579360029e4aa/$FILE/20111027%20Local%20Government,%20The%20North%20Coast.pdf)

The Government has provided funding for the Local Infrastructure Renewal Scheme (LIRS) via Treasury and the scheme is being administered by the Division of Local Government, Department of Premier and Cabinet. The TCorp assessments required for councils that have applied for LIRS funding are also being funded from the LIRS budget.

QUESTION

91. Which councils missed out on the Local Infrastructure Renewal Scheme? Why?

ANSWER

The Assessment Panel recommended Local Infrastructure Renewal Scheme (LIRS) subsidy funding for 84 projects from 64 councils, which represents an approval rate of 88% of applications.

Projects not recommended for funding did not meet the criteria set out in the LIRS guidelines.

Broadly speaking, unsuccessful projects fell into the following main groups:

- Applications seeking funds for commercial development initiatives.
- Applications seeking funds for infrastructure required to enable new development.
- Applications that failed to demonstrate a genuine infrastructure backlog.
- Applications seeking funds for projects outside of the main eligibility guidelines (i.e existing loans, loan terms longer than 10 years, maximum number of projects per Council or projects that have already commenced)

The following councils applied but were unsuccessful:

- Carrathool Shire Council
 - Kempsey Shire Council
 - Lake Macquarie City Council
 - Warringah Shire Council
 - Yass Valley Council
 - Young Shire Council
-

QUESTION

92. On the 3rd of July, the ABC reported that Gosford, Coffs Harbour, Hurstville, and Parkes councils lost several million dollars each as a result of their participation in collateralised debt obligations through a subsidiary of Lehman Brothers. Can you provide a brief on the current financial situation of these councils with respect to Collateralised Debt Obligations?

ANSWER

Information relating to an individual council's investments can be found in the latest council investment report, which are available on each council's website.

QUESTION

93. Port Macquarie-Hastings Council has just elected new councillors after several years in administration. They have lost millions of dollars. Can you provide an update on their current financial circumstances?

ANSWER

The Division of Local Government has not yet received the latest financial information for Port Macquarie-Hastings Council and so is not able to provide an update at this time. Councils have until 7 November to lodge their annual financial statements.

These reports are public and most councils publish them on their websites.

QUESTION

94. In relation to Local Infrastructure Renewal Scheme application and projects on the North Coast, what role did you play?

ANSWER

All applications for Local Infrastructure Renewal Scheme (LIRS) were assessed by an Assessment Panel made up of senior staff from the Division of Local Government (DLG), Department of Premier and Cabinet, Treasury and Department of Planning and chaired by an independent chair

person. The recommendations of the panel were approved by the Chief Executive of DLG and provided to me for information via an assessment panel report. I wrote to all successful councils and local MPs to inform them of the decision.

QUESTION

95. Many of the 62 councils that have been approved for Round 1 of the Local Infrastructure Renewal Scheme also rely on road maintenance contracts for their revenue. Currently the Government is planning to outsource road maintenance contracts. In assessing Local Infrastructure Renewal Scheme applications have you factored in the ability of councils to repay their loans if your government cuts off a vital revenue stream by outsourcing road maintenance contracts?

ANSWER

All councils approved for funding under the Local Infrastructure Renewal Scheme (LIRS), have been subject to a financial sustainability assessment by TCorp confirming their ability to afford the loan. These financial assessments for each council are a comprehensive review of council finances and take into account a variety of risk factors councils may face into the future.

QUESTION

96. Can the Minister advise what policies or codes of conduct are in place regarding conflicts of interest in circumstances where senior council employees participate on tender panels and also seek employment with successful tenderers?

ANSWER

All council officials have obligations under both the *Local Government Act 1993* and the Model Code of Conduct for Local Councils in NSW to disclose and appropriately manage conflicts of interests.

In the case of pecuniary interests, staff who are a designated person are obliged to disclose in writing to the General Manager the nature of any pecuniary interest the person has in any matter they are dealing with. The General Manager must then deal with the matter themselves or refer it to another person.

In the case of non-pecuniary conflicts of interest, council staff are similarly obliged to disclose the interest fully and in writing and take appropriate action to manage the conflict. This must be done in consultation with the staff member's manager.

Where a member of staff is a member of a tender evaluation panel and has a conflict of interests because they have applied for a position with a tenderer or are, at the relevant time, contemplating employment with them, they would be obliged to manage any such conflict in

accordance with these requirements.

QUESTION

97. In August of this year, the Upper Hunter shire Council raised concerns about the number of staff leaving the organisation to pursue other careers, including well-paid jobs in the mining sector. In the 2011/12 financial year the Council advertised 26 positions as a result of staff departures. More than 30 per cent of those who left did so to take up jobs in the mining sector. Can the Minister advise the House what the O'Farrell Government is doing to assist councils in retaining their staff, particularly in rural and mining areas?

ANSWER

NSW Councils are required by the Integrated Planning and Reporting framework to prepare a Workforce Management Strategy which identifies and develops strategies that address specific issues including skills shortages, ageing workforces, staff retention, training and development. Councils are often key employers in a local area, and so the Workforce Management Strategy may also consider how to invigorate the local community and economy. The Division of Local Government provides councils with a web-based tool to assist in the development of these strategies.

QUESTION

98. The Minister for Local Government told 2UE radio on the 14th of August 2012: "we have way too many councils". If the NSW Government is considering local government amalgamations, can the Minister advise whether the potential cost of de-amalgamation has been assessed in light of the Queensland Government's decision to reverse the process of local government amalgamations in that State? If so, what is that cost estimated to be?

ANSWER

The Government has established an Independent Local Government Review Panel to identify options to improve the strength and effectiveness of local government in NSW.

The Terms of Reference for the Independent Local Government Review Panel require it to investigate and identify options for governance models, structural arrangements and boundary changes for local government in NSW, taking into consideration:

- ability to support the current and future needs of local communities;
- ability to deliver services and infrastructure efficiently effectively and in a timely manner;
- the financial sustainability of each local government area;
- ability for local representation and decision making; and
- barriers and incentives to encourage voluntary boundary changes.

The Panel is due to report to Government by July 2013. Any changes recommended by the Panel

will then need to be considered by the Government.

QUESTION

99. On 21 September 2012 the Federal Court found Lehman Brothers Australia guilty of deceptive and misleading conduct, which induced 72 Australian councils, charities and church groups to spend more than \$1 billion on synthetic collateralised debt obligations. What support has the Government provided to the three New South Wales councils involved in this law suit and to the other New South Wales councils affected by Lehman Brothers' conduct?

ANSWER

The NSW Government did not provide legal advice or support to councils in commencement or undertaking of civil proceedings against Lehman Brothers. Such matters are for individual councils to determine based on independent legal advice and a risk assessment.

The Division of Local Government has been monitoring progress of the case.

QUESTION

100. The Infrastructure NSW document *State Infrastructure Strategy* divides Sydney into two categories: Greater Sydney and Global Sydney. Graphics on page 25 of the document indicate that Global Sydney consists of 18 Local Government Areas. The graphics also divide Greater Sydney into 6 groups:

1. North West
2. South West
3. West Central
4. North
5. Central Coast
6. South

Are these methods of dividing Local Government Areas in Sydney a blueprint for the amalgamation of councils in "Greater Sydney" into 6 "super councils"?

ANSWER

No. See answer to Question 98.

QUESTION

101. On the 16th of September 2011 the Minister for Local Government told the 7:30 NSW programme:

"I as a Minister in the Government support the idea of local

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government being recognised in the Federal Constitution. Particularly if that support leads to financial arrangements that enable the Federal Government to give local government money directly rather than having to come through the State, as is the case at the moment. I think we'd get better use of the money coming from the taxpayers' money coming from the Feds going to local government. And I think also the financial situation with local councils across the state, if they can tap into a source of revenue, whether it be GST - that's probably the most practical one - a percentage of GST revenue, that would be very helpful to local government".

On the 25th of November 2011 the Premier and Minister for Western Sydney wrote to the Chair of the Expert Panel on Constitutional Recognition of Local Government. In relation to financial recognition of local government, the Premier stated:

"...an amendment to the Constitution that would allow the Federal Government to grant funds directly to local government may result in the NSW State Plan and other major State Government policies being sidetracked or not given due regard."

Can the Minister advise whether the NSW State Government supports or opposes financial recognition of local government in the Commonwealth Constitution? If the Government does support it what practical measures have been taken to demonstrate this support?

ANSWER

The NSW Government has consistently expressed in-principle support for constitutional recognition of local government subject to the form this would take. Following consideration of four models proposed by the Expert Panel on Constitutional Recognition of Local Government, the Government supports symbolic recognition as a way of enhancing the status of local government.

The Government does not believe that amendment should be made to the Constitution for financial recognition of local government in the absence of clear evidence that existing funding arrangements are deficient. Further, there may be other viable options to improve those arrangements if necessary.

QUESTION

102. In answer to Question on Notice No. 2121 the Minister provided figures for the total cost of consultants working for the Division of Local Government for the financial years 2010-11 and 2011-12. Can the Minister provide the names of those consultants and the work they performed?

Answer

Information in relation to consultants is required to be reported annually in the Department of Premier and Cabinet's Annual Report, in accordance with Premier's Memorandum 2002-

07 Engagement and Use of Consultants.

QUESTION

103. The Division of Local Government document *Division of Local Government – Organisational Structure* states that the position of Principal Lawyer is vacant. Can the Minister advise:
- a) When will the Division of Local Government fill this vacancy;
 - b) How long has this position been left vacant
 - c) What is the process of recruitment for the Principal Lawyer's position?
 - d) Has it been advertised?
 - e) Who has been performing the tasks normally performed by the Principal Lawyer. If these tasks are being performed by contractors, at what cost?

ANSWER

- a) This vacancy has been filled.
 - b) Since January 2012.
 - c) Merit-based selection processes as defined by the Public Service Commission Personnel Handbook.
 - d) Yes.
 - e) Internal acting arrangements have been in place.
-

QUESTION

104. In relation to the position of Manager Innovation and Development, can the Minister advise:
- a) On what date was this position taken up by its current holder;
 - b) Was this position advertised. If yes, when and where? If not, why not?
 - c) What processes were undertaken in filling this position;
 - d) Did the Division of Local Government seek advice from the Public Service Commissioner in filling this position, and other executive management positions in the Division's new structure?

ANSWER

- a) 30 January 2012
 - b) Yes. Online on Jobs.NSW
 - c) Merit-based selection processes as defined by the Public Service Commission Personnel Handbook.
 - d) No.
-

QUESTION

105. Will the Government rule out altering the boundaries of the City of Sydney so that they

emulate those of the Sydney Central Business District?

ANSWER

No. See answer to Question 98.

QUESTION

106. Section 16 of the Infrastructure NSW document *State Infrastructure Strategy* refers to difficulties in financing key infrastructure.
- a) Will the Government rule out introducing legislation to introduce a special purpose property levy to pay for key infrastructure such as roads or light rail, passing the cost onto residents of suburbs through which this infrastructure passes?
 - b) How will the Government determine whether new infrastructure projects will increase the value of property assets?

ANSWER

The issues are not the responsibility of the Minister for Local Government.

QUESTION

107. The Division of Local Government document *Division of Local Government – Strategic Plan 2011 to 2015* states on page 10 that one of the indicators set for *Goal 2 – Councils are actively engaged with their communities* is to "increase the percentage of councils where the demographics of their councillors and council staff reflect the demographics of the population in their council area". What strategies does the Division have in place for increasing the number of:
- a) Women
 - b) People from Culturally and Linguistically Diverse (CALD) backgrounds?

ANSWER

In the lead up to local government election in September 2012 the NSW Government worked actively to encourage diverse groups, including women, Aboriginal and Torres Strait Islanders, people from culturally and linguistically diverse backgrounds, people with a disability and young people to stand for election. This work included:

- 71 candidate information seminars were held across NSW between May and July 2012 providing important information on the roles and responsibilities of a councillor so that candidates could make an informed decision about standing for election
- publications to encourage diverse candidates to stand for election including a candidate guide and brochures for women, Aboriginal and Torres Strait Islanders and culturally and linguistically diverse communities, translated into 15 community languages
- media releases urging people across NSW to consider running for council.

Further strategies for increasing the number of women and people from CALD backgrounds

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include:

- councils must implement a Code of Conduct that mandates appropriate standards of behaviour
- councils are encouraged to have a policy to provide expenses and facilities that support the needs of diverse councillors in the role e.g. childcare costs
- The Ministers' Awards for Women in Local Government aim to improve the representation of women in local government by recognising the achievements of women – both as elected representatives and as staff – in the local government sector and local communities.

In relation to staff, the Integrated Planning and Reporting Framework requires councils to develop a Workforce Management Strategy. Strategies should consider EEO management planning and practising the principles of multiculturalism. Councils are encouraged to develop strategies that support a diverse workforce to achieve better local representation, better understanding of issues affecting the local community and improved communication.

QUESTION

108. The Division of Local Government document Division of Local Government – Strategic Plan 2011 to 2015 states on page 14 that one of the indicators set for Goal 6 – New South Wales is a recognised leader in Local Government infrastructure asset management is "all councils have an infrastructure renewal ratio consistent with industry minimum standards".
- a) Can the Minister advise how this goal will be met in cases where local councils lack the financial capacity to meet such a ratio?
 - b) Can the Minister advise how this goal will be met in cases where local councils' finances preclude them from participation in the Local Infrastructure Renewal Scheme?

ANSWER

- a) The Infrastructure Backlog Policy will provide the Government with important information in relation to local government asset management, including setting industry minimum standards and developing strategies to assist councils in reaching those standards.
- b) The strategies identified under the Infrastructure Backlog Policy will consider any such occasions where councils' finances preclude them from participating in the Local Infrastructure Renewal Scheme. In addition, the Independent Local Government Review Panel will consider issues regarding the financial sustainability of individual councils.
-

QUESTION

109. The Division of Local Government document Division of Local Government – Strategic Plan 2011 to 2015 states on page 14 that one of the strategies for achieving Goal 7 – Divisional resources are optimised is to "ensure the Division has effective planning and

reporting mechanisms".

- a) Will the Government address the Auditor General's concerns on page 3 of the report Monitoring Local Government that the current reporting processes, which requires councils to supply information about their financial and non-financial performance to the Division of Local Government, have resulted in variations in "timeliness, completeness and accuracy" of information gathered?

ANSWER

The Division of Local Government supports the recommendations contained in the Auditor General's Report. The Division is continuing to work towards more effective monitoring of council performance which will better inform its intervention efforts. As identified during the audit process the Division has recently been through a restructure which among other things is designed to bring greater clarity to the Division's compliance and monitoring role.

QUESTION

110. In April 2012 the *Local Government Act* 1993 was amended and a new section 451(4) was inserted. The new section enables a councillor to participate in discussions and voting in:

- a) the making of a principal environmental planning instrument applying to all or a significant part of the Local Government Area or;
- b) the making of amendments to such an instrument; or
- c) the abolition of such an instrument

If a special disclosure is made:

Is there an increased risk of corruption in cases where s 451(4) enables councillors to participate in decision making even though they may have major land holdings in their Local Government Area?

ANSWER

No. There are a number of safeguards and checks and balances built into the Local Government Act and the Local Environment Plan (LEP) approval process. These are:

1. As an accountability mechanism, the councillor is still required to publicly disclose any pecuniary interest they have in a matter relating to the making or amendment of an LEP.
 2. The development of LEPs is undertaken under the supervision of the Department of Planning and Infrastructure.
 3. The ultimate decision to approve an LEP is made by the Minister for Planning, not the Council.
-

QUESTION

111. What data or financial criteria were utilised by TCORP in conducting audits of council

finances?

ANSWER

TCorp will prepare reports for each council that provides an overview of its existing financial performance and position, a review of financial forecasts including its capacity to meet increased debt commitments, future sustainability, and benchmarking and comparisons with other councils. TCorp's work includes:

- A review of a council's three most recent years of audited consolidated annual accounts.
 - Undertaking a detailed review of the council's 10 year consolidated and General Fund financial forecasts, and of separate Water Fund and Sewerage Fund on an 'as needs' basis. For councils applying under LIRS, the review of the financial forecasts will focus primarily on the particular council's fund that is undertaking the proposed debt commitment. For example, where a project is being funded from the General Fund the review will focus on the General Fund. The review will include assessment of key assumptions that underpin the financial forecasts, and where appropriate, scenario analysis to stress test forecasts for adverse movements in key assumptions and risks.
 - Identifying significant changes to future financial forecasts from existing financial performance, and highlighting risks associated with such forecasts.
 - Discussions with council management to understand overall strategy and management experience.
 - Benchmarking and comparisons with other councils (against its comparable peers).
 - Conducting an analysis of each council's financial sustainability.
-

QUESTION

112. 62 councils have been approved for interest subsidies in Round 1 of the Local Infrastructure Renewal Scheme. Can the Minister advise the total amount that each council will borrow to fund their projects?

ANSWER

The total amount of borrowing for the 64 projects will be \$343 million. A list of all approved projects including total project amounts for each council can be found on the DLG website.

QUESTION

113. I refer to the statement made by Len Robinson, Liberal Councillor on Blacktown City Council that childcare is not a council function. Do you support his statement that childcare should not be run by local councils?

ANSWER

The Council's Charter (Local Government Act 1993) describes a council's functions, which

include “to promote and to provide and plan for the needs of children.” It also requires councils to “provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community.” I support local councils to make specific decisions regarding local service provision in consultation with their local community and in light of the findings of their individual Community Strategic Plan.

QUESTION

114. In light of the Government's unqualified support for the NSW Commission of Audit Report's recommendation for periodic reviews of all concessional arrangements across government, will you assure all eligible pensioners that the Government will keep the Pensioner Rebate Scheme?

(Commission of Audit Report p 333-339; Barry O'Farrell Media Release 9 August 2012)

ANSWER

Yes.

QUESTION

115. I refer to the Minister's statements on radio 2UE Channel 10 in August that there are too many Councils in Sydney. Which Sydney metropolitan councils does the Minister propose to abolish after the elections?

(Transcripts 2UE 14 August 2012; Channel 10 15 August 2012)

ANSWER

See answer to Question 98.

QUESTION

116. In light of your amendment to the Local Government legislation earlier this year allowing councillors to vote on matters despite a vested or financial interest in the matter under discussion, what mechanisms have you put in place to stop corruption?

(Sophie Cotsis Sydney Central 28 April 2012)

ANSWER

See answer to Question 110.

QUESTION

117. Minister, the discussion document released as part of the work being undertaken by your Independent Local Government Review Panel states that some

communities would be able to afford increased rates. Can the Minister tell us which NSW communities would be able to afford to pay increased rates?

(Strengthening your Community Consultation Paper, p

12. www.localgovernmentreview.nsw.gov.au

ANSWER

The first consultation paper from the Independent Local Government Review Panel states that: "research by the Productivity Commission has shown that some communities would be able to afford increased rates to strengthen their council's finances and pay for necessary improvements to services and infrastructure."

The Independent Panel may choose to explore this issue further in its report to the Government.

QUESTION

118. Action 5B of the Destination 2036 Action Plan calls for an examination of current local government revenue system including looking at rating provisions. Will you reject any recommendation by the Local Government Review Panel to change the current system of rate control which provides councils with annual rate income increases yet protects ratepayers from unjustified rate hikes?

(Destination 2036 Action Plan, June 2012 p.27)

ANSWER

No. See answer to Question 98.

QUESTION

119. The Outcomes Report from your Destination 2036 initiative lists for review the development of processes for implementing the deregulation of local government fees and charges. Do you support this?

ANSWER

The Outcomes Report captured the vast range of suggestions that emerged through the Destination 2036 workshop. These were incorporated into the draft and final Destination 2036 Action Plan. The suggested action regarding deregulation of fees is captured by initiative 5b in the action plan, which is being considered by the Independent Local Government Review Panel in so far as it is consistent with the Panel's terms of reference.

Also, see answer to Question 98.

QUESTION

120. The Outcomes Report from your Destination 2036 initiative lists for review specific options to increase the financial sustainability of councils including removing, phasing out or further revising rate pegging. Do you support this?

ANSWER

See answer to Question 119.

QUESTION

121. The Outcomes Report from your Destination 2036 initiative lists for review and the development processes "other options" to improve financial sustainability. Can you outline what these "other options" might be?

(Appendix B: Suggested Actions from [Destination 2036 Outcomes Report](#) p56. Refer: [Elton Outcomes Report](#) [click here](#))

ANSWER

See answer to Question 119.

QUESTION

122. When is the Government expecting to release the next stage in your proposals to change the funding model for emergency services?

ANSWER

As the review of emergency services funding falls within the portfolio of the Minister for Police and Emergency Services, the Hon Michael Gallacher MLC, he is best placed to answer this question on behalf of the Government.

QUESTION

123. Do you think that it is reasonable that the discussion paper failed to outline any estimates of what a new model might cost either for ratepayers or the Government? Do you think it is reasonable that the paper selectively quoted the report from the Public Accounts committee failing to point out that the committee recommended against changing? Is that an example of a balanced information according to the O'Farrell Government?

ANSWER

See answer to Question 122.

QUESTION

124. The Minister for Police and Emergency Services has stated to the Parliament and the Treasurer's comments seem to indicate that the current system is going to be changed, do you agree with their comments?

ANSWER

The Government is currently consulting on this matter. It would be premature for me to pre-empt the outcomes of that process

QUESTION

125. What commitment can you give to local government that if they are expected to collect a new charge on rates they will be fully compensated for the cost?

ANSWER

As the Government is currently consulting on this matter, it would be premature to pre-empt the outcomes of that process.

QUESTION

126. What research has the Government undertaken to model the application and impacts of changing to a new emergency services funding model?

ANSWER

See answer to Question 122.

QUESTION

127. Can you provide the committee with any independent modelling undertaken by the Government on the impacts?

ANSWER

See answer to Question 122.

QUESTION

128. Are you aware of modelling commissioned by the Insurance Council regarding alternative models for rates based Levies?

a) Has either your office or the Department of Local Government reviewed the have you read the work undertaken by Delloitte on behalf of the Insurance Council of Australia?

ANSWER

No.

QUESTION

129. Are you aware that under the Deloitte modelling for the Insurance Council rural property owners will be between \$219 and \$1,000 worse off by a change to a property based levy. Do you agree that a similar levy should be implemented?

ANSWER

See answer to Question 128.

QUESTION

130. Are you aware of when the review into the RFS funding model restructure will we completed?

ANSWER

See answer to Question 128.

The North Coast

QUESTION

131. As Minister for The North Coast do you have:
- a) An office (apart from your electorate office) in The North Coast?
 - i. If so where the office is located, which person or business owns the premises, what is the floor space, what is the annual rent, what is the staffing of the office and how frequently, if ever, do you work out of that office?
 - b) Dedicated staff to deal with this portfolio responsibility?
 - i. If so, how many staff are there and what is their annual remuneration and in which office are they located?

ANSWER

- a) *As Minister for the North Coast, my Ministerial office is located at Parliament House Sydney and Governor Macquarie Tower, 1 Farrer Place Sydney. The Department of Premier and Cabinet North Coast Regional Office is located at Level 1, AMP Centre, 24 Gordon Street, Coffs Harbour.*
- b) *Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers.*

QUESTION

132. How many times in the last twelve months have you visited The North Coast in your capacity as The North Coast.

ANSWER

In 2011/12 I regularly visited the North Coast in my capacity as Minister for the North Coast.

QUESTION

133. With whom did you meet and what was the purpose of the meetings?

ANSWER

I meet with a range of individuals and community groups in my capacity as Minister for the North Coast.

QUESTION

134. Were you accompanied by any family members, staff or friends during those visits? If so who accompanied you on each trip and what was the cost to the taxpayer of this?

ANSWER

I was accompanied by family and staff in my regular visits, both formal and informal to the North Coast. Travel costs are included in my Ministerial office budget.

QUESTION

135. How many representations have you made to other Ministers in your capacity as the Minister for The North Coast and what was the nature of those representations?

ANSWER

As Minister for the North Coast I receive and respond to issues by way of representations.

The Department's recommended time frame for completing responses to correspondence from Ministers, Members of Parliament and members of the public is 20 working days from the Department's receipt of the correspondence.

However, it is not always possible to comply with this time frame for any number of reasons including: the nature and complexity of the matter; stakeholder consultation; or further information required from other Departments and sources.

Miscellaneous

QUESTION

136. How many blackberries are assigned to your staff?

ANSWER

In 2011/12, 179 phones were assigned to the Premier's and Ministers' offices.

QUESTION

137. For each phone, how much was each bill in the 2011/12 financial year?

ANSWER

	2008-09	2009-10	2010-11	2011-12
Premier's Office	\$103,152	\$76,457	\$68,475	\$27,570
Ministers' Offices	\$475,539	\$358,396	\$120,285	\$169,655
TOTAL	\$578,691	\$434,854	\$188,761	\$197,226

Note. 2010-11 figures are a combination of 9 months of Keneally Government and 3 months of O'Farrell Government.

QUESTION

138. How many have phones have been lost in your office?

ANSWER

For Premier's office and Ministers' offices, the number of phones lost was:

	2011/12
Premier	1
Ministers	5
Total	6

QUESTION

139. What is the cost of replacing those phones?

ANSWER

The cost is the normal contract price and this cost is claimed through the NSW Treasury Managed Fund.

QUESTION

140. How many iPads does DPC assign to your Ministerial office and to whom have they been issued?

ANSWER

For Premier's office and Ministers' offices the number of iPads issued was as follows.

	2011/12
<i>Premier</i>	<i>10</i>
<i>Ministers</i>	<i>43</i>
Total	53

QUESTION

141. How many iPads have you purchased for your office and to whom have they been issued?

ANSWER

iPads are supplied by the Department of Premier and Cabinet and have not been purchased by Ministers' offices.

QUESTION

142. How many iPhones does DPC assign to your Ministerial office and to whom have they been issued?

ANSWER

In 2011/12, 179 phones were assigned to the Premier's and Ministers' offices.

QUESTION

143. How many iPhones have you purchased for your office and to whom have they been issued?

ANSWER

In 2011/12, 179 phones were assigned to the Premier's and Ministers' offices.

QUESTION

144. How many iPhones have been lost in your office?

ANSWER

For Premier's office and Ministers' offices, the number of phones lost was:

	2011/12
<i>Premier</i>	<i>1</i>
<i>Ministers</i>	<i>5</i>
Total	6

QUESTION

145. How many iPads have been lost in your office?

ANSWER

For Premier's office and Ministers' offices, the number of iPads lost or stolen was as follows.

	2011/12
<i>Premier</i>	<i>1</i>
<i>Ministers</i>	<i>0</i>
Total	1

QUESTION

146. What is the cost of replacing those phones or iPads?

ANSWER

The cost is the normal contract price and this cost is claimed through the NSW Treasury Managed Fund.

QUESTION

147. How many media or public relations advisers are employed for each of your portfolio agencies?

ANSWER

Nil.

QUESTION

148. What is the forecast for 2012-13 for the number of media or public relations advisers to be employed and their total cost?

ANSWER

Nil.

QUESTION

149. Have any of your overseas trips in the past year been paid for in part or in full by using public money?

ANSWER

Information regarding Ministerial travel is available on the relevant Minister's appropriate agency website, in accordance with Ministerial Memorandum M2009-10 "Release of Overseas Travel Information".

QUESTION

150. If so, did any of your relatives or friends accompany you on these trips?

ANSWER

See response to Question 149.

QUESTION

151. What is the annual remuneration package for your chief of staff?

ANSWER

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers.

QUESTION

152. What is the annual remuneration package for your head media advisor?

ANSWER

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers.

QUESTION

153. What is the annual remuneration package for each of your staff?

ANSWER

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers.

QUESTION

154. What is the estimated expenditure for your office budget in 2012-13?

ANSWER

The total budget allocation for the Premier's and Ministers' offices in 2012-13 is \$40,103,650, with \$5,744,883 allocated to the Premier's office and \$34,358,767 to the Ministers' offices.

QUESTION

155. Have any office renovations or fit outs been undertaken in your ministerial office since April, 2011?

ANSWER

Information on the assets balances for leasehold improvements are available in the Department of Premier and Cabinet Annual Report.

QUESTION

156. If so, could you give details of contracted costs?

ANSWER

See response to Question 155.

QUESTION

157. What is your Ministerial office budget for 2012/13?

ANSWER

The budget allocations for the Premier's office and Ministers' offices are as follows.

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	2008-09	2009-10	2010-11	2011-12	2012-13
Premier	\$7,002,312	\$8,500,000	\$9,075,038	\$5,309,465	\$5,744,83
Ministers	\$39,673,567	\$40,334,000	\$40,978,962	\$31,516,017	\$34,358,767
TOTAL	\$46,675,879	\$48,834,000	\$50,054,000	\$36,825,482	\$40,103,605

QUESTION

158. How many political advisors are in your office?

ANSWER

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers.

QUESTION

159. How many administration staff?

ANSWER

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers.

QUESTION

160. How many Department Liaison Officers are assigned to your office?

ANSWER

Number of Department Liaison Officers (DLOs)

	<i>Number of DLOs as at 5/09/2012</i>
<i>Premier</i>	1
<i>Ministers</i>	57
TOTAL	58

QUESTION

161. How many staff in the Department are assigned to Ministerial support duties?

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ANSWER

General information relating to the Division of Local Government's employees including its structure and staff are available on the Division of Local Government website.

QUESTION

162. Are any contractors or consultants working in your ministerial office?
If so, in what capacities?

ANSWER

Financial statements, including expenditure on consultants, are available in agency annual reports.

QUESTION

163. How much did your Ministerial office spend on contractors or consultants?

ANSWER

Financial statements, including expenditure on consultants, are available in agency annual reports.

QUESTION

164. How much did your Ministerial office spend on taxi fares, including Cabcharge in the 2011/12 financial year?

ANSWER

Taxi expenditure by the Premier's office and Ministers' offices as represented in the Department's financial system is represented in the table below.

	2008-09	2009-10	2010-11	2011-12
Premier	\$26,418	\$32,525	\$27,600	\$15,485
Ministers	\$133,697	\$143,251	\$32,678	\$80,609
TOTAL	\$160,155	\$175,776	\$60,277	\$96,094

QUESTION

165. Are any of your portfolio agencies undergoing a restructure?

ANSWER

No.

QUESTION

166. How many jobs are expected to be cut as a result of that restructure?

ANSWER

Please refer to question 165.

QUESTION

167. How many people are expected to have their wages cut as a result of that restructure?

ANSWER

Please refer to question 165.

QUESTION

168. How many voluntary redundancies were offered in your Departments since April 2011?

ANSWER

As outlined in the 2012/13 budget, the Government's 2011-12 program of voluntary redundancies remains on track to reach its target of 5,000 positions.

A labour expense cap has also been introduced as a new savings measure across the public sector with the target of a 1.2 per cent per annum reduction in labour costs growth.

Directors General will be given as much flexibility as possible to achieve the savings in the most appropriate way to meet the service requirements of their agencies. If it was solely achieved through headcount this would equate to up to 10,000 jobs over four years.

Nurses, police officers and teachers in schools have been quarantined from this measure.

QUESTION

169. How many voluntary redundancies were accepted from employees in your Departments since April 2011?

ANSWER

As outlined in the 2012/13 budget, the Government's 2011-12 program of voluntary redundancies remains on track to reach its target of 5,000 positions.

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A labour expense cap has also been introduced as a new savings measure across the public sector with the target of a 1.2 per cent per annum reduction in labour costs growth.

Directors General will be given as much flexibility as possible to achieve the savings in the most appropriate way to meet the service requirements of their agencies. If it was solely achieved through headcount this would equate to up to 10,000 jobs over four years.

Nurses, police officers and teachers in schools have been quarantined from this measure.

QUESTION

170. How many voluntary redundancies are expected to be offered in 2012/13?

ANSWER

As outlined in the 2012/13 budget, the Government's 2011-12 program of voluntary redundancies remains on track to reach its target of 5,000 positions.

A labour expense cap has also been introduced as a new savings measure across the public sector with the target of a 1.2 per cent per annum reduction in labour costs growth.

Directors General will be given as much flexibility as possible to achieve the savings in the most appropriate way to meet the service requirements of their agencies. If it was solely achieved through headcount this would equate to up to 10,000 jobs over four years.

Nurses, police officers and teachers in schools have been quarantined from this measure.

QUESTION

171. How much did your Department(s) spend on catering in 2011/12?

ANSWER

Catering expenses for 2011/12: \$54,612

QUESTION

172. How much did your Department(s) spend on stationary in 2011/12?

ANSWER

Stationary expenses for 2011/12: \$20,016

QUESTION

173. What is your Department's catering budget?

ANSWER

Catering Budget for 2012/13: \$8,400

QUESTION

174. What is your Department's stationary budget?

ANSWER

Stationary Budget for 2012/13: \$13,680

QUESTION

175. Since April 2011 have any of the agencies in your Department(s) changed their branding?

ANSWER

No.

QUESTION

176. If so, how much was spent on rebranding the agency?

ANSWER

Please refer to the answer to Question 175.

QUESTION

177. How long is the average turnaround for responding to correspondence in your Department(s)?

ANSWER

I am advised the Division of Local Government's recommended timeframe for completing responses to correspondence from Ministers, Members of Parliament and members of the public is 20 working days from the Division's receipt of the correspondence.

However, it is not always possible to comply with this timeframe for any number of reasons, including: the nature and complexity of the matter; stakeholder consultation; or further information required from other departments and sources.

QUESTION

178. How many pieces of correspondence have been outstanding for more than 60 days?

ANSWER

Please see answer to Question 177.

QUESTION

179. In 2011/12 how many invoices has your Department(s) failed to pay a supplier or contractor for more than 30 days?

ANSWER

None.

QUESTION

180. As a result of late payment, how much penalty interest has been paid to contractors since 1 January 2011?

ANSWER

Please see answer to Question 179.

QUESTION

181. How many invoices have been outstanding for longer than 60 days?

ANSWER

None.

QUESTION

182. Does your department provide recurrent grant funds to non-government organisations?

If yes,

- a. What are the names of all organisations in receipt of funding?
- b. What is the total amount of funding received by each organisation including goods and services tax?
- c. On what date was the funding advanced?
- d. What was the purpose for each grant or funding advance?
- e. Was any funding withheld or returned?
- f. If so, what were the reasons for withholding or requiring the funding to be returned?
- g. What is the indexation rate applied to non-recurrent grant funds in 2011/2012?
- h. What are the details of any costs involved in each study, audit, taskforce or review?

ANSWER

No.

QUESTION

183. How many contractors has your Department(s) retained since 1 July 2012 and at what cost?

ANSWER

Number of Contractors since 1 July 2012 to 26 October 2012: 17

Total cost: \$1,211,532.

QUESTION

184. What is the current level of Aboriginal employment within your Department(s)?

ANSWER

2009, 2010 and 2011 data can be found as published in the annual Workforce Profile Snapshot Reports.

2012 data is due to be released when the State of the Public Sector Report is released, late 2012.

These reports can be found on the PSC

website: <http://www.psc.nsw.gov.au/pscinternet/informaiton.page?>

Additionally, NSW Treasury Circular 11/03 prescribes the Equal Employment Opportunity (EEO) Disclosure Requirements, requiring that NSW public sector agencies include EEO data in their annual reports.

QUESTION

185. How has that changed since 1 July 2011?

ANSWER

Please see answer to Question 184.

QUESTION

186. Since 1 July 2011, how much has been spent on charter air flights by your Department(s)?

ANSWER

\$0.

QUESTION

187. In relation to feasibility studies, audits, taskforces and reviews:
Is your department currently undertaking any feasibility studies, audits, taskforces or reviews? If so; then;
- What are the terms of reference or details of each study, audit, taskforce or review?
 - Who is conducting the study, audit, taskforce or review?
 - Was each study, audit, taskforce or review was publically advertised seeking expression of interest or competitive tenders?
 - Is there a contract in place detailing terms of engagement for the study, audit, taskforce or review?
 - What is the timeline of each study, audit, taskforce or review?
 - What are the details of any costs involved in each study, audit, taskforce or review?

ANSWER

As with previous NSW Governments, the Government undertakes feasibility studies, audits, taskforces and reviews to inform government decision making. A number of feasibility studies, audits, taskforces and reviews are currently being undertaken across the NSW Government.

QUESTION

188. Have any agencies within your Department(s) engaged consultants in the 2011/12 financial year?

ANSWER

Please refer to NSW Legislative Assembly Question on Notice Number 2121.

QUESTION

189. If yes, which companies were engaged for consultancy services in the 2011/12 financial year?

ANSWER

Please refer to NSW Legislative Assembly Question on Notice Number 2121.

QUESTION

190. For what purpose has your Department engaged consultants?

ANSWER

Please refer to NSW Legislative Assembly Question on Notice Number 2121.

QUESTION

191. How much have your agencies spent on consultants in the 2011/12 financial year?

ANSWER

Please refer to NSW Legislative Assembly Question on Notice Number 2121.

QUESTION

192. What is your Department(s) budget for consultants in the 2012/13 financial year?

ANSWER

Please refer to NSW Legislative Assembly Question on Notice Number 2121.

QUESTION

193. Have any agencies within your Departments sponsored any organisations or events in the 2011/12 financial year?

ANSWER

No.

QUESTION

194. If yes, which organisations and events were sponsored in the 2011/12 financial year?

ANSWER

N/A.

QUESTION

195. How much did your agencies within your Departments spend on sponsoring organisations and events in the 2011/12 financial year?

ANSWER

\$0.

QUESTION

196. What is your Department(s) budget for sponsorship in the 2012/13 financial year?

ANSWER

\$0.

QUESTION

197. Has the Minister been provided with Speech, Voice or Media Training since becoming Minister? If so, then;

- a) Who conducted the training?
- b) When was it conducted?
- c) Where was it conducted what were the costs of the training?
- d) Who paid for the training?

ANSWER

No.

End of questions from the Hon. Sophie Cotsis, MLC.