

# PORTFOLIO COMMITTEE NO. 4 - CUSTOMER SERVICE AND NATURAL RESOURCES

Tuesday 30 August 2022

Examination of proposed expenditure for the portfolio area

## CUSTOMER SERVICE AND DIGITAL GOVERNMENT

**CORRECTED**

**The Committee met at 09:30.**

### MEMBERS

The Hon. Mark Banasiak (Chair)  
Ms Abigail Boyd  
The Hon. John Graham  
The Hon. Emma Hurst (Deputy Chair)  
The Hon. Daniel Mookhey  
The Hon. Peter Poulos  
The Hon. Peter Primrose  
The Hon. Mick Veitch

### MEMBERS VIA VIDEOCONFERENCE

The Hon. Scott Barrett

### PRESENT

**The Hon. Victor Dominello**, *Minister for Customer Service and Digital Government, Minister for Small Business, and Minister for Fair Trading*

\* Please note:

[inaudible] is used when audio words cannot be deciphered.

[audio malfunction] is used when words are lost due to a technical malfunction.

[disorder] is used when members or witnesses speak over one another.



## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

**Corrections should be marked on a photocopy of the proof and forwarded to:**

**Budget Estimates secretariat  
Room 823  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**



**The CHAIR:** Welcome to the initial public hearing for the inquiry into budget estimates 2022-23. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay respect to Elders past, present and emerging, and celebrate the diversity of Aboriginal people and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today. I welcome Minister Victor Dominello and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolio of Customer Service and Digital Government.

Before we commence, I make some brief comments about the procedures for today's hearing. Today's hearing is being broadcast live via the Parliament's website. Proceedings are also being recorded and a transcript will be placed on the Committee's website once it becomes available. In accordance with the broadcasting guidelines, media representatives are reminded that they must take responsibility for what they publish about the Committee's proceedings. All witnesses in budget estimates have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018.

There may be some questions that a witness could only answer if they had more time or certain documents to hand. In these circumstances, witnesses are advised they can take the question on notice and provide an answer within 21 days. If witnesses wish to hand up documents, they should do so through the Committee staff. Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers seated at the table behind you. Finally, could everyone please turn their mobile phones to silent for the duration of the hearing. All witnesses will be sworn prior to giving evidence. Minister Dominello, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament.

**Ms EMMA HOGAN**, Secretary, Department of Customer Service, affirmed and examined

**Mr ADAM DENT**, Chief Executive Officer, State Insurance Regulatory Authority, Department of Customer Service, affirmed and examined

**Mr GREG WELLS**, Deputy Secretary, Digital.NSW, Department of Customer Service, sworn and examined

**Mr DAMON REES**, Chief Executive Officer, Service NSW, Department of Customer Service, affirmed and examined

**Ms MANDY YOUNG**, Chief Operating Officer, Department of Customer Service, affirmed and examined

**Mr WILLIAM MURPHY**, Deputy Secretary, Delivery and Transformation, Department of Customer Service, sworn and examined

**Ms ELIZABETH TYDD**, NSW Information Commissioner, sworn and examined

**Ms LIZ LIVINGSTONE**, Chief Executive Officer, Independent Pricing and Regulatory Tribunal, sworn and examined

**The CHAIR:** Today's hearing will be conducted from 9.30 a.m. to 12.45 p.m. with a 15-minute break at 11.00 a.m. We are joined by the Minister in the morning, and in the afternoon we will hear from departmental witnesses from 2.00 p.m. to 5.15 p.m. with a 15-minute break at 3.30 p.m. During the sessions, there will be questions from Opposition and crossbench members only. If required, an additional 15 minutes is allocated at the end of the morning and afternoon sessions for Government questions. We thank everyone for their attendance today. We will begin with questions from the Opposition.

**The Hon. PETER PRIMROSE:** Good morning, Minister. I understand that the Digital Restart Fund was not topped up in the most recent budget. Is that the case?

**Mr VICTOR DOMINELLO:** Yes.

**The Hon. PETER PRIMROSE:** Yes, it was not topped up?

**Mr VICTOR DOMINELLO:** Yes.

**The Hon. PETER PRIMROSE:** Why?

**Mr VICTOR DOMINELLO:** Obviously I made a pitch to Treasury. I wanted it to be topped up. I am a big fan of all things digital. But Treasury reported back to us that we had challenges in relation to supply. We've got enough projects in the pipeline, but the challenge is, as you'd be aware, in the market there is just not enough supply in relation to talent coming through—you know, the coders, the engineers that we actually need to do the products. We've got a very strong pipeline of product for delivery and we focus on that and then I will make another bid next time.

**The Hon. PETER PRIMROSE:** So it is fair to say it's not regarded as a priority by the Government?

**Mr VICTOR DOMINELLO:** It is a priority. It is just a question of delivery, and that's the big challenge. Again—where was I yesterday?—we were having the same type of challenges in relation to finding people in the cyber industry or finding coders. Everybody is poaching off each other at the moment, and that's why the Prime Minister, to his credit, is holding this jobs summit. We have got a national challenge in relation to getting the right skills in the right places.

**The Hon. PETER PRIMROSE:** Can I ask you then, what sort of things won't you be able to do now you've been knocked back?

**Mr VICTOR DOMINELLO:** We've got a pipeline of delivery that will continue for a number of years, but Treasury has asked us to put our bid in further, which we will do. But they said to us that it was the main—

**The Hon. PETER PRIMROSE:** But there must be some things that you will now not be able to do?

**Mr VICTOR DOMINELLO:** Everything on our agenda for the Digital Restart Fund is in the pipeline but, beyond that, that's going to be obviously—because I'm not going to be here—for somebody else to carry forward.

**The Hon. PETER PRIMROSE:** So basically you're saying that you've got enough money, you put a bid in but there was nothing in there that was really important?

**Mr VICTOR DOMINELLO:** No, I'm not saying that. I asked for more money—I always ask for more money—but Treasury argued that there were supply constraints in relation to skills and, for that reason, pause it for a year so that we could catch up.

**The Hon. PETER PRIMROSE:** Three years?

**Mr VICTOR DOMINELLO:** No, my understanding was it was one year. If it was me in that role, which it won't be, I would be knocking on the door.

**The Hon. JOHN GRAHAM:** Welcome, Minister. Were you disappointed that this fund wasn't topped up given Treasurer Kean spent \$42 billion in new spending initiatives? Were you disappointed this wasn't one?

**Mr VICTOR DOMINELLO:** Again, I advocated for it, but every Minister goes up to Treasury advocating for things. I think the default is to expect to be disappointed when you go up to Treasury. That's my experience for 10 years. It's a sunny day when you get the money you want.

**The Hon. JOHN GRAHAM:** I might turn to an issue we've talked about before: eConveyancing. You've previously spoken—

**Mr VICTOR DOMINELLO:** But can I say, we have been very well endowed with the Digital Restart Fund at \$2.1 billion—the largest in the country. And a lot of money is going to—as you would be aware—digital products. I have been blessed over the years, so one disappointment over many years is okay with me.

**The Hon. JOHN GRAHAM:** But not a share of the \$42 billion.

**Mr VICTOR DOMINELLO:** That's a matter for Treasury.

**The Hon. JOHN GRAHAM:** Turning to eConveyancing, you've argued the case here and you've argued the case in the Chamber for nationally consistent legislation. Now industry says you're doing the opposite—you might legislate just for New South Wales. Why the 180-degree turn here? Why the reversal on the previous position?

**Mr VICTOR DOMINELLO:** It's a fair question. I have raised this with ARNECC and the other Ministers around the States and Territories. I indicated that we need to go alone on this one because we are so far advanced in relation to eConveyancing. We, by a country mile, are the most mature in terms of our ecosystem. Essentially the whole end-to-end is now digitised. Other States are catching up. So we need to go ahead to make sure that the penalties are in place for our jurisdiction because if we have to wait another year or two for the other States to catch up—

**The Hon. JOHN GRAHAM:** But you've argued so hard up until now to say, "We have to be nationally consistent." That was the argument up until now. What changed to make the position change—in fact, reverse?

**Mr VICTOR DOMINELLO:** No, it's still consistent. We are going to be consistent with the national—we are going to be the first lead on it. But then ARNECC—but there are already discussions—

**The Hon. JOHN GRAHAM:** But then there is no guarantee the other States will end up in the same position, is there?

**Mr VICTOR DOMINELLO:** I am very confident we will end up in the same position. All the States and Territories are aligned in relation to this competition position. Remember, it wasn't just us; it was the ACCC that backed in competition, it was the Law Council of Australia that backed in competition, the Law Society of New South Wales backed in competition and the Australian Banking Association backed in competition. All the States and Territories came on board; it's not just us. But in order to have competition, you've got to have enforcement. If the enforcement doesn't exist, then competition won't exist, and then everything is defeated.

**The Hon. JOHN GRAHAM:** Minister, you've made this point before. We might come back to this issue later in the questioning. I want to turn to an issue—we are almost doing your greatest hits here—where you've done the opposite of what you've just advocated for. You've created a monopoly in the \$4.5 billion parking market. I want to turn to the Park'nPay app again. We've covered it here before. I might just ask if we can give the Minister the documents.

**Mr VICTOR DOMINELLO:** It's a great segue, by the way, because in both cases I'm advocating for the public interest over vested interests.

**The Hon. JOHN GRAHAM:** I just want to run through some of the details around the Park'nPay scheme. That first document there is the contract award notice for the—

**Mr VICTOR DOMINELLO:** There's one that's been tabbed. Are they both the same?

**The Hon. JOHN GRAHAM:** Yes, you will find they're both the same. I would use the tabbed version, Minister, that will be easier for you. I will just take you through that one. That will be more straightforward for you.

**Mr VICTOR DOMINELLO:** Okay, thank you for that.

**The Hon. JOHN GRAHAM:** I just want to take you through some of the elements of the scheme. This is the tender for The Rocks parking meters, which you can see was published on 29 October 2018. It was a contract duration from 2018 to 2024. Do you agree with that?

**Mr VICTOR DOMINELLO:** That's what the document says.

**The Hon. JOHN GRAHAM:** Yes, and it's worth \$1.131 million. Do you agree?

**Mr VICTOR DOMINELLO:** That's what the document says.

**The Hon. JOHN GRAHAM:** And it was a limited tender? That's your recollection—well, that's what the document says.

**Mr VICTOR DOMINELLO:** That's what it says.

**The Hon. JOHN GRAHAM:** Can you recall why it was a limited tender?

**Mr VICTOR DOMINELLO:** I would have to refer this. I don't get involved in procurement. I would have to refer to Greg Wells.

**The Hon. JOHN GRAHAM:** Yes, great. I might take you to document three.

**Mr VICTOR DOMINELLO:** Do you want Mr Wells to answer that?

**The Hon. JOHN GRAHAM:** We can come back to that. I don't think it's particularly contentious, Minister. This is a document from Duncan Solutions, who supplied the meters and the Park'nPay app. You can see there that's an email to your office from Duncan Solutions. Do you agree with that?

**Mr VICTOR DOMINELLO:** Yes.

**The Hon. JOHN GRAHAM:** It is on 7 February 2019. It is addressed, "Dear Victor et al"—

**Mr VICTOR DOMINELLO:** And others.

**The Hon. JOHN GRAHAM:** Yes, and it talks—you can see that highlighted line there. It is sent in to arrange a time next week "to progress a plan for this project (scope, timelines and budget)." It's from Duncan Solutions.

**Mr VICTOR DOMINELLO:** Yes.

**The Hon. JOHN GRAHAM:** This meeting occurred on 7 February 2019. Who was at the meeting to your recollection?

**Mr VICTOR DOMINELLO:** It is over 3½ years ago. I can't recall.

**The Hon. JOHN GRAHAM:** You don't recall the meeting?

**Mr VICTOR DOMINELLO:** It was over 3½ years ago.

**The Hon. JOHN GRAHAM:** You just don't recall meeting, then?

**Mr VICTOR DOMINELLO:** I have a vague recollection.

**The Hon. JOHN GRAHAM:** You vaguely recall meeting them on 7 February 2019 with your office, but you can't recall who was there?

**Mr VICTOR DOMINELLO:** A lot's happened in 3½ years.

**The Hon. JOHN GRAHAM:** I agree with that. So no recollections at all of this meeting—

**Mr VICTOR DOMINELLO:** It was a vague recollection. This was pre-pandemic. The world's changed in my mind.

**The Hon. JOHN GRAHAM:** Yes, pre-pandemic. In fact, really, weeks before the State election in 2019.

**Mr VICTOR DOMINELLO:** Yes.



**The Hon. JOHN GRAHAM:** Do you recall at all agreeing to progress a plan for this project including the scope, time lines and budget in that meeting?

**Mr VICTOR DOMINELLO:** Vaguely, yes.

**The Hon. JOHN GRAHAM:** You vaguely recall agreeing to that?

**Mr VICTOR DOMINELLO:** I vaguely recall the meeting. As to the content, I don't have a recollection.

**The Hon. JOHN GRAHAM:** Great. I might take to you document four. This is a deed of confidentiality, which was signed by Duncan Solutions with Customer Services.

**Mr VICTOR DOMINELLO:** Yes. Customer Service.

**The Hon. JOHN GRAHAM:** Yes, correct—over the page then at document five just that extra tab. This is a quote which was provided for the Park'nPay project. You can see there that it was provided on 27 May 2019—just in the top left-hand corner?

**Mr VICTOR DOMINELLO:** Yes, got that.

**The Hon. JOHN GRAHAM:** Were you aware of this quote when it was provided or subsequently?

**Mr VICTOR DOMINELLO:** Probably not.

**The Hon. JOHN GRAHAM:** Probably not?

**Mr VICTOR DOMINELLO:** I don't get involved in procurement.

**The Hon. JOHN GRAHAM:** No. Was this quote received by your office or by the agency?

**Mr VICTOR DOMINELLO:** I assume by the agency. Again, I don't get involved in procurement.

**The Hon. JOHN GRAHAM:** Are you aware of any other quote which was received by your office or the agency?

**Mr VICTOR DOMINELLO:** No, I don't because I don't get involved in procurement.

**The Hon. JOHN GRAHAM:** As far as we are aware, that's the only quote that was ever received for the provision of this service.

**Mr VICTOR DOMINELLO:** Again, you would have to ask Mr Wells.

**The Hon. JOHN GRAHAM:** Yes, we can certainly turn to that. I might take you to this email. This is number six. This is an email, it appears, from Greg to your office. I think that's how I read that. I take it that's Greg Wells? Mr Wells, can you confirm that? I don't know if you've got that document there.

**GREG WELLS:** Exactly.

**The Hon. JOHN GRAHAM:** Minister, I might just take you through this. You can see there it says:

From my perspective:

- There was not a "Procurement Process", but a trial set up in a government owned location (The Rocks) + another council that opted in ...

Do you agree that's there?

**Mr VICTOR DOMINELLO:** That's what the wording says—what the document says—yes.

**The Hon. JOHN GRAHAM:** Yes. It talks about the current usage just down there:

- Current usage is 5910 downloads and 3387 transactions in the 2 councils

And further down:

The Rocks was selected as the trial location by the Minister's office ...

Do you agree that's what the email says?

**Mr VICTOR DOMINELLO:** Yes, I remember that.

**The Hon. JOHN GRAHAM:** Given you've said a number of times this morning you're not involved in procurement, why were you selecting the trial location?

**Mr VICTOR DOMINELLO:** That was on advice and recommendations that, I think from memory at the time, it is because The Rocks is the land that we actually own because we had the Sydney Harbour Foreshore

Authority. When you're doing pilots it's always good to have controlled environments so that you can eliminate risk.

**The Hon. JOHN GRAHAM:** Yes, so perhaps a public interest case about why this was the location—I can see where you're going there—but this doesn't say this was on advice. This says, in fact, the opposite. The trial site was selected by the Minister's office. Do you accept that it was your decision to select the trial location, not the advice of your agency?

**Mr VICTOR DOMINELLO:** I'll own the decision, but it would have been on advice and recommendations for sure. We don't operate in a vacuum.

**The Hon. JOHN GRAHAM:** Yes, but that's clearly not what this says. That's why I'm asking the question.

**Mr VICTOR DOMINELLO:** I own the decision. I'm not trying to distract from that but I'm just saying that, you know, we get on very well with our agency.

**The Hon. JOHN GRAHAM:** Sure, I'm pleased to hear.

**Mr VICTOR DOMINELLO:** So we would have discussions about what are the best—I accept that I would have owned that decision.

**The Hon. JOHN GRAHAM:** That's why you're now the Minister for Fair Trading. It makes sense.

**Mr VICTOR DOMINELLO:** Thank you so much.

**The Hon. JOHN GRAHAM:** When was this decision made regarding the trial location, to your recollection, by you or your office?

**Mr VICTOR DOMINELLO:** It would have been circa that document, I imagine.

**The Hon. JOHN GRAHAM:** Okay, thank you. Over the page on that same document, you can see further down the agency saying:

As we look to rollout to more councils across the state, we are intending to onboard additional parking vendors.

How many additional parking vendors have now been added?

**Mr VICTOR DOMINELLO:** I'd have to ask Mr Wells about that.

**GREG WELLS:** There are now 10 infrastructure providers that we work with as part of Park'nPay.

**The Hon. JOHN GRAHAM:** I'll come back to you on the detail of that shortly, possibly in the agency section. Minister, just over the page, this is the contract signed with Duncan Solutions to provide the technology for Park'nPay via direct negotiations. Why was this a direct negotiation?

**Mr VICTOR DOMINELLO:** Again, you would have to ask Mr Wells. I don't get involved in procurement.

**The Hon. JOHN GRAHAM:** Mr Wells, I might ask you that briefly.

**GREG WELLS:** Yes. As the Minister said, The Rocks was chosen because in that area the Government owned the parking meters so it was a good opportunity to trial the solution.

**The Hon. JOHN GRAHAM:** Who operated them?

**GREG WELLS:** The Government operated those parking meters in that place. Duncan was the vendor in that area.

**The Hon. JOHN GRAHAM:** Yes, correct.

**GREG WELLS:** We sole sourced Duncan through that process for a trial and, as we've talked about here before, probity have confirmed that was the proper process to do and we followed probity rules and had probity advice that was provided to you on notice.

**The Hon. JOHN GRAHAM:** Mr Wells, how much was this contract worth?

**GREG WELLS:** I'll try and find that for you.

**The Hon. JOHN GRAHAM:** Minister, this contract was signed on 16 July 2019 but not published until 26 November. Can you tell us why?

**Mr VICTOR DOMINELLO:** No, I don't get involved in procurement decisions. You're going to have to ask Mr Wells.

**GREG WELLS:** Can I just check? You said it was published on?

**The Hon. JOHN GRAHAM:** It was committed on 16 July 2019 but not published until 26 November. Why was that the case?

**GREG WELLS:** I'll have to take that on notice, but I think you have to publish contracts within 12 months so it was probably just in the process of getting it finalised and uploaded to the tender site, I would say, Mr Graham.

**The Hon. JOHN GRAHAM:** Yes, they're usually published—to the Government's credit, and I think Minister you've driven this approach in some ways—

**Mr VICTOR DOMINELLO:** I have been very public about this.

**The Hon. JOHN GRAHAM:** Yes, but this is quite unusual to have it published this late.

**Mr VICTOR DOMINELLO:** Again, that's out of my purview but it's not like I've been hiding it under a bushel. I remember the Telegraph did a summit on it.

**The Hon. JOHN GRAHAM:** Yes, that's fair. You're stating clearly here you were not the decision-maker, Minister, for this contract.

**Mr VICTOR DOMINELLO:** No.

**The Hon. JOHN GRAHAM:** Did you receive a brief for the information or approval in relation to this decision to employ Duncan Solutions?

**Mr VICTOR DOMINELLO:** I don't believe so. Again, procurement doesn't come to me and nor should it.

**The Hon. JOHN GRAHAM:** To your recollection, you didn't receive a brief for approval or for information?

**Mr VICTOR DOMINELLO:** No. For very good reasons, procurement decisions don't come to me.

**The Hon. JOHN GRAHAM:** Turning over the page to document 8, you can see here this is the department saying to Duncan Solutions, "We will expedite your application and will let you know of the"—

**Mr VICTOR DOMINELLO:** Which page are you on?

**The Hon. JOHN GRAHAM:** Document 8.

**Mr VICTOR DOMINELLO:** Page 15. Yes.

**The Hon. JOHN GRAHAM:** "We will expedite your application".

**Mr VICTOR DOMINELLO:** Sure.

**The Hon. JOHN GRAHAM:** Over the page, at 9, we have the agency here saying:

We do not perform any due diligence checks either financial or personnel at the time of the application.

It goes on to say:

These two documents will include details of their key personnel but we do not verify these details.

Do you agree with that?

**Mr VICTOR DOMINELLO:** That's what the document says.

**The Hon. JOHN GRAHAM:** Over the page at document 10, this is your ministerial office. It appears that you have met with Parking Australia—again, to your credit.

**Mr VICTOR DOMINELLO:** Yes.

**The Hon. JOHN GRAHAM:** It notes the concerns they have about Park'nPay—they see it as a direct competitor—and your office asking to review the tender process as a result.

**Mr VICTOR DOMINELLO:** Yes.

**The Hon. JOHN GRAHAM:** I will take you, then, to 13.

**Mr VICTOR DOMINELLO:** Page 20?

**The Hon. JOHN GRAHAM:** Yes. This is an agency official—I won't name them—talking to the probity adviser and saying this—that highlighted section:

Can you please urgently advise if this will mitigate the probity risks?

This is talking about certain additional steps that might be taken. What were the probity risks, Minister?

**Mr VICTOR DOMINELLO:** You would have to ask Mr Wells about that because I don't—

**The Hon. JOHN GRAHAM:** So you're unaware of probity risks to do with this?

**Mr VICTOR DOMINELLO:** I don't get involved in procurement decisions.

**The Hon. JOHN GRAHAM:** Mr Wells.

**GREG WELLS:** I think we were just looking to confirm that the sole source process undertaken was in accordance with probity rules, which we did.

**The Hon. JOHN GRAHAM:** That's not what it says. It says, "We seek urgent advice from the probity adviser of mitigating the probity risks." What were the probity risks?

**GREG WELLS:** I will have to just read the rest of this in context, if that's okay, and come back.

**The Hon. JOHN GRAHAM:** Sure, you do that. Minister, you can go on to see what it says here, "Seeking to clarify that the trial was based on the location which happened to have Duncan technology, at the moment reads more like we chose Duncan first, then determined the location." That was your agency's concern. Do you want to respond to that?

**Mr VICTOR DOMINELLO:** Again, all procurement decisions are made by the agency. My job is to set policy where there is a clear problem in the market. The clear problem is that if you're travelling between the city and Parramatta, you would have to probably download about 15 different apps because there are that many councils, that many commuter car parks and the like, and that just does not make sense. So we were trying to create government as a platform with this. Every time I've spoken about it publicly, whether it was the Telegraph summit that we had at the time or whether it's through social media or through general media, the overwhelming response from the public is this is a good thing. Even recently, we just put the disability sensors—

**The Hon. JOHN GRAHAM:** Minister, I'm handing at this point to the crossbench for questions.

**The Hon. EMMA HURST:** Good morning, Minister.

**Mr VICTOR DOMINELLO:** Good morning.

**The Hon. EMMA HURST:** At the last budget estimates we talked about the Pet Registry, and you advised, obviously, that the work there was still ongoing. Could you just give us a quick update on where the work for the register is up to?

**Mr VICTOR DOMINELLO:** Thanks, Ms Hurst. I'm excited by the Pet Registry because so many people in New South Wales have a loved one in their family. I can give you this update: The NSW Pet Registry is a pet management system for identification, transfer registration, payment and enforcement. Now, the Department of Customer Service—together with the Office of Local Government and Minister Tuckerman—we are working together to design a digital pet registry, services based on customer journeys, to enhance the overall customer experience for pet breeders, owners and veterinarians. Phase one of the project is underway and will continue to evolve as feedback is sought and procurement secured. The solution will utilise digital to drive animal welfare industry reform through pet identification, transfer of ownership, recording of vet services, payment and enforcement.

The new Pet Registry will improve the quality of pet ownership data to enhance data integrity and to better animal welfare outcomes. This will result in a digital solution and educational material for all users to receive consistent and easy-to-understand information and comply with their obligations. There will be increased adoption, and it will make it easier for people to do business in New South Wales for breeders and pet owners. The digital pet registry will reduce complaints and requests for assistance, and I know it is currently a large source of complaints, so we need to definitely improve it.

The new Pet Registry will impact more than three million pets in New South Wales, 1.56 million households and around 2,500 registered breeders. The pet industry includes a variety of stakeholders from breeders, owners, vets and rehoming organisations. New South Wales has 3,600 vet practices and 700 vet hospital

clinics. There are also hundreds of animal shelters, rehoming organisations and all councils and council pounds, and this is why inclusion and education are vital.

We understand the need for inclusion. We are working with breeders, vets, pets, owners and rescue groups. I know your particular passion in relation to rescue groups, and we definitely are making sure we work with them to ensure that they are included in the consultation period. I know, Ms Hurst, that this has been a bugbear for many, many years. The amount of times people complained to me about the current pet registry, it's just a disgrace. We need to do better, and, as we digitise this process, we will have something to show hopefully by the end of the year, and then in the next two years we will see a very quick evolution of the digital pet registry that will make it best in class in the country.

**The Hon. EMMA HURST:** You're sort of estimating about two years before it's fully functional?

**Mr VICTOR DOMINELLO:** Yes, it's always iterative. We will start with the pilots—by the end of the year, we will start with those with a small cohort. In the same way you saw with the Service app, we started very small but then we continued to build and, to this day, continue to build. I just see the Pet Registry having the whole ecosystem in place. We can do some really big things with the Pet Registry that we just can't do right now.

**The Hon. EMMA HURST:** My understanding is that the project was given \$2 million from the Digital Restart Fund. Is that correct?

**Mr VICTOR DOMINELLO:** The total allocation is 6.25 for the Pet Registry.

**The Hon. EMMA HURST:** It is 6.25. Will there need to be additional funding? I know you mentioned that we're at phase one and I understand, obviously, that we can build from a product, but at its launch do we have enough money for that with that 6.25 or will additional money be needed?

**Mr VICTOR DOMINELLO:** That's a good question. Greg can answer.

**GREG WELLS:** I can answer that, Minister. So 6.25 will get us to this beta launch. That will be sufficient to get us to launch, which, as the Minister said, is planned for December this year. We're supporting the Office of Local Government in building a subsequent scale business case for scaling up the solution next year. So, yes, we will get to launch.

**The Hon. EMMA HURST:** My understanding is that what's going to get launched at the end of this year will only be for breeders and pet owners; it won't include rescue groups and those sorts of things. How much more funding is going to be needed before we can add those sorts of essential elements to the Pet Registry as well?

**Mr VICTOR DOMINELLO:** That would be phase two. Mr Wells?

**GREG WELLS:** That will be dependent on this business case. We can come back as soon as we've completed or—we're supporting the Office of Local Government with that business case. The pilot this year, though, will include vets as well, but you're right—it won't include those groups. That would be in the next phase, which the business case will cover.

**The Hon. EMMA HURST:** Minister, do you know if there is additional funding that is being put aside for this phase two that will be needed, or any commitment for that phase two?

**GREG WELLS:** Not at this stage. That would go through the budget process.

**The Hon. EMMA HURST:** Do we have a time line, then, for that second phase if we don't have the budget? Would we then have to wait for next year's budget before that could even be considered?

**GREG WELLS:** The intent and what we have advised, again, the Office of Local Government, who are leading the process, to do is to get that business case built, which is happening at the moment. That will go through the budget process this year, whatever that budget process looks like. Again, we think the \$6.2 million from Digital Restart will see us to June next year, and then hopefully that business case can pick up scaling that investment from next year.

**The Hon. EMMA HURST:** Minister, recently you announced that you're retiring from politics, which we're very sad to hear. But can I ask, where do you hope to have the Pet Registry before you leave? What sort of position will we see it in? Will it be a workable piece before your departure?

**Mr VICTOR DOMINELLO:** I'd like to see the pilot well and truly underway. I'll have to check with Mr Wells in relation to the length of the pilot. I've seen through other digital products that we've rolled out. If the pilot is on solid foundation, then there's a rapid acceleration beyond that. So I just want to make sure we get the pilot right. Do you know how long the pilot is going to go for?

**GREG WELLS:** I think the pilot was about three to six months. Again, it's in that period. To build on what the Minister just talked about, the pilot will be built on solutions that are really fundamental to the Government now. It will have the same platform that we use for our licensing products. There will be a log on through Service NSW. Payments are all through really sustainable platforms that the Government has invested in over the past three years. So that gives it a good chance to pick up from there.

**Mr VICTOR DOMINELLO:** I can assure you, Ms Hurst, it's definitely on my top priority list of things to do, because it impacts on so many people in New South Wales.

**The Hon. EMMA HURST:** Absolutely. You did mention rescue groups and, as you know, a major issue that is facing rescue organisations at the moment is that when an animal comes into their care, to sign over the animal, it's a piece of paper, which they then have to hand deliver in to council. And then the councils have to go into the system, and councils are overworked. A lot of these rescue organisations are saying they've waited six months to have the animal handed over into their care, and then how do they move that animal into a forever home? What can you give them today? If I'm just looking at this phase one, if they're not being considered until phase two, which is at least six months away, and then there's no additional funding at this point in time for that, what can you tell them today to make them—

**Mr VICTOR DOMINELLO:** It's a fair point and you're right. It is a disgrace that in the twenty-first century we still have these paper processes in place that just delay things unnecessarily and cause distress to a whole range of people—and animals, in this case. What I can offer, Ms Hurst, is to speak directly to those organisations and maybe bring them in as part of a working group or task force to see how we can start preparing for phase two, because this is going to happen. It has to happen. Even if I'm not here, it has to happen, because it impacts on so many people and animals. And, as Mr Wells has just reminded me, one of the great things about this is it's on the Amanda platform, which is part of our e-regulation vision where regulators are now talking to each other. So the big vision around this is that at the moment you've got councils talking to SafeWork talking to Fair Trading talking to the Food Authority talking to the RSPCA—all the different regulators out there but they're all on different systems. But if they all come eventually onto the one system, then you streamline a lot of this noise that is just unnecessary.

**The Hon. EMMA HURST:** Absolutely. Earlier this year the New South Wales Government announced \$3.6 million to build a whole-of-life e-tracking system around the welfare of greyhounds registered in New South Wales. I'm wondering if you were aware of the funding for that particular program before it was announced?

**Mr VICTOR DOMINELLO:** No, I can't say I am.

**EMMA HOGAN:** It's probably with Minister Anderson.

**Mr VICTOR DOMINELLO:** That's right. Of course. Thank you.

**The Hon. EMMA HURST:** I understand it would fall under his portfolio. I'll come back to more questions about that in a moment.

**Mr VICTOR DOMINELLO:** I don't know. It didn't come out of the Digital Restart Fund.

**EMMA HOGAN:** What was the amount—\$3.6 million? I'll have a look.

**The CHAIR:** I might just pick up on questions from Mr Graham. To Mr Graham's question around the eConveyancing, you noted that the other States were too far behind in the process. When did that lightbulb moment occur for you?

**Mr VICTOR DOMINELLO:** Pretty much when we started the journey.

**The CHAIR:** When did you start the journey, then? I'm looking for specific dates or rough dates.

**Mr VICTOR DOMINELLO:** I can refer you back to the Intermedium reports. I think the first one that I can recall came back in about 2015 or 2016. It was an independent report that shows that New South Wales was digitally more advanced than anybody else. For example, when I go to these meetings and I talk about fully homomorphic encryption, the other States don't even know what I'm talking about. We're just so advanced in our digital journey here in New South Wales. It's good but it poses challenges because we need to wait for the other States to catch up.

**The CHAIR:** Clearly, you were aware that other States were very far behind—

**Mr VICTOR DOMINELLO:** In different degrees.

**The CHAIR:**—well before you brought your first bill in.

**Mr VICTOR DOMINELLO:** When you say the first bill—

**The CHAIR:** As in, the one that we just passed in May, or February.

**Mr VICTOR DOMINELLO:** That's national law. That was by agreement with the other States, because we're all on the same path.

**The CHAIR:** Yes. That's fine, but you were aware that there were problems with the other States.

**Mr VICTOR DOMINELLO:** I wouldn't say problems. There are different levels of maturity.

**The CHAIR:** That's a problem for national consistency, isn't it? If five out of the—

**Mr VICTOR DOMINELLO:** That's Federation for you in a sentence, isn't it?

**The CHAIR:** It is. I'm just trying to understand. You realised in 2015 or 2016 other States are very far behind. You bring in a bill this year and you argue that no changes can be made because all the other States have to then make those changes or it slows things down. But then you bring in this second bill that we'll be debating shortly that totally goes against that, on the premise that all the other States are that far behind.

**Mr VICTOR DOMINELLO:** Because we're the only State that essentially completed the journey, we are now at the enforcement phase, and if we wait for other States until we have a consistent enforcement regime, then we will essentially stultify competition. The whole purpose of this—and, again, there has been national agreement around this—is that we need competition in the ELNO network. That's what we all agree on.

**The CHAIR:** No-one's arguing that. I'm just trying to get to the—

**Mr VICTOR DOMINELLO:** But if we don't have an enforcement regime in place, then PEXA—in this case—can do what it likes and do as it pleases without any stick. And if that's the case, then by the time the other States come on board, PEXA would have been so far down the journey that essentially you will kill competition. So the only way for us to make sure—and I've been very public about this and very open. I've indicated to all the other States and Territories in the ARNECC group that we will go ahead. But we will align it as much as we can to make sure that it is ultimately a national product when it's finally rolled out. But we will be the first to market. There's no doubt about that.

**The CHAIR:** What are you basing your enforcement regime on? Has a national code been developed?

**Mr VICTOR DOMINELLO:** It's in the process, but we are already in the market, so we need enforcement now.

**The CHAIR:** When you say it's in process, can we have some more detail? How far down this process are they? Have you seen a draft?

**Mr VICTOR DOMINELLO:** No.

**The CHAIR:** Has anyone in your department or the Office of the Registrar General seen a draft? What are we basing this second bill on if we haven't even seen a draft national code?

**Mr VICTOR DOMINELLO:** I'll have to take that on notice. But then again, Mr Banasiak, I've been very open about this to all the other States and Territories, and we're all on the same page.

**The CHAIR:** My concern is that you said one thing to us in May, and other members of your Government in supporting your bill said one thing to us about how the second bill would be about improving safeguards.

**Mr VICTOR DOMINELLO:** Yes, which it is.

**The CHAIR:** And then that second bill is not about improving safeguards and reliability of the system; it's about enforcement.

**Mr VICTOR DOMINELLO:** No—

**The CHAIR:** I've got Taylor Martin's comments here. It seems he's been put in a precarious position where he's misled the House with his comments.

**Mr VICTOR DOMINELLO:** No—

**The CHAIR:** Because what he promised the second bill would be is not what the second bill is going to be.

**Mr VICTOR DOMINELLO:** I put in the second reading speech exactly what the second bill was going to be, and it's going to live up to that. Again, there's been complete transparency about this. Those that are advocating for PEXA—the vested interests of PEXA—have a line to play and I accept that. They're looking after

their shareholders and big corporate pay-outs. I'm looking after the public interest here of making sure that there is a competitive marketplace. And it's not just me—State and Territory Ministers right across the country, the ACCC. We're all on the same page—to look after the public interest. Because the long-term benefit of this is that we have competition, innovation and a downward pressure on prices. That's what happens when you have competition.

Now, if you were in PEXA's shoes, you'd try to delay this as much as humanly possible. Before we actually indicated that we were going to introduce the penalties regime—the enforcement bill, I'll call it, which also has other mechanisms in place that Mr Martin referred to—PEXA weren't even coming to the table or participating in discussions with stakeholders to try to get that competition. Now they are. Now that they've realised we're serious, they're coming back. That's why we have to proceed to protect the public interest on this, Mr Banasiak.

**The CHAIR:** The user readiness testing report that the Office of the Registrar General was supposed to produce—have you seen a copy of that? This is the one that was in addition to the national assessment.

**Mr VICTOR DOMINELLO:** I may have. I just don't recall.

**The CHAIR:** Do you want to take it on notice to see whether it's been received by you?

**Mr VICTOR DOMINELLO:** I'm happy to take it on notice.

**The CHAIR:** Industry stakeholders have actually asked for a copy from the Registrar General three times and have essentially been fobbed off. So if you do have a copy and you are able to table it to this Committee, that would be great.

**Mr VICTOR DOMINELLO:** I'm happy to take it on notice, yes.

**The CHAIR:** Thank you. I only have about a minute or so left. I might throw back to Mr Graham.

**Mr VICTOR DOMINELLO:** Do you want to talk about live music, Mr Graham?

**The Hon. JOHN GRAHAM:** There'll be time for that. You've been clear in public and you've been clear here today about the fact that you're hanging up the boots as a Minister.

**Mr VICTOR DOMINELLO:** Look, I'm saddened by it. It's not something I want to do but, for family and health reasons, I have to.

**The Hon. JOHN GRAHAM:** Yes, understood. I was just looking for this assurance: You are, it appears, serving through until the election as a Minister. That's your intention?

**Mr VICTOR DOMINELLO:** That's at the good grace of the Premier. That's his call. But hopefully, yes.

**The Hon. JOHN GRAHAM:** Yes, and that's the discussion you've had with the Premier?

**Mr VICTOR DOMINELLO:** Well, I won't reveal a discussion with the Premier. That's a matter for him.

**The Hon. JOHN GRAHAM:** Can you assure the public, though, that you'll be in the seat?

**Mr VICTOR DOMINELLO:** I can assure the public that I have a countdown on—

**The Hon. JOHN GRAHAM:** What does the countdown say? How many days have you got left in the job?

**Mr VICTOR DOMINELLO:** There are 207 days to go.

**The Hon. JOHN GRAHAM:** In the seat as Minister?

**Mr VICTOR DOMINELLO:** Yes. The reason I do that, Mr Graham—everybody in this room would appreciate it probably more than most—is that public life is such a rare privilege. I know very much that when I leave public life, it's very hard to influence the machine from the outside. So I've got 207 days to make a positive difference and I want to make every day count.

**The Hon. JOHN GRAHAM:** Thank you. Well, let's return to some of your greatest hits.

**Mr VICTOR DOMINELLO:** I knew you'd come back to live music.

**The Hon. JOHN GRAHAM:** I have a couple of quick questions for Mr Wells as we deal with those answers. Back to this contract issued to Duncan Solutions on 16 July, published much later—26 November that



year. You say you believe you might have 12 months, or one of you said you believe you might have 12 months. In fact, the legislation requires this to be published within 45 days. Are you aware of that requirement, Mr Wells?

**GREG WELLS:** I'll check that and come back, if that's okay.

**The Hon. JOHN GRAHAM:** Okay, thank you. You've referred to the 10 infrastructure providers. I was asking a slightly different question: How many parking vendors have since been added to the program?

**GREG WELLS:** Yes.

**The Hon. JOHN GRAHAM:** What's the answer to that question?

**GREG WELLS:** We currently work with three parking vendors. Again, I probably need to go back—I don't know if you want to do it now—to talk through how the solution works. There are now three parking vendors that provide information through the Park'nPay solution for us.

**The Hon. JOHN GRAHAM:** Thank you. We might come back to the detail. The value of the contract you were going to try to ascertain—

**GREG WELLS:** Yes, I'll check that for you with Duncan. I think it's \$1.26 million.

**The Hon. JOHN GRAHAM:** Yes. I was about to put to you that we believe it was about \$1.2 million, so I think we agree on that. Minister, turning back to you, are you aware that this contract—and I've put a copy of the contract in front of you—contains an IP-sharing clause where Duncan Solutions gets at least some of the benefit from IP for derivative materials that are developed?

**Mr VICTOR DOMINELLO:** No.

**The Hon. JOHN GRAHAM:** You weren't aware of that?

**Mr VICTOR DOMINELLO:** No.

**The Hon. JOHN GRAHAM:** Were you aware that one of the probity reports indicates that the perceived risk of impropriety of direct negotiations with Duncan cannot be offset?

**Mr VICTOR DOMINELLO:** If it's in there, yes. I accept that.

**The Hon. JOHN GRAHAM:** I'm asking, though, about your awareness. Were you aware?

**Mr VICTOR DOMINELLO:** I have a vague recollection in relation to that time. Again, it was 3½ years ago. As you saw in the emails, when the issue was raised by Parking Australia I referred it to the agency because I don't get involved in procurement. I referred it to the agency to say, "Look, are there problems here? Can you have a look at it and find a solution to it?"

**The Hon. JOHN GRAHAM:** I might just direct you back to that document there about a recent announcement—this is 13 August 2022, very recently—about the accessible parking linked to Park'nPay, a positive announcement.

**Mr VICTOR DOMINELLO:** Yes, I'm really proud of that.

**The Hon. JOHN GRAHAM:** Yes. A \$1.8 million investment—

**Mr VICTOR DOMINELLO:** Which page are you on?

**EMMA HOGAN:** Page 21, I think.

**Mr VICTOR DOMINELLO:** Thank you.

**EMMA HOGAN:** Is that right?

**The Hon. JOHN GRAHAM:** Yes, correct. A \$1.8 million investment—I take it this is State money going in to support a credible goal?

**Mr VICTOR DOMINELLO:** Yes, that was out of the Digital Restart Fund.

**The Hon. JOHN GRAHAM:** Yes, so you're confirming this is State money. A creditable goal, but do you accept this also is of benefit to the Park'nPay app? It's also designed to make that app more attractive?

**Mr VICTOR DOMINELLO:** The primary focus of this is to—it's an inclusion piece to help people with challenges around disabilities to have better parking solutions. That's why Serena Ovens—I think she's from the disability council—supported it.

**The Hon. JOHN GRAHAM:** Yes. But, Minister, can you start to see the issue here that's created in the public mind? This company has a limited tender for meters at The Rocks. There appears to just be a single quote for this app put in; it's worth \$1.2 million. We know from some of the previous discussions that when councils sign up, there's also additional money flowing to Duncan Solutions where they use them for the back end, for transactions.

**Mr VICTOR DOMINELLO:** Yes.

**The Hon. JOHN GRAHAM:** We know your Minister's office was encouraging councils to sign up. We've previously discussed that.

**Mr VICTOR DOMINELLO:** Definitely. I publicly accept that. I do it as well.

**The Hon. JOHN GRAHAM:** You say it's for a public interest. I accept that.

**Mr VICTOR DOMINELLO:** Absolutely, yes.

**The Hon. JOHN GRAHAM:** But it's of benefit to Duncan Solutions, as well, as that maintenance and transaction money flows to them, I think you'd have to concede.

**Mr VICTOR DOMINELLO:** I can readily concede that there is a technology provider and, sure, that technology provider is going to have a benefit. But, again, I have nothing to do with the procurement of that technology provider, and nor should I. My job is to try to set policies in place to improve the customer journey, and having one app—Fuel Check is another classic example.

**The Hon. JOHN GRAHAM:** We won't move on to Fuel Check at this point. We've referred to this \$1.8 million investment here, again, propping up the app. Public benefit—I agree with that. Propping up the app—of private benefit here, as well.

**Mr VICTOR DOMINELLO:** Again, my job is to look after the public interest. The procurement decisions are made absolutely by agency.

**The Hon. JOHN GRAHAM:** I might refer you to this final document. This is your agency referring to reasons why they wish to not provide papers on the time line that the Parliament was requesting. You can see that highlighted line, which says:

The Project Team for the Park'nPay app includes approximately 100 people, including an executive team of 20.

Are there really 100 public servants supporting this app and helping develop this app that we've already paid a private company \$1.2 million to provide?

**Mr VICTOR DOMINELLO:** I'll refer that to Mr Wells.

**The Hon. JOHN GRAHAM:** Mr Wells?

**GREG WELLS:** I think when we received the Standing Order 52 request, which I think this document is referring to—

**The Hon. JOHN GRAHAM:** Correct.

**GREG WELLS:** I think what our legal representative is saying is that there are probably 100 people who may have had correspondence relating to it. There are definitely not 100 people working on it.

**The Hon. JOHN GRAHAM:** What the legal director of your department is saying is that the project team for the Park'nPay app includes approximately 100 people. Are there really 100 people propping up this privately funded app?

**GREG WELLS:** No is the answer.

**The Hon. JOHN GRAHAM:** How many are there?

**GREG WELLS:** Since inception, there's been 10 in total, but about three and they're not dedicated to work on this solution. As I said, Mr Graham, I think what the director of legal here is referring to is the project team that was looking at the standing order to seek these documents.

**The Hon. JOHN GRAHAM:** Well, that's not what the document says and I found the legal officials in Government to be reasonably precise, so that's why I asked the question. Minister, can you see—like there is a concern here about the public interest you're advocating for and the private interest here of this company being blurred. They are getting a benefit from these things—the shared IP, the additional assistance, the \$1.2 million we've paid them anyway, the public servants working on improving this Act.

**Mr VICTOR DOMINELLO:** But again, my knowledge or my understanding is that there are only about two or three at any given time that have been working on this.

**The Hon. JOHN GRAHAM:** But the lines are blurred here and they're blurred after this company met with you in the lead-up to the election on 7 February 2019. They emailed you personally that day and you selected the trial site, despite you saying that you're not involved. Can you understand why the lines are getting blurred here and we want some clarity?

**Mr VICTOR DOMINELLO:** Again, Mr Graham, my job is to look after and promote the public interest. I don't get involved in procurement decisions and I just—again, when I look at what we are—the benefits that we are driving through Park'nPay, it is where we need to be and I don't apologise for it. And every time I talk about it—

**The Hon. JOHN GRAHAM:** We've seen the second probity report for this. We've never seen the first.

**Mr VICTOR DOMINELLO:** Well, again—

**The Hon. JOHN GRAHAM:** Will you release that probity report?

**Mr VICTOR DOMINELLO:** Well—

**The Hon. JOHN GRAHAM:** Minister, this is your decision. You can make the decision to release this probity report.

**Mr VICTOR DOMINELLO:** I'll just get some advice.

**The Hon. JOHN GRAHAM:** You can seek advice, but it's a question for you.

**Mr VICTOR DOMINELLO:** Yes. I will seek advice from Mr Wells.

**The Hon. JOHN GRAHAM:** Mr Wells, what is the advice you're about to publicly give the Minister?

**GREG WELLS:** So, we're in the process—this is for the accessible parking component. Is that what you referring to?

**The Hon. JOHN GRAHAM:** This is the original—the first probity report before the changes were requested.

**GREG WELLS:** I'll have to get the time line, Mr Graham. I'm happy to provide that on notice, if I'm able to do that.

**The Hon. JOHN GRAHAM:** Well, I am asking the Minister for a commitment that that report will be released, that probity report.

**Mr VICTOR DOMINELLO:** Again, I've got to get advice from the agency, so—

**The Hon. JOHN GRAHAM:** So, you're refusing to agree to release that today.

**Mr VICTOR DOMINELLO:** No. I'm saying I'll respond to your questions—

**The Hon. JOHN GRAHAM:** I've heard these sorts of answers before from other Ministers—not from you, usually.

**Mr VICTOR DOMINELLO:** Yeah.

**The Hon. JOHN GRAHAM:** Will you release this report, this probity report into this—

**Mr VICTOR DOMINELLO:** Yes. Subject to advice, yes.

**The Hon. JOHN GRAHAM:** Thank you, Minister.

**Mr VICTOR DOMINELLO:** It's just that I've got to get advice first. That's all.

**The Hon. MICK VEITCH:** Minister, as I understand it, the technology provider here, my phrase, clips the ticket through to the transactions with Park'nPay. How is that determined? Does the Government have a role in assisting in determining what that amount will be? Do we know what that—

**Mr VICTOR DOMINELLO:** I imagine that's subject to the terms of the contract.

**The Hon. MICK VEITCH:** But do we know up-front what that's—

**Mr VICTOR DOMINELLO:** Mr Wells might be able to answer.

**The Hon. MICK VEITCH:** Do we know, Mr Wells, up-front how much they're going to clip the ticket?

**GREG WELLS:** Yeah. I object to the fact that they're clipping the ticket. They provide a support mechanism for the solution.

**The Hon. MICK VEITCH:** This is my turn of phrase.

**GREG WELLS:** Yes. So, they provide a support mechanism for the services that we've engaged them for, that's correct. There is tiering of, you know, more use, more support, more cost; but, yeah, there's not a clip of the ticket on each parking transaction, for example.

**The Hon. MICK VEITCH:** And there is no transaction fee, or similar.

**GREG WELLS:** No.

**The Hon. MICK VEITCH:** So their payment would be a bulk number, or a bulk amount, sorry?

**GREG WELLS:** Yes. As we talked about before, they were engaged to build the solution with us because we chose—and, to be clear, we chose The Rocks first. That would have been part of the standing order as well. The Rocks was chosen to begin with. Duncan provided meters in The Rocks, so we had no choice but to sole-source the information from those metres in The Rocks, so we engaged Duncan to build a solution to start with and, as I've just said, they provide a support service for that solution. As that solution scales, there is potentially more support required so there are tiering of support costs based on that contract. I think that contract's been also provided as part of this standing order so I think the only components we've removed are parts that are commercial-in-confidence.

**The Hon. MICK VEITCH:** Was there a probity report on the sensors? Did we work through that with Mr Graham?

**GREG WELLS:** We're in the process of getting that together at the moment.

**The Hon. MICK VEITCH:** Okay. What about a probity report on the accessibility program?

**GREG WELLS:** They're the same probity—

**The Hon. MICK VEITCH:** The same thing? The same probity report?

**GREG WELLS:** That's correct, yes.

**Mr VICTOR DOMINELLO:** Because, I think from memory, we were rolling out 3,600 sensors right across the State.

**The Hon. MICK VEITCH:** Yeah. Who's doing the probity report? Which probity company are we using?

**GREG WELLS:** I'll come back to you today on that.

**The Hon. MICK VEITCH:** Is it O'Connor Marsden?

**GREG WELLS:** No, I don't think so. I'll come back today. I think it's a—

**The Hon. MICK VEITCH:** Okay. Thank you. I'm just trying to get my head around this. So Duncan makes no revenue out of each individual transaction?

**GREG WELLS:** It doesn't work like that. It's not each transaction. It's not each parking transaction. It's more about the solution that they provide. Again, I can explain how the solution works, if that's helpful, but—

**The Hon. MICK VEITCH:** We might actually explore this this afternoon in the session when we've got a bit more time, rather than have the Minister here while we do that.

**GREG WELLS:** Sure.

**The Hon. MICK VEITCH:** I just think it's probably a better use of the time of Mr Wells.

**Mr VICTOR DOMINELLO:** I am here for whatever you need.

**The Hon. MICK VEITCH:** I just want to go on, actually, to the strata hub, if I could, Minister.

**Mr VICTOR DOMINELLO:** Oh yeah.

**The Hon. MICK VEITCH:** In January 2022 there was a contract award notice publicly made around allaboutXpert Australia Pty Ltd picking up the contract for what it looks like is phase two of the strata hub. What lessons have you learned from phase one, Minister, which I believe went live on 1 July?

**Mr VICTOR DOMINELLO:** Yes, it did. I got a briefing on it. Look, I have to ask the agency in relation to what are the lessons they got. It's a good question. I just don't have it in front of me.

**The Hon. MICK VEITCH:** I guess what I'm after, the next question is: Phase two, what are the lessons we going to carry forward to assist in the development of that phase?

**Mr VICTOR DOMINELLO:** Yeah. They're all great questions. I just don't have the answer. There are just so many products across the board.

**The Hon. MICK VEITCH:** Yes.

**Mr VICTOR DOMINELLO:** But strata hub is a really good one and I can take that on notice: but fair questions.

**The Hon. MICK VEITCH:** Okay. Righto. So a few things about how we selected allaboutXpert Australia. Was it a closed tender, Minister?

**Mr VICTOR DOMINELLO:** I had nothing to do with that.

**The Hon. MICK VEITCH:** Direct negotiation?

**Mr VICTOR DOMINELLO:** I had nothing to do with it.

**The Hon. MICK VEITCH:** Yes. Would that be Mr Wells?

**Mr VICTOR DOMINELLO:** Again, I'm not trying to be difficult.

**The Hon. MICK VEITCH:** No, no.

**Mr VICTOR DOMINELLO:** I just don't have anything to do with procurement.

**The Hon. MICK VEITCH:** Yes. Again, would that be Mr Wells?

**GREG WELLS:** I'm not sure.

**EMMA HOGAN:** No, not on—

**Mr VICTOR DOMINELLO:** I think he's part of the next—

**EMMA HOGAN:** Not on the strata portal. We would normally have categorised that a bit more along the fair trading side, so I'll see what information I can get for you this afternoon.

**The Hon. MICK VEITCH:** That would be really good.

**Mr VICTOR DOMINELLO:** Otherwise, may be for next week.

**The Hon. MICK VEITCH:** I think I'm listed to be with you for next week so, you know, we could revisit this.

**Mr VICTOR DOMINELLO:** I'll have the relevant person because they are legitimate questions. They are good questions.

**The Hon. MICK VEITCH:** Okay. Righto. Actually, I might explore the rest of these next week, I think.

**Mr VICTOR DOMINELLO:** Right.

**The Hon. MICK VEITCH:** Yes, because these are about phase two that I wanted to go on to, which is a new thing.

**Mr VICTOR DOMINELLO:** Yeah. It's important. It's important work because it really does align with the work that David Chandler is doing as well, and David's going to be here next week too.

**The Hon. MICK VEITCH:** Yes.

**EMMA HOGAN:** Natasha Mann, our dep sec for Better Regulation's got the brief on it.

**The Hon. MICK VEITCH:** Yes. Okay. I think she is one of the ones we've asked to come. I think so. Thank you.

**The Hon. PETER PRIMROSE:** Minister, you mentioned probity reports a number of times in relation to Park'nPay. Is it usual practice by your agency to do probity reports after the fact when these projects have already been announced?

**Mr VICTOR DOMINELLO:** I would have to ask agency on that. Again, it only arose because we had that meeting, as evidenced by the documents with Parking Australia. They raised concerns and I raised those concerns. I forwarded those concerns to the agency.

**The Hon. PETER PRIMROSE:** So you don't know whether probity reports were done before you made the announcement?

**Mr VICTOR DOMINELLO:** Well, they are operational issues, but Mr Wells is here. He can answer that.

**The Hon. PETER PRIMROSE:** So it doesn't concern you that there may be issues of probity before you've made an announcement?

**Mr VICTOR DOMINELLO:** No. Look, probity should be dealt with before announcements are made, but in this case here, there was an issue raised. I referred it to the agency and they sought a report.

**The Hon. PETER PRIMROSE:** Okay. So I'll ask whoever is the appropriate officer: Is it standard practice to do the probity report after the Minister has made an announcement of a project?

**EMMA HOGAN:** Miss Young, do you want to answer that?

**MANDY YOUNG:** Sure. So through a procurement process you can do a probity report at any time; so it may be prior to going into it to give you advice on the best ways to deal with things; it might be through the process to consider whatever is coming up and what risks are in place then; or it may be following, if something is raised at a later date. So a probity adviser seeking a probity report can happen at any time through a procurement process.

**The Hon. PETER PRIMROSE:** And you have no concern about putting your Minister in a position where there may be questions about a project that he's already announced?

**MANDY YOUNG:** So if we weren't aware of the issues prior to going into that, then we wouldn't have had a reason to do the probity report on that particular issue. So when we become aware of the issue, then we'll seek the probity advice.

**The Hon. PETER PRIMROSE:** That may be a question we take up with future Ministers when they make announcements. Can I go on to looking at Service NSW centres? If I compare the allocated funds for 2021-22—a budget of \$6.1 million—to an estimated expenditure of allocated funds it seems there is about an underspend of \$1.5 million. Would you agree with that?

**EMMA HOGAN:** Thank would be for Mr Rees. Are you talking to the Minister or Mr Rees?

**The Hon. PETER PRIMROSE:** I'm talking to the Minister. He's the Minister.

**Mr VICTOR DOMINELLO:** Mr Rees?

**DAMON REES:** Mr Primrose, are you referring to the funds allocated for the opening of the 10 new service centres?

**The Hon. PETER PRIMROSE:** Yes.

**DAMON REES:** Yes, there has been some movement in the schedule of the delivery of those centres. We've brought some centres forward and we've had to move other centres back. The discrepancy in the figures you're seeing there will primarily be an issue of timing for the delivery of that overall envelope of new centres.

**The Hon. PETER PRIMROSE:** How many Service NSW centres were actually opened last financial year?

**DAMON REES:** We've opened six of the 10 last financial year, by my quick count.

**EMMA HOGAN:** Four.

**DAMON REES:** Is there a fourth, is there?

**EMMA HOGAN:** No, sorry, it's three.

**Mr VICTOR DOMINELLO:** Revesby, Engadine and Roselands.

**The Hon. PETER PRIMROSE:** How many have actually been delivered to date?

**DAMON REES:** Of the 10, six are open. We have four still at various stages of readiness.

**The Hon. PETER PRIMROSE:** When do you expect that those four will be open?

**DAMON REES:** We expect two to open early 2023. We expect one to open in the middle of 2023 and the final one to open late 2023.

**The Hon. PETER PRIMROSE:** Which will open in mid-2023?

**DAMON REES:** Glenmore Park. There's the redevelopment of the site taking place there. That work hasn't commenced, but for our best estimates we're looking around the middle of next year for that site.

**The Hon. PETER PRIMROSE:** You mentioned another one that wouldn't open until—the last one?

**DAMON REES:** I think the one that will come in latest next year is the Schofields-Tallowong site. We're looking at the end of that site—again, we're reliant on a new development and so we don't think that's going to become available to us until towards the end of next year.

**The Hon. PETER PRIMROSE:** Effectively, you expect to have eight open before the next election while the Minister's in the chair?

**Mr VICTOR DOMINELLO:** Yes, we should have eight open. But the commitment was that by the end of 2023 we'll have the 10, and we're on track for that.

**The Hon. PETER PRIMROSE:** I understand the commitment was for "in the term of the Government".

**Mr VICTOR DOMINELLO:** My understanding was by 2023. But Mr Rees has already indicated the delays, which were pretty much out of our control because of the local planning decisions with the council, but I have informed the local MPs. The other big challenge we had was around Randwick, Eastgardens and Coogee. Again, I've spoken to the local members in relation to the challenges around that and they've been very good about it as well, to their credit.

**The Hon. PETER PRIMROSE:** Just to clarify, looking at the 2021-22 and 2022-23 electorate budget reports for Service NSW centres, the centres appear in the 2021-22 budget electorate reports where the service centres are proposed to be built, but not this financial year's. Have the previously announced locations been changed?

**Mr VICTOR DOMINELLO:** To my understanding, the only location that's been changed is the one in relation to Coogee and Randwick. I've just explained that. I've spoken to the members for the electorates of both Coogee and Randwick about the challenges we've had in locating a site there and why it needs to move. I've had both the members in my office together with the relevant person at Service NSW. Again, to their credit, they understood the challenges that we face and they've been very good about it.

**The Hon. PETER PRIMROSE:** How long do I have, Chair?

**The CHAIR:** One minute.

**The Hon. PETER PRIMROSE:** I'll use my minute next time because I have a complicated question, rather than break it in the middle.

**The Hon. MICK VEITCH:** Can I just very quickly come back to a question to do with Duncan Solutions? I believe their contract expired on 5 July this year. Was it extended, rolled over or did it go out to another tender?

**GREG WELLS:** Again, the solution that we use Duncan for—again, we play no role in council procurement of meters or infrastructure—was extended.

**The Hon. MICK VEITCH:** It was extended?

**GREG WELLS:** Yes, for one year.

**The Hon. MICK VEITCH:** It didn't go to tender?

**GREG WELLS:** For one year. Yes, that's right.

**The Hon. MICK VEITCH:** It did go to tender?

**GREG WELLS:** No, it did not.

**The Hon. MICK VEITCH:** You rolled over the existing arrangements?

**GREG WELLS:** The original agreement had provision for that extension and we exercised a one-year option on that.

**The Hon. MICK VEITCH:** At the end of the next year does it roll over again, or is there a point where we actually look at this and go, "Hang on, there's an interest to the public. Are we getting value for money? Should we test it again?"

**GREG WELLS:** As we talked about last time, we've been through a process to determine our forward strategy for the solution. We have the option to roll that over again next year if we need to, or to look at other options. All of those things are on the table.

**Mr VICTOR DOMINELLO:** Mr Primrose, can I quickly clarify that Northmead has also moved to North Rocks in terms of the service centres but, again, the local member is supportive of that.

**The CHAIR:** Ms Hurst?

**The Hon. EMMA HURST:** Thank you. Earlier we were talking about the announcement of money towards an e-tracking system specifically for greyhounds. I understand, obviously, that has come from Minister Anderson's office, but I wondered whether as digital government Minister you've been involved in any way in the development of this tracking system, or if your team has been involved or consulted?

**Mr VICTOR DOMINELLO:** No, sorry, Ms Hurst, I haven't. I can get involved but I haven't.

**The Hon. EMMA HURST:** I'm just wondering how this system is going to interact with the pet register given that many greyhounds obviously then enter into the pet industry. I'm confused as to why Minister Anderson's office hasn't reached out to your office given that these two systems will have to interact.

**Mr VICTOR DOMINELLO:** It's a really good question. I will reach out to Minister Anderson following this and get more detail about that, because what you've make makes sense.

**The Hon. EMMA HURST:** Thank you. Do you have any awareness of why this greyhound industry project was given priority for funding over phase two of the NSW Pet Registry? We have got 6.25 for the Pet Registry and \$3.6 million for this industry, and it almost sounds like it's recreating the same system. It's like we've got two of the same system. Maybe Ms Hogan has some more information?

**EMMA HOGAN:** I don't, but I'll try to find some for you this afternoon because I'm not clear on whether the greyhound tracking project came out of a regular budget, whether it came out of anything to do with Restart or whether it's a subset of something else to do with racing in general. But I'll have a look in the break and I'll bring an answer back to you this afternoon.

**The Hon. EMMA HURST:** Thank you. Minister, you recently announced that there would be an alert system added to the Service NSW app in regards to fireworks for people with companion animals. Can you give us a bit of background on that and a time line on that project?

**Mr VICTOR DOMINELLO:** The background is that when fireworks go off, obviously it causes distress to a number of animals. All we need to do is make sure that people have information about when those fireworks are going off. Linda Scott reached out to me and indicated that there was already a place in SafeWork where you've got to notify in advance if you're going to let off fireworks. It's a simple data-matching exercise. Why wouldn't we just quickly say, "There's all the information in SafeWork. Why don't we bring it across to Service NSW so that if you want to be notified—for example, you have an animal that does get distressed—then you can get notified?" To be honest, it just made inherent sense to me. There's a range of things that we're trying to use through Service to get notifications on but we want to personalise notifications. I don't have a pet so I won't need that, but I might be asthmatic so I will want that. When it comes to air quality, I want to get notified about that. But I will pass to Mr Rees to expand on when the delivery will be.

**DAMON REES:** Unless Greg knows, I'll need to take the actual timing on notice. But just to build on the Minister's point, as we've been working through with customers we have found broader interest in this feature. Certainly one example is families with children that are often scared or distressed when fireworks are close. We see it as really valuable. Greg, unless you have the delivery date for that feature I'll take it on notice and revert.

**GREG WELLS:** It certainly is in the back line. I think it is early next year, Damon, but we will come back to you.

**The Hon. EMMA HURST:** Thank you, I appreciate that. Minister, given that you have talked about children being afraid of fireworks, asthmatics and companion animals, do you think there is a move towards more digital laser displays and away from fireworks in the future?

**Mr VICTOR DOMINELLO:** This is my personal preference. I love the laser displays and the drones; I have posted about that many times. I just think they are far more interactive and engaging, but that is really dependent on local councils. I was at a recent school fete that was run by local schools and they wanted the



fireworks, but in my world, yes, definitely move to lasers and drones. Having said that, drone technology is probably on par with regard to the cost, but I think that will rapidly come down.

**The Hon. EMMA HURST:** Very true. I want to talk about Smart Beaches and the Smart Beaches program that received \$1.6 million from the Digital Restart Fund.

**Mr VICTOR DOMINELLO:** Yes.

**The Hon. EMMA HURST:** Can you tell me a little bit about what that funding was used for?

**GREG WELLS:** If it is okay, we might come back on notice.

**The Hon. EMMA HURST:** Yes. I've got a few other questions around—

**Mr VICTOR DOMINELLO:** The Digital Restart Fund, yes.

**The Hon. EMMA HURST:** Yes. I understand that the program is being trialled in five councils. Is that correct? Do you know which ones?

**EMMA HOGAN:** It wouldn't be DCS's program, so I am not clear on that.

**The Hon. EMMA HURST:** Okay, you don't have that information.

**GREG WELLS:** It would be one of the Smart Places initiatives that the Smart Places group is running, so we will check exactly which councils, the scope of what that business case covered and we should be able to come back today.

**Mr VICTOR DOMINELLO:** It would have come out of the \$45 million allocated to Smart Places.

**The Hon. EMMA HURST:** Yes. Minister, do you know, if that program does get rolled out further, beyond the trial, whether that will coordinate in any way with the SharkSmart app?

**Mr VICTOR DOMINELLO:** It should, but I will get some more details. When we designed the Smart Places fund we made sure that we could pilot, but then scale up as well. Initially the funding is for the pilots, but then if the pilots are successful there would need to be a separate source of funding for that. But, yes, the takeaway from today is in relation to the greyhounds and the shark app; there's a lot of digital products happening across—

**The Hon. EMMA HURST:** Yes. I guess with the shark one, just to give a little bit of context, there is a massive shift away from using shark nets, which is great because obviously they're ineffective and they're very harmful to many animals, but in some of the other programs is the SharkSmart app, which is an element of beach safety I guess, so it would be great to have those two programs working together and interacting.

**Mr VICTOR DOMINELLO:** Yes, I'll definitely make some inquiries. I'll report back to you separately on this.

**The Hon. EMMA HURST:** Thank you, I really appreciate that. In May it was reported that you were also developing a patient app, Minister, that would allow members of the public to check emergency room waiting times, and it was reported that the first iteration of the app would be released by midyear. Now that we're in August, can you give us an update on where that program is up to?

**Mr VICTOR DOMINELLO:** Yes, so I've received the first iteration of it. It's in very basic form, but hopefully in—we are now in August—September-October we should have the next version, which will have a bit more functionality, because at the moment it's just getting all the information together. It's basically like consolidation of all the critical information that you see in web pages and all over the place just into one place, but then we want more functionality around what you can do with it like we've done with Service NSW.

**The Hon. EMMA HURST:** Do you have any idea when the app will actually be up and running for people to be able to use?

**Mr VICTOR DOMINELLO:** Who's across that, Greg?

**GREG WELLS:** I think the beta is available for 3,000 people, Minister. We'll confirm this exactly.

**Mr VICTOR DOMINELLO:** Yes, it's the pilot.

**GREG WELLS:** The pilot is available for 3,000 people, either now or shortly, and then that will be scaled, as the Minister said, in September-October this year.

**The Hon. EMMA HURST:** Do you think that it will be fully running before the next election, or maybe we're not quite at that point yet?

**Mr VICTOR DOMINELLO:** When you say "fully"—

**The Hon. EMMA HURST:** I mean fully—

**Mr VICTOR DOMINELLO:** There is a lot that we want to put in this.

**The Hon. EMMA HURST:** Yes.

**Mr VICTOR DOMINELLO:** But will we have the public version, do you think, by the next election?

**GREG WELLS:** Yes, certainly the version I think that is Release 2, that we talked about for September-October, has a broader set of stakeholders that can use that, so, yes, it'll definitely be more broadly available before the election.

**Mr VICTOR DOMINELLO:** But, Ms Hurst, again it's going to be like you see with the Service app; there's going to be a lot of iterations. For example, we're in discussions with My Health Record, so that, if you want, you can access your My Health Record on the patient/health app. The potential for that is enormous. And we are digitising the Blue Book hopefully by the end of the year, and again that is something that you should be able to access through your health app, so it is just going to continue to evolve over time. I just want to get the first product to market as soon as we can so that people can see the utility and the potential.

**The Hon. EMMA HURST:** Yes, absolutely. Can I ask how much funding has been allocated to the patient app so far?

**GREG WELLS:** Can we come back with the exact figure?

**The Hon. EMMA HURST:** Yes, absolutely, and if you could also let me know, if there is a figure noted before we get to a final product, if there's additional funding required?

**GREG WELLS:** Yes.

**The Hon. EMMA HURST:** I'm also wondering, Minister, if this app will tell patients if there's actually a doctor in the emergency room. This was a major concern at one of the inquiries we ran in PC2 around rural and regional health and that some hospitals didn't have doctors on call and people were just going to the hospital and then being sent off to another larger hospital where there was a doctor available. Some of the feedback we got at that inquiry was that members of the community really wanted to be able to access that information before rushing to a hospital and finding out that there was no doctor there. Is that something that is being considered as part of this app, so that people in regional, rural and remote New South Wales can get access to that sort of information?

**Mr VICTOR DOMINELLO:** Well, I know the emergency wait times because they already exist in a web page somewhere else, and not many people know about that, so we're bringing that in, so that's a tick. We talk about parking. Again, we are trying to make parking easier for people, so that will be available—tick. In relation to doctors' availability, I'd have to check with Minister Hazzard, who's obviously got the primary responsibility around that. Our job here is to create that seamless digital interface that people can use and trust, but the primary source has to come from Health, so I'll have to check with him.

**The Hon. EMMA HURST:** Thank you. If you could let us know, that would be fantastic.

**Mr VICTOR DOMINELLO:** Yes.

**The Hon. EMMA HURST:** I think I only have—

**The CHAIR:** Thirty seconds.

**The Hon. EMMA HURST:** I will start the next one in the next round.

**DAMON REES:** Ms Hurst, if I could just confirm April 2023 for the firework notification in the Service NSW app.

**The Hon. EMMA HURST:** April 2023 for the fireworks, yes, thank you.

**The CHAIR:** I might just try to close the loop on the eConveyancing stuff. Before we finished you confirmed that safeguards were going to be in the second bill; it wasn't just about enforcement. Is that correct? So in the second bill you are going to address the concerns that were raised in the inquiry and raised through consultation?

**Mr VICTOR DOMINELLO:** Yes, I'll take that on notice. I'll take it on notice.

**The CHAIR:** You don't know what's in your own bill?

**Mr VICTOR DOMINELLO:** I haven't seen the final form of it yet, no.

**The CHAIR:** When you sent drafting instructions did you include safeguards?

**Mr VICTOR DOMINELLO:** I'll take it on notice. Again, there's just so much material across it, I've got to refresh my memory.

**The CHAIR:** Can you provide an explanation as to why the Registrar General, when they put forward their proposal paper for this enforcement regime on 8 July, didn't include any of the other safeguards that you're talking about will be in the bill?

**Mr VICTOR DOMINELLO:** No, I'd have to speak to the Registrar General about that.

**The CHAIR:** Okay. Did you know about the proposal paper that was sent out on 8 July? Did you see it?

**Mr VICTOR DOMINELLO:** I've seen so many documents over the 14 years—

**The CHAIR:** Just try to narrow it down to probably from 8 July onwards.

**Mr VICTOR DOMINELLO:** Yes. I don't have a specific recollection about it, no. But that is not to say I haven't seen it.

**The CHAIR:** Okay. I'm just trying to work out who advised who? Did you advise the Registrar General to put out that proposal paper and what should be in it, or did he or she tell you that they were going to do it and then send it out and then show you?

**Mr VICTOR DOMINELLO:** It would be the latter.

**The CHAIR:** The latter?

**Mr VICTOR DOMINELLO:** Yes, highly likely it would be the latter.

**The CHAIR:** But you can't recollect whether you saw that and whether that came before your drafting instructions?

**Mr VICTOR DOMINELLO:** No, I wish I did. I don't have a memory like a steel trap, no; there's just too much information going across my desk.

**The CHAIR:** You maybe need to upload your brain to the metaverse.

**Mr VICTOR DOMINELLO:** Yes. Musk is talking about—have you heard about Neuralink and Synchron and Brain-Computer interfaces?

**The CHAIR:** We might talk about that after—

**Mr VICTOR DOMINELLO:** Yes, we'll talk about it after, because that's where they are going. That's when you definitely would need fully homomorphic encryption to protect it. I'm glad you're asking these questions.

**The CHAIR:** This sounds like a wonderful cafe conversation, but not in here. Just to clarify, the proposal papers suggest, as you have outlined, the enforcement powers are a matter of urgency because we are doing everything electronically now. Victoria and South Australia are also doing most things electronically now.

**Mr VICTOR DOMINELLO:** They're not at the end of the journey, like we are.

**The CHAIR:** In your view how far behind are they?

**Mr VICTOR DOMINELLO:** From memory they are about six or 12 months behind—from memory.

**The CHAIR:** I think that closes that off for the moment. Minister, I go to the Beyond Digital Strategy. A really basic question: You've got three sets of horizons in each cluster. What do we mean when we say short term? What do we mean when we say medium term? Can you quantify that in a year or years bracket? You might need to look at Mr Wells, who is nodding his head like he's got something.

**Mr VICTOR DOMINELLO:** Mr Wells will be able to help me out on this, but I can say that fully homomorphic encryption will be probably in about five to 10, so the back end of this decade.

**The CHAIR:** Sorry, what was that, short term?

**Mr VICTOR DOMINELLO:** Back end of this decade.

**The CHAIR:** Is short term?

**Mr VICTOR DOMINELLO:** No, in relation to fully homomorphic encryption that would probably come into play—

**The CHAIR:** No, I'm not talking about your little pet project; I'm talking about just in general what does horizon one mean, what does horizon two mean and what does horizon three mean?

**Mr VICTOR DOMINELLO:** I have to defer to Mr Wells

**GREG WELLS:** Those plans were a first iteration from all clusters that informed the statewide prioritisation. It was a first pass. It would be fair to say it's not standard across every cluster, but what we think about when we think about those horizons is probably one year—zero to one for short term, probably one to three for medium term, and beyond that for longer term. Those plans formed the basis for the prioritisation of all of the Digital Restart Fund process.

**The CHAIR:** What input did you, Minister, have on what that looked like for other clusters, or did you solely deal with Customer Service? Or was there some interaction between, obviously, projects that would have some connection with the Service NSW app? I am looking at some of the other clusters. I am just wondering how much I can ask you about them?

**Mr VICTOR DOMINELLO:** Sorry, I'm just a bit confused in relation to the question. Are you asking about the Digital Restart Fund and my involvement in that?

**The CHAIR:** No. I'm asking about the strategy and what other clusters have put forward as goals or objectives.

**Mr VICTOR DOMINELLO:** As Mr Wells said, clusters—all agencies of government have to have an input in relation to the Digital Roadmap for New South Wales; it's not just us.

**The CHAIR:** During the recent flood inquiry it was put to us by the Commissioner of Resilience NSW that they were developing an app where people would come to the centre, they would tell somebody once, and then that would translate across all departments.

**Mr VICTOR DOMINELLO:** Yes.

**The CHAIR:** They said it was somewhere in the ether.

**Mr VICTOR DOMINELLO:** It's also Watt's approach to disaster.

**The CHAIR:** Yes. What involvement has Service NSW had in that, and what can you tell us with regard to where it is up to?

**Mr VICTOR DOMINELLO:** We have had an important role to play. I will let Mr Rees answer the detail. My understanding is it should be hopefully available in a prototype in the months ahead—in the very near months ahead. It is essential because it is such a terrible pain point. People go through disasters and they have to repeat their story over and over again. I refer to that as process trauma, and we need to solve that. The solution that we are building up will provide that central repository. That's not the hard part. The hard part is then getting all the other agencies to buy in and to share in that. It's just the sharing of that data.

**The CHAIR:** Who's the lead agency?

**Mr VICTOR DOMINELLO:** Mr Murphy and Mr Rees are working on that together.

**The CHAIR:** Where does that sit in the Beyond Digital Strategy? Because I could see no mention of it in Stronger Communities, which I thought is where it would be and I am looking to see where it would sit in this. You said within months we would see a prototype.

**Mr VICTOR DOMINELLO:** Again, I am hoping very, very soon.

**The CHAIR:** Where in this strategy does it sit?

**GREG WELLS:** Can I just answer the strategy component? Those plans from clusters were developed three years ago to inform the Digital Restart Fund backlog. This would have been a priority that has emerged since. We are in the process of updating those three-year plans currently as part of the next round of bidding for a sustainable restart fund. That will be one of the programs in that list, Mr Banasiak.

**The CHAIR:** You would agree it should be a priority?

**Mr VICTOR DOMINELLO:** Absolutely, without a doubt, yes.

**The CHAIR:** Going to some of the other items listed there, it says "modernise licensing and compliance". I have asked you this before: Does this mean we are going to see a digital firearms licence? We have got a licence for everything else electronically and the one thing that we don't have, and I know some of my constituents are calling for it, is being able to have that digital firearms licence in their digital wallet. I know,

obviously you need to deal with the Firearms Registry, and I feel your pain, but they use a critical part of your ecosystems to do their functions. I am wondering what the holdup is?

**EMMA HOGAN:** We have an e-regulation solution which we are bringing multiple licences onto the platform, which will see different licences then shared in the MyService app. Where the firearms one sits specifically, I don't know. I would have to take it on notice as to whether it is on the road map, and if so when it would be released. Currently, the primary licences we have been dealing with are more things like white card or tradie kinds of licences. Unless Mr Rees has got any additional information?

**The CHAIR:** They are already up, aren't they, the white card?

**EMMA HOGAN:** They're up. We've got lots of those in the pipeline. I'm just not sure where the firearms one is. I will find out for you after the break.

**DAMON REES:** It will ultimately be a question for New South Wales police.

**The CHAIR:** My colleague will probably be asking the same question. I noted it here. One of the other elements, which is not in your strategy but is in the Stronger Communities one, is to deal with the registry and it talks about a "continued development of a connected ecosystem". I'm assuming that means Service NSW as part of that connected ecosystem when it talks about the continued development and the contemporary insights platform? I'm just trying to understand all these buzz words that really mean nothing.

**EMMA HOGAN:** I don't have the context of exactly what you are looking at in the Beyond Digital Strategy. But, if it's talking to digital ecosystem, it will be about more systems and platforms talking to each other. If it's talking about customer insights, it would be talking about the work of the Data Analytics Centre and Mr Murphy's work around customer and behavioural insights that we do. That's an all-of-government service.

**The CHAIR:** One final question to wrap up: In previous estimates we have spoken about the delays in driver licence testing that were caused by COVID. I wonder if we can get an update on that and whether we have any projected modelling about these new, proposed changes where we have international drivers having to sit a test, how that is going to impact and whether we have done any calculations as to—

**Mr VICTOR DOMINELLO:** We have got a new centre at St Marys coming up in the next few months, but Mr Rees can give you the developments.

**The CHAIR:** First, possibly an update on where we are with those delays and churning through the backlog?

**Mr VICTOR DOMINELLO:** We've gone from 18 days to nine days. We have made inroads into that. Mr Rees?

**DAMON REES:** There's been very good progress. Our target for people to be able to access a driver test is 10 working days. We have now brought our average across the network down to that. There are a number of sites where we are still sitting above that where there is more work to do. Of our 103 sites where we do testing, there's still about nine that we are not happy with. The worst of those sits at 25 days. Most of them are in the teens, but we have got to bring that down. We have done a number of things to do that.

**The CHAIR:** On notice can you provide the ones that you aren't happy with that are above your expectation, or sitting above what you expect?

**DAMON REES:** We can. Those wait times can be quite dynamic, but they're the sites that we're focused on at the moment to do further work. We have brought on additional driver testers. Our driver testers have done Super Saturdays in a range of locations across the sites. All of that has helped. As the Minister flagged, we have a new driver testing hub opening in September in St Marys. We have a mobile driver testing service that goes online later this year as well. We have got most of the State back where we need to and we have worked through most of the pent-up demand from COVID.

We are working very closely with Transport on the overseas licensing changes that they are looking to make. We are still working through the detail with them and we need to land exactly what the details of their reform are going to be so that we can work out how best to operationalise that. Our approach will be to ensure that that additional demand doesn't impact our current performance around driver testing and people's ability to access driver tests. We are working through what is that demand shape going to look like, what is the extra capacity we need, and are there extra sites that we are going to need to bring online to logistically support that additional demand.

**The CHAIR:** That is my time. We are now close to 11 o'clock. We will break for 15 minutes and return at 11.15 a.m.

**(Short adjournment)**

**The CHAIR:** Welcome back after that short break. We will now throw it back to the Opposition for questions.

**The Hon. PETER PRIMROSE:** Thank you, Minister—just a few on workers compensation if I can, please. I am advised that McDougall's recommendation 34 stated that the Government should appoint "a suitable agency or body to conduct a review and reconciliation of the Workers Compensation Act 1987, Workplace Injury Management and Workers Compensation Act 1998 and State Insurance and Care Governance Act 2015 into a single consolidated piece of legislation" as well as respond to the gig economy. Can you tell us when that's likely to happen?

**Mr VICTOR DOMINELLO:** Have you got that, Mr Dent?

**ADAM DENT:** That work has actually commenced in terms of the preparatory work for that. That will obviously be a very long-term project. To rewrite legislation that complex won't be an easy task. We've already engaged with the Parliamentary Counsel's Office to get some guiding instructions on how we might approach it in the first instance. For example, the consolidation of the legislation has been flagged as not a particularly great idea and it's one where we might try to start again with a fresh bill. That work has already started. The team has been recruited to start the process of redrafting. Throughout the course of that initial work, we will determine what resources are needed and what approaches and, most importantly I think, what the stakeholder consultation strategy will need to be for something that complex.

**The Hon. MICK VEITCH:** Mr Dent, to follow on from that, the public service loves Gantt charts. What's the time frame for this? What does your Gantt chart look like?

**ADAM DENT:** The process at the moment is to develop the Gantt chart. We haven't actually fully mapped out the complexity of bringing those pieces of legislation in.

**The CHAIR:** Is there a Gantt chart for the Gantt chart?

**The Hon. MICK VEITCH:** Is there a Gantt chart for the Gantt chart, I suppose is what I'm asking?

**ADAM DENT:** I would hate to admit that, but yes. Essentially we are in the very preparatory phases now. Given the Government accepted that recommendation, we will prepare all of that work over the coming months.

**Mr VICTOR DOMINELLO:** But there has been progress. We have been on the journey now for about five years. We did establish the Personal Injury Commission, and that was bringing together those two statutory schemes. That was a massive amount of work. But the end goal is we should have all personal injury, I think. I remember speaking to Mr Shoebridge about it at the time. That's, I think, where we need to be, and we are on that journey.

**The Hon. PETER PRIMROSE:** Not being familiar with Gantt charts, I use ballpark figures.

**Mr VICTOR DOMINELLO:** They are probably more accurate.

**The Hon. PETER PRIMROSE:** Any ballpark?

**ADAM DENT:** I would ballpark to say it would be a good 12 months before we'd be in a position to bring a draft bill. I would even think that might be optimistic based on the advice I've been given internally at this stage. It will depend on the stakeholders, and I think you'd appreciate there are very substantially different views across the stakeholder groups that would need to be navigated.

**The Hon. PETER PRIMROSE:** So the Government has accepted that recommendation and work is taking place, and you would expect a draft bill in about 12 months?

**ADAM DENT:** No sooner than 12 months.

**The Hon. PETER PRIMROSE:** No sooner than 12 months, and no later than two years?

**ADAM DENT:** I am ever the optimist, Mr Primrose. I can't imagine my policy teams are sitting listening to this now hoping I will give any commitment at all but, given the complexity, and if we talk just about the two principal workers compensation Acts that Mr McDougall mentioned, there are also others—and to understand the gig economy. I don't expect it will be a simple process from a consultation point of view at all. I would like to think within two years. That would be a reasonable target.

**The Hon. PETER PRIMROSE:** Just continuing on with the outstanding McDougall recommendations, are you moving on changing the "whole person impairment" threshold test for medical treatment expenses?

**ADAM DENT:** We weren't able to reach a reasonable position with stakeholders on that in the original consultation around that so, in the absence of being able to deliver on that any sooner, it will be part of the overall rewrite. As with any of those benefits we uncovered, when you start to deal with one element of them, they link to another and it becomes quite untidy. If we can't in the short term reach a position on that that would allow us to bring a bill next year sometime, it will be part of the overall rewrite. But we will continue working with stakeholders in the hope that we can land that.

**The Hon. PETER PRIMROSE:** And that's in your Gantt chart somewhere?

**ADAM DENT:** Were there to be a Gantt chart, you would find it in that Gantt chart.

**The Hon. PETER PRIMROSE:** Or your precursor to the Gantt chart.

**ADAM DENT:** In the preparatory work we've done so far, we've ultimately identified there is a couple of tranches of work. We still want to focus on some of those key benefits issues that were raised by McDougall early. The SIRA board and I have discussed that our view would be, rather than to try to tackle everything holistically, there would be some merit in at least doing that work around benefits first. If that doesn't get us to a point where we can bring it as a bill in its own right, then it would just fold into the overall work. But we will attempt to tackle that first.

**The Hon. PETER PRIMROSE:** Can I ask you a question in relation to Professor Driscoll's work on "deemed diseases" for Safe Work Australia, Minister? I will read out the question that was given to me by a worker. They asked, "Why are you not following other States in adding the Driscoll report's deemed diseases to the New South Wales workers compensation system given this will not only help injured workers but also save the scheme money because it stops disputed claims in the workers compensation system?"

**Mr VICTOR DOMINELLO:** I am not across that report. Mr Dent, are you aware of it?

**ADAM DENT:** First of all, that legislation is actually with Minister Tudehope rather than with Minister Dominello and SIRA. Having said that, that work has been passed on to icare for them to develop the advice to the Minister for Finance. The Driscoll report was—SIRA was responsible for doing an actuarial assessment. That was done and passed on in November 2021.

**The Hon. MICK VEITCH:** Minister, I want to go back to the eConveyancing regime that has been put in place. My questions flow on from Mr Banasiak's line of questioning. Was ARNECC consulted on the proposed second bill? Have you consulted with them on the proposed—

**Mr VICTOR DOMINELLO:** Sorry, can you repeat that?

**The Hon. MICK VEITCH:** Have you consulted ARNECC on the proposed second bill?

**Mr VICTOR DOMINELLO:** I have definitely informed ARNECC of the proposed second bill, and the Office of the Registrar General no doubt would have been involved in deeper discussions around it.

**The Hon. MICK VEITCH:** Did they see the discussion paper?

**Mr VICTOR DOMINELLO:** I am not sure about that operational detail. I can take it on notice and report back next week.

**The Hon. MICK VEITCH:** Okay. Has DCS had discussions with representatives of the conveyancing industry and insurance industry about an insurance scheme for conveyancers, given the potential increased risk that they may be exposed to?

**Mr VICTOR DOMINELLO:** Sorry, Mr Veitch? Can you repeat that?

**The Hon. MICK VEITCH:** This is about some sort of insurance scheme for conveyancers going forward.

**Mr VICTOR DOMINELLO:** Yes. What about it?

**The Hon. MICK VEITCH:** Have you had discussions with representatives of the sector around what that might mean?

**Mr VICTOR DOMINELLO:** I haven't no, not me. The ORG, the Office of the Registrar General, may have. Again, if it is okay with you, I will ask the ORG to be here next week.

**The Hon. MICK VEITCH:** Yep. I go back to your statement around part of your role as the Minister is to ensure that the public interest is being protected.

**Mr VICTOR DOMINELLO:** Absolutely, yeah.

**The Hon. MICK VEITCH:** One of the concerns I see here is if conveyancers take out an insurance process, they add that cost and so then the consumers, the punters, then have to pick up the cost. So some sort of insurance product that covers them that is affordable is really critical.

**Mr VICTOR DOMINELLO:** That makes sense to me but, having said that, you would have thought conveyancers would have to have insurance anyway. They are dealing with, in most cases, the largest investment a person will ever make. I would have thought they would have some form of professional coverage.

**The Hon. MICK VEITCH:** Okay. I just want to talk about probity auditors as there's been a bit of discussion. I gather from your earlier comments, Minister, you probably don't get involved at that level—where the determination on each contract or—

**Mr VICTOR DOMINELLO:** I definitely don't get involved for good reason.

**The Hon. MICK VEITCH:** Yes. The role around determining probity advisers in the first instance—or probity auditors because they are two different things—how does that work within the agency? Is there like a taxi rank where the agency goes to and is first off the rank?

**Mr VICTOR DOMINELLO:** Yes, it is a good question. It is an operational question.

**MANDY YOUNG:** The first thing to say is that we have a responsibility to ensure high standards of probity are maintained through procurement. The responsibility derives from that fact that we are spending public money, as we know, and we need to be accountable and transparent. In some events it might be considered to use an external probity adviser to oversee a procurement process. However, it is the exception rather than the rule. Primarily we will use internal probity advice from our legal team to provide the advice around procurement needs and sometimes we will go externally if it is warranted. If the risks are quite specialist or, depending on the size of the contract or the nature of the contract or what's coming in, we might go and seek that external probity advice. That can be provided by a range of providers and those would be part of our broader government procurement panels.

**The Hon. MICK VEITCH:** Okay. I think this panel has been predetermined via an assessment process undertaken for government and then the respective agencies, including the Ministers, would then go that panel to select someone. Is that—

**MANDY YOUNG:** I'd have to come back to you but that's my understanding—that there is a range of consultants or external providers that can provide that advice and that's part of the way that they are accredited to provide support to government and that would be through that process. But I will come back to you on the exact process if that's helpful and which particular panels we might use.

**The Hon. MICK VEITCH:** Okay. I guess then for something like Park'nPay—I think earlier Mr Wells said it was OCM. Is that O'Connor Marsden?

**GREG WELLS:** That's the original probity adviser, yes.

**The Hon. MICK VEITCH:** As a matter of interest, how many does the department use—a range of different probity advisers and probity auditors or do you tend to use the same two or three? I say this because I think the field's small.

**MANDY YOUNG:** I think you're right. I think the field is small, but I think again that's the detail we can come back with you on; on who is available to do that work and who is accredited to do that work. We don't use external probity advisers that often because we have a really strong legal team that provides the advice internally and it would depend on the type of information we're seeking or the risk that we have and whether that risk can be managed or mitigated internally or whether we actually need to go externally to seek that advice.

**The Hon. MICK VEITCH:** Okay. Minister, I know you stay above the procurement process, but probity advisers essentially are to provide protection for the taxpayers of New South Wales and a process is being followed. That is essentially why governments of all persuasions use them or engage their services. Are you ever advised when there is a contract that a probity adviser has been appointed, or a probity auditor, at the end of the process?

**Mr VICTOR DOMINELLO:** In this case here, as I said, a concern was raised by Parking Australia and we referred that off to the agency and the agency then went through the process that they've just outlined. But, no, in day-to-day operations, no, I'm not informed.

**The Hon. MICK VEITCH:** You're never really informed then?

**Mr VICTOR DOMINELLO:** No. No, they're operational issues that the agency does, and should do.



**The Hon. MICK VEITCH:** Okay. I am just trying to get my head around this process.

**Mr VICTOR DOMINELLO:** I'm not saying I'm never informed. There are occasions. If an issue is becoming contentious then obviously the agency will report to me and say, "This is an issue. This is how we're dealing with it." But in the normal day-to-day workings of an agency the size that Ms Hogan has to deal with, no. I obviously wouldn't be informed.

**The Hon. MICK VEITCH:** To follow on from that, if an issue is raised and the probity adviser has picked up on something that's actually potentially high risk or not appropriate in the process, would the department flag that with you, Minister, to say, "This has been identified and this is how we're working through that"? I know you want to remain above that but if there's a circumstance, like as the Minister, I would suggest you would need to know when something is untoward?

**Mr VICTOR DOMINELLO:** Yes. If there is a concern, a material concern, that goes beyond the day-to-day operation of a matter, yes, of course it will come to my attention. But again, in the day-to-day operations, Ms Hogan has my complete confidence. Thank you. Is that mine?

**The Hon. MICK VEITCH:** A cup of real coffee. You'll note we went downstairs too.

**Mr VICTOR DOMINELLO:** You started it.

**The Hon. MICK VEITCH:** I start a lot of things, Minister, and sometimes I don't even know I've started them.

**Mr VICTOR DOMINELLO:** You started the fire.

**The Hon. MICK VEITCH:** The probity advisers—we go through that process and at the end a decision has been made. As part of the brief for the decision that's been made that comes to the Minister, does that include who the probity advisers, the probity auditors, are?

**Mr VICTOR DOMINELLO:** Ms Hogan?

**EMMA HOGAN:** It could, but it wouldn't be something specific that we would mention. We would be more likely to highlight particular risks or issues that we've dealt with and how we've dealt with them. Whether or not we'd used a specific probity company may or may not be mentioned. It wouldn't be something I would think specifically about. We genuinely do try to deal with all operational and probity matters and contract management internally within DCS. Obviously, we have a positive and productive working relationship with the Minister and his office. If there are specific things we need to mention we will, but it wouldn't necessarily be a requirement to share with him or the office which probity advice we'd used. We might talk about the advice we were getting specifically but, it's not sort of a standard operating procedure. To Mandy's point earlier, we don't actually use them all that often. It would be more common that we would get internal legal advice on probity matters.

**The Hon. MICK VEITCH:** How big is the legal team within the department, Minister?

**Mr VICTOR DOMINELLO:** I don't know.

**MANDY YOUNG:** I think we've got about 120 lawyers across the department more broadly.

**EMMA HOGAN:** I'll check with you on the numbers, and I'll come back to you.

**The Hon. MICK VEITCH:** Sure. Is it 120 FTEs or 120 individuals?

**MANDY YOUNG:** FTEs I believe but let me come back to you with the exact number. Just in terms of your note, the approved supplier scheme is scheme 0005 if you wanted to look that up.

**The Hon. MICK VEITCH:** Yeah, okay. Minister, does your cousin work for one of the probity teams in New South Wales? Do you know?

**Mr VICTOR DOMINELLO:** No. I don't know. I've got ancestry.com and the last time I checked I've got about 472 cousins.

**The Hon. MICK VEITCH:** Just so you know, I've got 42 uncles and aunts. I appreciate the breadth of—

**Mr VICTOR DOMINELLO:** Yes. So I've got a lot of cousins. The answer should be, I don't know because I've got so many cousins.

**The Hon. MICK VEITCH:** But there would be a process—

**Mr VICTOR DOMINELLO:** I'm happy to share them with you, if you want.

**The Hon. MICK VEITCH:** We may already do that. Minister, there would be a process within your office, though—if there was a potential conflict—how that's managed. I know you've said many times you keep this separate.

**Mr VICTOR DOMINELLO:** Absolutely.

**The Hon. MICK VEITCH:** But how does that work within your office?

**Mr VICTOR DOMINELLO:** In what sense?

**The Hon. MICK VEITCH:** To manage any potential conflicts like that.

**Mr VICTOR DOMINELLO:** I disclose my conflicts. I inform Ms Hogan of the conflicts, and then I will not get involved in any decision relating to that.

**The Hon. MICK VEITCH:** Ms Hogan, you record that somewhere so that it's filed?

**EMMA HOGAN:** Yes, we would. I'm not sure if you're referring to a matter that was raised last time where I think one of your colleagues referred to one of the Minister's cousins working in a legal firm or a probity advisory. He wasn't aware of that and he hadn't raised it as a conflict because he wasn't aware of that. And also the contracts that we were dealing with had nothing to do with the Minister; they were dealt with 100 per cent operationally. I can't remember exactly what the case was. It may have even been Park'nPay, but—

**The Hon. MICK VEITCH:** Thank you. Minister, one of the projects that was funded in the digital fund—I'm fascinated by this bit—

**Mr VICTOR DOMINELLO:** Digital Restart Fund?

**The Hon. MICK VEITCH:** —Digital Restart Fund is "smart kerbs", kerb sensor or something. Are you aware of this?

**EMMA HOGAN:** Smart sensors?

**Mr VICTOR DOMINELLO:** Smart sensors?

**The Hon. MICK VEITCH:** Yes. How does this work?

**Mr VICTOR DOMINELLO:** Are you talking about disability sensors?

**The Hon. MICK VEITCH:** Yes.

**Mr VICTOR DOMINELLO:** Basically, they are sensors that you put on the ground. If you go and have a look at them—they're in Bondi—they just look like a scratch, like a micro-pothole-type thing. They are about two millimetres, maybe three, below the surface. So you don't even know that they're there. They just detect whether a car is over that sensor or not in that disability space. Then that lights up on your Park'nPay app, which I am happy to show you now. It will show you whether that sensor is available or in use. In Bondi, for example, if we go there now, you can see all the sensors there.

**The Hon. MICK VEITCH:** This project—I'm not saying it's a bad project, just to make it very clear.

**Mr VICTOR DOMINELLO:** It's a great project.

**The Hon. MICK VEITCH:** I think it's a very good thing.

**Mr VICTOR DOMINELLO:** I don't know if you can see that, but you can see that red shows there's a car on that sensor.

**The Hon. MICK VEITCH:** On that spot.

**Mr VICTOR DOMINELLO:** So if you're in a wheelchair, don't bother going there.

**The Hon. MICK VEITCH:** Because it's already taken, yes.

**Mr VICTOR DOMINELLO:** Spot on.

**The Hon. MICK VEITCH:** Projects that are funded from the Digital Restart Fund, is there an annual report, like an acquittal on the funds? Is there a process?

**Mr VICTOR DOMINELLO:** Yes, there is. That went through IDLG. Mr Wells can go through the details of the report.

**The Hon. MICK VEITCH:** The list of projects too. Some of these projects, like that one, I think is quite worthwhile. I just want to get my head around what we're funding from the fund.

**Mr VICTOR DOMINELLO:** Again, that, Mr Veitch, is on the Park'nPay platform. We've got to put it somewhere. Imagine if you're somebody in a wheelchair. You want to have all your options on the table in one ecosystem. That's why this is customer-centric rather than downloading four different apps. That's just crazy.

**The Hon. MICK VEITCH:** Put it all in one.

**Mr VICTOR DOMINELLO:** Spot on. For example, on the Park'nPay app, it's not just the disability sensors. The long-term vision is to put loading zones there for tradies, because that's another pain point. You've got Chargefox on there; you've got Parkhound for people wanting to rent out their driveways. You put everything there in one place. Again, it has to be the way we move forward as governments around the world. Government as a platform has to be the way of a digital world, otherwise it's just too complicated.

**MANDY YOUNG:** Is it okay if I just jump in? Just to clarify that we only have 85 lawyers rather than 120. We could do with 120, though, with the amount of work that they do, particularly.

**The Hon. MICK VEITCH:** You've made an ambit claim.

**Mr VICTOR DOMINELLO:** I would rather have more engineers.

**The Hon. MICK VEITCH:** There is a view about this building and lawyers.

**Mr VICTOR DOMINELLO:** That's right.

**The Hon. MICK VEITCH:** One of our lawyer friends is probably about to ask some questions.

**Ms ABIGAIL BOYD:** Named and shamed.

**MANDY YOUNG:** We're always looking for more.

**Mr VICTOR DOMINELLO:** From one lawyer to another.

**Ms ABIGAIL BOYD:** Good morning, Minister, and to all of you.

**Mr VICTOR DOMINELLO:** Good morning.

**Ms ABIGAIL BOYD:** I wanted to start by asking some questions that were inspired, actually, by a tweet that you made a couple of weeks ago around e-tags and replacing e-tags with an app on your phone. I completely appreciate the failings of those plastic e-tags. What did you have in mind, and is this something that you've seen elsewhere?

**Mr VICTOR DOMINELLO:** Again, credit to Minister Ward because she came up to me and said, "This is a problem," and I readily agreed with her it's a problem. You only have to do a quick search on the net to find out that smart places around the world that have got cameras mounted above bollards on bridges as worthy of those. So you can have camera-reading technology in relation to number plates, and then that way you can connect it straight to an app. That's how smart countries are doing it. But that's something that Minister Ward and the team are working on in terms of what a good solution would be. Having said that, I think governments need to start moving away from prescribing solutions. I think the smarter way to go about things is say, "Here's the problem. Why don't you tell us what the possible solutions are so we're not narrow in our focus?" We're going down that pathway now.

**Ms ABIGAIL BOYD:** In some parts of the US, Transurban has been, I guess, appointed as a toll collector, but they're doing it based on distance charging and time of day charging et cetera. They have been installing some sort of device in people's cars that tracks them on a GPS basis so that they can then work out where they are, when they are and sort of how much they then get charged. We've heard some horror stories about that—

**Mr VICTOR DOMINELLO:** Yes, I can imagine.

**Ms ABIGAIL BOYD:** —where people have been unsuspectedly found in congestion when picking up their kids at 3.00 p.m. Has that idea come to you in any form, either from Transurban or from someone else in the government already?

**Mr VICTOR DOMINELLO:** No, that's the first I've heard of that. Again, the only issue that came to me was Minister Ward saying, "This is old tech. Surely there's a smarter way." That's why I tweeted about it and posted about it, saying there has got to be a better solution. Again, I just did a quick search on the net and said there's at least one or two options that I can see. But that's going to have to be dealt with through Minister Ward. She has got primary carriage of it.

**Ms ABIGAIL BOYD:** Sure. At the moment we have private toll operators who have records of where you're driving and when if you're going through the gantries.

**Mr VICTOR DOMINELLO:** Gantries, thank you. That was the word I was looking for.

**Ms ABIGAIL BOYD:** I've spent too much time doing tolls work lately. Is it concerning to you that—I guess if I ask that question, you will say yes. What would you suggest that the Government put in place if we were to have that more GPS-tracked style of app? How would we ensure that that data isn't misused in private hands?

**Mr VICTOR DOMINELLO:** That's a really good question. I actually posted about this also just recently in relation to the AI. I asked the privacy and information commissioner, Ms Tydd, to do a global scan of what's best practice because you're right—privacy data, then whack a bit of AI on top and you get some horrific outcomes, as you've suggested. I think what we need to do is make sure that we have those assurance frameworks in place. Now, we've already got a number. We've got AI assurance framework, we've got the AI policy that frames it all up, we've got the AI ethics committee, and then, ultimately, we've got oversight through Ms Tydd's organisation. But what is best practice? That small example that you just gave highlights how bad things can get if we don't have assurance frameworks and oversight—independent oversight. That's what I'm looking for.

**Ms ABIGAIL BOYD:** I guess tolls is an example of the type of service that people have to use or regularly use as part of their day to day.

**Mr VICTOR DOMINELLO:** Spot on, yes.

**Ms ABIGAIL BOYD:** What other examples are there of that sort of thing that we have outsourced to private companies?

**Mr VICTOR DOMINELLO:** That's a good question. I'm just trying to think. When you say "outsourced to private companies"—

**Ms ABIGAIL BOYD:** In terms of there's a contract between the Government and the toll operator, in this case, that allows them to collect that information. Do we have other examples of that? What other data is being collected, other than through the Service NSW app?

**Mr VICTOR DOMINELLO:** That's why I'm trying to think, because I know in our space—but in terms of other agencies, I'm just trying to think what would be there. Can I take that on notice? I'll think about it.

**Ms ABIGAIL BOYD:** Yes. Where I'm going is, is there an opportunity then for that app idea that you've been talking with Minister Ward about to be brought within the Service NSW stable of apps so that we're not giving out that information to private companies?

**Mr VICTOR DOMINELLO:** Absolutely. This is such a fundamental question that you're asking and it's something I'm very, very passionate about, because I really believe we have to empower the individual with more control over their data, their privacy and their security. I've given that many speeches around trust in the digital space. We can put out all these apps and all these products, but as soon as you break that covenant of trust, everything goes to nought. This is something that is exercising me very deeply in relation to what we do. So if we do bring it into the Service suite, it would absolutely frame up within the highest privacy and security regimes that we have.

**Ms ABIGAIL BOYD:** The EV legislation that went through last year included, when the EV tax comes into play, a number of exemptions—for example, if you drive on your private land or on a farm or some other things. At the time I asked the Treasurer how that would actually be calculated without using some sort of a device that's attached and is GPS tracked. This is something that is coming in the very near future. Is this something that your department has been asked to look at already?

**Mr VICTOR DOMINELLO:** It hasn't come across my desk, no. But I will make some inquiries about it, and I'll put that on my to-do list.

**Ms ABIGAIL BOYD:** Thank you, because that does concern me greatly—the idea that within a few years we could have everybody being tracked.

**Mr VICTOR DOMINELLO:** I will report back to you.

**Ms ABIGAIL BOYD:** Preferably that should be in government hands.

**Mr VICTOR DOMINELLO:** I'm with you 100 per cent. I'll put that on my to-do list.

**Ms ABIGAIL BOYD:** The other thing I'll just cover in the time I have left is in relation to artificial intelligence and the application of algorithms and machine learning. I did see your tweet on that as well. You said that you've asked the Information and Privacy Commission to scan the AI and privacy landscape to see what's currently evolving in best practice. When do you expect that to come back?

**Mr VICTOR DOMINELLO:** Ms Tydd is here, so I'll maybe ask her. She's got so much on her plate. I normally ask for things yesterday.

**ELIZABETH TYDD:** Thank you very much for that important question. We are hoping to have that within weeks to months. It's something that the Minister has seen as a priority, and there certainly is a lot of attention globally. I would like to present it as an assessment of the rights that we administer in the IPC, so that's my colleague the Privacy Commissioner and privacy rights and information access rights, and to look at the gaps in relation to the model that we have operating in New South Wales against best practice. Now there are many more rights that are impacted by AI, including disability, for example, and those would not be within the scope of this high-level presentation that we would prepare.

Certainly the focus for us would be looking at the resources that are highly credible. The UK is doing a lot of work in this area. There's also work on different models in the EU. The States has a different model again. But from an information access perspective, the three core requirements must be notice that AI is being used so that citizens are fully aware of that or any form of machine-enhanced decision-making. The second would be a general explanation of how it's being used that a person could understand. And the third would be the right to access the information as to how the model actually works upon request, such as a GIPAA request. So I'm firmly back in my domain now.

**Ms ABIGAIL BOYD:** I appreciate those three features that you've highlighted. At what point is it taken into account that you have an informed choice? You've talked about how you're informed but what if, for example, you have no other choice? So if you want to use a road in an electric vehicle and you are obliged as part of that for tracking to be installed on your phone or to have an app, there's no real choice in that. At what point does that factor in to the policies that we develop around that sort of thing?

**ELIZABETH TYDD:** That approach is outside of my jurisdiction, but it is a very important one in terms of the risks that might be associated with the technology that's used. Certainly as a factor, a monopoly provider or an outsourced provider, in relation to the type of information that's held and if it's sensitive personal information—my colleague the Privacy Commissioner would certainly look at that and rank that in relation to a hierarchy of risks. And then hopefully within that context we are able to recommend mitigation strategies to better manage those risks. But from an information access perspective, there are those three absolute fundamentals, two of which in my view are already provided for under the GIPA Act. Agencies should all be proactively disclosing when they are actually using any form of machine learning, because it goes to the issue of how decisions are made by agencies about members of the public.

**Ms ABIGAIL BOYD:** Minister, we saw what a disaster Robodebt was and the very real consequences it had for so many people. How widespread is the use of machine learning in terms of applications that the New South Wales Government uses?

**Mr VICTOR DOMINELLO:** I think it's still in its nascent phase. I don't have a suite in terms of this is how many we've got. I think it's still just at the beginning, and that's why legislators really need to be aware of this. We just can't bury it and think it's going to go away. It's just going to grow exponentially in the decades ahead. Imagine when quantum really kicks in, in the middle part of this decade. And imagine when biotech really starts getting a few legs on it. We have to get on top of this now, because if we don't have these safety rails in place, then it's really going to go to mud very quickly. Again, it's probably my number one priority around the trust in the digital space.

**The Hon. EMMA HURST:** I've just got a follow-up question. I was asking before about the greyhound e-tracking system and the pet register. My understanding is that they were actually given funding at around the same time but that the greyhound e-tracking system is pretty much at a point of being up and running whereas the Pet Registry is much further behind. I'm just wondering how those priorities are decided and where the talent is being pushed towards to make one functional and one still a very slow, long run.

**EMMA HOGAN:** I managed to get a short update in the break. The greyhound tracking work began when Minister Anderson was in this portfolio, and there was some departmental budget out of the Better Regulation division that was set aside to support that function. Now Minister Anderson and the liquor, gaming and racing function sit somewhere else, so that part of the budget I think went with them and they are finishing that. My understanding is the regulatory and compliance system that they use for that is quite different from anything we would be using. There isn't a plan to integrate it at this stage. It's not on a plan that Minister Anderson's office is aware of but is something, as Minister Dominello said, we would take away and have a look at. It would have, at that stage, been looked at in isolation, because I think when we talked last time, Ms Hurst, about the Pet Registry, we were really only gaining momentum, and I think that was being run by local councils at that time. Whereas now we're getting a lot more involved. So we'll certainly take it away to look at what the opportunities are to integrate, but it wouldn't be something I'd be able to provide more detail on today.

**The Hon. EMMA HURST:** Thank you. So it was just that, even though the funding was provided at the same time, the Pet Registry had a delayed start and then now has got a bit of a kick.

**EMMA HOGAN:** I just don't think they were looked at in the same category. One got departmental funding because it would have probably been a relatively small amount. The Pet Registry overall—whole State of New South Wales, multiple homes, eight million customers—would have been looked at very differently through the Digital Restart Fund lens.

**Mr VICTOR DOMINELLO:** I'll be very up-front about it: I always left the greyhounds to Minister Anderson at the time when he was in the cluster. But the Pet Registry is whole of State, and that's why I took a particular interest in that. I realised that we needed to do something, so I reached out with local government to say, "How can we help accelerate this?" But it does annoy me that that greyhound thing is not linked. It should be part of an e-regulation, so I'm going to have a look at that.

**The Hon. EMMA HURST:** Thank you, I appreciate that. That was going to be my follow-up question, so that's good. I'm glad that you'll look into that.

**Mr VICTOR DOMINELLO:** That does annoy me.

**The Hon. EMMA HURST:** Yes, and I'm glad you've given a push to the Pet Registry as well—

**The Hon. MICK VEITCH:** So am I.

**The Hon. EMMA HURST:** —because it's a very long time coming.

**Mr VICTOR DOMINELLO:** Yes, it's well overdue.

**The Hon. EMMA HURST:** Yes, absolutely. I wanted to ask about your work in regard to digital inclusion. Obviously there are a lot of benefits to streamlining everything and making everything digital, but there are a lot of access issues for various sections of the community: people without reliable internet, elderly people, people with disabilities. I just wanted to know what you're doing to address the issue across those digital projects going forward.

**Mr VICTOR DOMINELLO:** Yes, and I've got to have a mea culpa on this. In the first part of my journey as Minister for Digital, I was so passionate about driving the digital agenda that I did have a blind spot towards inclusion. But during the pandemic, watching my mum, who is not a digital native, go through the challenges around COVID, I realised there is definitely a segment of our community that is not digitally engaged. We had to work around that. Having said that, we can create digital solutions for non-digital people. What I mean by that is, for example, the inclusion card during COVID.

Again using my mum as a representative of a cohort, she is not digitally savvy but we could give her a card with a QR code. We reverse-engineered it so the shops could scan her code rather than her scanning. We can use digital in a reverse-engineered way to help people with inclusion. You can also use digital, for example, with smart sensors to improve accessibility for people that would normally be off the grid, as it were. Mr Rees and the team, particularly through the leadership of Ms Hogan—I know they are very passionate about making inclusion a critical element of design thinking at the beginning.

**EMMA HOGAN:** Specifically as it relates to service, we still have call centres. We still have all of our service centres. Mr Rees can talk more to it, but we also have digital staff when you arrive who can help you process your request digitally. They'll show you how, help you get email addresses set up et cetera. When we think about services being "no wrong front door", whilst of course we will always push digital services—for so many reasons, they're often safer or better—it is never our intention to exclude customers. Certainly in Mr Murphy's remit where he deals with communications, we learnt a lot of lessons about communications then, as well, and not just about digital communications but how we communicate through leaders in the community et cetera. We have a lot of lessons learnt from the last few years which we'll apply going forward.

**Mr VICTOR DOMINELLO:** Again, my problem—and it is my failing—is that for the first couple of years in particular I was so driven to making sure—"Why are we doing this in paper? Let's digitise it." I really didn't think enough or deeply enough about that inclusion piece, but I've learned that lesson and I'm talking more about it now. It's not to say the agency wasn't doing it. They were. It's just that I wasn't communicating it.

**The Hon. EMMA HURST:** Thank you. I want to talk to you about the drone biodiversity hub. It was recently announced that there is an investment of \$2.3 million from the Digital Restart Fund. My understanding is that the hub will use drone technology to detect wild species at risk, with a focus on koalas. I was wondering if you could advise how that's actually going to work in a practical sense.

**Mr VICTOR DOMINELLO:** I don't know about the detail of that. Greg, are you across that?

**GREG WELLS:** I'm sorry. I am aware that it was funded, and it was part of a Planning and Environment bid to the Digital Restart Fund through the Smart Places process. But I'll come back to you, if that's okay, with the details of technically how that works.

**Mr VICTOR DOMINELLO:** Yes. I haven't gone into the detail of the technicality, but I know the project and it's really exciting. Again, this is using tech for good in relation to a critical area. That's why when I saw it, I remember reaching out to Minister Griffin about it. I love this stuff. This is what we need to do more of. I'm not across the detail of it, but I will get some.

**The Hon. EMMA HURST:** Do you know if it's going to be deployed for other species, or is it just focused on koalas?

**Mr VICTOR DOMINELLO:** I will take that on notice. Ideally—

**EMMA HOGAN:** I imagine it has the capability to do so, but I don't know if it does or doesn't.

**GREG WELLS:** Yes. It's pretty much a requirement of most of these programs that they trial and make sure that it works, with the potential to scale to other use cases.

**Mr VICTOR DOMINELLO:** Which other species did you have in mind?

**The Hon. EMMA HURST:** Perhaps the vulnerable eastern bent-wing bat, if you want some specifics.

**Mr VICTOR DOMINELLO:** I'm just thinking off the top of my head. If it's a drone, obviously they get the treetops and they could probably identify heat through a koala in a tree type of thing. I imagine if it's that type of technology, maybe getting access to the ground might be harder. Again, I'm just speaking off the top of my head. I can get some detail.

**The Hon. EMMA HURST:** Thank you.

**Mr VICTOR DOMINELLO:** That's number five. I'll report that back to you as well.

**The Hon. EMMA HURST:** Mr Wells, while you're looking it up, if you wouldn't mind, I have a bit of a question around how the project is actually going to work to increase the koala numbers. How will it work in practice? Is it a thermal camera? If there are any early results from the project—I don't know how far along we are and how it will actually work to overall increase the number of koalas.

**GREG WELLS:** Yes, sure. Thanks.

**The Hon. EMMA HURST:** Thank you. Minister, in late March this year there was a report on the initiatives to create safe, reliable, connected transport networks, with a focus on active transport cycleways as a proof of concept. I understand that it's seeking to capture data on cycleways and meaningful insights to ultimately lead to improvements. Given we want to encourage more people to cycle for environmental reasons, how will this initiative help that and help people who are choosing to cycle to work, for example, or on weekends?

**Mr VICTOR DOMINELLO:** Are you across that one, Greg? I'm sorry, Ms Hurst. There are just so many projects across the Digital Restart Fund. But if I can take that on notice, I'll give you a separate briefing on that as well.

**The Hon. EMMA HURST:** Okay, thank you.

**The Hon. PETER PRIMROSE:** Minister, if I could return to the Digital Restart Fund for a moment, I looked on the Digital.NSW website. My last update is 15 August this year. Under the heading "Who manages the fund?" it says, "Minister for Customer Service and Digital Government, Minister for Small Business, Minister for Fair Trading. Under the Digital Restart Fund Act 2020"—

**Mr VICTOR DOMINELLO:** There are a lot of responsibilities in that title.

**The Hon. PETER PRIMROSE:** It says:

... the Minister for Customer Service and Digital Government, Minister for Small Business, Minister for Fair—

and they've left out the word "trading", but that's a typo—

is responsible for controlling and managing the fund.

Is that the case?

**Mr VICTOR DOMINELLO:** Ultimately, yes, it reports back up to me. But it's not just me running the State. There are great people around this table that have the day-to-day operations of it.

**The Hon. PETER PRIMROSE:** But in terms of Ministers, is that statement correct?

**Mr VICTOR DOMINELLO:** Yes, that's correct.

**The Hon. PETER PRIMROSE:** Okay. From the digital restart Act—

**Mr VICTOR DOMINELLO:** But I think it's fair to say that the father of the DRF is on this table, and that's Greg Wells. He's the brains trust behind it.

**The Hon. PETER PRIMROSE:** Well, he's not mentioned in the Act because the digital restart Act—

**Mr VICTOR DOMINELLO:** I want to give him credit for it. He doesn't get enough credit for it.

**The Hon. PETER PRIMROSE:** —responsible Minister, Minister for Customer Service and Digital Government.

**Mr VICTOR DOMINELLO:** It ultimately reports to me and I take full responsibility, but I'm just saying—and it is such an important design architecturally that even Western Australia has picked it up and other governments are looking at it. But, again, the genius behind the design thinking is Greg Wells.

**The Hon. PETER PRIMROSE:** Minister, he's not mentioned in the Allocation of the Administration of Acts—

**Mr VICTOR DOMINELLO:** No, I accept full responsibility for it.

**The Hon. PETER PRIMROSE:** —and that's what I'm trying to get from you.

**Mr VICTOR DOMINELLO:** I accept full responsibility.

**The Hon. PETER PRIMROSE:** Please, share the love all you wish, Minister. I'm trying to work out— if I am going through the Digital.NSW site and then I go through the digital restart Act, which refers people to the Allocation of the Administration of Acts—

**Mr VICTOR DOMINELLO:** That's me.

**The Hon. PETER PRIMROSE:** Other than yourself, the other Minister is not mentioned, so I'm just trying to clarify.

**Mr VICTOR DOMINELLO:** Which other Minister is not mentioned?

**The Hon. PETER PRIMROSE:** The other Minister who—as per your Digital.NSW, the Minister for Customer Service and Digital Government, Minister for Small Business and Minister for Fair Trading.

**Mr VICTOR DOMINELLO:** That's me.

**EMMA HOGAN:** Mr Dominello is all of those.

**Mr VICTOR DOMINELLO:** That's all me. I'm a bit lost, Mr Primrose. I apologise. I'm not being difficult. I'm just trying to understand the question.

**The Hon. PETER PRIMROSE:** My question is: If I go through the allocation of Acts—

**Mr VICTOR DOMINELLO:** Yeah.

**The Hon. PETER PRIMROSE:** Okay? Under the allocation of Acts for those respective Ministers, there is no mention because you won't always be and haven't always been the Minister responsible for all of those Acts. There's no mention.

**Mr VICTOR DOMINELLO:** Sorry, Mr Primrose. Again, that may be a miscommunication. But my understanding is I was always the sole Minister responsible for the administration of the DRF. I could be wrong on that, but that was my clear understanding.

**GREG WELLS:** That's correct. That's correct.

**EMMA HOGAN:** No, that's right. I think it's just capturing the fact that since Minister Petinos' departure, Minister Dominello has taken over the whole portfolio and his title has changed to incorporate those other issues, which is why the Act's been updated to reflect his full title, I think.

**The Hon. PETER PRIMROSE:** No, it hasn't. That's my point.

**EMMA HOGAN:** Oh. Does it have Minister for Small Business and Fair Trading?

**The Hon. PETER PRIMROSE:** No. It has Minister for Customer Service and Digital Government.

**EMMA HOGAN:** Ah. Okay. Understood.



**The Hon. PETER PRIMROSE:** I'm not being funny about this.

**Mr VICTOR DOMINELLO:** No. I'm just trying—

**The Hon. PETER PRIMROSE:** There are three different ministries mentioned. One is your website and the other one is the allocation of the administration of Acts. There are different Ministers mentioned. I'm just trying to clarify the discrepancy.

**EMMA HOGAN:** There is a discrepancy between the Act and the website.

**Mr VICTOR DOMINELLO:** Okay. Again, my clear understanding is that all roads lead to me when it comes to DRF.

**The Hon. PETER PRIMROSE:** Okay.

**Mr VICTOR DOMINELLO:** So if there is a discrepancy we'll fix that. Thanks for pointing that out.

**The Hon. PETER PRIMROSE:** Thank you. That's all I'm seeking.

**Mr VICTOR DOMINELLO:** Thank you. We'll fix that up. Thank you for pointing it out.

**The Hon. PETER PRIMROSE:** It's the case that you recently announced that there will be a \$25.3 million Cyber Security Operations Centre to safeguard NSW Police Force systems. Is that correct?

**Mr VICTOR DOMINELLO:** Yes. The Deputy Premier and I visited that yesterday. It's in operation.

**The Hon. PETER PRIMROSE:** Thank you. Was this part of the 2022-23 budget process?

**Mr VICTOR DOMINELLO:** I think it was. It came out of DRF. I think it came out of DRF.

**The Hon. PETER PRIMROSE:** Okay. Can I ask maybe if you could ask one of your officers?

**Mr VICTOR DOMINELLO:** Yes. Mr Wells, are you aware of that?

**GREG WELLS:** Yes. I'll come back exactly with the amounts and the years on notice, if that's okay, but part of this and part of police's maturity in building cyber resilience was part of the Digital Restart Fund, definitely.

**Mr VICTOR DOMINELLO:** But it's already in operation, so I imagine it came out of that budget.

**The Hon. PETER PRIMROSE:** Can you please also indicate where it appears in the budget papers?

**EMMA HOGAN:** Yes. Well, we will have a look at that. I imagine it's probably in police's budget papers under a DRF allocation, so I'll check it in the break for you.

**The Hon. PETER PRIMROSE:** Okay. I can't find it in the capital infrastructure papers. Was this recommended to you by your department that it be funded?

**Mr VICTOR DOMINELLO:** Mr Primrose, can I just make it clear? Ms Hogan correctly pointed out that I'm not the only one that signs off on the DRF. I am the Minister responsible but, obviously, there's Cabinet oversight. There is the Cabinet Infrastructure Committee; so, yes.

**The Hon. PETER PRIMROSE:** I appreciate that.

**Mr VICTOR DOMINELLO:** I just didn't want to mislead you.

**The Hon. PETER PRIMROSE:** But I go back to both the Digital Restart website that it was previously—

**Mr VICTOR DOMINELLO:** No, you're right, and we'll fix that up.

**The Hon. PETER PRIMROSE:** But I am trying to work out who actually has responsibility.

**Mr VICTOR DOMINELLO:** Yes. With regard to ministerial responsibility, me; but, ultimately, all sign-offs have to go through a subcommittee of Cabinet. It's just another oversight mechanism.

**The Hon. PETER PRIMROSE:** Okay. We might come back to that when we sort out who actually is the responsible Minister.

**Mr VICTOR DOMINELLO:** I am the responsible Minister.

**The Hon. PETER PRIMROSE:** Okay. So did you recommend this project?

**Mr VICTOR DOMINELLO:** Which project?

**The Hon. PETER PRIMROSE:** The project that I've just read out—the Cyber Security Operations Centre.

**Mr VICTOR DOMINELLO:** That would have come as a recommendation from the steering committee through the agency. They all get together and make a series of recommendations in relation to the DRF. Then it would have been signed off through, ultimately, the subcommittee of Cabinet. I would have taken it to the subcommittee, as the responsible Minister, and it would have gone to the subcommittee to sign off.

**The Hon. PETER PRIMROSE:** Okay. Who would actually be, then, the Minister who would recommend to that subcommittee that this would be funded?

**Mr VICTOR DOMINELLO:** I would take the proposal forward with a series of recommendations on advice from the agency in collaboration with all the other agencies and then, you know, the subcommittee of Cabinet signs off on it.

**The Hon. PETER PRIMROSE:** So it would be your recommendation as the responsible Minister.

**Mr VICTOR DOMINELLO:** Yes. I would take the submission forward that would incorporate the recommendations of the agencies, yes.

**The Hon. PETER PRIMROSE:** I might come back to that. I'm still trying to track down the processes by which this goes through. All I'm doing is reading through your sites and I'm having difficulty understanding who actually, as opposed to the Minister for Fair—

**Mr VICTOR DOMINELLO:** Yes, fair enough. We'll fix that up.

**The Hon. PETER PRIMROSE:** Okay. My understanding is that in October 2021 the Auditor-General released a special report, *Compliance with the NSW Cyber Security Policy*, and concluded:

Key elements to strengthen cyber security governance, controls and culture are not sufficiently robust and not consistently applied. There has been insufficient progress to improve cyber security safeguards across NSW Government agencies.

And again, in December 2021 there are a number of specific recommendations by the Auditor-General on the Customer Service cluster. I won't read through all of them but, given the types of information that the New South Wales government agencies produce, you would agree, I presume, that the public wants and needs to know what measures are taken to ensure that information, especially private citizens' information, isn't being hacked.

**Mr VICTOR DOMINELLO:** Yes. I agree with that statement.

**The Hon. PETER PRIMROSE:** Okay. So referring to that document, *Projects that received Payments from the Digital Restart Fund in Financial Year 2020-21*, can you say what information is available publicly in budget papers and information provided by the fund?

**Mr VICTOR DOMINELLO:** Are you talking about the Auditor-General's report and the response thereto?

**The Hon. PETER PRIMROSE:** Yes.

**Mr VICTOR DOMINELLO:** Well, I can say there were 17 recommendations. Fifteen have been done. There are two to go. I'll let Mr Rees speak to it.

**DAMON REES:** In terms of the publication, I wonder if you're referring to the privacy audit, or if Mr Primrose is referring to a different audit.

**EMMA HOGAN:** We were dealing with two audit reports. One was on our cyber incident that occurred within Service NSW—

**The Hon. PETER PRIMROSE:** Yes.

**EMMA HOGAN:** —and there was likely a separate report that was on the broader effectiveness of Cyber NSW as a function.

**The Hon. PETER PRIMROSE:** Yes. I recall them well.

**Mr VICTOR DOMINELLO:** So which one?

**The Hon. PETER PRIMROSE:** My original statements referred to the specific, then the more general, Auditor-General's report and then I quoted from the December 2021 Auditor-General's report that specifically recommended in relation to the Customer Service cluster and then I read out that section. So where is all that up to?

**Mr VICTOR DOMINELLO:** That's the cyber report.

**EMMA HOGAN:** Mr Wells can speak more broadly to our general cyber auditing reports from the Auditor-General's office. We've got core programs of work going on both in DCS and across all of Government on those to continue to improve our cyber posture. Mr Wells can speak to that and Mr Rees can speak to where we're at specifically on the cyber incident that occurred within Service NSW and the recommendations that were made, the majority of which have been now completed. So we could speak to those now or this afternoon, Mr Primrose, whichever you wish.

**The Hon. PETER PRIMROSE:** If I ask, for example, if I looked at the capital infrastructure statement for a number of budget years—say, 2020-21, 2021-22 and 2022-23, and I look for DCJ Cyber Security Program, would I find funds allocated for that?

**EMMA HOGAN:** In terms of where it's located in the budget, that would probably be a question for the Minister or associated Ministers for DCJ. My experience from last year when you asked a similar question was that, depending on the dollar amount, sometimes it's categorised in an "other" category as opposed to being specifically called out. So we would have the amounts of money that the Digital Restart Fund has distributed to other clusters as it relates to coming out of our \$240 million cyber funding. We could tell you what the distribution mechanisms were for that but in terms of where they recorded it on their own budget or capital papers, I'd have to take that question on notice.

**The Hon. PETER PRIMROSE:** Okay. That's fair. I think, Minister, you'd agree that having transparency on cybersecurity capital infrastructure projects being funded by the taxpayer, it would be good for the public to be able to go to a site.

**Mr VICTOR DOMINELLO:** Yes, I agree with that.

**The Hon. PETER PRIMROSE:** Just as we need to be able to go to a site and know which Ministers are responsible for recommending projects, we also need to know what projects are actually being funded within those particular agencies.

**Mr VICTOR DOMINELLO:** I agree broadly with that statement. Obviously with cyber there is information we don't want to make public, for obvious reasons. But yes, the broad allocation—

**The Hon. PETER PRIMROSE:** I appreciate we're not talking *Mission: Impossible* here, and I understand the reason for cybersecurity, but if there are funds allocated—

**Mr VICTOR DOMINELLO:** Yes, I agree with that.

**The Hon. PETER PRIMROSE:** Okay. Mr Veitch, do you want to go for yours?

**The Hon. MICK VEITCH:** With the projects that are allocated out of the Digital Restart Fund, I understand you're the Minister and there's a process for you to advance the projects, at some point, on the recommendations of others. But the acquittal of the funds, does that rely on you as well, Minister? The money is allocated. Who's monitoring the funds as they're being expended? Is that the relevant Minister? For instance, with the police operations centre one, the police Minister would be responsible?

**Mr VICTOR DOMINELLO:** Ultimately, yes. But we have an interagency steering committee that Mr Wells chairs and they would have oversight in relation to that as well.

**EMMA HOGAN:** We have a strong assurance program around the Digital Restart Fund that's coordinated centrally by Mr Wells.

**Mr VICTOR DOMINELLO:** Because he is the Government Chief Information and Digital Officer. Ultimately, he is the father of the DRF.

**The Hon. MICK VEITCH:** If there was an overrun on the expenditure—I'm certain the Treasurer would want to make sure that we're not overrunning too much on our expenses. How are we managing the funds to make sure there is not an overrun or a need for supplementation?

**EMMA HOGAN:** In the same way Infrastructure NSW does it with physical infrastructure, we do the same with digital. As well as bringing all of the project pipeline through the various Cabinet meetings for approval, ultimately the Act of which Minister owns and I recommend, once those projects are passed then Mr Wells' team runs a full assurance process. There are specific milestones where we check in on how the program's going: Is it meeting its budget? Is it meeting its deliverables? You may on occasion, using that process, decide that something can be accelerated or something needs to be stopped et cetera. But it's a full process and it's fully incorporated into the program of work run by Mr Wells and his team.

**Mr VICTOR DOMINELLO:** When this was all designed we took lot of instruction from that infrastructure committee. Basically, this is digital infrastructure, which in my view is just as if not more important in the digital age.

**The Hon. MICK VEITCH:** As time goes by, that may well prove to be the case. Following on from questions from Mr Banasiak earlier in the morning around when Service NSW rolls out programs—particularly in the flooding inquiry—the NSW Rural Assistance Authority, which reports to the Minister for Agriculture, also has obligations. What work is being done with the RAA to facilitate—because I can tell you, as the shadow for Agriculture, a lot of people ring me and say, "I self-assessed. I looked at the grant program and thought that I don't have time to fill this all in. I already have a previous loan with the RAA and I've got to go through this all again." The streamlining: Are you doing any work at all, Minister with the—

**Mr VICTOR DOMINELLO:** I'll let Mr Rees answer that. But let me agree with you: That's one of the big problems with governments all around, not just us. If people find the process too difficult they just abandon it—and I don't blame them. That's why we have to have that one-stop shop for grants, which hopefully will be available very soon. It will be a big movement forward for those who are in desperate need of relief. Mr Rees, can you explain the relationship?

**DAMON REES:** Absolutely. With each grant program government mobilises there is a different part of government allocated ownership. We work closely with that owning agency. Sometimes that will be the Rural Assistance Authority, sometimes it will be Resilience NSW, and in COVID times sometimes that was Treasury. The majority of flood response and support has been delivered through Service NSW with Resilience NSW as the partner agency there. It's typically the primary producer-style support that the Rural Assistance Authority are allocated to deliver. The thinking there is that there's a long-established relationship and history between that agency and many of the customers that need support in those cases. We work closely together. There have been examples where a grant will start in one part of government and, due to one reason or the other, the responsibility may shift over time.

**The Hon. MICK VEITCH:** Okay. I'll probably explore this—

**Mr VICTOR DOMINELLO:** Can I say, Mr Veitch, that I know every agency thinks they're very special, but ultimately there should be one place. I really believe that. But that's part of the journey I guess we're on.

**The Hon. MICK VEITCH:** I think I'll explore this a bit more this afternoon with the public servants. Minister, when Service NSW operates these programs or manages these programs on behalf of an agency, there's a fee that is paid from—I'm looking at the plague of mice or, how would you say it—

**EMMA HOGAN:** Mice plague?

**Mr VICTOR DOMINELLO:** The mice plague.

**The Hon. MICK VEITCH:** The mouse plague? Anyway, I'm certain Hansard will get the grammatical side of that right for me. You ran some of those programs. There is a fee levied against that to support the operation of Service NSW, is that correct?

**DAMON REES:** There is a range of different funding models in place and it's really designed case by case under the guidance of Treasury. Sometimes the funds are fully provided either to Service NSW or the Department of Customer Service to administer. Sometimes Treasury will hold those funds and pass blocks of funding across to us in line with customers drawing down on that need. Typically there's two types of cost we incur when we're delivering a program: There is an initial cost to design and implement that program and then, depending on the nature of it, there may be an ongoing support cost either for the customer servicing that sits around that or the assessment of grants, for example. We tend to try and avoid very granular fee-for-service type arrangements. They just don't reflect the nature and elasticity of the cost that is associated with the delivery of those programs. Typically, when these programs are mobilised there will be work up-front to say, right, of the overall envelope of funding, how much do we think is required for the implementation and management, and how much do we think is required for payment out to the affected parties?

**The Hon. MICK VEITCH:** I'm going to explore that a bit more this afternoon as well, if I can. Minister, my last round of questions relates to the unexpended Dine & Discover NSW vouchers. Regional New South Wales was a very large component of the unused or non-used vouchers.

**Mr VICTOR DOMINELLO:** Sorry, what was the last bit?

**The Hon. MICK VEITCH:** Regional New South Wales was a large—if you look at the LGAs, they were a very large component. Have we looked at why that was the case?

**Mr VICTOR DOMINELLO:** I actually posted about that and accepted that up-front, saying that there were gaps. I've asked Service to have a look at that. But I imagine anecdotally that, for example, in relation to Discover options in regions, they just wouldn't have as many options as you'd have in the metropolitan areas. But I've asked Service to have a look at that. Overwhelmingly it was a very successful rollout. Nothing's ever perfect in government, but I think we got to close to 75 per cent of the funds being used, which is just extraordinary. Mr Rees, have you got any other insights?

**DAMON REES:** Total economic stimulus from that program was just a shade under a billion dollars. We had 23.65 million vouchers redeemed, but certainly there is analysis to be done to find where there are variations in adoption. That variation is not just in regional areas. We have seen some metropolitan areas as well where redemption was proportionately lower and there's a range of different insights there. Anecdotally, the point that the Minister flagged around the accessibility of Discover options in regional New South Wales is certainly one constraint that we're aware of, but we're going to look at it more broadly.

**Mr VICTOR DOMINELLO:** Having said that, in some areas like Blacktown I know the figures are super high—massive adoption there. As Mr Rees said, it's like a patchwork quilt. There are different areas, but we need to understand that. Is it an inclusion piece that we're missing? We need to understand what the lessons of all this are. To my knowledge it's the first time anything like this has been rolled out around the world, in terms of using a digital platform essentially for digital stimulus like this.

**The Hon. MICK VEITCH:** The bell has rung, Minister, so my time's up. But I'm going to spend a bit of time this afternoon with your crew to work through some of that.

**The CHAIR:** Thank you. Ms Hogan, you were indicating that you might have some updates for us.

**EMMA HOGAN:** Yes. I've got two and Mr Dent has one. On the Firearms Registry, it's not on the digital app road map at this stage. Mr Primrose, for you, I am informed that the request you had earlier about the cybersecurity centre that was launched yesterday, it's in the police paper in infrastructure for \$8.6 million in 2021-22 with just over \$1 million in 2022-23. DRF approved \$23.5 million in intake three, with a split of approximately \$8.6 million in capital infrastructure with the remainder as opex for the police.

**Mr VICTOR DOMINELLO:** In relation to safe beaches or Beachwatch, that is a Federal Government initiative. But I know there has been involvement through the Data Analytics Centre, so again I'll come back to you on that.

**EMMA HOGAN:** And, Mr Primrose, Mr Dent had a clarification for you as well.

**ADAM DENT:** Yes, my apologies; I started answering with such alacrity that I merged two answers for you. So I just wanted to elaborate on the issue around deemed diseases. There are two distinct issues, both of which Professor Driscoll provided reports on, which is why I may have taken the wrong path. The first was related to dust-related diseases and the second was around other diseases and illnesses. So in terms of dust disease, the reason it was top of mind is that was updated by regulation on 12 August to include five new diseases that were listed by Professor Driscoll. The more complex one is the significantly expanded list of deemed work-related diseases and illnesses that Safe Work Australia endorsed. That included COVID-19, PTSD, various cancers and skin issues. So we now have that updated list and we've started work on understanding the costings and the other impacts of that, and we're providing advice to Government shortly.

One of the challenges is, perhaps by accident, the 2012 changes mean that that updated list would only apply to exempt workers, and some legislative change would be required to make that available to general workers as well. So there is a slightly more complicated piece of work that has to happen there, and a large proportion of those costs are likely to be borne by Treasury through the Treasury managed funds. So we'll be working with Treasury in the next little while to clarify that. So the work has commenced on that around the costings for the general deemed diseases piece. But I did I think start answering in relation to the dust diseases because Professor Driscoll's work most recently ended up in the regulation on the twelfth.

**The CHAIR:** Minister, looking at your ministerial diary, on 29 March you met with Uber to discuss the Government's digital and technology policy priorities. Was that a meeting that you initiated or that Uber initiated, from memory?

**Mr VICTOR DOMINELLO:** I'd imagine it was Uber.

**The CHAIR:** Noting from your diary, you haven't since then met with the other arm of point-to-point, which is the taxi industry.

**Mr VICTOR DOMINELLO:** Yes.

**The CHAIR:** Is it safe to assume that you don't see them as important in the Government's digital policy priorities?

**Mr VICTOR DOMINELLO:** I've got a very strong working relationship with the Taxi Council. You can ask them. I'm a strong advocate for a lot of reforms that we pushed together.

**The CHAIR:** So do you plan to meet with them to discuss your digital policy priorities and how they would work within them?

**Mr VICTOR DOMINELLO:** I'm more than happy to. Again, we get people asking to meet us all the time, but I've got a very strong, healthy relationship with the Taxi Council.

**The CHAIR:** That is good to hear. Just trying to wrap up the eConveyancing thing, the enforcement bill you see as important, as crucial, but you can't tell us whether it will align with the national code because you can't recall whether you've seen the national code. You can't tell us what the safeguards will be outside of the enforcement regime because you haven't seen a draft yet. When do you plan to bring this bill up, given that we are running out of sitting weeks quite quickly?

**Mr VICTOR DOMINELLO:** My understanding is we're bringing it soon-ish. That's a ballpark. What I did commit to you, because we weren't prepared, the Registrar General—if you want, Chair, I'll bring her to next week's estimates, and that way we can have a thorough discussion around all these questions that you've raised.

**The CHAIR:** That would be fantastic. I might pass to Ms Hurst for the remainder.

**The Hon. EMMA HURST:** Thank you. I've only got a couple of questions left. Can I just clarify, Minister, did you say that the Smart Beaches project was Federal?

**Mr VICTOR DOMINELLO:** I just had a quick look on the net and that's what it appears to be. When I look up "Smart Beaches", it's got here "The Smart Beaches project" and it's an Australian Government website.

**The Hon. EMMA HURST:** On the New South Wales Government website it says "Smart Beaches provides an opportunity to make New South Wales the leader in beach safety management."

**Mr VICTOR DOMINELLO:** I'm just going through the website, which is AG.

**The Hon. EMMA HURST:** I'm looking at the Digital Restart Fund.

**Mr VICTOR DOMINELLO:** Yes, so we've no doubt plugged into it, but—

**EMMA HOGAN:** Greg is going to come back this afternoon.

**Mr VICTOR DOMINELLO:** We'll come back.

**The Hon. EMMA HURST:** Okay.

**Mr VICTOR DOMINELLO:** It is [infrastructure.gov.au](https://infrastructure.gov.au), if you want to look through there.

**The Hon. EMMA HURST:** Thank you. One of the recommendations from the recent flood inquiry which relates to your portfolio was that Service NSW establish teams of assessors that can be on the ground to assess and approve grant applications. I was wondering if you had had a chance to review that inquiry report and if that is something that you are looking to implement for future disaster situations?

**Mr VICTOR DOMINELLO:** Yes, that is around the blitz that we conducted. That has been unbelievably successful, from what I hear, but Mr Rees might want to expand further on that.

**DAMON REES:** Yes, it has been invaluable. We still have 257 assessors working across a range of these programs between Service NSW and Revenue NSW. The grants blitz that the Minister mentioned took a whole range of skills and people and put them under one roof in location for customers. That wasn't only assessment, but the assessors were on the ground and we found that it made a great difference, particularly for those individuals with quite complex circumstances or cases that were struggling to work through the process. We have been able to, thankfully, resolve many of those for our customers' good.

**Mr VICTOR DOMINELLO:** That goes to your inclusion point. There are a lot of individuals that are—and I think Mr Veitch or Mr Primrose raised the issue before—if the process is too complicated, they're just going to turn off and they are therefore excluded. And that's why we can have the greatest digital platform in humankind, but the truth is we need to have those direct community channels, and those blitzes have proved really successful.

**The CHAIR:** I will pass back to the Opposition for the last 15 minutes.

**The Hon. MICK VEITCH:** Thank you very much. I believe IPART is undertaking a review of the pricing framework for eConveyancing.

**Mr VICTOR DOMINELLO:** Yes.

**The Hon. MICK VEITCH:** I was wondering if we could get Ms Livingstone to provide an update on that for us?

**LIZ LIVINGSTONE:** Yes. Our review is about the costs that what are called ELNOs, or electronic lodgement network operators, might need to pay each other, depending on who plays what role in a transaction. Once you introduce competition, it's quite possible that more than one ELNO will be involved in a transaction, and we're just trying to work out the appropriate charges between the two ELNOs.

**The Hon. MICK VEITCH:** What is the time frame for that work, Ms Livingstone?

**LIZ LIVINGSTONE:** It's well underway. We've had consultation with industry, with other regulators around Australia. I think our draft report is due out later this month, but I can check that and get the details back to you this afternoon.

**The Hon. MICK VEITCH:** That would be really good, thanks. I guess there's a bit of consultation in the development of that work. Maybe when you come back this afternoon you can let us know about the scope of that and how you actually engaged—not who you engaged, but how you went about engaging—with stakeholders?

**LIZ LIVINGSTONE:** Yes, certainly, and it is all on our website; you can see videos of some of the public hearings we've had and so forth. I am happy to provide that detail.

**The Hon. MICK VEITCH:** Thank you. Minister, can I go back to the Dine & Discover vouchers, now that the crossbench has gratefully handed over some time for me to explore this. In regional New South Wales—the money was actually meant to be stimulating economies; that was pretty much the fundamental upon which this occurred.

**Mr VICTOR DOMINELLO:** Yes.

**The Hon. MICK VEITCH:** Some of those communities I think have missed out because they just didn't have the opportunity to spend the funds, as you've alluded to previously.

**Mr VICTOR DOMINELLO:** Yes.

**The Hon. MICK VEITCH:** So as part of the work that has to be done now, there are lessons to be learnt. We should always do that.

**Mr VICTOR DOMINELLO:** Yes, definitely.

**The Hon. MICK VEITCH:** And some of those regional councils would be pretty keen to be involved in that process. My question to you is, as part of that review, are you engaging with regional councils, particularly those LGAs—I think in answer to one of my questions on notice, there's a large number of LGAs. The further west you go, there tends to be less use. Are we looking at engagement with those LGAs?

**Mr VICTOR DOMINELLO:** I'll ask Mr Rees, but yes, I've already announced at the time that the program finished that we would undertake a review because it was not consistent across the board. I accept that, and these are learnings that we need to have. But it makes sense that we would then, you know, drill down in relation to the council areas that did not have as significant uptake as, say, other areas and work out why. But Mr Rees could probably go through in terms of how we'll do that review.

**DAMON REES:** Particularly Service NSW for business has well-established relationships with the vast majority of councils in New South Wales. It is also really important that we engage with local customers as part of that review as well. We find very, very powerful perspective coming through there. But that is something that we will undertake in due course to make sure that we capture the learnings and feed them into any future programs of this nature.

**Mr VICTOR DOMINELLO:** Again, Mr Veitch, to your question, the policy itself may be okay but, for example, that was targeted in relation to dining and tourist or quasi-tourist type activities. Do we need to expand the reach for regional areas that did not have as many options but there were other parts of their economy that required stimulation? You raise really good questions that we need to drill down into.

**The Hon. MICK VEITCH:** I am keen. What about the time frame for that work? Again, I am pretty keen to find out what we can do better.

**DAMON REES:** We will come back on that.

**The Hon. MICK VEITCH:** Was the department monitoring throughout the rollout of the Dine & Discover to see where the expenditure was taking place? I guess what I am saying again here is did we know early that some of these issues were occurring in regional New South Wales around a low take-up?

**DAMON REES:** For us the goal is adoption and redemption of those vouchers to drive the benefits that the program was designed to achieve. We do have good analytics that shows us how that adoption and redemption was tracking over the State. My colleague Mr Murphy is responsible for the communications role within the department and we have worked very closely to drive targeted interventions in areas where we thought that there was an opportunity for a greater uptake of the scheme.

**The Hon. MICK VEITCH:** As a part of this, Minister, with the low take-up in regional New South Wales, was there any consideration given to maybe extending the expiry date for those regional LGAs, just to allow them to have an opportunity to use the vouchers that others had the opportunity to?

**Mr VICTOR DOMINELLO:** Again, I don't accept that there was a low take-up; there was lower take-up in some of the areas. But across the board we have got about 75 per cent, which is, again, unheard of in a scheme of this magnitude. There would have been some areas that were lower than the peaks. I think we extended it twice, Mr Veitch. As demonstrated at the end, when we say, "No, no, we are going to put a guillotine on this for the last day," then there was this extraordinary take-up. I think there was a 40-fold increased take-up in the last three days. It was just crazy and to the point where it went way beyond our expectations, the take-up. But if we didn't put that final line in the sand, as it were, then we were always going to come across the problem that people will say, "They'll extend it again. They'll extend it again. They'll extend it again." We had to draw a line in the sand.

**The Hon. MICK VEITCH:** Minister, I accept in some places there was really high use, but Central Darling had a 72 per cent underspend.

**Mr VICTOR DOMINELLO:** Was that in relation to both components or one component?

**The Hon. MICK VEITCH:** Again, I think that is for both.

**Mr VICTOR DOMINELLO:** But that is the stuff that we need to go through.

**The Hon. MICK VEITCH:** You have to accept that there were some parts of the State, for whatever reason, which we need to find out.

**Mr VICTOR DOMINELLO:** Yes, and I accept that.

**The Hon. MICK VEITCH:** That means those economies in Menindee, Wilcannia, wherever, didn't get the chance to have that stimulus that we wanted.

**Mr VICTOR DOMINELLO:** To your point, whether they had the chance, whether it was a lack of communication, we don't know. That is one of the things—our learnings that we needed to find out. Was it lack of access? Was it lack of the venues available for them to spend? And if it is lack of venues, then that goes back to the primary policy settings at the top of saying should it have extended beyond just those two. Again, Mr Veitch, this policy was done in the middle of the teeth of the pandemic and it was never done before. But I've got no doubt there are lots of lessons to be learnt.

**The Hon. MICK VEITCH:** I think that's right. Minister, I want to go back to the fee that Service NSW levies or strikes or whatever. I think Mr Rees was talking earlier that there are a couple of different ways. Who actually determines what that is? Is it a percentage of the total program? The mice plague—the plague of mice—funding was, I think, \$50 million. It was originally budgeted for \$5 million to go to Service NSW for rolling out that program. I don't think the full \$5 million, by the way, was in the end paid, but this was the budget amount. How do we work out the percentage? Does Treasury say, "This is the percentage"? Or do the systems within your department, Minister, determine what that percentage is? I am trying to get to how that works.

**DAMON REES:** It is largely case by case, but in general our preferred way of doing it is to base it on actuals. Where there is sufficient lead time for a program, we are able to estimate the cost to deliver and operate that program and we will base the funding of Service NSW on those predicted actuals. I believe that Treasury have some rule-of-thumb guidelines, which is they don't want administration costs to exceed X per cent for a program. But where possible, we will base our fund requirements on the actual costs that we will incur to deliver the programs.

**The Hon. MICK VEITCH:** Minister, was there some sort of administration fee or levy or whatever it is for the Dine & Discover vouchers for the department? Did you receive any funds from Treasury or did you—



**DAMON REES:** We were funded for the delivery and the operation of that program. There were two components to that. There is initial funding to build the digital assets and the capabilities to deliver the voucher. The Dine & Discover program was the first of quite a number of vouchers that have now been delivered by the New South Wales Government. It was used to build a lot of the underlying assets that could be used for those subsequent programs. As a result, we have seen the cost to deliver subsequent programs come in dramatically lower than the first program.

Operating that program as well required many customers to prove who they were in order to get these funds. That actually unearthed some legacy data quality issues in government and some differences between State and Commonwealth data quality. It particularly impacted people where there had been an address change, someone had got married, for example, in New South Wales and the way that that was recorded at the time. A lot of this dated back decades. It meant that there was some friction between State and Commonwealth systems. The cost to administer the Dine & Discover program also involved helping many, many customers through that data quality clean-up exercise that ensured that subsequent programs for them were a much more seamless experience.

**The Hon. MICK VEITCH:** Before I hand over to my colleague to wrap this all up, Mr Rees—you might want to take this on notice—as at today's date what is the amount that has been paid to Service NSW for the operation of the Dine & Discover vouchers?

**DAMON REES:** I think we have previously provided a breakdown of all programs on notice. But we will give you an updated figure for that.

**The Hon. MICK VEITCH:** Updated figures would be good. I will hand over to Mr Primrose to wrap this all up.

**The Hon. PETER PRIMROSE:** I would like to be able to wrap everything up, Minister, but at the moment, this morning in relation to Park'nPay there was a bit of discussion in relation to the various probity reports. Can I ask if they will be made available to this Committee and tabled this afternoon?

**Mr VICTOR DOMINELLO:** As I said to Mr Graham, I am happy to do it, subject to advice. I need to get advice from the agency.

**The Hon. PETER PRIMROSE:** It would be valuable for us, Minister, obviously and I would appreciate in terms of asking a question to your officers if we could actually see those reports this afternoon.

**Mr VICTOR DOMINELLO:** I am happy to, subject to advice, yes.

**The Hon. PETER PRIMROSE:** Can I ask through you to your secretary, will we see them this afternoon?

**EMMA HOGAN:** I will get some advice at lunchtime and come back to you.

**The Hon. PETER PRIMROSE:** You will be aware what our first question may be. Chair, how long do we have?

**The CHAIR:** Two minutes.

**The Hon. PETER PRIMROSE:** I might be kind and waive, but leave it until this afternoon. The questions I have, again, are quite complex and it will take me more than two minutes to explain them.

**The CHAIR:** That gives Mr Poulos 17 minutes to interrogate the Minister.

**The Hon. PETER POULOS:** Good afternoon, Minister.

**Mr VICTOR DOMINELLO:** Good afternoon, Mr Poulos.

**The Hon. PETER POULOS:** Thank you for your attendance. On today's performance dashboard, I'd rate your contribution as first class, impeccable.

**Mr VICTOR DOMINELLO:** You may be a bit biased, but thank you.

**The Hon. PETER POULOS:** Not at all.

**The CHAIR:** That's not a question.

**The Hon. MICK VEITCH:** He's after your job.

**The Hon. PETER POULOS:** I was just wondering, before we wrap up for lunch, Minister, was there anything else you wish to share with the Committee and enlighten us, as always?

**Mr VICTOR DOMINELLO:** Just really focusing on what Ms Boyd pointed out, that we are on this huge journey of digital transformation here in New South Wales. We are definitely leading the country. But the most important thing around that is building trust. We don't get everything right, I accept that, but we are constantly trying to learn where we get things wrong. I would like to think that New South Wales is in a really strong position in terms of the pipeline of digital products that we've delivered, because it's building on that assurance framework. The average person in the street—sure, they like the product, and sure, it's easy to use, but they will not adopt it en masse like they've done if they don't trust the system. All of us need to continually focus on that. Whether it's the Opposition, the crossbench, whatever, we all need to hold each other to account to make sure that, in the years moving forward, we have that trust in place.

**The CHAIR:** Ms Hogan, were you going to add something or give us an update?

**EMMA HOGAN:** I wasn't going to add to that, but I was going to ask the Committee—Danusia Cameron, the Registrar General, is happy to be sworn in this afternoon if you have questions for her. Rather than next week, I think that would suit her better. So, if you are comfortable, she can be here this afternoon to answer all your questions on conveyancing.

**The CHAIR:** That would be good—if she just appears via Webex or—

**EMMA HOGAN:** No, I think she can come in.

**The CHAIR:** Okay. Excellent.

**EMMA HOGAN:** But I think she would prefer today rather than next week, if that's okay.

**The CHAIR:** Yes. Good.

**The Hon. MICK VEITCH:** I think, if that is okay.

**The CHAIR:** Yes, that's fine, as long as the Minister is comfortable.

**Mr VICTOR DOMINELLO:** You're the Chair.

**The CHAIR:** As long as you're comfortable with her appearing without you.

**Mr VICTOR DOMINELLO:** As long as you and Ms Hogan agree, I'm very happy.

**EMMA HOGAN:** It's fine by me.

**The CHAIR:** Thank you for that. That concludes this morning's session with the Minister. We will return at two o'clock with the remainder of you.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**Ms DANUSIA CAMERON**, NSW Registrar General, sworn and examined

**The CHAIR:** Welcome back to this afternoon's session. I will throw straight to the Opposition, with Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Thank you, Chair. Greetings to you, Secretary. It's a pleasure to see you. Thank you to your officials as well. It's a pleasure to see them. Through you, is it possible that I could ask some questions directly to SIRA?

**EMMA HOGAN:** Please do.

**The Hon. DANIEL MOOKHEY:** Greetings to you, Mr Dent.

**ADAM DENT:** Greetings, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Can I just ask you first to provide us with an update as to how your supervision is going of the Nominal Insurer?

**ADAM DENT:** It's a very broad question. Is there a specific issue, perhaps, that you are more interested in?

**The Hon. DANIEL MOOKHEY:** Just in general. Are there any relevant regulatory activities you think we should be apprised of?

**ADAM DENT:** Most recently, I've written to icare off the back of their filing in relation to my ongoing concerns about the performance of the Nominal Insurer, both in terms of its return to work statistics and the financial situation. The response was, as you might expect, that it is a long-term process to resolve those issues. We've also been dealing with icare in relation to the privacy breach, which, of course, we've been mostly managing through working with the Information and Privacy Commission. That has been one of the more recent significant matters.

**The Hon. DANIEL MOOKHEY:** Let's unpack those two particular matters. When did you write to icare to express your concerns about return to work rates?

**ADAM DENT:** On this most recent occasion—I have the dates here; just give me one moment—I wrote to Mr Harding on 12 August.

**The Hon. DANIEL MOOKHEY:** What did you say?

**ADAM DENT:** I pointed out to Mr Harding—notwithstanding the fact he had kindly provided me a copy of their statement of business intent, which we had asked for—that while I acknowledged that the work around the Nominal Insurer improvement plan will take some time to complete, I was still concerned about the prolonged period during which injured workers will continue to face inconsistent services while that work is underway. I pointed out that we have, over numerous periods of time, discussed the fact that we have available to us a recommendation from the McDougall that we carry out another audit of the Nominal Insurer. I had—I think quite reasonably—delayed that for some time, on the basis that we would not have found anything substantially different than prior. I think I have perhaps even mentioned that to you before.

I am of the view now that we need to start a rolling series of small audits just to try and assess whether there has been, in fact, any improvement based on the work that is underway, acknowledging that significant improvements will require the change of their claims management model. Commencing in October, I've advised Mr Harding that we will be doing small file reviews on a quarterly basis and reporting on our findings at the end of each quarter. They will be focused on, in particular, three of our standards of practice: injury management, managing psychological injury claims and return to work early intervention. Hopefully, we can start seeing some improvement on that front.

**The Hon. DANIEL MOOKHEY:** Have you made that decision because you are yet to see any evidence that icare is turning around its performance of its responsibilities and the Nominal Insurer?

**ADAM DENT:** Broadly speaking, yes. However, the more recent return to work rates have stabilised somewhat and there has been a minor improvement, which, I think, to be fair, is at least mildly hopeful. But, to this end, up to this point—

**The Hon. DANIEL MOOKHEY:** But you maintain you have concerns about the return to work rates.

**ADAM DENT:** Yes. They're still considerably lower than I would ideally like to see them.

**The Hon. DANIEL MOOKHEY:** To the extent to which they are stabilising, they are stabilising at a historically low level. Is that fair?

**ADAM DENT:** That is correct. I agree, absolutely.

**The Hon. DANIEL MOOKHEY:** Do you have the return to work rates with you now? I had it for Friday, but I seem to have lost it.

**ADAM DENT:** It's almost like I knew you'd ask.

**The Hon. DANIEL MOOKHEY:** The four years of questioning on this issue has given you a trail to follow, Mr Dent.

**ADAM DENT:** Mr Mookhey, I'm afraid I can't say I've had four years of the benefit of that questioning. But, certainly, it's not a surprise. The current return to work rates as at April 2022 at the four-week rate for the scheme is 65 per cent, and 78 per cent at the 13-week rate. For the Nominal Insurer it's 64 and 78 respectively; and the TMF, 65 and 77. As is always the case, the Nominal Insurer and the TMF effectively represent most of the scheme.

**The Hon. DANIEL MOOKHEY:** It's disastrously low, isn't it, Mr Dent?

**ADAM DENT:** I wouldn't use the word "disastrously" relative to what is going on nationally. I think there are declines all over the country, which is well known. But every single one of those percentages that isn't there is a worker not back at work, so, yes.

**The Hon. DANIEL MOOKHEY:** But the Nominal Insurer is underperforming compared to what it was 12 months ago. Correct?

**ADAM DENT:** Compared to 12 months ago, there are actually some minor improvements, particularly at the four-week rate.

**The Hon. DANIEL MOOKHEY:** I was looking at the 13-week rate. To be fair, just so it's equal, the scenario that I was putting to Mr Harding on Friday was February 2021 to now.

**ADAM DENT:** I don't have the February number in front of me right now, but at May 2021 the 13-week return to work rate was 80 and at May 2022 it's at 82 per cent.

**The Hon. DANIEL MOOKHEY:** At the four-week or 13-week?

**ADAM DENT:** Thirteen.

**The Hon. DANIEL MOOKHEY:** I'm fairly positive you will find that if you go back in time it was around 85.

**ADAM DENT:** Absolutely. There is no question that its current performance is below its historic performance. That is where we would like it to return to.

**The Hon. DANIEL MOOKHEY:** It is underperforming every other insurer in the system. Is it not?

**ADAM DENT:** The Nominal Insurer or the TMF? It depends on which rate you are looking at, but they underperform specialised insurers.

**The Hon. DANIEL MOOKHEY:** And they underperform many of the self-insurers as well. Correct?

**ADAM DENT:** Indeed.

**The Hon. DANIEL MOOKHEY:** The distance between their underperformance doesn't seem to be getting any closer. It's not like they are narrowing or getting closer. At best, you could say that they're maintaining their consistent rate of underperformance.

**ADAM DENT:** I would take your word on that without having the numbers in front of me. But that wouldn't be unreasonable.

**The Hon. DANIEL MOOKHEY:** It's your data.

**ADAM DENT:** Yes. I don't have the numbers in front of me. You do, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** That's fair. Mr Dent, is it not the case that we assume that, for the purposes of premiums, their 13-week rate should be close to 88?

**ADAM DENT:** I think it's slightly more complex than that. Obviously, that would be ideal. I think the change in claims mix is really important. The increase in the number of psychological claims does start to skew the overall rates because a psychological claim will generally last longer.

**The Hon. DANIEL MOOKHEY:** How much are they as a percentage of the claim book? Are they about 8 per cent still?

**ADAM DENT:** It's about 8 per cent overall. The TMF is about 13, I think, as at April 2022.

**The Hon. DANIEL MOOKHEY:** You could take out the psychological claims and you can isolate that—

**ADAM DENT:** If you were simply looking at physical injury claims, then you would expect to see a much higher return to work.

**The Hon. DANIEL MOOKHEY:** Indeed. Psychological claims present complexities for all insurers, of course.

**ADAM DENT:** Absolutely.

**The Hon. DANIEL MOOKHEY:** But they are 8 per cent of the claim. Granted, they are more of the cost. That is clear.

**ADAM DENT:** That is correct.

**The Hon. DANIEL MOOKHEY:** But in respect to the other 92 per cent of the portfolio, we are not getting the improvement that we need. That's fair, Mr Dent, isn't it?

**ADAM DENT:** Correct.

**The Hon. DANIEL MOOKHEY:** As a result of that, the scheme is under more financial pressure than it was 12 months ago.

**ADAM DENT:** I think that's correct.

**The Hon. DANIEL MOOKHEY:** What was your reaction to the news that the Nominal Insurer suffered a \$900 million loss last year?

**ADAM DENT:** The reaction you would expect. It's obviously not good news at all, which is why I continue to share my concerns with icare. I continue, at this point in time, not to have yet seen any significant improvement. There is considerable work being undertaken to improve, but the fact remains that a \$900 million loss is not good news.

**The Hon. DANIEL MOOKHEY:** The insurance ratio—which is, itself, a much disputed method of measurement but it seems that we should measure using the insurance ratio—has gone from 122 per cent to 102.

**ADAM DENT:** That's correct.

**The Hon. DANIEL MOOKHEY:** That's disastrous, isn't it?

**ADAM DENT:** Again, I wouldn't necessarily use the word "disastrous".

**The Hon. DANIEL MOOKHEY:** How do you justify a 20 per cent drop? Is it a good thing or a bad thing?

**ADAM DENT:** Of course, it's a bad thing. However, with respect, that's a matter for Mr Harding and the icare board. He assures me that as a long tail scheme it still has the capacity to meet its liabilities.

**The Hon. DANIEL MOOKHEY:** That's because not everyone is claiming all their—it's not another insolvency risk but it is the case that even on an accounting basis its liabilities exceed its assets by now a factor of close to a billion?

**ADAM DENT:** That's correct.

**The Hon. DANIEL MOOKHEY:** Really the only reason why it hasn't topped over is because not all of the people who could make a claim are making a claim right now. They're basically relying on the fact that not all the claims are coming due right now. That's fair?

**ADAM DENT:** And because the benefits are spent over a period of time.

**The Hon. DANIEL MOOKHEY:** Indeed. But we were told that this was meant to be turning itself around. Almost two years ago we were promised a plan. It has been two years since a lot of these issues first came

to public attention. Can you point me to one factor that should give us any encouragement that the Nominal Insurer is improving?

**ADAM DENT:** I couldn't point to a specific factor right now. The perhaps hopeful thing is there is actually a plan, and two years ago the Nominal Insurer Improvement Plan did not exist in the form it does today.

**The Hon. DANIEL MOOKHEY:** Two years ago they were in denial. That was not your fault, Mr Dent. That's progress in that at least there is an acceptance that there needs to be an improvement.

**ADAM DENT:** I think you'll find we are more aligned on this than I can possibly express.

**The Hon. DANIEL MOOKHEY:** Feel free to try to express that, Mr Dent. Don't hold back.

**ADAM DENT:** There is a Nominal Insurance Improvement Plan. The assurance process around that is being run, as we mentioned before, by Promontory which gives us at least some insight that it is not just icare's view that we are being provided; that that plan has any prospect of success. Promontory have raised a number of ongoing concerns. They are concerns that are not unique to icare, particularly around resourcing, that there is a problem for the Nominal Insurer Improvement Plan at the moment. However, there is a program of work. We're pressure testing some elements of it. My concern is there are targets that I don't yet think are necessarily anywhere near aspirational enough. What's realistic I think is probably another matter. We are looking at whether we think those targets are going to be reasonable. But more important than the target, whether the activities we think actually match the evidence and will likely see any turnaround.

**The Hon. DANIEL MOOKHEY:** Indeed. With regard to the finances of all this, ultimately someone has to pay for this and that means that that will be through premiums, correct?

**ADAM DENT:** Premiums, correct.

**The Hon. DANIEL MOOKHEY:** When did icare submit to you its filing for the coming financial year?

**ADAM DENT:** The filing, the most recently approved filing was for this financial year as opposed to the coming.

**The Hon. DANIEL MOOKHEY:** When was that submitted to you?

**ADAM DENT:** That would have been submitted to us in March.

**The Hon. DANIEL MOOKHEY:** Was that after the Minister had issued a direction for them not to increase their premiums for more than 2.9 per cent?

**ADAM DENT:** That's correct.

**The Hon. DANIEL MOOKHEY:** Absent that direction, how much were premiums required to go up?

**ADAM DENT:** The filing didn't state how much they were required to go up. I haven't done the math on what it would look like, but it would be substantially more than 2.9 per cent in terms of meeting operational break-even.

**The Hon. DANIEL MOOKHEY:** The operational break-even premium, according to Mr Harding, is currently at 1.82 per cent.

**ADAM DENT:** Yes.

**The Hon. DANIEL MOOKHEY:** As of 30 June 2022. Does that accord with your recollection?

**ADAM DENT:** I believe it might have been as high at 1.88 at the filing point based on the December 2021 evaluation, so if it's now 1.82 that would indicate potentially an improvement.

**The Hon. DANIEL MOOKHEY:** Okay that's interesting because Mr Harding gave us the impression that there was an improvement in the six months, not a deterioration.

**ADAM DENT:** That would be true. So if the break-even was now 1.82 that would indicate that less was required.

**The Hon. DANIEL MOOKHEY:** Yes.

**ADAM DENT:** So from 1.88 to—

**The Hon. DANIEL MOOKHEY:** Yes, but it is the case that over the equivalent 12-month period, so 30 June 2021—this is not disputed—it was 1.77.

**ADAM DENT:** Correct.

**The Hon. DANIEL MOOKHEY:** So in the span of one financial year rather than it closing it has got worse which means that the maths are quite straightforward here. The premiums, in order to reach its break-even premium point, would have to rise by a percentage of roughly 3.3 or 1.5 which works out to be 25 per cent? In order to cover the existing losses, premiums would have to rise by 25 per cent to reach a break-even premium level. Correct?

**ADAM DENT:** That would be correct.

**The Hon. DANIEL MOOKHEY:** Is it still your understanding that premiums are going to need to rise to that break-even point each year, every year, until the end of the decade?

**ADAM DENT:** Ultimately, yes.

**The Hon. DANIEL MOOKHEY:** It is the case that the 328,000 small businesses that pay into the Nominal Insurer are facing at least a decade of rising premiums.

**ADAM DENT:** Yes.

**The Hon. DANIEL MOOKHEY:** And that doesn't allow for the restoration of any benefits, does it?

**ADAM DENT:** That's correct. That would be to meet the current liabilities of the scheme.

**The Hon. DANIEL MOOKHEY:** Yes. This all goes down to the core point which seems to be still disputed by icare around the findings of the Dore review. It is your understanding that Ms Dore recommended strongly against any strategy that was based on using investment returns to make up for underwriting loss over the long term?

**ADAM DENT:** That would have been the case in the Dore review that was later disputed obviously in the McDougall review.

**The Hon. DANIEL MOOKHEY:** Almost said word for word what I just said to you as Ms Dore's finding and you rightly allude to the fact that that hasn't necessarily been accepted by icare. It is the case—I can't think of a single other Australian insurer that is reliant as much on investment returns to cover that underwriting loss as icare. Can you?

**ADAM DENT:** No.

**The Hon. DANIEL MOOKHEY:** You still don't have the power to impose conditions on the Nominal Insurer's licence, correct?

**ADAM DENT:** That's correct. That bill is still before the Parliament.

**The Hon. DANIEL MOOKHEY:** Absent you having that power, you basically have to beg icare to do the right thing when it comes to the Nominal Insurer. Correct?

**ADAM DENT:** Effectively. We can attempt to be persuasive but, ultimately, I don't have any particular power to direct them in that way or to impose conditions on the Nominal Insurer or indeed, therefore, icare.

**The Hon. DANIEL MOOKHEY:** In the absence of you having that power we still have to rely effectively on icare and its board deciding to implement your suggestions?

**ADAM DENT:** That's correct.

**The Hon. DANIEL MOOKHEY:** Has there been any sign of that happening?

**ADAM DENT:** I think it would be fair to say that through the process of the Nominal Insurer and enterprise improvement plans, icare have been very receptive and they have been constructive. What continues to frustrate me is how long it will need to take before I see any results.

**The Hon. DANIEL MOOKHEY:** What are they telling you? What is the time scale that they are giving you that's causing frustration?

**ADAM DENT:** I think in the grand scheme of things we're not expected to see any significant change until after the change of the claims management model which the new providers are likely to be on board, at this stage, in January. But as far as I understand they have not yet been announced so that time is ticking, I think, relatively quickly. I think, ultimately, we're looking at toward the end of 2023 before, I understand, we're likely to see any substantial improvements.

**The Hon. DANIEL MOOKHEY:** And there's a risk we will suffer a continued deterioration in that period of time?

**ADAM DENT:** There is and, of course, the change of claims management provider has the potential for further deterioration by icare's own descriptions because that particular change is generally likely to cause poor results.

**The Hon. DANIEL MOOKHEY:** It is a key risk.

**ADAM DENT:** It is a key risk for that process, absolutely.

**The Hon. DANIEL MOOKHEY:** Indeed, historically return-to-work rates performance, upon changing claims management results in under five points, can drop return-to-work rates. Is that correct?

**ADAM DENT:** That's correct.

**The Hon. DANIEL MOOKHEY:** We're in for a lot more turbulence?

**The Hon. DANIEL MOOKHEY:** The only mitigating factor is turnover generally would cause the same problem, and turnover across the claims agents hasn't been absent. But, yes, you're quite right; it could be a significant drop in performance over that period.

**The Hon. DANIEL MOOKHEY:** Have you had the opportunity to provide any—do you even have the power to provide any sort of inspection or assurances to the new claims handling model that's being pursued?

**ADAM DENT:** My intent would be that these rolling series of small audits that we're doing will pick that up. We're going to start in October this year which, of course, won't generate any knowledge about the new claims handling provider or the model. But into next year we'll continue those audits and looking at how those files are being handled as that transition continues.

**The Hon. DANIEL MOOKHEY:** SIRA ordered EY to do an audit of the fund under your predecessor, did they not?

**ADAM DENT:** That would have been the predecessor to the Dore report or around the same time, I understand.

**The Hon. DANIEL MOOKHEY:** Afterwards.

**ADAM DENT:** Yes. I believe that's true. I'm not familiar with it.

**The Hon. DANIEL MOOKHEY:** Maybe it's not EY. But you definitely ordered the fund—

**ADAM DENT:** I do believe EY did do some work in relation to an audit at about that time.

**The Hon. DANIEL MOOKHEY:** This was about whether icare was incorrectly billing matters to their fund that they shouldn't have been.

**ADAM DENT:** That wasn't EY.

**The Hon. DANIEL MOOKHEY:** Who was that?

**ADAM DENT:** If I am thinking of the correct thing, Mr Mookhey—and feel free to correct me—it was the Workers Compensation Insurance Fund audit that my predecessor ordered. I believe it was Grant Thornton or someone who might have done that.

**The Hon. DANIEL MOOKHEY:** Mr Dent, once again you are proving that your memory is better than mine because that's correct. Why hasn't that report been released?

**ADAM DENT:** The report is available on our website. Effectively, all it really did, quite honestly, was relitigate matters that were already well known. The report didn't find anything that required any further, or allowed for any further, regulatory action by SIRA.

**The Hon. DANIEL MOOKHEY:** Okay, but it did find that they were systemically charging matters to the workers comp fund that they shouldn't have been?

**ADAM DENT:** At a point in time, and it also found that that had been addressed and the new model that they were using was now fair and appropriate and wasn't using the sort of—the concept, I understand, at the time was essentially certain things were billed directly and the residue went to the Nominal Insurer. That process has changed and has certainly not been the case since either Mr Harding or I have been in the organisations.

**The Hon. DANIEL MOOKHEY:** Is icare still underpaying workers when it comes to pre-injury average weekly earnings?



**ADAM DENT:** I don't know that they're still—I think it would be unfair to characterise that they're still doing that. I haven't seen any new evidence of underpayments based on PIAWE.

**The Hon. DANIEL MOOKHEY:** Or overpayments, to be fair to them.

**ADAM DENT:** Not to suggest that we also haven't necessarily more recently looked. But as for the matter I imagine you're talking about the remediation program is underway.

**The Hon. DANIEL MOOKHEY:** No, they are two separate matters. We will get to the remediation. To be fair to them, they told us at the hearing that the Law and Justice Committee had a year ago, or thereabouts—gee, it's been a while—that they were, and that 6 per cent to 8 per cent of people were still not having the correct PIAWE applied to them. Can you on notice perhaps come back to us with any information you have as a regulator as to whether or not SIRA has done anything to check?

**ADAM DENT:** Yes, I will take that on notice.

**The Hon. DANIEL MOOKHEY:** Yes, and incidentally across all the schemes and all the insurers.

**ADAM DENT:** Yes, of course.

**The Hon. DANIEL MOOKHEY:** Equally, I think your organisation—Ms Donnelly may have made this decision prior to your arrival, Mr Dent. As I understand it, there was going to be some examination as to whether other insurers have suffered from the same mistakes when it comes to applying the PIAWE. Can we get, on notice, what the latest report is from SIRA in respect to the prevalence of this practice across the scheme?

**ADAM DENT:** Yes, of course.

**The Hon. DANIEL MOOKHEY:** On the remediation, have you checked into how they are remediating?

**ADAM DENT:** Yes, I'm aware of that process at the moment. It's currently being undertaken in partnership with Service NSW. A good number of the workers—I'm sorry, I'm looking for the numbers. At this stage, I understand that around 10,782 of the workers who a proactive payment was being applied to have actually received those payments. That's a positive start. I understand at the moment there are a number of workers that cannot yet be contacted, so that work is underway.

**The Hon. DANIEL MOOKHEY:** This is when we get to do the estimates equivalent of the Marvel multiverse of questions here because I now get to go to Mr Wells, Service NSW, who tells me that icare says that—sorry; Mr Rees.

**GREG WELLS:** Mr Rees.

**The Hon. DANIEL MOOKHEY:** Sorry, Mr Rees, that's you.

**ADAM DENT:** I'm still caught up with the "Marvel multiverse".

**The Hon. DANIEL MOOKHEY:** Apparently, your organisation made a decision during the response to the floods or COVID to have to delay the contacting of up to 21,000 injured workers who have been underpaid to allow for the redirection of your internal resources. Are you aware of that?

**DAMON REES:** I am.

**The Hon. DANIEL MOOKHEY:** Why was such a decision made?

**DAMON REES:** So maybe just to recap, we were engaged late last year to assist icare to make contact and support these underpaid workers. We entered agreement with them in December. The goal of that agreement was to contact and pay workers that respond to that by 30 June. Once we got into that work, we identified there are two cohorts—one where contact information was available from icare; the second cohort where contact information was not available. For that first cohort, we're on track with that original—we achieved that original commitment of 30 June.

**The Hon. DANIEL MOOKHEY:** Yes, that's confirmed.

**DAMON REES:** We commenced contacting those customers from mid-May through to mid-June. That's the number that Mr Dent has referred to. The second cohort, we have further work to do from a privacy standpoint to ensure that we can, whilst preserving all privacy safeguards for our customers, leverage additional data sources within Service NSW to make contact with those customers. That work is ongoing. At this point, we expect to contact that remaining cohort by the end of the year.

**The CHAIR:** Ms Cameron, thank you for joining us. My question is obviously centred around the eConveyancing project. When were you first advised by the Minister or his office that he was going to disregard previous statements about national uniformity and go it alone in an enforcement regime ahead of the other States?

**DANUSIA CAMERON:** The New South Wales enforcement regime sits apart from the national regime and isn't inconsistent with it but, rather, enables us to enforce those provisions. New South Wales continues to develop the national enforcement regime, in conjunction with other States and Territories. The Minister flagged New South Wales was considering looking at a New South Wales regime as an interim measure ahead of bringing in a national regime at a ministerial forum in June this year. That was because of concerns with the time it was taking to develop the national regime—it is just an inherently complex thing to do to synthesise the requirements for each of the States and Territories into a single harmonious scheme for enforcement.

**The CHAIR:** So that was in a forum. Was that in a direct conversation with you or just as an announcement in some sort of speech at a forum?

**DANUSIA CAMERON:** It was part of discussions in a forum with Ministers in other States and Territories—with his counterparts in other States and Territories.

**The CHAIR:** So you weren't at that forum?

**DANUSIA CAMERON:** Yes, we were at that forum.

**The CHAIR:** That's when you first found out that we were heading down that path?

**DANUSIA CAMERON:** I think it was an idea that we had been canvassing at an informal—it was an idea before then, but that was the first formal time the Minister indicated his intention to do that. But at that time it was also flagging an intention. As time went by and as the complexity of developing the national regime became more and more apparent, the proposal to develop a New South Wales regime as an interim measure crystallised.

**The CHAIR:** In that announcement at that forum, did he also indicate that it wasn't just about enforcement but it was to address safeguards or concerns around safeguards that had been raised during the debate of the previous bill?

**DANUSIA CAMERON:** The concerns around safeguards for the previous bill are being currently reviewed by ARNECC at a national level to be considered as part of the second amendments to the ECNL, the Electronic Conveyancing National Law. Those safeguards are being considered as part of a separate national process that currently continues and is underway.

**The CHAIR:** That wasn't my question. My question was: Did the Minister, as part of his announcement, say that this enforcement regime or this bill would also include those safeguards? I'm asking you because the Minister's memory this morning was hazy, at best, so I'm hoping your memory of how this all came to pass might be a bit better.

**DANUSIA CAMERON:** The Minister's comment at the forum was one that was in passing. It was a couple of sentences. It wasn't designed to be a comprehensive description of everything that would be covered, but the intention was to cover a New South Wales enforcement regime and only that territory, not cover the issues that had been raised at the committee.

**The CHAIR:** At what point after that brief announcement was your office asked to initiate this proposal paper or this discussion paper that you released on 8 July to the industry that went through the enforcement proposals?

**DANUSIA CAMERON:** My apologies—I'm not sure of the exact dates, but we would have been working on it shortly after that.

**The CHAIR:** Were you asked by the Minister's office to do that or was that something that you guys initiated yourself? He seemed to indicate that it may have been something that came from you guys.

**DANUSIA CAMERON:** It may well have been a proposal from our office, but it was something we discussed with the Minister's office.

**The CHAIR:** Sure. Has your office been asked to provide any advice to Parliamentary Counsel regarding this second bill? The Minister seemed pretty hazy as well with regard to where it's at with Parliamentary Counsel. Has your office been, obviously, taking the feedback from this proposal to Parliamentary Counsel?

**DANUSIA CAMERON:** Yes. It is a bit confusing because there are two second bills. The New South Wales enforcement bill, we've been working with Parliamentary Counsel on that.

**The CHAIR:** Yes.

**DANUSIA CAMERON:** But the second bill that we're working on with our colleagues in other States and Territories to bring in a national enforcement regime and to consider the safeguards that industry proposed, we're not yet at the stage where we can start providing drafting instructions. We're still before that stage. So there hasn't been engagement, as far as I'm aware, with Parliamentary Counsel on that second bill.

**The CHAIR:** The second bill that you have been engaged within, has that also been informed by the national code? We're unclear as to whether it has been released or it's still in draft form. The Minister was, once again, hazy as to whether he has seen it.

**DANUSIA CAMERON:** The national code actually relates to a different concept. The national code relates to the financial settlement arm of electronic conveyancing, so the connections into the Reserve Bank and out to the financial institutions. Following reviews by the Council of Financial Regulators, they tasked AusPayNet to work with ELNOs—electronic lodgement network operators—and financial institutions to develop an industry code, and it's kind of similar to what's done for credit cards. That work is underway. There have been a number of meetings at the SteerCo level and there are two working groups that sit under that. As I said, the ELNOs and the banks are primarily working on that code, but ARNECC, the Reserve Bank and the ACCC are all observers to that process. We expect that to finish by December this year, and then the ACCC undertakes a review of that.

**The CHAIR:** I might leave that line of questioning there. I've just got one more line before I throw to the Opposition, and it's to you, Ms Livingstone. In 2018 your department did a review of taxi fares in New South Wales. It was a fairly lengthy report—I think it was about 70 pages. Are you familiar with that report or was that before your time?

**LIZ LIVINGSTONE:** It was before my time.

**The CHAIR:** Okay. In those 70 pages, the idea of surge pricing was mentioned once. Given that the concerns of the industry and customers has, essentially, emerged as truth—that surge pricing has become rampant in the point-to-point industry with rideshare companies—is your agency looking at doing or are you doing any work around how we grapple with this issue of surge pricing so customers aren't continually ripped off?

**LIZ LIVINGSTONE:** The work that we do needs to be referred to us somehow. Either it's a function in legislation or a Minister refers terms of reference to us. We haven't been asked to do work on that.

**The Hon. DANIEL MOOKHEY:** Secretary, do you mind if I resume that questioning?

**EMMA HOGAN:** Please continue.

**The Hon. DANIEL MOOKHEY:** Mr Rees, you were telling me that you think that you are going to have it all done by the end of the year?

**DAMON REES:** Cohort 1 we completed by 30 June, which was the commitment with icare. For cohort 2, we believe we'll have that completed by the end of the year, subject to being able to find a way to achieve that within the appropriate privacy obligations we have.

**The Hon. DANIEL MOOKHEY:** Do you have clearance from the Privacy Commissioner?

**DAMON REES:** I believe we're still working through that at the moment.

**The Hon. DANIEL MOOKHEY:** Innocent question, Ms Tydd, but you're not the Privacy Commissioner, are you?

**ELIZABETH TYDD:** Correct.

**The Hon. DANIEL MOOKHEY:** Good. Where are we up to in terms of getting clearance from the Privacy Commissioner, because that seems to be the hurdle here in respect to remediating these workers?

**DAMON REES:** I don't believe it is exclusively resting with the Privacy Commissioner, but I'll take on notice exactly where we're at in that process, if that's helpful.

**The Hon. DANIEL MOOKHEY:** That would be helpful, if you don't mind. That would be good. Mr Dent, is there any further information you'd like to provide in respect to remediation?

**ADAM DENT:** Only that at the moment, so far 21,000 of the 51,000 people have been contacted, so the cohort that relies on this privacy piece is still around 30,000 people.

**The Hon. DANIEL MOOKHEY:** Yes, it's a lot.

**ADAM DENT:** So it's not insignificant.

**The Hon. DANIEL MOOKHEY:** It's not insignificant at all.

**ADAM DENT:** It is worth noting that's for, if you will, the proactive payments. Each of those individual workers, should they become aware and think they have an issue, is still able to contact icare and have the full review of the amount.

**The Hon. DANIEL MOOKHEY:** Have you by any chance managed to inspect the reasons why there were underpayments of people who were entitled to payments under the Dust Diseases Scheme?

**ADAM DENT:** The Dust Diseases Scheme is not a matter where SIRA has any regulatory role.

**The Hon. DANIEL MOOKHEY:** I thought so. No-one does.

**ADAM DENT:** Suffice to say that it was equally disturbing, and when it was brought to my attention, it was on the basis that there would be likely more overpayments than underpayments. And, as you'd be well aware—you would have found out probably the same day I did—the number of underpayments was actually far more significant than perhaps had been indicated.

**The Hon. DANIEL MOOKHEY:** And the scale of the underpayments is huge. The average amount of the people who, many of whom are now dead, have been underpaid is quite large. That's fair?

**ADAM DENT:** That is fair. And over a very long period of time.

**The Hon. DANIEL MOOKHEY:** Yes, but no-one outside of icare has regulatory authority over them. That's correct?

**ADAM DENT:** That's correct. SIRA has a limited role in relation to the Dust Diseases Authority, and it's mostly around how each year the levy is to be distributed across the group of insurers based on the different categories.

**The Hon. DANIEL MOOKHEY:** Yes. Can you give any regulatory update you have for us on the HBCF, please?

**ADAM DENT:** On HBCF, there are a number of matters on foot. First of all, from a regulatory point of view, we continue our investigation of the application of the eligibility model used by icare. I recently expanded that from an individual issue to looking more broadly across a series of builders to assure ourselves that the eligibility model had been provided and implemented correctly. That's underway.

**The Hon. DANIEL MOOKHEY:** Why did you make that decision?

**ADAM DENT:** Because I wasn't persuaded that it was in isolation that the issue we'd found had occurred, and the information from the forensic team suggested that it was worthwhile looking more broadly. That may indeed find nothing, but I felt it was worth doing.

**The Hon. DANIEL MOOKHEY:** Indeed. As a regulator, that's what you do. When did you make that decision?

**ADAM DENT:** I'd have to check the date, but it was in the last eight weeks. At some point in time, I commissioned a further audit.

**The Hon. DANIEL MOOKHEY:** It has been established on the public record that the specific matter that gave rise to your need to inspect the application of the eligibility model arose from the decision to provide Metricon with insurance. That's fair? And as a result of that, you've now have expanded it to look into other people who may have been insured as well?

**ADAM DENT:** What we're checking is both whether the methods through which insurance was provided—whether they were deeds or other means used to secure the liability—were appropriate but also whether the financial assessments were appropriate and accurate.

**The Hon. DANIEL MOOKHEY:** Have you concluded the first set of that?

**ADAM DENT:** I expect the report from the forensic team next week.

**The Hon. DANIEL MOOKHEY:** And is that the expanded report or is that the first report?

**ADAM DENT:** That will be the initial matter. We did have to go back and ask for further information and look into a few more matters, so it has taken a little bit more time. I expect that will be concluded next week. The broader audit I don't have a completion date for at this point in time.

**The Hon. DANIEL MOOKHEY:** Is it being done by the same auditor?

**ADAM DENT:** Yes. They have the benefit of everything that they've discovered so far.

**The Hon. DANIEL MOOKHEY:** Given the sensitivity of that matter, Mr Dent, I won't push you any further on that.

**ADAM DENT:** Thank you.

**The Hon. DANIEL MOOKHEY:** But the HBCF—is there other regulatory activity that you may or may not have done?

**ADAM DENT:** Not specific regulatory activity. We are looking from a policy point of view. We're consulting at the moment on the findings of the IPART report. I think it's fair to say that there's a lot to do in terms of whether the scheme is now fit for purpose, given the current situation within the building industry. So we are looking more deeply. That public consultation is underway at the moment. In addition, within SIRA, I've committed additional resources to the home building scheme. I think what we've learnt over the last 12 months with the state of the industry is there's far more to do than we've had the capacity to do of late.

**The Hon. DANIEL MOOKHEY:** Has the collapse of Oracle caused SIRA to make any further inquiries into the HBCF?

**ADAM DENT:** Not so much further inquiries. When an event like Oracle or Willoughby or those happens, we work very closely with Fair Trading, who have a principal regulatory role in relation to the builders themselves and the suitability of those builders. So between icare, SIRA and Fair Trading, we're working actively. At this stage, the Oracle collapse does look to be not insignificant, and we'll be monitoring to make sure that those claims are handled appropriately along the way.

**The Hon. DANIEL MOOKHEY:** We established last week the size of the potential liability, but it works out to be, from memory, as you put it, "not insignificant".

**ADAM DENT:** I think, off the top of my head, the number is in the order of about a \$10 million liability to the HBCF. There are around 179 builds current. What that won't take into account is any builds that have been completed that are in a warranty period for defects. It's a little harder to ascertain what that might look like.

**The Hon. DANIEL MOOKHEY:** Mr Dent, are you in a position to provide us an update as to how we're going in terms of the consultation that we were promised in respect to the establishment of a workers compensation-like scheme for the gig economy?

**ADAM DENT:** One of the most important things that's going on at the moment that we need to watch is what's happening federally. I think there's some really positive movement that will deal with the industrial relations system nationally, and the trickle down of that will be very helpful. We have done some consultation. What's frustrating of course is, as I've mentioned before, the very diverse opinions across employee-employer groups around the gig economy and what the appropriate solution is. I think the other thing that's really important to understand is most of the conversation to date has been around food delivery riders, and there have been some absolutely appalling tragedies there that shouldn't be forgotten.

But the gig economy is a much bigger and broader issue, and even McDougall called that out. The rise of independent contractors in a range of industries presents huge challenges for the workers compensation system. We intend to address that in the overall recommendation 34 re-look at the whole workers compensation system. But on the delivery riders platform, really importantly, while it's still not equivalent, which would obviously be ideal, the individual platforms are now providing broader and better insurance coverage voluntarily, so that's useful. But we continue to look at ways in which we can provide advice.

**The Hon. DANIEL MOOKHEY:** Its usefulness is debatable, but I won't cut you off.

**ADAM DENT:** We're continuing to look at options and consult around what advice we can continue to provide Government.

**The Hon. DANIEL MOOKHEY:** Your job is to make sure employers who are meant to pay premiums pay premiums, correct?

**ADAM DENT:** That's correct.

**The Hon. DANIEL MOOKHEY:** That gives you the ability to launch investigations into whether or not a person has paid the premiums that they owe. Fair?

**ADAM DENT:** That is correct, which we do reasonably actively.

**The Hon. DANIEL MOOKHEY:** When was the last time you checked a gig company or a gig platform as to whether or not they meet the definition of "employee" and "employer" from the perspective of workers comp laws that would require them to pay a premium?

**ADAM DENT:** I'd have to take that on notice. But the short answer would be that for each of those gig platforms, it would depend which workers you're talking about. So people working at the head office of a platform, for example, would absolutely be considered an employee.

**The Hon. DANIEL MOOKHEY:** I will be very specific. Have you investigated whether HungryPanda should be paying premiums under the workers compensation scheme above what they already do to cover the people that pay their—

**ADAM DENT:** Not specifically for HungryPanda that I'm aware.

**The Hon. DANIEL MOOKHEY:** The reason I mention that one is because we have a PIC finding that suggests that they were.

**ADAM DENT:** The insurer accepted liability in that case. The PIC finding was around the distribution of the death benefit. I don't think it's fair to say the PIC found that that person was an employee.

**The Hon. DANIEL MOOKHEY:** That's interesting, because how that PIC process is characterised was slightly different by Mr Harding. But I thought the insurer accepted liability, too.

**ADAM DENT:** I think importantly there was no liability decision made by the Personal Injury Commission. That decision only is around the apportionment of the lump sum.

**The Hon. DANIEL MOOKHEY:** Okay. But did that catalyse you to perhaps inspect whether or not you should be testing HungryPanda?

**ADAM DENT:** On that particular matter—and I can take this on notice—I did ask my team whether there was anything in that decision and whether we needed to look more broadly. And, from memory, the answer was essentially that under the circumstances the insurer had made a decision in relation to that. In the main, most of the delivery riders, for example, employed by HungryPanda or the like, are still considered independent contractors for the purpose of workers compensation.

**The Hon. DANIEL MOOKHEY:** But you rely on the common-law test, don't you?

**ADAM DENT:** The test under the Workers Compensation Act for us is slightly different. But, broadly, yes.

**The Hon. DANIEL MOOKHEY:** So the issue is that we have multiple common-law decisions arising from different tribunals that all have had to look at this question for different purposes under law according to different fact patterns that have prevailed at the time within the platforms. But Revenue NSW has a case right now with Uber that asserts that for a period of time they were employees for the purpose of payroll tax. The Fair Work Ombudsman has brought various matters against companies like Deliveroo and all. All I'm interested in is when was the last time SIRA looked at whether they satisfied the definition of "employee" and "employer" for the purpose of premiums? I want to ask very specifically about HungryPanda and Uber Eats, because they're the ones that have various forms of dispute around workers comp. On notice—

**ADAM DENT:** I will take that on notice. Not a problem.

**The Hon. DANIEL MOOKHEY:** But I am going to ask you, on notice, to look at Deliveroo and Amazon Flex. I'm going to also ask you, on notice, to look at Uber Eats, Uber, DoorDash, Menulog and EASI, because you will find that they are all hovering in this—

**ADAM DENT:** Broadly similar space.

**The Hon. DANIEL MOOKHEY:** Yes. Look, I don't want to just be mean to Revenue NSW and only direct my ire at them. I did say that I would be mean to other people, too, so here I am.

**ADAM DENT:** It's very kind of you to share the love.

**DAMON REES:** Mr Mookhey, if I could quickly close out your questions?

**The Hon. DANIEL MOOKHEY:** Please.

**DAMON REES:** We're waiting on a public interest direction to be approved by the Attorney General. That will enable data matching between Service NSW data and icare data, which will enable the contact of that cohort too.

**The Hon. DANIEL MOOKHEY:** So that means the Privacy Commissioner has said that this requires a Minister to tick it off?

**DAMON REES:** That's right.

**The Hon. DANIEL MOOKHEY:** And that has gone to the Attorney General?

**DAMON REES:** I believe there are two approvals required. One is Minister Dominello—I believe that's complete—and the second is the Attorney General.

**The Hon. DANIEL MOOKHEY:** When did it go to the AG?

**DAMON REES:** I don't have that precise date. But, subject to that being approved, we expect to commence those notifications in October.

**The Hon. DANIEL MOOKHEY:** Okay. Can you, on notice, tell us when the Attorney General was asked to approve it?

**DAMON REES:** Sure.

**The Hon. PETER PRIMROSE:** Can I direct all my questions to the secretary, please? But please feel free to refer them to whoever you think is appropriate. Can I ask you what the current balance is of the Digital Restart Fund?

**EMMA HOGAN:** Mr Wells, you might need to answer that. I know that the majority of the fund has been allocated against projects and there is probably a small amount left to be allocated, but Mr Wells would know more.

**GREG WELLS:** Thanks, Mr Primrose. There has been a total of 251 projects now approved. Of the \$2.2 billion, \$1.945 billion has been allocated to projects. Excluding a small amount of contingency, \$242 million has been reserved for projects, as part of the pipeline we talked about before, but has yet to be allocated.

**The Hon. DANIEL MOOKHEY:** Can we, on notice, get a list of the 200 projects and how much each—

**EMMA HOGAN:** The 251.

**GREG WELLS:** Yes, we can. Look, each year we produce an annual report, too, so that was produced for 2021. That's on our website. We're in the process of producing that for this year, so that will contain all of those. I think the last part will be the reservations against the remaining components, which we are happy to look at too.

**The Hon. DANIEL MOOKHEY:** The reservations framework for the Digital Restart Fund—what exactly is that process?

**GREG WELLS:** The start of the process is cluster digital plans. They have three- and five- and sometimes 10-year plans, depending on the cluster. We go through a prioritisation process across the cluster that lines those projects up against some criteria, which Digital Restart is meant to do. We rank and score those. We take that to ERC, and ERC approves that backlog of projects, if you like.

**The Hon. DANIEL MOOKHEY:** As a reservation?

**GREG WELLS:** Yes, that's right. Then the process in terms of funding is that we take tranches to ERC that are ready for funding. "Ready for funding" means we've worked with the cluster to build a business case and the business case is sound—it meets the objectives of the fund, et cetera. We take those business cases through a working group—Treasury, DPC, DCS. We take those to a steering committee, which is jointly chaired, and at that point they're recommended for approval via Cabinet.

**The CHAIR:** I just have one line of questioning and then I will throw back to the Opposition so you can go unabated. Through you, Ms Hogan, I might direct my question to Mr Dent. On 15 August SIRA announced a pilot program titled "workers compensation assist".

**ADAM DENT:** Yes.

**The CHAIR:** How much is this pilot program costing the department? How is it being resourced? Is this part of a SIRA employee's existing role, or is there someone being discretely employed to work on this?

**ADAM DENT:** It is a combination of both, Mr Banasiak. There is a number of our existing resources who work in our SIRA "assist" area, which has previously been predominately focused on CTP Assist, and there is a small number of new staff that have been recruited—maybe five or so—that will assist with the workers compensation assist pilot.

**The CHAIR:** And obviously that is just a temporary appointment while the pilot—

**ADAM DENT:** Yes, that's right. If the pilot generates good results—and so far there is reasonably good feedback coming from employees about their experience and the assistance that's provided. That will be looked at, at the end. Should it actually stack up as a worthwhile proposition, we'll look at how we resource it going forward. We might look to shift or change it, or discontinue it if it hasn't achieved any results.

**The CHAIR:** How long is the pilot going for?

**ADAM DENT:** For 12 months.

**The CHAIR:** Are you deliberately targeting self-insurers? I know you listed Aldi, Toll and Catholic Church. They're all self-insurers.

**ADAM DENT:** No. We made an ask to all of the insurers about who would like to participate in the pilot. The first on board was Aldi, as a self-insurer, then Toll and Catholic Church Insurance came on board. We have recently approached New South Wales Government self-insured clusters and asked them if they would like to join the program and have us contact their workers. At the moment, we're negotiating through—I think there might be three clusters who have shown interest. Basically, as we're hitting project milestones, we're looking at expanding to make sure we're making the best use of the volume we have.

**The CHAIR:** Sure. On notice, can you indicate what those three or four clusters were that have—

**ADAM DENT:** Yes. I'm just not sure whether they've actually agreed or not, as yet.

**The CHAIR:** Thank you. Just looking at the brief description of what the pilot entails, is it fair to say that it seems like SIRA is taking up the work of a previous job that the insurers did? You talked about calling employees up and talking about their claims journey. That's a case manager's job. From the outside looking in, it seems like SIRA is having to step up to do a case manager's job because the case managers at these insurers aren't doing their job properly.

**ADAM DENT:** You could probably frame an argument around that and I would find it difficult to totally disagree with you. However, one of the things we have seen through the success of CTP Assist, which has now been operating for a number of years, is that a call from a regulator—as distinct from an insurer, with which you might have a different relationship—has proven to be beneficial. While, arguably, if a case manager was on the job quickly enough and providing the right information, you could say it was unnecessary, what we are able to do through the workers comp and CTP Assist services is provide advice on how to manage issues with the insurer and directions to, say, the Independent Review Office for complaints. We're able to provide a slightly different degree of assistance from an impartial position as a regulator. Ideally, things would be working so smoothly that we wouldn't need it, but that doesn't appear to be the case, and it has been a helpful service to date.

**The Hon. PETER PRIMROSE:** Can I ask a few questions in relation again to our favourite, Park'nPay? When did the department first have contact with Duncan Solutions regarding Park'nPay?

**EMMA HOGAN:** I'll ask Mr Wells to answer your questions on Park'nPay.

**GREG WELLS:** I'll have to take that on notice.

**The Hon. PETER PRIMROSE:** Did the department have any discussions with Duncan Solutions prior to the Minister's office meeting with the company on 7 February 2019?

**GREG WELLS:** Again, I'll have to take that on notice. I'll have to take specific dates on notice.

**The Hon. PETER PRIMROSE:** I'm happy for you to take them on notice, and we'll review the answers. Thank you. How was the decision to award the contract to Duncan reached?

**GREG WELLS:** As we talked about before, the decision to pilot Park'nPay was based on the location first.

**The Hon. PETER PRIMROSE:** Yes, understood.

**GREG WELLS:** We chose The Rocks because, as we've talked about before, there were meters and infrastructure in that location that the Government owned. Once that location was selected, because Duncan provided the meters in that location, as we've talked about before, we put in place a sole-source mechanism to work with Duncan to trial the solution, if you like. Liverpool subsequently joined that pilot as well. So that was the basis of the decision. It was mostly around location and what we had access to.

**The Hon. PETER PRIMROSE:** Did you have any discussions with any other potential providers?

**GREG WELLS:** Again, it was about the location, not about the provider.

**The Hon. PETER PRIMROSE:** So that's no?



**GREG WELLS:** It was based on the location because that's what we could most easily trial.

**The Hon. PETER PRIMROSE:** Did the department have discussions with any other potential providers?

**GREG WELLS:** Because we chose the location, we started direct sourcing with Duncan.

**The Hon. PETER PRIMROSE:** Okay. So the answer's no?

**GREG WELLS:** Again, you're trying to take this somewhere again, but you asked me, Mr Primrose—

**The Hon. PETER PRIMROSE:** I said, simply, did you. It's a simple yes or no answer.

**GREG WELLS:** Okay. Well, you asked the basis for the trial. The basis for the trial was location.

**The Hon. PETER PRIMROSE:** That was—

**GREG WELLS:** So we didn't have any other—

**The Hon. PETER PRIMROSE:** Mr Wells, that was my previous question, and basically this question is: Did the department have discussions with other potential providers?

**GREG WELLS:** Because Duncan was the provider in that location, the only logical provider to have discussions with was that provider.

**The Hon. PETER PRIMROSE:** In an email to the Minister's office, or the Minister's chief of staff, dated 6 December 2019 you state, "There was not a procurement process." Can you explain how the contract came to be awarded then?

**GREG WELLS:** Yes. As Ms Young talked about before—sorry, as I've just said, because we chose location first, the provider in that location was Duncan. We went through a process to sole-source Duncan for that trial and that was the basis from which the contract emerged.

**The Hon. PETER PRIMROSE:** Okay. In your email dated 5 December 2019, and as you state, "The Rocks were selected as a trial location by the Minister's office."

**GREG WELLS:** I'm sure there would have been consultation, as the Minister talked about before, around what the right location was. I'm sure there was advice from the department at that time. Again, I'd have to take that on notice in terms of that sequence; but, I mean, I'm sure that was the process around then.

**The Hon. PETER PRIMROSE:** Okay. How active a role did the Minister's office play in the procurement process?

**GREG WELLS:** None that I'm aware of but, again, that would be a question for the Minister. So, as the Minister talked about this morning, the procurement process is with the cluster.

**The Hon. PETER PRIMROSE:** Your email dated 5 December 2019, as I just indicated, said, "The Rocks were selected as the trial location by the Minister's office."

**GREG WELLS:** I'd need to check that exact language because I think the Minister wouldn't choose—we would have chosen that process in consultation together.

**The Hon. PETER PRIMROSE:** With the Minister's office?

**GREG WELLS:** Look, I'd need to check that in the context of that email. I, you know—

**The Hon. PETER PRIMROSE:** Okay. In that same email chain, it states, "Duncan Solutions was engaged to expedite the rollout. Nowhere in detailing the background of the app does it disclose that Duncan approached the Minister's office to propose the app." Why was that information not included?

**GREG WELLS:** Sorry, can you repeat that question?

**The Hon. PETER PRIMROSE:** In that same email chain, it states, "Duncan Solutions was engaged to expedite the rollout"—you've indicated that—"but nowhere in detailing the background of the app does it disclose that Duncan approached the Minister's office to propose the app." Why isn't that information there?

**GREG WELLS:** I don't think that's the way it worked. I think, Mr Primrose, as I said before, we were proposing a trial of the app and the concept of the app. The location was chosen. The provider was the people that we get the data from and, as we've talked about before, we developed the app or came up with the concept of the app that accessed data from that provider.

**The Hon. PETER PRIMROSE:** I ask you to bear in mind that as a member of the upper House I also read confidential returns.

**GREG WELLS:** Yes.

**The Hon. PETER PRIMROSE:** So without going in that direction I again ask you—let's be quite clear: Did Duncan approach the Minister's office to propose the app?

**GREG WELLS:** Not to my knowledge, but that's probably a question that the Minister or the Minister's office would need to answer. So not to my knowledge, no.

**The Hon. PETER PRIMROSE:** Okay. So you're not aware if that was the case.

**GREG WELLS:** I am not because the concept of Park'nPay is a solution that we have proposed and successfully rolled out, not Duncan.

**The Hon. PETER PRIMROSE:** You signed the contract with Duncan Solutions in July 2019. Can you please explain why the contract award notice was not posted until 26 November?

**GREG WELLS:** Yes, I can't, and my apologies: I had that wrong before. It is 45 days in terms of contract disclosure so I can't answer right now but I'll try to find out on notice why that took an extra month.

**The Hon. PETER PRIMROSE:** Okay. But you agree that under GIPAA requirements a contract must be posted within 45 days?

**GREG WELLS:** Yes, I do.

**The Hon. PETER PRIMROSE:** Okay. After the Minister's chief of staff instructed you to seek probity advice, you replied you would do that as soon as possible.

**GREG WELLS:** Yes.

**The Hon. PETER PRIMROSE:** Is it correct you were the decision-maker on which probity firm was engaged?

**GREG WELLS:** I'll need to take that on notice as well but, again, as we talked about this morning, there is a panel of probity advisers that we use. They're under a government scheme called SCM005, so we would've worked through a process to engage someone from that panel. It depended on scope, on cost, whether we needed quotes from that process, so I'm happy to come back on notice as to how that process worked, Mr Primrose.

**The Hon. PETER PRIMROSE:** No. I understand the process. Were you the one who made the call?

**GREG WELLS:** Ultimately, I think I would have been the one that signed off on the probity adviser, yes.

**The Hon. PETER PRIMROSE:** Okay. If you weren't, can you tell us who was?

**GREG WELLS:** Yes, sure.

**The Hon. PETER PRIMROSE:** Okay. Has the department engaged O'Connor Marsden and Associates—and I will refer to them as OCM—in the past?

**GREG WELLS:** I'm sure we have. I can't cite the individual contracts we would have used O'Connor Marsden for. They're a probity adviser on that scheme, obviously, so I'm sure there's been from time to time occasions where we've used them as well.

**The Hon. PETER PRIMROSE:** Can you please take that on notice as well?

**GREG WELLS:** Certainly. That's fine.

**The Hon. PETER PRIMROSE:** Why were they chosen on this occasion?

**GREG WELLS:** Again, I'd need to go back and determine the process at that point.

**The Hon. PETER PRIMROSE:** You can't recall your decision?

**GREG WELLS:** I'm sorry, I can't. It was more than three years ago. I'll have to come back.

**The Hon. PETER PRIMROSE:** Okay. I thought it might have been something you would have prepared for. When OCM was selected, were you aware that the Minister's cousin worked for the firm?

**GREG WELLS:** No, I wasn't.

**The Hon. PETER PRIMROSE:** Okay. Given the buy.nsw.gov.au website listed Ms Nilan as an employee of OCM, how did this escape the notice of the department?

**GREG WELLS:** I'm not sure we knew there was any relationship. As the Minister talked about before, he wasn't aware either, so I'm not sure there was any conflict and if there was, we certainly weren't aware of it.

**The Hon. PETER PRIMROSE:** You don't recall the process? You don't recall you making a decision? But you do recall that you weren't aware of this.

**GREG WELLS:** No. I'm saying we weren't aware because this has come up at a previous estimates group.

**The Hon. PETER PRIMROSE:** Yes, I know. Would you agree that selecting a probity firm to review decisions made by a Minister that employs a member of the Minister's family risks creating a perception of a conflict of interest?

**GREG WELLS:** Had we have known, had that been obvious, had that person been on the process, potentially; but again, as we talked about, the Minister wasn't aware, we weren't aware, so—

**The Hon. PETER PRIMROSE:** But in retrospect you'd have selected, possibly selected, another firm to avoid that conflict of interest?

**GREG WELLS:** I guess that's hypothetical now, but I guess—

**The Hon. PETER PRIMROSE:** Let's be hypothetical: As the decision-maker, would you have?

**GREG WELLS:** If we had, I guess if there's a known conflict, we'd work to avoid that.

**The Hon. PETER PRIMROSE:** Okay. OCM were engaged to provide, I understand, two probity reports. Is that right?

**GREG WELLS:** Yes, correct.

**The Hon. PETER PRIMROSE:** Firstly, into the engagement of Duncan Solutions on the trial in The Rocks and another into the broader statewide rollout. Did Duncan sign two contracts?

**GREG WELLS:** No. As we talked about this morning, we signed one contract with Duncan. Again, I can talk you through how the solution works and where Duncan plays, if that's useful, but we entered into a single contract with Duncan, to my understanding, and the three plus one plus one contract.

**The Hon. PETER PRIMROSE:** Okay. So if there was one contract covering the trial and the statewide rollout, as indicated by the initial Duncan quote in May 2019, why did you need two probity reports?

**GREG WELLS:** Because we looked at—we wanted to look at the scope, I understand, separately. We looked into this at lunch, based on your questions earlier.

**The Hon. PETER PRIMROSE:** Yes.

**GREG WELLS:** So we wanted to look at, first of all, the sole-sourcing of Duncan for the initial trial and then, secondly, we wanted to look at any potential risks moving forward to statewide rollout, if that was successful.

**The Hon. PETER PRIMROSE:** But you didn't need two contracts; just two probity reports.

**GREG WELLS:** We did two separate probity reports on those two separate pieces of scope is my understanding, that's correct.

**The Hon. PETER PRIMROSE:** "Request to alter the initial draft probity report", as I understand, "made 11 February 2020." Is requesting a probity report be changed standard practice?

**GREG WELLS:** Sorry, can you repeat that?

**The Hon. PETER PRIMROSE:** "Request to alter the initial draft probity report made 11 February 2020". Is requesting a probity report be changed standard practice?

**GREG WELLS:** I'm not aware of what you referring to there, Mr Primrose, sorry.

**The Hon. PETER PRIMROSE:** Okay. Can I suggest you take that on notice?

**GREG WELLS:** Yes, happy to. If this is in relation to that email that you produced this morning, as we've talked about before and just a minute ago, the basis for the trial was based on location, not on provider, really clearly. I think some of the comments that you didn't read this morning in that email went to that fact, that

it was based on location first. Some of the Standing Order 52 that you probably have goes to that as well. I think if that is the comment you're referring to from our team, just to make that abundantly clear, that is why that request would have been made, or that comment on the draft would have been made. But I am very happy to come back on notice as to what that exactly refers to.

**The Hon. PETER PRIMROSE:** Thank you. That same email requests the changes because the report reads, and I quote:

... like we chose Duncan first, then determined the location.

But that's not what happened, was it?

**GREG WELLS:** That's correct. That's not what happened.

**The Hon. PETER PRIMROSE:** So why was that in the email?

**GREG WELLS:** That email is commenting on a draft report that we didn't think was clear enough about the actual process.

**The Hon. PETER PRIMROSE:** Let's look at the probity report. Was OCM informed of the Minister's office meeting with Duncan Solutions in February 2019?

**GREG WELLS:** Again, I'd have to take that on notice.

**The Hon. PETER PRIMROSE:** Was OCM advised that Duncan Solutions pitched the technology to the Minister's office?

**GREG WELLS:** Again, that is not my understanding, but I will check that as best I can.

**The Hon. PETER PRIMROSE:** You're the guys who did and accepted the probity report. I'm trying to work out what the nature of the probity report was and what it actually looked at. Was OCM advised that Duncan Solutions signed a deed of confidentiality with the department on 18 February 2019?

**GREG WELLS:** I'll have to take the detail of this process, Mr Primrose, on notice. I don't have that in front of me or can remember the detail of this.

**The Hon. PETER PRIMROSE:** Was OCM advised that Duncan Solutions provided a quote in May 2019 covering both the initial trial in The Rocks along with the statewide rollout?

**GREG WELLS:** I think they would have been, yes.

**The Hon. PETER PRIMROSE:** What due diligence checks are undertaken during the procurement process?

**GREG WELLS:** In terms of what we did in this process, because it was a sole-source process, as Ms Young talked about this morning, most of the procurement processes we run are based on internal, legal and probity advice within the department. Those processes would have been followed. As Ms Young said this morning, occasionally we get, by exception, probity reports as well where it's a high-value or risky program et cetera.

**The Hon. PETER PRIMROSE:** I am going to read this statement out; please feel free to comment as you wish. You are affirming that it's the case that in the case of the procurement of Park'nPay and the application of Duncan Solutions, the department performed many due diligence checks, both financial and personal, at the time of the application?

**GREG WELLS:** On Duncan, I think you are going to an email that Duncan is talking about their staff to do with. Again, I will need to take the detail of these steps, these dates and these comments on notice.

**The Hon. PETER PRIMROSE:** I am just saying: Did you perform due diligence checks?

**GREG WELLS:** I'll take that on notice but we generally do, yes.

**The Hon. PETER PRIMROSE:** Generally? Okay. The Audit Office has made several inquiries regarding Park'nPay. In an email dated 1 June 2021 you instructed the department to pause all communications with the Audit Office until a formal process was established. What was that formal process?

**GREG WELLS:** Again, I'll have to take that on notice.

**The Hon. PETER PRIMROSE:** You don't recall?

**GREG WELLS:** No.

**The CHAIR:** I note the time. Even though I'm going to let you keep going, Mr Primrose, it is three o'clock, which is our—

**The Hon. PETER POULOS:** No, our break is at 3.30 p.m.

**The CHAIR:** Sorry, our afternoon tea break is 3.30 p.m. so keep going. I am getting ahead of myself.

**The Hon. PETER PRIMROSE:** Thank you. Just a few more.

**GREG WELLS:** Sure.

**The Hon. PETER PRIMROSE:** Mr Wells, in an email dated Friday 6 December 2019 you state that Park'nPay is generic and could be adopted by any council or meter combination. Is that correct?

**GREG WELLS:** That's correct. I'm happy to expand on that if that's helpful, because that is one I can answer. We talked this morning about other infrastructure providers that the parking solution caters for. It probably is useful here to explain that. There are a few components to the solution. At its most fundamental level, at an infrastructure level—a level where the department plays no role whatsoever—there are many infrastructure providers. Some of those are parking meter providers; some of them are parking station providers. As the Minister talked about this morning, it now includes driveways, electric vehicles stations et cetera, et cetera. At that level we play no part.

The second layer is how we source data from those providers. Sometimes we source that via Duncan, via this contract, Mr Primrose, that we have talked about a number of times. That essentially feeds the application with data. Sometimes providers work through Duncan, sometimes providers work directly to us. There is something called APIs that feed the solution. The solution itself has been developed by the Department of Customer Service, as we have talked about, and there is also a payment gateway that Duncan provides. Duncan provides two components, one at that second layer to provide us with data and one at that third layer for payments. To answer your question, in terms of infrastructure providers and being technically agnostic to whatever the solution is, there are at least 10 providers now that we work with.

**The Hon. PETER PRIMROSE:** Okay, so there are about 10 additional providers who have been brought on board?

**GREG WELLS:** Ten different sorts of infrastructure providers that we now are working with, that's right.

**The Hon. PETER PRIMROSE:** Given Park'nPay can be adopted by any council or meter combination, has any council adopted the app without engaging Duncan Solutions to provide the payment gateway?

**GREG WELLS:** I think there are three that I can list: Apark, ITSL and CDS, in various councils. We're working with all of those providers. As I talked about before, those other infrastructure providers have nothing to do with Duncan either, so it is completely agnostic to those infrastructure providers.

**The Hon. PETER PRIMROSE:** Can you provide us with that list on notice?

**GREG WELLS:** Yes. We did also in supplementary last time, but we're happy to update that list as well.

**The Hon. PETER PRIMROSE:** Yes, thank you. I guess my memory is the same as yours. Does DCS solely use Duncan Solutions to provide its payments gateway?

**GREG WELLS:** Currently that is part of the contract, that's correct.

**The Hon. PETER PRIMROSE:** For how long is that contract due to continue?

**GREG WELLS:** The contract, as we talked about this morning, is a three-year plus one plus one contract. It's a three-year contract with the ability to extend for two years.

**The Hon. PETER PRIMROSE:** The Minister announced the installation of over 3,600 sensors to upload data to Park'nPay. Can you tell us who is providing these sensors?

**GREG WELLS:** That's a matter for councils again. If we go back to what we talked about in terms of infrastructure, councils will determine how they source the sensors for those disability spots. We play no role in that procurement. We do fund those councils to source those sensors but we play no role in procurement. It's really a matter for councils.

**The Hon. PETER PRIMROSE:** So the tender process will be up to the local council?

**GREG WELLS:** That's correct. They're the ones that will be either extending a contract they already have, because they may have sensors in place already, or they'd be looking to start a process to procure those.

**The Hon. PETER PRIMROSE:** Was Duncan Solutions the only company approached to provide the sensors?

**GREG WELLS:** No, definitely not. Again, it's hard for me to comment because we don't play a role there. The councils are the ones that choose their provider. For councils that don't have providers, we are assisting them to look at various options. One of those is a Transport for NSW contract that obviously has a range of sensor options as well. But, again, they are decisions for councils and it is a process we play no part in.

**The Hon. PETER PRIMROSE:** Who is going to own the data provided by the sensors?

**GREG WELLS:** That will be owned by us.

**The Hon. PETER PRIMROSE:** I'll come back to it if I can. Thank you very much.

**GREG WELLS:** Thank you.

**The Hon. MICK VEITCH:** Just a quick follow-up question with regard to the sensors, because I've been following this with a degree of interest—you may have detected I quite like asking questions about probity advisers and probity auditors after the commercial fishing exercise of a few years back. Did we say this morning that there was a probity report done on the sensors as well?

**GREG WELLS:** We are in the process of getting a probity report for the scale-out of the sensors. The process we are up to is we have piloted the solution for councils that already have sensors in place—again, no procurement process but we wanted, before we scale out the pilot of those disability sensors, to look at the rules not so much around how we procure but how we allocate funding to councils that don't have them at the moment. That process is in progress at the moment.

**The Hon. MICK VEITCH:** Is that unusual or unique that you would—because you actually haven't undertaken the procurement here but you are getting a probity—

**GREG WELLS:** Look, it is a bit unique and a bit of an exception, but I guess because of the interest in the program we thought it would be prudent to make sure we've just checked our processes in terms of that as well.

**The Hon. MICK VEITCH:** Thank you. Chair, I've got a couple of questions to Ms Livingstone. I'm not sure about the others, but once I finish these, if no-one else has any questions then Ms Livingstone can probably go.

**The Hon. PETER POULOS:** Were there any other departmental officials that might be excused after that as well?

**The Hon. MICK VEITCH:** I've still got some more.

**The Hon. PETER POULOS:** Okay.

**The Hon. MICK VEITCH:** Ms Livingstone, this morning I read with interest the press release around your rate peg methodology review that is being undertaken at the request of the Minister, and that has obviously created a lot of interest amongst local councils. A few of them have rung me. I look at the task that has been set by the Minister and item four talks about the options for capturing external changes outside of councils' control, which are reflected in councils' costs. There are a couple of items that councils have flagged with me to ask, so I guess on their behalf I am putting this to you.

**LIZ LIVINGSTONE:** Sure.

**The Hon. MICK VEITCH:** The first of those is does that look at cost-shifting from Government? Is that one of the items that would be considered in item four?

**LIZ LIVINGSTONE:** As you allude to, we have only just started this review and announced it today. The terms of reference give us scope to consult on what those things might be, so it might be that there is some kind of change in regulation or expectation of local governments that does mean there is a systemic shift in their costs and we would look at whether there is some way we could incorporate that in the rate peg.

**The Hon. MICK VEITCH:** Okay, they would be very keen to talk to you, as they talk to all of us, about cost-shifting—quite rightly; it is a serious issue. The other issue that was raised with me, and I have no doubt it has been raised with my colleagues as well, is what is referred to as the red fleet—that is, the RFS tankers and trucks and whatever else in regional New South Wales. Essentially, they go on the councils' asset register, but

the council has no control whatsoever over those items. There are a number of councils now—I think up around 80 or 85—that are now saying this year they are not going to put those assets on their books and the Auditor-General has indicated that in that case they will receive a qualified audit. Would that fit into task No. 4, options for capturing external changes outside of councils' control, do you think?

**LIZ LIVINGSTONE:** I think we would have to give that careful consideration. I understand there is an accounting issue that the audit office has looked at that councils ought to be depreciating those assets on their books and that is really a matter for the audit office rather than us giving accounting advice. If, as I say, there was some kind of systemic shift in costs for councils that they weren't currently recouping from rates, because we are talking about the rate peg, we'd be open-minded to hearing the argument for that. The rate peg only applies to income collected from rates, so you'd also have to think is that the kind of cost that ought to be recovered from ratepayers.

**The Hon. MICK VEITCH:** The other factor that is of interest, of course, is the population growth factor and whether or not it is achieving its intended purpose. A lot of regional councils, I think, have already expressed some concern about how that is being applied, but again I am not sure whether you can shed a bit of light or direction for these councils as they engage in this process around just exactly what you are looking for there or how you are going to treat that particular item in the task list.

**LIZ LIVINGSTONE:** Yes. The population factor has only been applied in the last year for the first time, so the kinds of things we are interested in hearing from councils is how that worked for them in this first iteration. We adopted a stance of using ABS population data. There were obviously other sources that we consulted councils about at the time, so again we'd be happy to hear if there is any advance in the arguments on those issues. One of the challenges for the rate peg is that, because we want to reflect councils' costs accurately, we have been using historic data, and that is ultimately what has triggered this review because by doing that, the rate peg is a little bit out of step with the current inflationary environment.

**The Hon. MICK VEITCH:** There is a lag.

**LIZ LIVINGSTONE:** And that applies to the population factor as well, so we'd be open to considering whether there is a different way of using forecasts or historic data that might get a better outcome for councils or a more timely outcome for them.

**The Hon. MICK VEITCH:** I am certain they will all be very keen to engage. I notice you are flagging that there will be an issues paper released on 27 September. Will there be consultation with stakeholders such as councils—and others, I dare say—around the development of the issues paper, or will you have the issues paper and send that out?

**LIZ LIVINGSTONE:** The issues paper essentially kicks off the process, so on 27 September we will release an issues paper that talks around the terms of reference and the kinds of things, like we have been talking about, that councils might want to submit information to us on. We've got nine months to do the review, so it is final in May. Before we get to that final point we will have public hearings, we'll have a draft report that councils would be able to make submissions to, and we'll have a final report. We will also have workshops with councils to tease through some of the issues.

**The Hon. MICK VEITCH:** I see on your time line you are looking at workshops in November or thereabouts, and clearly regional centres will be a part of this exercise. Again, you will be talking to Local Government NSW or councils about which are the ideal locations to hold those workshops?

**LIZ LIVINGSTONE:** Absolutely, yes. We will seek advice on what is going to be most practical, what locations people can get to. We will also have online options, which do make it more accessible for more people to attend.

**The Hon. MICK VEITCH:** Okay. I think that finishes—

**LIZ LIVINGSTONE:** I do have the follow-up on the question you asked this morning on the eConveyancing timetable consultation.

**The Hon. MICK VEITCH:** Yes.

**LIZ LIVINGSTONE:** We received draft terms of reference for that review on 29 April. We consulted on those and received three submissions and then published final terms of reference in June. We published an issues paper on 15 July. We had a public hearing on that issues paper. We had 47 people who registered to attend that. We then had a workshop with economic regulators. Part of our terms of reference asked us to consult with economic regulators around Australia, which we did on 8 August, and 16 people attended that. We have received six submissions on our issues paper and we expect to publish those later this week. We are going to publish a

second issues paper in October. We will have workshops and some other meetings in October and November, and submissions due on the second issues paper in November. We will publish a draft report in February, submissions due on that in March, and then the final report in April.

**The Hon. MICK VEITCH:** So April next year?

**LIZ LIVINGSTONE:** That's right.

**The Hon. MICK VEITCH:** It looks pretty comprehensive.

**LIZ LIVINGSTONE:** We consult extensively, as we will do on the rate peg as well.

**The Hon. MICK VEITCH:** Absolutely. I think they are all my questions for IPART. I don't know if anyone else has any, but I would be happy for Ms Livingstone to leave the show, so to speak.

**LIZ LIVINGSTONE:** Thank you very much.

**(Ms Liz Livingstone withdrew.)**

**The Hon. MICK VEITCH:** My next lot of questions is probably to Ms Cameron. In regards to the electronic conveyancing enforcement regime document, were ARNECC consulted or provided a copy of that draft discussion paper?

**DANUSIA CAMERON:** No, ARNECC wasn't provided a copy of the draft discussion paper.

**The Hon. MICK VEITCH:** It was?

**DANUSIA CAMERON:** It was not.

**The Hon. MICK VEITCH:** Why was that? Is there a rationale behind that?

**DANUSIA CAMERON:** It was purely a New South Wales document building on an ARNECC consultation paper from 2021.

**The Hon. MICK VEITCH:** Have ARNECC been consulted on the proposed second bill that Mr Banasiak was asking you about?

**DANUSIA CAMERON:** I have kept ARNECC updated throughout development of the process, including when we put the paper out and sought comments from stakeholders on the paper. We have also, with the stakeholders' consent, provided those comments to our colleagues at ARNECC to help them understand comments for the national regime as well.

**The Hon. MICK VEITCH:** Thank you. Earlier this morning I asked a couple of questions around insurance, particularly around the ELNOs and insurance.

**DANUSIA CAMERON:** Yes.

**The Hon. MICK VEITCH:** Has this been flagged with you at all previously?

**DANUSIA CAMERON:** Any subscriber to an ELNO must take out insurance, so that's lawyers/conveyancers. ELNOs themselves also have insurance requirements under the eConveyancing regime. We have considered insurance implications of the interoperability reform, so we have had two reviews by Willis Towers Watson over the last—I'm not sure of the exact dates, but in previous years. So it has been a theme of part of the review we have taken as part of this reform.

**The Hon. MICK VEITCH:** Is there anywhere where you have been able to model what that insurance might look like or what the requirements are for insurance for ELNOs in particular? It is a bit of a unique area.

**DANUSIA CAMERON:** The last discussion with Willis Towers Watson, from recollection, was that given that it is a specific area, both the role of being an ELNO is fairly unusual, my recollection is that they seek—Willis Towers Watson's recommendation was that they discuss that with their insurance providers. But I would have to check the actual report on that.

**The Hon. MICK VEITCH:** Would these electronic lodgement network operators be able to operate without insurance? Are they going to be able to be a part of the scheme if they can't obtain insurance?

**DANUSIA CAMERON:** The underlying eConveyancing regime requires them to have insurance, which will be required under the interoperability regime as well.

**The Hon. MICK VEITCH:** So they must have insurance?

**DANUSIA CAMERON:** Yes.



**The Hon. MICK VEITCH:** That would be the same for the conveyancers, of course, in the system. Do they have to have insurance?

**DANUSIA CAMERON:** Yes. There are requirements for subscribers to ELNOs. Conveyancers and lawyers have to have a particular insurance to engage in the system.

**The Hon. MICK VEITCH:** What if the ELNOs can't get insurance, if there are no ELNOs with insurance? Seeing you just said to us that part of the requirement is that they would have insurance.

**DANUSIA CAMERON:** This is true. We have reviewed the insurance requirements and that particular issue hasn't come up as part of that review. I can't give you a specific answer on that question.

**The Hon. MICK VEITCH:** Do you have a degree of comfort then that they will be able to obtain some sort of insurance product?

**DANUSIA CAMERON:** Based on the reviews we did with Willis Towers Watson, their view was that it would be possible to obtain the appropriate insurances, yes.

**The Hon. MICK VEITCH:** Do they have to provide documentary evidence that they are insured?

**DANUSIA CAMERON:** From memory, under the conveyancing regime, there is an annual review process. In fact, there is a process where we review things annually and I am fairly confident that insurance certificates of currency is something that we check every year for the ELNOs, yes.

**The Hon. MICK VEITCH:** I have had some conveyancers talk to me about this. This is an area where they are quite concerned, particularly around the capacity of the ELNOs to obtain an insurance product. I will paraphrase. One eConveyancer spoke to me about the fact that of course you can get insurance but you have to be prepared to pay for whatever that insurance product will be. You may be able to get insurance, but it could actually be very expensive. There is a degree of concern going forward about just what the insurance product will look like and what the affordability of that is. This morning we heard the Minister talk about his ambition for competition and transparency in this process, but if we cannot get insurers, if none of the ELNOs get insurers, I am not sure where that takes us. Has there been any work done on what we can do in the event of that? I know you have said you have a degree of comfort.

**DANUSIA CAMERON:** The work we have done to date has pointed to insurance being available. It's a really important point and something we need to continue to monitor, but the work we have done to date hasn't indicated that it will be a challenge.

**The Hon. MICK VEITCH:** The industry code, I am interested to see just how that industry code—I know it will be a national code. Is that correct?

**DANUSIA CAMERON:** That's correct. The industry code is the code on the financial settlement side of eConveyancing. It is a national code in that the participants in the code would be banks, who might operate nationally or might be regional; and ELNOs, who are required to operate nationally.

**The Hon. MICK VEITCH:** There will be a resolution process as well?

**DANUSIA CAMERON:** As part of the code?

**The Hon. MICK VEITCH:** Yes.

**DANUSIA CAMERON:** Yes. That would be part of the code that's been developed.

**The Hon. MICK VEITCH:** Having that framework in place for insurance, resolution and the code essentially being in place, will the time line be in place for the second bill that will hopefully go through the Parliament in the coming—I think there was a time line this morning; I can't remember now. In coming sittings we expect the second bill. That will be in place at the same time or prior to the bill? Is that the plan?

**DANUSIA CAMERON:** Yes, thank you. There are three time frames that I will need to go through to answer your question. On the industry code, the work that AusPayNet is running, the design and drafting of the code is intended to be finished by December this year. And then the ACCC needs to review the competition aspects of that code because you are bringing together competitors. That takes up to six months, that review. In terms of the amendments to the Electronic Conveyancing National Law to adopt a national enforcement regime and to consider the issues that industry has raised around assurance, that process really depends on the timetable of ARNECC, the group of registrars. Earlier this year we were confident that it would be possible to—we anticipated it may be possible to bring that towards the end of this year, but we are less confident about that now, although ARNECC has not yet made any formal announcement on that. The third timetable is the separate bill around a New South Wales enforcement regime, which is something we are considering at the moment.

**The Hon. MICK VEITCH:** One of the conveyancers I spoke to about this said to me—this is to do with the insurance issue—their suggestion was doing something like the Torrens Assurance Fund. Has that been considered at all or at least looked at as a possibility?

**DANUSIA CAMERON:** The Torrens Assurance Fund has a very specific purpose around registration of titles. It operates in a very specific way. I think over the past year, sorry, 2021, we spent a long time—so we being an ARNECC committee—working with industry, peak bodies and ELNOs to understand where risks and liabilities lay within the reform. Through that process we identified mitigations for those risks that have been built into—the its called the model operating requirements. There are other existing mitigations, including through insurances that are currently required, and then there are specific mitigations. For example, there is a vendor guarantee that ELNOs are required to provide here in New South Wales. Based on the analysis we did looking at all the different ways things might go wrong, we were confident that the existing regime would be effective to meet those risks without going to an assurance fund.

**The Hon. MICK VEITCH:** Claim resolutions—I have had someone talk to me about the fact that there will be a fee struck on conveyancers. Can you explain a bit more about is that going to happen to assist in the resolution of claims, but also how that would work if that is the case?

**DANUSIA CAMERON:** My apologies. It's a new one to me; I haven't heard about the fee for the conveyancers for the fee struck. In terms of fees, we are relying on IPART's review for any fees between the ELNOs relating to interoperability. Other fees are covered by the existing regime, which currently requires ELNOs to cap their pricing at CPI.

**The Hon. MICK VEITCH:** The industry code—the time frame again? You mentioned the three pillars of this process.

**DANUSIA CAMERON:** My apologies. The code is designed to be drafted by the end of this year—end of 2022—and then the ACCC does its reviews of the code, which can take up to six months.

**The CHAIR:** Given that it is pretty close to 3.30 p.m., we might break for 15 minutes and return at 3.45 p.m.

**(Ms Danusia Cameron and Ms Elizabeth Tydd withdrew.)**

**(Short adjournment)**

**The CHAIR:** Welcome back after that brief break. We will go straight to questions from Mr John Graham.

**The Hon. JOHN GRAHAM:** Thanks to the officials. These questions are for Service NSW in the first instance. They have been happily directed to you by the Transport agency. I'm just going to give you pre-warning before we're here.

**DAMON REES:** That was the cue I needed.

**The Hon. MICK VEITCH:** They did it with a smile on their face, too.

**EMMA HOGAN:** I'm sure they did.

**The Hon. JOHN GRAHAM:** They happily referred them to you. I just want to ask some questions largely about the matter which is referred to in the budget papers at page 1-7 in *Budget Paper No. 1*. That's the new toll relief measures, which Transport happily volunteered were in your agency budget as a line item. The first question was of the \$520 million over two years in toll relief, how is that allocated between the financial years?

**DAMON REES:** So \$252 million in 2022-23 and the remaining \$276.5 million in 2023-24.

**The Hon. JOHN GRAHAM:** The budget line item relating to registration, is that with Service NSW? The free rego relief, which is now being withdrawn.

**DAMON REES:** I believe the funding for the program that is being decommissioned—I think the funding for that program has historically sat with Transport and they would fund us progressively to affect the payment of free registration, as opposed to this replacement program where Treasury have decided to put that funding directly with the agency.

**The Hon. JOHN GRAHAM:** Just give me those figures again for the new toll relief measure. It is 252—

**DAMON REES:** So \$252 million for 2022-23.

**The Hon. JOHN GRAHAM:** And 27—

**DAMON REES:** And \$276.5 million for 2023-24.

**The Hon. JOHN GRAHAM:** Concerningly, that's higher than the amount that's allocated in the budget. That's more than \$520 million, isn't it?

**DAMON REES:** They are the figures I have in front of me. Let me do a reconciliation.

**The Hon. JOHN GRAHAM:** Yes.

**DAMON REES:** There shouldn't be anything too tricky there.

**The Hon. JOHN GRAHAM:** Great.

**DAMON REES:** I'll work out why we have a discrepancy.

**The Hon. JOHN GRAHAM:** Yes, okay. Thank you for that. Can I then ask about the other measure that is withdrawn, which is the small business subsidy for which road tolls could be claimed. So under the Small Business Fees and Charges Rebate scheme, small businesses were able to claim road user tolls. That scheme concluded on 30 June 2022. Can you tell us what was the financial allocation for that scheme for the last financial year?

**DAMON REES:** I'll just scan my list. Apologies, Mr Graham, it looks like I've got all of them except the one you've picked. I'll confirm that on notice, if that's okay?

**The Hon. JOHN GRAHAM:** Yes, good. So if you could tell us what was the allocation in 2021-22? And then, just confirming now, that has obviously fallen to zero in this financial year given the scheme has now been cancelled.

**DAMON REES:** That's correct. That was specifically a COVID program.

**The Hon. JOHN GRAHAM:** Yes, it was a COVID measure, so that's not surprising, but I'm just observing that's the allocation this year. You will come back to us on notice about what it was. Could you also indicate how much of the allocation was spent in the last financial year?

**DAMON REES:** Yes.

**The Hon. JOHN GRAHAM:** So those two numbers on notice would be helpful.

**DAMON REES:** Yes.

**The Hon. JOHN GRAHAM:** Will you be able to tell us or can you tell us how much of that rebate was claimed for tolls?

**DAMON REES:** If we can, we will report that back on notice.

**The Hon. JOHN GRAHAM:** Presumably you should be able to. You will need to know what it is being claimed for. There should be some record of what the use is.

**DAMON REES:** I would be confident that we would have that breakdown.

**The Hon. JOHN GRAHAM:** Great. So again, of the money that was spent, the subset of that that was claimed for tolls in each of the financial years.

**DAMON REES:** Yes.

**The Hon. JOHN GRAHAM:** Well, really, it just would have been last financial year when it was a possibility. Is that correct?

**DAMON REES:** I can't recall if that program spanned more than a single financial year, but we will report on the full period.

**The Hon. JOHN GRAHAM:** Could you report on each financial year in the full period?

**DAMON REES:** Yes.

**The Hon. JOHN GRAHAM:** Could you also, in doing that, tell us how many people were able to access that for toll relief?

**DAMON REES:** How many businesses that will be?

**The Hon. JOHN GRAHAM:** Yes, correct. So all of that on notice. And then returning to the new toll relief measure, which was announced in this year's budget, the budget allocation goes for two financial years. In the first year, Transport have indicated they believe that about 500,000 drivers will be eligible for that toll relief.

I might just ask you—they were going away to check that and, again, they were keen to send this in your direction, Mr Rees—how many drivers are eligible in this financial year for the toll relief scheme?

**DAMON REES:** Absolutely. I don't mean to do this to you, but my understanding is Treasury did the modelling for that program. My understanding is that one of the assumptions that underpinned that was half a million individual drivers and potentially 100,000 business-related vehicles as well.

**The Hon. JOHN GRAHAM:** So on top of the 500,000 individual drivers or accounts, 100,000—and this would be in the light vehicle class, is it, for up to two light vehicles?

**DAMON REES:** That's to the best of my knowledge.

**The Hon. JOHN GRAHAM:** Do you have a view about whether that increases in the next financial year? Most of these figures would be pegged to grow with either population or perhaps traffic growth.

**DAMON REES:** Yes. I think we'd need to ask Treasury to provide the underpinnings of their modelling.

**The Hon. JOHN GRAHAM:** I'll take that on notice, in that case, and go and ask them in the finance area. Can you tell me, for the toll relief item, which is part of your budget, how many drivers are expected to hit the \$375 minimum, which will allow them to claim?

**DAMON REES:** You mean under the new program that we are working towards?

**The Hon. JOHN GRAHAM:** Under the new program. So once you reach a minimum \$375, you can start applying. How many drivers will hit that minimum?

**DAMON REES:** So unlike the previous program where there were effectively two steps and you either achieved half free rego or full free rego, this one is obviously proportionate between the minimum and the maximum spend.

**The Hon. JOHN GRAHAM:** Yes.

**DAMON REES:** Mr Graham, my expectation would be those numbers we spoke to of the half a million individual and the hundred—

**The Hon. JOHN GRAHAM:** Should hit the minimum?

**DAMON REES:** You'd expect that's the number that will enter the program at the minimum and then—

**The Hon. JOHN GRAHAM:** I agree with that. How many will reach the maximum of \$750?

**DAMON REES:** I think that would be part of Treasury's modelling that they would be able to supply.

**The Hon. JOHN GRAHAM:** This is your budget line item, though, which is why I'm asking you. They have not shared that with you?

**DAMON REES:** It is, but the modelling that underpins those numbers was Treasury modelling, not Service NSW modelling.

**EMMA HOGAN:** We can see if we can get it on notice for you.

**The Hon. JOHN GRAHAM:** I would have hoped there would have been some sharing of that information. I appreciate you taking it on notice. Whatever you can provide would be appreciated. Just to confirm that obviously the funding for the new tolling relief in year three—that is, 2024-25—drops to zero. Do you agree with that, Mr Rees?

**DAMON REES:** We have been allocated no budget for that financial year. That's correct.

**The Hon. JOHN GRAHAM:** Yes. Again, for a sensible reason—because the toll review is ongoing.

**DAMON REES:** That's my understanding.

**The Hon. JOHN GRAHAM:** These amounts that are allocated, the \$375, is that inclusive or exclusive of GST?

**DAMON REES:** My understanding is it would be inclusive of GST.

**The Hon. JOHN GRAHAM:** So that is, if I—

**DAMON REES:** Sorry, the customer's toll spend.

**The Hon. JOHN GRAHAM:** Yes.

**DAMON REES:** I think toll rates are typically quoted as inclusive of GST, and I think our calculations would be based on that.

**The Hon. JOHN GRAHAM:** So if I pay an amount on a toll, which includes the GST, I still count that when I work out if I'm eligible for the \$375?

**DAMON REES:** That is my understanding.

**The Hon. JOHN GRAHAM:** In order to reach the \$375, is this for each driver or each account or each household? Which of those categories are we talking about here?

**DAMON REES:** I would need to take that on notice. There was quite specific and precise logic around that for the original program. I need to understand what the equivalent is for this new program.

**The Hon. JOHN GRAHAM:** Obviously answering that question would help with this, but do you have any concerns about—I wouldn't put it as highly as fraud. Obviously, some of those choices are about the way this is administered and making sure that people claim correctly. In devising this toll relief program, how have those concerns about making it as administratively simple as possible informed which of those choices you have made?

**DAMON REES:** I think fraud is an ever-present risk through any of these programs, particularly where we are paying out on behalf of government. I was closely involved in the original toll relief program and that was a key consideration there, how different units and groups of people travel and how they arrange their tags. I haven't specifically been close to those discussions as part of this new program, but I would expect that a key part of delivering the initiative is to look at those risks.

**The Hon. JOHN GRAHAM:** I am pleased to hear that was part of the original design. One of the views that has been put to me is that we should not be too concerned at this point but there haven't been problems with the previous scheme. I am interested in your view about that.

**DAMON REES:** I am not aware of any significant problems with the original scheme.

**The Hon. JOHN GRAHAM:** Does the restructure of this make it more likely or is this not something we should be particularly concerned about? I do not have concerns. I should be clear on the table. I am not asking because I have had concerns raised at all. I am more interested in the scheme design for toll relief and how heavily this factor has weighed.

**DAMON REES:** I can't speak to the decision-making under the policies. If I just look at the program from a high level, there is a change to the risk profile. We are rebating to customers as opposed to crediting a discount against registration. That is a change to the risk profile. We have introduced a different type of payment risk. I think, in favour of this program, because you don't have those steps, it doesn't have the same motivations to gaming, if you like. So people can achieve the discounts. I think there will be a movement in the risk profile. Whether overall it's a higher or lower risk program, we'd need to let the detailed risk assessments inform that.

**The Hon. JOHN GRAHAM:** You have completed detailed risk assessments on those?

**DAMON REES:** I am not quite sure where that's up to in its delivery.

**The Hon. JOHN GRAHAM:** When you say the program design, that would have sat with Treasury or Transport?

**DAMON REES:** I would expect that it would have been a collaboration between Transport, Treasury, and Service NSW.

**The Hon. JOHN GRAHAM:** The only reason I am smiling is that is certainly not the impression that Transport gave. But I am happy to go back to ask them tomorrow.

**DAMON REES:** Maybe it's in the language. Certainly, we would have a role in providing input as a policy like that is shaped. We would have a view around how one might operationalise it and what the considerations would be. You could imagine, then, once the project is passed to us to mobilise, there are increasing levels of detail that are undertaken around the design and the risks that are inherent in the program. We would work with Transport and, if necessary, Treasury if any of that needed any sort of material deviation to the original concept.

**The Hon. JOHN GRAHAM:** Can you tell me, how much are the top 10 per cent of non-business e-toll customers paying in tolls each year?

**DAMON REES:** I suspect that is a question for Transport, but I will take it on notice and confirm.

**The Hon. JOHN GRAHAM:** I might put some other questions to you perhaps in supplementary questions to this hearing. That would be the easiest way to deal with it. I will deal with another issue now. Again, these are questions to Service NSW. They are questions that have also been relevant to the transport hearings. Mr Rees, I want to ask about what's been described as the "e-toll glitch", which led to duplicate transactions or, in some cases, what were referred to as multiple duplicate transactions. Can you give us any background about what the problem is here?

**DAMON REES:** I'm speaking on behalf of Transport but I can describe our understanding. I think Transport's e-toll division was migrating between two systems. I think there were some challenges experienced in that migration that did impact customers. From a Service NSW standpoint, we saw a material increase in customer inquiry and customer need when it came to e-toll and we have been working through that both with Transport and those impacted customers.

**The Hon. JOHN GRAHAM:** From what you have been told by Transport, as you deal with the people who are impacted by this, are those problems now resolved? Are you expecting any other problems with this system?

**DAMON REES:** My understanding is that we're certainly past the worst of it. I think we've managed to resolve and support the majority of impacted people. There may still be a cohort out there that have not yet reached out for support. We have many interactions and many system dependencies on Transport, but I think the change that created this challenge, I believe, was a point-in-time migration. I'm not expecting subsequent rounds of that to impact us and our customers in the same way.

**The Hon. JOHN GRAHAM:** This seemed to occur in three tranches. In the first system problem, 45,000 drivers were affected; in the second, a different issue, 78,000 were affected; and in the third, again, a different issue, 14,000 people were affected. Does that accord with your understanding of the scale of the problem?

**DAMON REES:** Certainly, we understood the impact to be significant. I'd need to take on notice those specific data points you've raised there.

**The Hon. JOHN GRAHAM:** One of the issues that has been subsequently reported is people who have been having trouble resetting their password in order to check that their accounts are up to date. Do you have concerns or have you had reports that multiple people had problems with online access and are needing to phone-in for a password reset?

**DAMON REES:** We certainly saw a significant increase in the volume of customers needing support off the back of that change. I think there were a range of challenges they experienced. I would need to take on notice the specific problems that are continuing to impact customers.

**The Hon. JOHN GRAHAM:** One of the views that has been put to me is that account history for people should have been visible for something like 20 months but is now no longer visible past February of this year, and that's one of the things that's making it harder to resolve these issues. Is that account correct?

**DAMON REES:** That would be referencing, I think, a Transport system. That question would best be directed to them. The way you described it, it sounds like customers attempting to log on to the Transport system to check balances.

**The Hon. JOHN GRAHAM:** Again, that was not their view. But I am seeing them tomorrow so I'll happily revisit that.

**DAMON REES:** We will take that on notice just in case I got that wrong.

**The Hon. JOHN GRAHAM:** That would be helpful.

**The Hon. MICK VEITCH:** I have a couple of questions that follow on, but more to do with what is known as the eMU casual pass. Ms Hogan, who is responsible for the eMU Pass—anyone in customer service?

**EMMA HOGAN:** The eMU Pass?

**The Hon. MICK VEITCH:** This is the tag for mainly regional people. They get the tag as they come into Sydney and they pay the toll. Does that come to you guys?

**EMMA HOGAN:** Hopefully it's not in my area because I don't actually know anything about that. If Damon doesn't, it might be a matter for Transport or regional transport, I'm sorry.

**The Hon. MICK VEITCH:** It may well be tomorrow. We have regional transport tomorrow.

**DAMON REES:** It's not something I'm aware of. The Department of Customer Service doesn't operate any tolling services.

**The Hon. MICK VEITCH:** I will leave those for tomorrow. I know Mr Dent has been waiting very patiently to see why we kept him back so I thought I might just ask a couple of questions so that he is aware of why we kept him back. Mr Dent, how much has been spent on consultants including actuaries on the workers compensation scheme in the last 12 months, and then for the year before that? Are you aware?

**ADAM DENT:** That is an excellent question. I am hoping I have that with me. The unaudited figures for the 2022 financial year are for actuaries and would be around six million and the year prior, 2021, is 9.2 million.

**The Hon. MICK VEITCH:** Are you planning to consult on fixing the Workers Compensation Act, that process that was discussed this morning, for using consultants for that as well?

**ADAM DENT:** A good amount of the work will be done internally but once we've developed policy positions, if they're aligned with what the Government is looking for, we would have them costed by actuaries, absolutely.

**The Hon. MICK VEITCH:** We asked a couple of questions this morning about deemed diseases. I think my colleague Mr Primrose may have asked those or it might have been Mr Mookhey. You commissioned a report to review the latest scientific research to inform policy and develop a list of scheduled diseases and guidance material. Are we looking at adding additional deemed diseases to actuaries?

**ADAM DENT:** Sorry, are actuaries a deemed disease?

**The Hon. MICK VEITCH:** No.

**ADAM DENT:** One of your former colleagues would have probably agreed to the first statement I made. Yes, at the moment what we are doing, we have taken that work from SafeWork Australia. It includes things like COVID-19, PTSD, cancers and skin issues. We've asked our actuaries to start looking at what the costs to the scheme would be of those coming on board, so yes. Before we make a policy, a recommendation, we would do that with the potential cost impact.

**The Hon. MICK VEITCH:** And the time frame for that work?

**ADAM DENT:** I don't have the time frame with me other than that the work is underway at present.

**The Hon. MICK VEITCH:** I am happy for you to take that on notice.

**ADAM DENT:** I'll take that on notice.

**The Hon. MICK VEITCH:** And also who is undertaking the work?

**ADAM DENT:** The scheme actuary for workers compensation is EY so I expect it would be them.

**The Hon. MICK VEITCH:** Was there a cost for that work?

**ADAM DENT:** There will be, yes. We budget annually within our actuary sort of arrangements for a number of these types of things. At the moment we're spending \$3 million less than the year prior. We've renegotiated contracts with our providers. Within that window we anticipate there'll be a number of requests for advice like this. We would ask for a specific scope of work on each occasion from the panel provider which is EY.

**The Hon. MICK VEITCH:** So it means that would be within budget then?

**ADAM DENT:** It would be within budget, absolutely.

**The Hon. MICK VEITCH:** Doesn't adding "deemed diseases" save the workers compensation scheme or the system money in the long term?

**ADAM DENT:** You could certainly argue because it would make the claims process simpler, absolutely. It's essentially a matter, a policy matter for Government, to determine whether they agree with that. But broadly, where something is deemed, assuming the legislation provides enough control around it that it is indeed proven to be work-related on a general basis then, yes, it would theoretically remove the claims management cost and potentially part of the adversarial nature of developing a claim.

**The Hon. MICK VEITCH:** Would that get picked up in actuarial advice?

**ADAM DENT:** Yes.

**The Hon. MICK VEITCH:** If I could go on to the Personal Injury Commission. How much is the commission costing? How much of that is coming out of the Workers Compensation Operational Fund for the cost of running it?

**ADAM DENT:** One moment, sorry. The Personal Injury Commission for this current financial year?

**The Hon. MICK VEITCH:** Yes. If you've got both that would be—

**ADAM DENT:** For the current financial year I have 33.6 million out of the workers comp operating fund for the commission and the previous year it was 26.7 million.

**The Hon. MICK VEITCH:** How does this compare with the cost of the former Workers Compensation Commission costs? Do you know?

**ADAM DENT:** I don't have that with me other than to say in previous years, I imagine on this page where it says "Commission in 2019-20" would have obviously meant the Workers Compensation Commission in its previous form. There's about 25 million. There's been an increase between last financial year and this financial year. I actually understand that relates to some projects around IT systems that's more likely to have driven the more significant increase. It's reasonably on par. The commission hasn't grown substantially other than taking on the new functions that it would have funded through the motor accident operating fund.

**The Hon. MICK VEITCH:** Is there an increase or even a decrease in the costs to the personal injury tribunal?

**ADAM DENT:** Personal injury tribunal?

**The Hon. MICK VEITCH:** The commission?

**ADAM DENT:** Between last year and this year there is an increase in the cost.

**The Hon. MICK VEITCH:** Okay. When I was talking about actuaries, as a matter of interest, are you looking at consultants as well? That price you gave for the consultants including actuaries, to be perfectly clear was that just for actuaries?

**ADAM DENT:** The total number of consultants is slightly higher. So the unaudited number for 2022, total consultants was 6.2 million. There's minimal expenditure outside of actuaries for consultants within SIRA.

**The Hon. MICK VEITCH:** I think for the time being that will do me. Mr Primrose do you want to ask questions?

**The Hon. PETER PRIMROSE:** If I can, I'd just like to finish up on Park'nPay—just a couple of quick questions because I found my piece of paper. Can you tell me—this is again through the secretary but I presume Mr Wells will answer—how many probity reports have been commissioned so far into the Duncan Park'nPay proposal?

**GREG WELLS:** So there are two that we talked about before and one in progress—three.

**The Hon. PETER PRIMROSE:** That is three?

**GREG WELLS:** Just to be clear the third one isn't about Duncan, and even the second one wasn't about Duncan to be clear. The first one was directly about sole-sourcing Duncan—sorry, the first one was about Duncan. The second one was about scaling the solution statewide which we've talked about, and the third one relates to disability sensors.

**The Hon. PETER PRIMROSE:** The third one—when do you expect to receive that report?

**GREG WELLS:** I think we've just completed the scope of works for that so we haven't commenced that work yet.

**The Hon. PETER PRIMROSE:** Why did you do a probity report into the sensors even though you're not involved in the actual procurement?

**GREG WELLS:** I think, again, a matter of judgement just because of the interests in the program of work. We just wanted to make sure in terms of that allocation of funds to councils, how that worked, and that we were following our principles right.

**The Hon. PETER PRIMROSE:** My understanding is that the actual procurement would be done by local government not by—

**GREG WELLS:** Yes, that's correct. That's correct.

**The Hon. PETER PRIMROSE:** But you did the probity report?

**GREG WELLS:** Yes, the probity is more around the funding allocation than a procurement process, if you like, because as we have talked about, the procurement process is conducted by councils.



**The Hon. PETER PRIMROSE:** Okay. Can I ask in relation to each of the probity reports that you have mentioned, were they commissioned before or after the contract was signed?

**GREG WELLS:** As Ms Young talked about this morning, there are various points that we can seek probity advice. I think the first one was after the pilot, or after the allocation per the amounts you've got there. I'll have to take on notice, Mr Primrose, the second one as to when that happened but it was obviously before we had significantly scaled the solution across the State. It was in the period between pilot and scaling, if you like. And in terms of the third one, as I've talked about, we have started with councils that already have parking agreements in place and they're trialling disability senses. So we wanted to use that work to inform the process of scale across the State for the 3,600 sensors. So that probity report, which is more about funding allocation, will inform that process.

**The Hon. PETER PRIMROSE:** Okay. A hypothetical, obviously: If the probity report came back and expressed serious reservations, and you've already signed the contract with that particular agency, what do you do?

**GREG WELLS:** Look, it would depend on the scenario and what the actual—

**The Hon. PETER PRIMROSE:** Let's say it came back and the probity said, "Don't touch them with a barge pole", and you've already signed the contract. How does that work?

**GREG WELLS:** It would really depend on the scenario, but our contracts do contemplate termination for extreme circumstances or non-performance or noncompliance. There are various scenarios that could play out from that process.

**The Hon. PETER PRIMROSE:** But that doesn't trouble you, that you check out whether someone meets an adequate and acceptable level of probity before you have signed a contract with them?

**GREG WELLS:** As we said, what we did internally was check all those things first and then post the pilot we sought an additional check from the probity adviser. We did that work, Mr Primrose, as we've talked about before.

**The Hon. PETER PRIMROSE:** How many times—if I can ask Ms Hogan—does your cluster do that? How many probity checks would the cluster undertake every year, for example?

**EMMA HOGAN:** I would have to ask Ms Young, but I would probably need to take it on notice, I would think. Do you have an answer?

**MANDY YOUNG:** We would need to take it on notice, but it is absolutely an exception that we do that. It's an exception that we would seek external probity advice, but internally we would seek legal advice or probity advice on contracts. We can take it on notice, but I don't think the number would be particularly high.

**The Hon. PETER PRIMROSE:** What I am looking at, just so I can understand this process, over the last three years—please take it on notice—is, in terms of the cluster, how many probity checks have been undertaken? Secondly, how many of those have been undertaken after contracts have been signed?

**EMMA HOGAN:** Sure, we will take that on notice. If we have taken probity advice after a contract has been signed, we will share with you why that was the case.

**The Hon. PETER PRIMROSE:** I would appreciate that. Look, I'm not going to pursue it. I find it a very strange way for a government agency to work, but that's not my Government. I will leave that and won't ask you to comment on the politics, but I'd appreciate that. Thank you.

**EMMA HOGAN:** We will take that on notice. Thanks.

**GREG WELLS:** Thank you.

**The Hon. MICK VEITCH:** Just to wind out on that and close that out, I would assume that each time you engaged a probity adviser or a probity auditor there would be a set of instructions around the scope of the work that they are to undertake.

**EMMA HOGAN:** Yes, of course.

**The Hon. MICK VEITCH:** Is it possible to provide us with the scope of work for the probity audits or probity advice that was provided for this? Not the actual—I don't want the dollars and cents.

**EMMA HOGAN:** Yes. I suspect for the first two probity audits that we've referred to today, they're in the Standing Order 52 that has been provided, I think.

**The Hon. MICK VEITCH:** Yes.

**EMMA HOGAN:** But in relation to the scope for the third one, if that's complete and that's underway, I'm sure we could provide it on notice.

**The Hon. MICK VEITCH:** Just to clarify from this morning, under 005, there's a panel—

**EMMA HOGAN:** That's right.

**GREG WELLS:** That's right.

**The Hon. MICK VEITCH:** —of probity auditors and you get to pick one of those off the panel.

**EMMA HOGAN:** Yes.

**The Hon. MICK VEITCH:** It's not a taxi rank that rolls and you have to take the top one; you can choose—

**EMMA HOGAN:** No, you can choose from the panel, like you can with most things. Some probity organisations might specialise more to one set of things than another, so we would make the judgement as to which one we were going to use, based on their experience and skills, I would imagine.

**The Hon. MICK VEITCH:** Is it possible that in the last three years that Mr Primrose was talking about, which probity auditor companies you've used and how many times you've used them—

**EMMA HOGAN:** Over three years?

**The Hon. MICK VEITCH:** Yes.

**EMMA HOGAN:** Yes.

**The Hon. MICK VEITCH:** That's good. I'm happy to put these on notice, so I think that would wrap me up.

**The Hon. PETER PRIMROSE:** We're happy with that.

**The CHAIR:** All done?

**The Hon. MICK VEITCH:** Yes.

**The Hon. PETER PRIMROSE:** Yes.

**The Hon. MICK VEITCH:** Is that all right, Peter, or would you like us to continue?

**The Hon. PETER POULOS:** No, now we go to the highlight of the day: my turn.

**The Hon. MICK VEITCH:** It is your turn.

**The CHAIR:** I wait with bated breath.

**The Hon. PETER POULOS:** Good afternoon. Thank you very much for your time and professionalism. Some of you took some questions on notice. Were any of you in any position to update the Committee or share some additional information before we conclude?

**EMMA HOGAN:** I think all of the updates we had we provided before the lunch break, and anything else is in a bit more detail.

**The Hon. PETER POULOS:** I think Mr Dent may do.

**ADAM DENT:** I have two quick updates, if I may. First, a clarification my CFO sent: In relation to the expenditure on actuaries, I need to be clear that it's for the whole of SIRA. That includes the motor accidents scheme, not just workers compensation, and I would suggest that most of our expenditure on actuaries would be weighted towards the motor accidents scheme because there are more significant matters we need actuarial support on, including risk equalisation measures et cetera.

**The Hon. MICK VEITCH:** Are you able to break those down, Mr Dent?

**ADAM DENT:** We can do it on notice, absolutely.

**The Hon. MICK VEITCH:** Please—yes, of course.

**ADAM DENT:** I just don't have that available today. But that was not just for workers comp, I wanted to make clear on that. Chair, for you, the two agencies that we have signed up for workers compensation assists already include Fire and Rescue NSW, and I'm pleased to say that the Department of Customer Service has also agreed to be part of that pilot.

**The Hon. MICK VEITCH:** That's good.

**EMMA HOGAN:** As you would imagine.

**The CHAIR:** If they hadn't, you would know exactly who you need to speak to, wouldn't you?

**ADAM DENT:** Absolutely.

**EMMA HOGAN:** That's what I think of the policy.

**ADAM DENT:** Despite how closely we sit, it's not something we normally discuss.

**The CHAIR:** A stunning endorsement. Thank you very much. That concludes the hearing today. In terms of questions you have taken on notice, you have 21 days.

**EMMA HOGAN:** Thank you for a respectful session.

**The CHAIR:** Safe travels home.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**