

The Hon Steve Kamper MP

Minister for Small Business
Minister for Lands and Property
Minister for Multiculturalism
Minister for Sport



VS23/40

Ms Helen Minnican
Clerk of the Legislative Assembly
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Ms Minnican

Government Response to the Joint Standing Committee on the Office of the Valuer General – Report on the Fifteenth General Meeting with the Valuer General

I refer to the Report of the Joint Standing Committee on the Office of the Valuer-General entitled 'Fifteenth General Meeting with the Valuer General' (the Report), which was received by the Clerk of the Legislative Assembly and the Clerk of the Legislative Council on 7 December 2022 and reported on 21 December 2022.

I also refer to Standing Order 303A(1) of the Legislative Assembly, which provides that on the tabling of a report from a committee which recommends that action be taken by the Government, the Clerk is to refer the report to the relevant Minister(s), who must within six months of a report being tabled, report to the House what action, if any, the Government proposes to take in relation to each recommendation of the committee.

: I also refer to Standing Order 240(1) of the Legislative Council which provides that on the tabling of a report from a committee which recommends that action be taken by the Government, the Clerk is to refer the report to the Leader of the Government in the House who must, within three months of a report being tabled, report to the House what action, if any, the government proposes to take in relation to each recommendation of the committee. Further, Standing Order 240(4) of the Legislative Council provides that a response is required notwithstanding prorogation of the House or the expiry of the Legislative Assembly.

As you know, the Parliament was prorogued by the Governor on 27 February 2023 until 3 March 2023 (in the case of the Legislative Assembly) and until 9 May 2023 (in the case of the Legislative Council).

The effect of prorogation is 'to put an end to every proceeding pending in the House prorogued and to vacate all orders of that House which have not been fully executed'.^[1] Accordingly, the Government considers that the Government's obligation pursuant to

^[1] Professor Anne Twomey, *The Constitution of New South Wales* (Federation Press, 2004) 461.

Standing Orders to provide a response to recommendations contained in committee reports lapsed when the Houses of Parliament were prorogued, or that there is at least significant uncertainty about whether Government responses are required to be provided to committee reports tabled during the last session of Parliament.

On 24 May 2023, the Leader of the Government in the Legislative Council tabled a letter to the Clerk of the Legislative Council advising that, regardless of the position of the Executive Government, the Government plans to voluntarily provide responses to reports that currently (as at 24 May 2023) are overdue or due by the end of May. The letter noted that the Government expects to be in a position to provide those responses to the Parliament by the end of June 2023.

Following this, on 1 June 2023, a resolution was passed in the Legislative Council that there be laid upon the table of the House by 29 June 2023 a response to all Legislative Council committee reports outstanding from the Fifty-Seventh Parliament. The motion identified nine such Legislative Council committee reports. The Report was not included.

The Government was advised that a response to the Report was due on 7 June 2023 (if not for prorogation). Accordingly, I note that it is not captured by the commitment provided by the Leader of the Government in the Legislative Council. It is also not required to be provided pursuant to the Legislative Council's resolution referred to above.

However, in the spirit of the commitment provided by the Leader of the Government in the Legislative Council, please find enclosed the Government's response to the Report, provided on a voluntary basis.

Sincerely



7.6.23

Steve Kamper MP
Minister for Small Business
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NSW GOVERNMENT RESPONSE TO THE RECOMMENDATIONS IN REPORT No. 3/57
OF THE JOINT STANDING COMMITTEE ON THE OFFICE OF THE VALUER GENERAL

Recommendation	Response
<p>Recommendation 1</p> <p>The Committee recommends that the Office of the Valuer General NSW align the processes for managing conflicts of interest for internal staff and contract valuers, to ensure the transparent and timely management of these conflicts.</p>	<p>Supported</p> <p>It is understood that the Valuer General and Valuation NSW are focused on/ committed to the timely, transparent and consistent management of conflicts of interest, and are exploring opportunities to systemise this process as part of the Val IQ modernisation (formerly known as Valnet III)- with Val IQ anticipated to be operational by end 2025.</p>
<p>Recommendation 2</p> <p>The Committee recommends that the Office of the Valuer General NSW continue to work with the Department of Planning and Environment to improve communication with the public about land valuations and related matters.</p>	<p>Supported</p> <p>The Valuer General and the Department of Planning and Environment (through Valuation NSW) continue to work together on improving public communications through the annual social media campaign, ongoing updates on the Valuer General website and the councils' presentations program – offered to every council in NSW following a general valuation year, and providing valuation granularity for land valuations utilised by the respective Councils for rating purposes.</p> <p>Further, Valuation NSW is developing an animated video for the Valuer General's website that will explain in clear and simple terms how the land valuation process works – including their effect, if any, on rates- with a targeted release date of end September 2023.</p>
<p>Recommendation 3</p> <p>The Committee recommends that the Office of the Valuer General NSW monitor the community response to, and implementation of, the cultural loss review, and provide a summary of findings in future Annual Reports.</p>	<p>Supported</p> <p>It is understood that the Valuer General has advised that he will provide a summary of cultural loss findings for the Annual Report. VNSW continue to monitor the community response to the cultural loss review, noting that there have been no public queries received to date.</p>