



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

BUDGET ESTIMATES 2019-2020

Questions Taken on Notice

Portfolio Committee No. 7 – Planning and Environment

LOCAL GOVERNMENT

Hearing: Monday 2 September 2019

Answers due by: Thursday 26 September 2019

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LOCAL GOVERNMENT

Amalgamations achievements - Page 11

The CHAIR: Could you outline for the Committee what councils have undertaken surveys of service levels? These improved service levels that you have promised, have councils undertaken surveys in relation to those improved service levels for the community that you are aware of?

Mrs SHELLEY HANCOCK: We do not require them to do this, that would be their choice if they have undertaken surveys. I cannot be aware of every single survey or decision of a council. It is certainly a matter for councils.

The CHAIR: Minister, you said and promised—

Mrs SHELLEY HANCOCK: I did not make a promise.

The CHAIR: —that this would allow councils to invest in improved community service levels and/or a greater range of service. How do you keep track of that? How do you know whether the promise to allow councils to have improved community service levels and/or a greater range of services has been met if you do not know whether councils are undertaking surveys?

Mrs SHELLEY HANCOCK: Because we work with councils very closely and the list of councils and merged councils that I read out before about their achievements—yes, Mr Shoebridge is here to assist you.

Mr DAVID SHOEBRIDGE: No, the Chair does not need assistance.

The CHAIR: Order! Could you continue?

Mrs SHELLEY HANCOCK: I do not think I made a promise. I indicated some of the achievements of the new councils and I started to read them out and I could take the Committee's time if you wish but I said I would take it on notice and provide that information, I think to Mr Buttigieg or Mr Primrose.

Answer

Councils created in 2016 have delivered more than 1,000 projects, funded from the Stronger Communities Fund.

New councils received at least \$10 million where two councils merged and \$15 million where three councils merged. Up to \$1 million of the grant was allocated to incorporated not-for-profit community groups, while the rest of the money was spent on infrastructure and services.

These councils are delivering benefits for their communities across the State, demonstrating to their communities the benefits of the larger councils through such achievements as improved local road networks, significant procurement savings, upgrades of ageing infrastructure and significant improvements in customer inquiry waiting times.

KPMG report – page 12

The Hon. PETER PRIMROSE: I will ask one more time if I can. The documents sought by myself, Save our Councils and others, the KPMG report, has that been released?

Mr HURST: So we can be clear about the documents that have been released I am happy, through the Chair, to take on notice and provide you with a list of the documents that have been released following, as you observed, those NCAT processes.

Answer

KPMG was commissioned by the NSW Government to model the possible benefits of council mergers. This advice was not provided to Government as a single report, but rather as a suite of analysis prepared over a period of time.

Information about KPMG's analysis and modelling has been made publicly available in the following documents:

- An overarching report outlining merger benefits entitled *Local Government Reform Merger Impacts and Analysis*, released on 18 December 2015;
- A technical report outlining KPMG's modelling assumptions entitled *Outline of Financial Modelling Assumptions for Local Government* published on 20 January 2016; and
- The 35 original Government merger proposal documents, which contain the final outputs from KPMG's analysis, published on 6 January 2016. In addition, financial modelling associated with the 10 alternate proposals, submitted by councils.

KPMG report – page 12

The Hon. PETER PRIMROSE: Minister, will you release the other documents—those documents sought by myself and the Save our Councils group, which you now indicate are almost historical

documents, that were used by then Premier Baird to justify the forced merger of a number of councils? They have been sought by many community groups for a long period of time.

Mrs SHELLEY HANCOCK: I will take that question on notice but I think what the deputy secretary has indicated is that he will give you a list of the documents that are available for your perusal.

Answer

See answer above.

Snowy Valleys – page 18

Mrs SHELLEY HANCOCK: As I said, I am sure that advice was given by the Office of Local Government regarding the first two proposals so they should be aware of that and now have submitted a valid proposal which I am examining. Would you agree with that?

Mr DAVID SHOEBRIDGE: Well, I would agree that the current proposal is valid, but the actual advice that your predecessor was given has not been provided to the Tumbarumba community. I accept the conclusion was provided to them in correspondence but I am asking about the advice itself. Perhaps you could take that on notice?

Mrs SHELLEY HANCOCK: I will take that on notice, Mr Shoebridge, in terms of that advice. I understand the question that you are asking me.

Answer

The legal advice provided to the Minister by the Office of Local Government about the validity of the proposal is privileged legal advice.

Code of Conduct complaints – page 29

The CHAIR: How many code of conduct complaints were received in the last financial year?

Mr HURST: Across all councils?

The CHAIR: That is right?

Mr HURST: I am not sure we collect the data but I am happy to take it on notice. If we have the data about numbers of complaints of councils I will provide that to the Committee.

The CHAIR: If you could also, if you are happy to take on notice, provide how many of those have been received in the last financial year and finalised as one lot?

Mr HURST: Once again we would not necessarily be aware of the outcome of every code of conduct complaint that happened at every council. I undertake to provide an answer to that.

The CHAIR: But finalised in terms of the responsibilities of your office?

Mr HURST: These are matters referred to us that are considered to be a complaint under the code of conduct and the data you are after is how many of those we finalised in the last 12 months? I am happy to take that on notice.

Answer

The number of code of conduct complaints dealt with by each council, the cost of managing those complaints and number of complaints investigated by councils is included in the 'Your Council Report' time series data on the Office of Local Government's website at columns DD, DE and DF.

Data for misconduct complaints received for the financial year 2018/19 has not been finalised. However, the number of misconduct matters dealt with by the Office of Local Government in the 2017/18 financial year is provided on the website under 'Council complaint statistics'.

Amalgamations – financial performance – page 30

The CHAIR: Okay, thank you. Minister, can you advise on whether the budget positions of the newly amalgamated councils have improved, stayed the same or declined?

Mrs SHELLEY HANCOCK: I think we would have to be here for another hour talking about each particular council. I do not think you can make a general statement about whether they have improved, stayed the same or declined. I can take that on notice and Mr Hurst can provide those details, I suppose. I do not think we can make a general statement

Answer

Councils publish their budget positions in annual Financial Statements which are audited by the Auditor General. The Office of Local Government consolidates financial information provided by councils into a single document, the ‘Your Council Report’ time series data, which is published on the Office of Local Government website.

Amalgamations – council fees – page 30

The CHAIR: While you are taking things on notice, it would also be useful to know how many councils have increased their rates—so in how many councils are residents paying higher fees and charges and in how many councils are residents paying lower fees and charges?

Answer

Councils publish their budget positions, including rating amounts, in annual Financial Statements which are audited by the Auditor General. The Office of Local Government consolidates financial information provided by councils into a single document, the ‘Your Council Report’ time series data, which is published on the Office of Local Government website.

Pound statistics – page 35

The Hon. MARK PEARSON: New South Wales pound statistics collected for the period 2013 to 2014 show that council pounds rehomed 5,549 cats and dogs but killed 14,641 animals—a vast majority being completely healthy animals. Animal advocates complain that many councils either fail to lodge or are late in lodging their kill statistics—otherwise called "euthanasia statistics", incorrectly. Can you advise to the Minister how many dogs and cats have been killed in council pounds or shelters, including euthanasia undertaken by your organisations contracted by local councils to provide animal accommodation services for abandoned or seized animals? Can you provide those statistics for each year since 2014? You can take that on notice if it is preferable.

Mr BETTS: We will take it on notice unless Mr Hurst has it at his fingertips.

Mr HURST: I would point out that we do collect the data that you refer to. Part of the—

The Hon. MARK PEARSON: I am just wondering why it is not been published since 2014.

Mr HURST: The data is part of ensuring that we support councils in reducing euthanasia rates. The Responsible Pet Ownership Program and the introduction of the Pet Registry are also features that we are relying on to drive down euthanasia rates at the pounds. If pet owners keep their details updated on the Pet Registry, it makes it easier to reunite them with their lost pets. The data that we have published shows that there is a marked reduction in euthanasia rates. I am happy to take on notice about the publication of the later data, if we have it available.

Answer

Pound Data Reports from 2014/15 to 2016/17 are published on the Office of Local Government website. The Pound Data Report for 2017-18 is expected to be published shortly.

RSPCA grant – page 35

The Hon. MARK PEARSON: How much is the grant that has been given to the RSPCA to expand their shelter at Yagoona?

Mr HURST: I understand that the total amount is \$12 million over two financial years, with the funds to be provided through the budget of the Office of Local Government.

The Hon. MARK PEARSON: What will the funds be used for mainly in the expansion of that shelter? Are you aware or would you need to take that on notice?

Mr HURST: I understand it is for a contribution towards the capital costs of upgrading the facility. It is to be matched with funding that the RSPCA has on its own. But as for the specific purpose that they are putting it to, I will have to take that on notice.

Answer

The \$12 million in funding to the RSPCA over the next two financial years will deliver the following enhancements to the animal shelter at Yagoona:

- **90 new dog kennels including exercise yards, grooming areas, a vet assessment room and high pressure hosing system to reduce water usage.**
- **7 new catteries including a feline maternity ward and kitten nursery, isolation wards for treatment of infectious diseases, assessment areas for major intakes of cats and food preparation and cleaning rooms.**
- **A community adoption centre which includes indoor adoption enclosures and visitor friendly viewing features, 148 cat enclosures and adjoining exercise rooms, meet and great rooms for potential adopters, reception and adoption processing areas, landscaping for dog walking and socialisation, a quiet room for providing animal welfare advice and staff and volunteers' amenities.**

Staff numbers OLG – page 37

Mr BETTS: It has not been worked out yet but clearly councils have very significant responsibilities as stewards of public open land. They have responsibilities as stewards of parks, just as many agencies across government who have landholdings which could be very prospective for the planting of additional trees. It will be a collective effort within the State Government and different teams of government, including Local Government.

The CHAIR: Is there more money that is coming to councils to be a part of that?

Mr BETTS: Certainly some money is available within the State Government. I will have to take on notice the extent to which that money will be available to councils.

The Hon. PETER PRIMROSE: Mr Hurst, I go back to our earlier discussion about staffing in the Office of Local Government as it now exists. You mentioned you might be able to provide—please take it on notice—an organisational chart. Can you take that on notice, unless you have something that you can table?

Mr HURST: I think I read out the staffing structure of the organisation. I am happy to provide that staff-by-classification number on notice if that would assist.

Answer

At 30 June 2019 the Office of Local Government employed the following full time equivalent staff numbers in the identified role classifications and levels.

For ongoing roles FTE numbers were:

- Senior Executive Band: 6
- Legal Officer 5: 1
- Legal Officer 3: 2
- Clerk 11/12: 7
- Clerk 9/10: 19.60
- Clerk 7/8: 10.36
- Clerk 5/6: 6.81
- Clerk 3/4: 3
- Clerk 1/2: 1.6

For temporary roles FTE number were:

- Clerk 11/12: 1.6
- Clerk 9/10: 4
- Clerk 7/8: 4
- Clerk 3/4: 1

GIPA and access to documents – page 43

The Hon. PETER PRIMROSE: I stress that this is not a trick question. I was looking at, for example, the Department of Premier and Cabinet disclosure log. If I am a citizen I can go on to the disclosure log and see something that I am interested in, click and I can get the information. If I go to the Office of Local Government, I am told, "For access, please email"—and it gives the Office of Local Government's email address. I do not understand why DPC has a system where I can immediately access the information but with OLG I have to start a whole new process. Are you considering updating to the access information that DPC has?

Mr HURST: I am happy to take on board—if we could improve the way that access to GIPAA applications that were granted is made available to members of the public who are interested in that information. I would also note that as part of the new arrangements from 1 July, the GIPAA function is being consolidated across the cluster and provided centrally. The Office of Local Government will no longer be separately reporting GIPAA's from 1 July.

The Hon. PETER PRIMROSE: Mr Betts?

Mr BETTS: I would be very happy to look at the Department of Premier and Cabinet system. If you think it has advantages I would look at that very seriously in terms of adopting a similar system ourselves.

Answer

During the 18/19 year the OLG listed decided access applications on its website. People who sought access to the information about the content of any particular decision could email OLG and were provided with a copy of the documents. There is no new process, simply an email request. The DPE disclosure log has a hyperlink directly to the documents. The Department of Planning, Industry & Environment (DPIE) is investigating implementation of a similar system as part of the consolidation of the various GIPA functions within DPIE.

Pittwater proposal – Page 48

Mr DAVID SHOEBRIDGE: Mr Hurst, Pittwater residents put in a de-amalgamation petition, under, I think, sections 2 and 5 of the Local Government Act some time ago. Has there been a formal response to the petition?

Mr HURST: I am sorry, I am not aware if the Office of Local Government has received a de-amalgamation proposal for the Northern Beaches local government area.

Mr DAVID SHOEBRIDGE: Into the Pittwater proportion of it. Do you want to take that on notice? I have a note that one was provided in 2018.

Mr HURST: I am not aware of that. I am happy to take that on notice and respond.

Answer

OLG has no record of having received a de-amalgamation petition or supporting signatures for any part of the Northern Beaches local government area.

Code of Conduct register – page 48

Mr DAVID SHOEBRIDGE: The last reported one was 7 November 2018, a year ago. I am assuming that your online register is up to date. Is it that there has not been another concluded complaint since 7 November 2018 or is the register simply not up to date.

Mr HURST: The latest misconduct decision that has involved the publication of a statement of reasons, which is not necessarily required under the legislation, you are right, was in November 2018 in the matter of Councillor Duffy from Orange Council. But not every decision results in the publication of statement of reasons on the website. It is one of the sanctions available under the Local Government Act.

Mr DAVID SHOEBRIDGE: How many decisions have been handed down that have not been included on the register?

Mr HURST: I am happy to take on notice other matters that may have been concluded in that time.

Mr DAVID SHOEBRIDGE: Including since 7 November 2018?

Mr HURST: Yes, I am happy to do that.

Mr DAVID SHOEBRIDGE: Does the office keep a register of code of conduct complaints and resolutions by each of the individual councils?

Mr HURST: We also discussed this this morning and it was one of the matters that, through the Chair, I agreed we would provide further information on.

Mr DAVID SHOEBRIDGE: Previous to this Committee and in its previous iteration, my office has asked questions on notice about code of conduct complaints and the numbers. We have previously been referred to the website of the Office of Local Government. The website of the Office of Local Government contains no such data. Will you provide the Committee with the numbers rather than a reference to a website of code of conduct complaints and the cost of those code of conduct complaints by councils?

Mr HURST: I undertook that I would provide the detail on notice. But I am also aware that the information on councillor complaints and the cost of code of conduct is reported by council. They are obliged to do so. So the information is there Mr David Shoebridge.

Mr BETTS: Would you like us to answer the question? We are happy to provide that information to you. We will take it on notice and he will provide it in the most consolidated useable form for you.

Answer

The last misconduct matter where the Deputy Secretary imposed a sanction for misconduct was reported on the Office of Local Government's website on 7 November 2018. There have been no other reportable decisions since then. There has been one pecuniary interest decision reported by the NCAT since then.

The number of code of conduct complaints dealt with by each council, the cost of managing those complaints and number of complaints investigated by councils is included in the 'Your Council Report' time series data on the Office of Local Government's website at columns DD, DE and DF.

South West 2021 agreement – page 53

The Hon. PETER PRIMROSE: Back in 2011 there was an agreement signed between the New South Wales Government and Local Government NSW called South West 2021. That was a plan said to "make NSW number one" again:

... a 10 year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability...

Et cetera, et cetera. It was:

... the NSW Government's strategic business plan, setting priorities for action and guiding resource allocation.

Is there any proposal to renegotiate that with Local Government NSW?

Mr HURST: Sorry. I am not familiar with that plan. You say it was negotiated between the State or the Office of Local Government?

The Hon. MARK BUTTIGIEG: Between the State and Local Government NSW in 2011, relating to local government.

Mr BETTS: That was undertaken by the Office of Local Government or by some antecedent body?

The Hon. PETER PRIMROSE: It involves local government.

Mr BETTS: I am afraid we will have to take it on notice because we are unaware of something eight years ago.

The Hon. PETER PRIMROSE: So you are not involved. My questioning related to the fact that, clearly, it was done with Local Government NSW. The focus was on local government. I was going to

ask about what people in the new agency will do in relation to the local government space, but if you are not familiar with it, can I ask that you take it on notice?

Mr BETTS: Sure, we will look at that. If you would like Mr Hurst to talk about general objectives for the local government sector, we would be happy to talk about those, obviously.

The Hon. PETER PRIMROSE: Okay. Please take on notice the issue there.

Mr BETTS: Okay.

The Hon. PETER PRIMROSE: But please tell me what your general objectives are for the local government sector. That presumably will be built into any negotiations.

Answer

The Intergovernmental Agreement to Guide NSW State-Local Government Relations on Strategic Partnerships was signed in April 2013. Preparation for the development commenced in 2011 and outlined the combined levels of Governments commitment to working together to deliver the then NSW State Plan *NSW 2021*. This agreement was signed by the then Premier of NSW, Minister for Local Government and joint Presidents of Local Government NSW. The agreement expired on 30 June 2015.

The NSW Government continues to abide by the spirit of the expired agreement.

The NSW Government is currently negotiating a new Intergovernmental Agreement with Local Government NSW, on behalf of the local government sector.

Snowy Valley and Cootamundra Gundagai visits – page 54

The Hon. PETER PRIMROSE: Has the Office of Local Government engaged with either Snowy Valley or Cootamundra Gundagai with that program to date?

Mr HURST: Yes. I would be pleased to take on notice the record of our visits to those councils. I do not want to think that they have been singled out, but we have a regular program of council visits from our council engagement team and we provide them with a variety of advice on matters that council will be facing. Regional councils tend to be very heavily engaged in the program and we welcome the opportunity to visit them regularly and often to provide them with assistance in how they operate and manage the council.

Answer

OLG, through the Council Engagement team, has visited Snowy Valleys Council 7 times and Cootamundra Gundagai Regional Council 11 times in the past 12 months, including visits to support each council's workforce harmonisation process.

Audit risk and improvement committees – page 55

The Hon. PETER PRIMROSE: As I understand, The audit risk and improvement committees and the councils are required to be operational by March 2021. Are you aware of how many councils have already got a committee that is operational?

Mr HURST: Yes I do have some information on that. I can find it in the material here, but my understanding is that more than two-thirds of councils have some form of audit and risk committee in place. You are correct, the legislation was amended in 2016 to provide a requirement for councils to have an audit, risk and improvement committee, but the requirement does not become compulsory until six months after the next ordinary elections and that was done so that it would be the incoming council that both provided the terms of reference for its committee and selected the members because it was the incoming council that would have to deal with the audit, risk and improvement committee for the remainder of its term of office.

As I say, there are many councils that have them in some form or another at the moment. I am happy to take on notice how many councils we are aware of that have, but I would also observe that the implementation of those audit and risk committees at different councils does vary, that the guidance that we are going to be consulting on with councils is about providing the minimum features of an audit risk and improvement committee that would satisfy the legislation whereas at the moment there are is a differing implementation in different councils.

Answer

Out of 128 councils and 10 county councils:

- **90 councils (70%) have an Audit, Risk and Improvement Committee (ARIC) (an increase of 42 councils since June 2017)**
- **88 councils (69%) have an internal audit function (an increase of 40 councils since June 2017).**

Local Government (General) Regulation 2005 review – page 56

The Hon. PETER PRIMROSE: I note for example the Local Government (General) Regulation 2005 is coming up on 1 September 2020. What process do you undertake when you do a review of an important regulation like that?

Mr HURST: There is guidance provided by Treasury on the process to follow when undertaking that statutory review of subordinate legislation. For such a significant regulation as the Local Government (General) Regulation—probably one of the biggest regulations on the statute book—it would be a significant and involved process and I would expect it to take more than a year to undertake to allow each aspect of it to be unpacked and consulted with the sector. My observation is that it may take longer than that deadline for that process to commence and also complete.

The Hon. PETER PRIMROSE: I am going to say it is longer than a year. It is due to expire on 1 September 2020. When do you expect that may kick off?

Mr HURST: I have to talk to the Minister about the timing of that. It is a very significant review of a piece of subordinate legislation.

The Hon. PETER PRIMROSE: Could I ask you to take that on notice?

Mr HURST: I am happy to take it on notice.

Answer

Premier's Memorandum M2008-01 "Staged Repeal of Statutory Rules" provides the relevant information about the arrangements for regulations due for staged repeal each year. The memorandum identifies the dates by which certain decisions have to be made including in regard to any request for the postponement of the automatic repeal of such a regulation.

Central Sydney Traffic and Transport Committee – page 57

The Hon. PETER PRIMROSE: I go then to the City of Sydney Act. Who in the department or cluster liaises with the appropriate staff in the office of the Minister for Transport and Roads and the Minister for Regional Transport and Roads in relation to the Central Sydney Traffic and Transport

Committee? Mr HURST: I am aware of the arrangements with the Central Sydney Traffic and Transport Committee. Transport for NSW supplies the New South Wales Government representatives onto the committee even though the establishment of the committee and its operation is within the City of Sydney local government area. As you pointed out, it is in the City of Sydney Act. It is analogous to the Central Sydney Planning Committee where obviously there are planning representatives of the New South Wales Government to participate in that committee, which draws its power through the City of Sydney Act.

The Hon. PETER PRIMROSE: Can you tell me how many meetings there have been since 30 March this year?

Mr HURST: Of the Central Sydney Traffic and Transport Committee or the Central Sydney Planning Committee?

The Hon. PETER PRIMROSE: The Central Sydney Traffic and Transport Committee.

Mr HURST: I am happy to take that on notice.

The Hon. PETER PRIMROSE: Can you also find out for me how many of these meetings have included a discussion of the light rail project?

Mr BETTS: We will take that on notice insofar as it is information that we are able to source but it does not sound like it sits within our portfolio. I think the relevant Minister gave evidence on Friday.

Answer

The NSW Government continues to take a collaborative approach with the City of Sydney Council on transport issues in the Sydney central business district.

Questions related to the specific operational detail of the Central Sydney Traffic and Transport Committee are a matter for the Minister for Transport and Roads, the Hon Andrew Constance MP.

Rock Fishing – page 59

The Hon. PETER PRIMROSE: Let us go back to this: I note that the Minister for Local Government has joint responsibility for a number of pieces of legislation and I am not going to go through them all. But the Minister has joint responsibility with the Minister for Agriculture and Western New South Wales, the Attorney General and regional transport; how are the relationships for the administration of these Acts actually operationalised?

Mr HURST: As you pointed out, the Allocation of the Administration of Acts in some cases provides joint responsibility for an entire Act or in other cases for certain sections of the Act. The individual Ministers work together on areas of joint responsibility or exercise separately areas where they have individual responsibility. Without giving legal advice, my understanding is that references to the Minister in the legislation applies to the relevant Minister who has been allocated the Act in the Allocation of the Administration of Acts.

The Hon. PETER PRIMROSE: I understand; that is what I just said. For example, the Rock Fishing Safety Act 2016—jointly with the Minister for Police and Emergency Services. How do you operationalise who has responsibility for the relevant sections of each Act?

Mr HURST: I can be specific on that one. The rock fishing association has actually asked the Office of Local Government about how the different ministerial responsibilities are acquitted and we wrote back to them last week with some advice about how the two Ministers have chosen to work between themselves to jointly administer that legislation with the agencies that support each of them as a Ministers.

The Hon. PETER PRIMROSE: Would you be able to provide a copy of that letter?

Mr HURST: I can provide you with the same content as the letter.

The Hon. PETER PRIMROSE: That is fine; that is what I am seeking. Increasingly, various Ministers have responsibility for the same piece of legislation and I am trying to understand. Given that we also have clusters, it makes it difficult for us to try to ask questions in the appropriate estimates.

Answer

OLG replied to Mr Malcom Poole, NSW Recreational Fishing Safety Officer with the recreational Fishing Alliance thanking him for his continued advocacy. The letter confirmed that under the NSW Government Administrative Arrangement Order to which he referred in his correspondence, administration of the RFSA is now the joint responsibility of the Minister for Police and Emergency Services, the Hon. David Elliott MP and the Minister for Local Government.

The Minister of Police and Emergency Services, and his agencies, retain oversight of the overall framework and all enforcement matters, including funding support.

The Minister for Local Government, and therefore the Office of Local Government (OLG), will support the declaration of high risk areas and the provision of implementation support materials to councils. This will be administered within the existing programs of OLG.

Cootamundra Gundagai council visits – page 65

Mr HURST: We have been in discussions with Cootamundra Gundagai council about its budget; we are in discussions with a lot of councils about their budgets.

The Hon. PETER PRIMROSE: Are you providing that assistance to Cootamundra Gundagai council?

Mr HURST: I have already agreed to take on notice a list of our council visits to Cootamundra Gundagai council. I can endeavour to find out if financial performance came up as an issue at those meetings, if we have a record of that.

Answer

OLG has visited Cootamundra Gundagai Regional Council 11 times in the past 12 months. Conversations with councils are wide ranging and touch on many different topics. The financial performance of the council was not a specific topic of conversation with Cootamundra Gundagai Regional Council at these meetings.

KPMG reports – page 66

The Hon. PETER PRIMROSE: Another point that is mentioned in Ms Cooke's letter to the Minister was concerning the absence of the KPMG report. The letter says:

... I believe an individual review would help the Government, and myself as Member for Cootamundra, to demonstrate and substantiate this position.

Clearly it is a matter for the Minister to decide whether there is a review or not and I will not ask you for that advice. But let us get this clear because there was some concern this morning about the KPMG report: The KPMG report was used by Premier Baird to make his decisions, which many of us sought copies of. We—myself, Save Our Councils Coalition and others—went to NCAT. Is that report now publicly available?

Mr HURST: The Minister gave the answer this morning about the status of the release of the report.

The Hon. PETER PRIMROSE: Can you remind me what that is?

Mr HURST: I think the Minister said that it had been released as appropriate, I think she said.

The Hon. PETER PRIMROSE: That is not an answer to a question. Maybe Mr Betts then—

Mr BETTS: Is your question a factual question about what has been disclosed?

The Hon. PETER PRIMROSE: Yes.

Mr BETTS: So we can take that on notice and point you to the relevant documentation. As you say, it has been through NCAT.

Mr HURST: We did take it on notice.

Mr BETTS: We did?

Mr HURST: Yes.

Mr BETTS: Great. We will take it on notice again.

The Hon. PETER PRIMROSE: I would have thought you would have known.

Mr BETTS: Presumably, if it had gone through the NCAT process following a GIPAA request, then NCAT has applied the law rigorously and what is disclosed is disclosed and what is not is not.

Answer

See answer above.

