



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

## **BUDGET ESTIMATES 2021-2022 Supplementary Questions**

**Portfolio Committee No. 7 – Planning and Environment**

### **LOCAL GOVERNMENT**

Hearing: Tuesday 8 March 2022

**Answers due by: 4 April 2022**

**Budget Estimates secretariat**  
Phone 9230 2112  
[BudgetEstimates@parliament.nsw.gov.au](mailto:BudgetEstimates@parliament.nsw.gov.au)

## LOCAL GOVERNMENT

### Questions from the Hon Mark Buttigieg MLC *(on behalf of the Opposition)*

#### Disability Employment

1. How many employees who identify with having a disability are employed by the Office of Local Government?
  - (a) How many senior managers who identify with having a disability are employed by the Office of Local Government?

**Answer:**

I am advised:

One (1) senior executive band (SEB) role, equivalent to 25% of total SEBs. 1 Grade 11/12 role, equivalent to 14.3% of total Grade 11/12 roles.

- (b) Does the Office of Local Government have a quota in terms on employing staff who have or identify as having a disability?

**Answer:**

I am advised:

No.

2. What provisions/protocols are in place at the Office of Local Government to specifically assist staff who have or identify in having a disability?

**Answer:**

I am advised:

The Office of Local Government (OLG) operates under the Department of Planning & Environment's Diversity and Inclusion Workforce Strategy 2021-2025. In 2021, initiatives in support of disability inclusion included:

- Launch of the Department's AbilityAware campaign aimed to better educate staff on disability inclusion;
- Implementation of the Workplace Adjustment Policy and an online Workplace Adjustment Passport aimed to reduce adjustment costs and the time for adjustments to be actioned;
- Implementation of Program Elevate, a disability-targeted employment program, aimed at providing additional levels of support for both employees and managers during the recruitment process;
- Launch of disability awareness training through "KnowledgAbility", an educational program for staff focused on promoting disability awareness and understanding;
- National accreditation as a Disability Confident Recruiter;
- All recruiters have completed disability confident recruiter training;
- Roll out of Vision Australia training to employees who create content to develop their capability and skills around creating accessible content;
- AbilityAware Awards held to celebrate International Day of People with disability and the

achievements in the organisation;

- LinkedIn Alumni for employees with Disability to actively see roles targeted for People with disability; and,
- Establishment of Disability Employee Network (DEN).

3. How many employees who identify with having a disability are employed by:

(a) Albury City Council

**Answer:**

I am advised:

The Department of Planning & Environment is not responsible for collecting this data.

(b) Armidale Regional Council

As per (a) above.

(c) Ballina Shire Council

As per (a) above.

(d) Balranald Shire Council

As per (a) above.

(e) Bathurst Regional Council

As per (a) above.

(f) Bayside Council

As per (a) above.

(g) Bega Valley Shire Council

As per (a) above.

(h) Bellingen Shire Council

As per (a) above.

(i) Berrigan Shire Council

As per (a) above.

(j) Blacktown City Council

As per (a) above.

(k) Bland Shire Council

As per (a) above.

(l) Blayney Shire Council

As per (a) above.

(m) Blue Mountains City Council

As per (a) above.

(n) Bogan Shire Council

As per (a) above.

(o) Bourke Shire Council

As per (a) above.

(p) Brewarrina Shire Council

As per (a) above.

(q) Broken Hill City Council

As per (a) above.

(r) Burwood Council

As per (a) above.

(s) Byron Shire Council

As per (a) above.

(t) Cabonne Council

As per (a) above.

(u) Camden Council

As per (a) above.

(v) Campbelltown City Council

As per (a) above.

(w) City of Canada Bay Council

As per (a) above.

(x) Canterbury Bankstown Council

As per (a) above.

(y) Carrathool Shire Council

As per (a) above.

(z) Central Coast Council

As per (a) above.

(aa) Central Darling Shire Council

As per (a) above.

(bb) Cessnock City Council

As per (a) above

(cc) Clarence Valley Council

As per (a) above.

(dd) Cobar Shire Council

As per (a) above.

(ee) Coffs Harbour City Council

As per (a) above.

(ff) Coolamon Shire Council

As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

(vv) Greater Hume Shire Council

As per (a) above.

(ww) Griffith City Council

As per (a) above.

(xx) Gunnedah Shire Council

As per (a) above.

(yy) Gwydir Shire Council

As per (a) above.

(zz) Hawkesbury City Council

As per (a) above.

(aaa) Hay Shire Council

As per (a) above.

(bbb) Hilltops Council

As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

(vvv) Mid-Coast Council

As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

(zzz) Murray River Council

As per (a) above.



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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

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As per (a) above.

(qqqqq) Weddin Shire Council

As per (a) above.

(rrrrr) Wentworth Shire Council

As per (a) above.

(sssss) Willoughby City Council

As per (a) above.

(ttttt) Wingecarribee Shire Council

As per (a) above.

(uuuuu) Wollondilly Shire Council

As per (a) above.

(vvvvv) Wollongong City Council

As per (a) above.

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As per (a) above.

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As per (a) above.

### **Councils in administration**

5. What is the current financial state of Central Darling Shire?
- (a) Do you anticipate Central Darling Shire Council's administration period will end before the current 2024 deadline?

**Answer:**

I am advised:

The administration period will expire in September 2024.

The OLG will continue to engage with and support the Administrator throughout this time.

The OLG reviews Council's quarterly budget review statements as well as its Financial Statements when received.

Support and assistance is provided to Council to allow Council to appropriately support ratepayers and their communities.

- (b) Do you anticipate Central Darling Shire Council's administration period will be extended beyond the 2024 deadline?

**Answer:**

I am advised:

As per (a) above.

- (c) What work has the Office of Local Government done with those at Central Darling Shire's Council to help the council find its way out of administration?

**Answer:**

I am advised:

As per (a) above.

- (d) What is the Office of Local Government doing with those at Central Darling Shire Council in the next 12 months to help the council find its way out administration?

**Answer:**

I am advised:

As per (a) above.

- (e) What is the longest a council in NSW has been placed in administration by the Minister for Local Government?

**Answer:**

I am advised:

Central Darling Shire Council, which has been in administration since December 2013.

- (f) Have you visited Central Darling Shire local government area since being appointed Minister for Local Government?

- i. If not, when do you plan to visit the Central Darling Shire local government area?

**Answer:**

As the newly appointed Minister for Local Government, I intend to visit as many of the 128 councils across NSW as possible.

- (g) Have you personally spoken to anyone at Central Darling Shire Council since being appointed Minister for Local Government?

- i. If so, when was that and who did you speak to?

- ii. If not, when do you plan to?

**Answer:**

I have spoken to the Administrator and General Manager since being appointed Minister for Local Government.

6. What is the current financial state of Balranald Shire Council?

- (a) When do you anticipate the administration period of Balranald Shire will cease?

**Answer:**

I am advised:

The Administrator has been appointed until the Local Government elections in 2024.

- (b) Have you spoken to anyone at Balranald Shire Council since being appointed Minister for Local Government?

- i. If so, who and when?
- ii. If not, when do you plan to?

**Answer:**

I have spoken to the Administrator since being appointed Minister for Local Government.

7. Balranald Shire and Central Darling Shire are both located in the far west of the state. Has the Office of Local Government identified any particular reasons for the hardship experienced by councils in the far west?
  - (a) What is the Office of Local Government doing to specifically support councils in the far west?

**Answer:**

I am advised:

Far West Councils face unique challenges due to distance and isolation, and are able to access support through T-Corp.

8. Who are government appointed council administrators responsible to?

**Answer:**

I am advised:

Administrators are appointed by the Minister for Local Government.

- (a) What sanctions can be imposed on administrators who act improperly?

**Answer:**

I am advised:

Administrators, like Councillors, are bound by the relevant Council Code of Conduct. The range of sanctions that can apply to Councillors under Section 440I of the Local Government Act 1993 can also be applied to Administrators.

- (b) In July 2021, Central Coast Council sold land in Warnervale to developer Winarch for \$27 million. Recently Winarch sold 25 lots on that parcel of land for \$120 million. Is that transaction being investigated by the Office of Local Government, the Minister for Local Government or the ministerial staff?
  - i. If so, where is that investigation up to?
  - ii. If not, why not?

**Answer:**

I am advised:

The OLG does not comment on investigations.



## Mobile coverage

9. What responsibility does the Office of Local Government have in terms of approving applications for mobile phone towers made on behalf of councils?

**Answer:**

I am advised:

The OLG does not approve applications for mobile phone towers made on behalf of councils. The OLG is responsible for assessing applications made by councils seeking consent to grant a lease over community land for the purpose of a mobile phone tower under the *Local Government Act 1993*. The OLG will also make a recommendation to the Minister to either grant consent or not grant consent in respect of these applications.

- (a) What is the process for the Office of Local Government from the time the application is received to the time a determination is made?

**Answer:**

I am advised:

Once an application to grant a lease over community land is received by the OLG, it is allocated to an assessing officer for review. Officers seek additional information from the applicant if necessary. Once the assessment is completed, the OLG will provide the application to the Office of the Minister for Local Government with a recommendation to either give consent or refuse the application.

- (b) Is there any protocols in place to expedite the approvals process particularly in areas of known blackspots?

**Answer:**

I am advised:

All information provided as part of the application are considered as part of the assessment process, including site details relevant to the urgency of the application. Applicants are also able to contact the OLG at any time to contact assessing officers to provide further information relevant to their application.

- (c) Can the Office of Local Government provide a timeline for when the application for a mobile phone tower to cater for residents in the Ponds will be determined?

**Answer:**

I am advised:

This application has been approved.

- (d) How many applications for phone towers did the Office of Local Government receive so far in 21/22?

**Answer:**

I am advised:

No applications have been received by the OLG during this period.

- i. How many of those applications have been determined?

See answer (d) above.

- ii. How many of those applications were approved?

See answer (d) above.

- (e) How many applications for phone towers did the Office of Local Government receive in 20/21?

**Answer:**

I am advised:

Two.

- i. How many of those applications have been determined?

**Answer:**

I am advised:

Two.

- ii. How many of those applications were approved?

**Answer:**

I am advised:

Two.

## Code of Conduct

10. How many code of conduct complaints have been referred to the Office of Local Government so far in 2021/22?

**Answer:**

I am advised:

As at 24 March 2022, the OLG has received 209 code of conduct complaints since 1 July 2021.

- (a) How many of those complaints have been resolved?

**Answer:**

I am advised:

148 complaints have been finalised.

- (b) How many Office of Local Government staff members are tasked with investigating code of conduct complaints?

**Answer:**

I am advised:

Seven.

- (c) How many staff members were tasked with investigating code of conduct complaints in 2018/19?

**Answer:**

I am advised:

Seven.

- (d) How many staff members were tasked with investigating code of conduct complaints in 2015/16?

**Answer:**

I am advised:

Seven.

## LOCAL GOVERNMENT

### Questions from Ms Abigail Boyd MLC

Council pounds and animal shelters

11. The NSW OLG oversees and manages the Companion Animals Fund (CAF) which is made up from registration fees collected from the NSW public.

(a) How much money was collected during the 2020/21 period and the amount re-distributed to NSW councils?

**Answer:**

I am advised:

\$10.24 million collected with \$8.19 million redistributed to NSW Councils.

(b) How much of the fund has been used by local government councils to pay ways for rangers rather than into the direct care of impounded animals or community support and services from 1 January 2018 to 31 December 2021?

**Answer:**

I am advised:

The Department of Planning & Environment is not responsible for collecting this data. This information would need to be sought from each NSW local council.

12. During the March 2021 budget estimate hearings, I raised particular questions with the former Minister for Local Government about NSW OLG funding to RSPCA NSW. In written responses provided, it was confirmed that the Minister for Local Government announced \$10.5 million for RSPCA shelters at Yagoona and throughout regional NSW for capital works. A breakdown of the facilities and works that received funding through a recent funding round was also provided.

(a) Given your ministerial role which applies to council pounds but not shelters run by RSPCA NSW, can you confirm that RSPCA NSW was granted NSW OLG funding rather than that funding going towards NSW council pounds?

**Answer:**

I am advised:

The funding to the RSPCA was provided by Treasury and is separate to funding provided by the OLG to councils through the Companion Animal Fund.

- (b) Are you also aware that some of this money did not go towards animals including:
- i. \$685,00 consisting of project coordination and management/engineering and consulting, state wide travel and motor vehicles, and IT project support,
  - ii. \$100,000 for a DPI puppy taskforce building, and
  - iii. \$20,000 for compliance works for the Tweed region, even though as I understand it RSPCA NSW have no public or community services in the Tweed region apart from an Op Shop used for their own fundraising purposes?

**Answer:**

I am advised:

As part of the funding agreement with the OLG, RSPCA has submitted a variation request to repurpose funds between projects. The OLG is currently in the process of reviewing this variation request to ensure the variations meet the criteria of the funding agreement.

13. I understand the former Young council had a large amount of money budgeted or allocated to construct a new council pound. The issue became quite public after a campaign run by a prominent animal activist generated considerable media attention and shamed council for its housing of impounded animals in a non-compliant facility, its high kill rate as well as the number of dogs contracting the deadly parvovirus disease whilst in the pound and either dying or needing to be euthanised.

- (a) Are you able to confirm the amount of money budgeted for the proposed new Young pound?

**Answer:**

I am advised:

This information would need to be sought from Hilltops Council.

- (b) Are you able to confirm the status of, or what became of the money budgeted for a new Young council pound?

**Answer:**

I am advised:

As per (a) above.

14. Current legislation does, I understand, require NSW councils to ensure public access to their council pounds to assist owners to locate and reclaim missing or lost animals, and to promote adoption by members of the public or rescue by rescue and rehoming organisations. Given your personal hands-on experience with Hilltops council, are you able to explain why neither the Boorowa, Harden or Young pounds are ever open to the public?

**Answer:**

I am advised:

The operation of pounds is a matter for individual councils.

15. The previous Minister for Local Government had committed to undertake discussions with the former Minister for Agriculture about the shooting of companion animals in council pounds.

(a) Are you aware of any progress with such discussions?

**Answer:**

I am advised:

This question should be referred to the Minister for Agriculture, the Hon. Dugald Saunders MP.

(b) Are you prepared to continue these discussions with the new Minister for Agriculture so we can finally outlaw the shooting of animals in council pounds?

**Answer:**

As per (a) above.

16. The previous Minister for Local Government indicated she was not aware of the level of non-compliance with NSW council pounds.

(a) Are you aware or how will you make yourself aware through the independent auditing which is clearly urgently needed?

**Answer:**

I am advised:

This question should be referred to the Minister for Agriculture, the Hon. Dugald Saunders MP.

17. Minister are you familiar with the 15-step plan devised by Animal Liberation regarding urgently needed reforms for NSW noncompliant council pounds?

- (a) Would you personally be prepared to hold discussions about these 15-steps and the Animal Liberation proposed reforms?

**Answer:**

I am advised:

Feedback from all relevant stakeholders will be considered.

18. Minister are you able to advise us how many animals impounded in council facilities have died or required urgent evacuation during the recent flooding events across NSW?

- (a) How many NSW councils have emergency plans in place for such situations (fires/floods) to protect impounded animals?

**Answer:**

I am advised:

The OLG is not aware of any animals in pounds perishing during the floods. The OLG is engaging with affected councils to ensure minimal disruption to the operation of animal pounds in flood-affected areas.