

VG22/310

Mr Scott Farlow
Chair
Joint Standing Committee on the Office of the Valuer General
Parliament of NSW
Macquarie Street
SYDNEY NSW 2000

By email: valuergeneral@parliament.nsw.gov.au

Dear Chair

Fifteenth General Meeting with the Valuer General: Questions on Notice

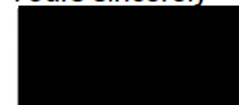
I have attached my response to the questions taken on notice at the Fifteenth General Meeting of the Joint Standing Committee on the office of the Valuer General on Wednesday 28 September 2022.

I would like to take this opportunity to clarify my testimony on the following points:

- the references to “some 2 years ago” on page 8 should be references to “16 months ago”;
- the references to “102 weeks” that occur on pages 8 (numerous times), 14 and 15 should be references to “16 months”; and
- page 10 should be amended to: *DAVID PARKER: That was in June, so I was provided after close of business on a Friday afternoon with a letter that sought a response before I went on holiday, which was only four business days.*

Should the Committee have any further questions please don't hesitate to contact me directly on [REDACTED] or via email at [REDACTED].

Yours sincerely



Dr David Parker
Valuer General

7 October 2022

15th General Meeting of the Joint Standing Committee on the Office of the Valuer General
Response to Questions taken on Notice

Question 1

The Chair: What is the rating for those objections being upheld now?

Response:

I am advised by the Department that, in 2021/22, 28.9% of objections were allowed with changes in value resulting therefrom.

Question 2

The CHAIR: I understand from the information that you provided us with respect to the 2016 year that the contention of the Valuer General was \$438 million. AMP's was \$184 million. What did the court find that valuation to settle at for the 2016 year?

DAVID PARKER: From memory it was somewhere around the \$180 million mark, but we can take that on notice and come back to you.

The CHAIR: And similarly for 2017 as well, was it closer to AMP's contention?

Response:

The Court found \$188,600,000 for the 2016 year and \$209,000,000 for the 2017 year.

Question 3

The Hon. ADAM SEARLE: Valuer General, you mentioned a number of things that you phrased as interfering with the independence of your functions. One of them was the loss of the Deputy Valuer General. There have been two recruitment processes to recruit a new Deputy Valuer General, haven't there? And you have sat on that process. Is that correct?

DAVID PARKER: I believe there has been one, but I can take that on notice and check

Response:

I sat on a process to recruit a Director Office of the Valuer General that held interviews on 9 June 2022.

Question 4

The Hon. ADAM SEARLE: You also mentioned a number of inquiries into your conduct, I think it was. I think you said there'd been two previous ones. Is that correct?

DAVID PARKER: That's correct.

The Hon. ADAM SEARLE: Would that be the 1 July 2020 one, the initial assessment report?

Response:

There have been three inquiries, being:

- the Departmental inquiry resulting in a letter from Ms Hoy dated 14 July 2020 headed "Outcome of factfinding investigation";
 - the first Kingston Reid inquiry resulting in their report dated 8 December 2021;
 - the second Kingston Reid inquiry (the current inquiry) initiated by their letter dated 10 June 2022.
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Question 5

The Hon. ADAM SEARLE: Would the second one be the Kingston Reid report of November 2021?

Response:

Refer to response to Q4

Question 6

The Hon. ADAM SEARLE: The second inquiry, I think, found that your conduct presented a significant and ongoing risk to the psychological wellbeing of the staff at the Valuer General's office. Is that a correct understanding on my part?

David Parker: From recollection, it found that there was also a threat to my psychological wellbeing from the start.

The Hon. ADAM SEARLE: Yes, I accept that. But, given that situation, that's a correct assessment, is it not?

DAVID PARKER: I'd have to take that on notice and go back and look at the report.

Response:

As the findings of the second inquiry are confidential, I am unable to answer this question.

Question 7

The CHAIR: I might just clarify this. You claim there is one investigation that is underway. How many reports have there been that you've been provided with?

DAVID PARKER: It is my understanding—I'll take it on notice—that up until a matter of minutes before this meeting we had not been provided with a draft report of the current investigation. But that was provided a matter of minutes before this meeting.

Response:

I was advised of the provision of a draft report from Kingston Reid by text message at 9.14am on 28 September 2022.

Question 8

The Hon. ADAM SEARLE: I think I have worked out what the inquiries were. I think there was an issue of a work health and safety investigation. I think that has been finalised. Is that your understanding?

Response:

Refer to response to Q4.

Question 9

The Hon. ADAM SEARLE: Okay, and now there is this second inquiry, which is I think the one being done by Kingston Reid. Is that the draft report you say you received through your lawyers this morning?

Response:

Refer to response to Q4 and Q7.

Question 10

The Hon. ADAM SEARLE: When did you provide a response?

Response:

My solicitor's provided a response to Kingston Reid by letter dated 12 August 2022.

Question 11

The Hon. ADAM SEARLE: Yes, within that parameter, so again I'll ask my question: What matters did that correspondence from Kingston Reid canvass with you and ask you to respond to?

Response:

As the investigation initiated by letter from Kingston Reid dated 10 June 2022 is ongoing, I am unable to answer this question.

Question 12

The Hon. ADAM SEARLE: What allegations were raised against you?

Response:

As the investigation initiated by letter from Kingston Reid dated 10 June 2022 is ongoing, I am unable to answer this question.

Question 13

The Hon. ADAM SEARLE: Did it raise allegations that you engaged in unreasonable behaviour directed towards people in Valuer General NSW and the department through setting unrealistic expectations in respect to work performed?

Response:

As the investigation initiated by letter from Kingston Reid dated 10 June 2022 is ongoing, I am unable to answer this question.

Question 14

The Hon. ADAM SEARLE: Did it raise matters that you engaged in unreasonable behaviour directed towards people within Valuer General NSW and the department through providing unclear directions or altering directions?

Response:

As the investigation initiated by letter from Kingston Reid dated 10 June 2022 is ongoing, I am unable to answer this question.

Question 15

The Hon. ADAM SEARLE: Did it raise suggestions or allegations that you provided false or misleading information in the execution of the role of Valuer General?

Response:

As the investigation initiated by letter from Kingston Reid dated 10 June 2022 is ongoing, I am unable to answer this question.

Question 16

The Hon. ADAM SEARLE: Did it raise concerns or issues or allegations that you issued unreasonable directions and acted unreasonably towards staff at Valuer General NSW and the department which may impact adversely their ability to perform their roles effectively?

Response:

As the investigation initiated by letter from Kingston Reid dated 10 June 2022 is ongoing, I am unable to answer this question.

Question 17

The Hon. ADAM SEARLE: Okay. Did it raise concerns that you have engaged in repeated combative, aggressive or hostile towards those people?

Response:

As the investigation initiated by letter from Kingston Reid dated 10 June 2022 is ongoing, I am unable to answer this question.

Question 18

Ms FELICITY WILSON: Thank you very much, Chair. Dr Parker, I appreciate your level of recollection, you want to be cautious about that and not mislead the Committee, and I am sure we all appreciate that, but I would like to ask: What do you recollect about the correspondence that you have received about this inquiry and the issues that you recollect it is looking to in regard to its queries or allegations?

Response:

As the investigation initiated by letter from Kingston Reid dated 10 June 2022 is ongoing, I am unable to answer this question.

Question 19

The Hon. ADAM SEARLE: Mr Valuer General, in relation to the report that in your understanding was finalised—I think this is the work health and safety report—can you tell the Committee what matters did it find substantiated against you? Do you have any recollection of that or do you need to take that on notice?

Response:

As the findings of the first and second inquiry are confidential, I am unable to answer this question

Question 20

The Hon. ADAM SEARLE: And you don't know whether you've been given a further opportunity to the matters raised in that. Is that correct?

Response:

Refer to response to Q7.

Question 21

The Hon. ADAM SEARLE: Could I ask you to take on notice, because I think you don't have the letter with you, what matters were raised for you to respond to? Are you able to take that on notice and respond to us?

Response:

As the investigation initiated by letter from Kingston Reid dated 10 June 2022 is ongoing, I am unable to answer this question.

Question 22

The Hon. ADAM SEARLE: Could you also take on notice whether or not, in the draft that you have now received, any of those matters were found to be substantiated—at least in the draft?

DAVID PARKER: I will take that on notice.

The Hon. ADAM SEARLE: In particular, can you tell us whether the report that you have to respond to has concluded whether there are grounds that could support a recommendation to the Governor to suspend or remove you from office for any reason?

Response:

As the investigation initiated by letter from Kingston Reid dated 10 June 2022 is ongoing, I am unable to answer this question.

Question 23

The CHAIR: You outlined previously that it has been 102 weeks where you have only been able to communicate with 12 staff within the office.

DAVID PARKER: Rather than mislead the Committee, it is approximately 12 and I can take on notice to give you the exact number, rather than have an allegation that I misled the Committee and said that it was 12.

Response:

I understood that I could communicate directly with 14 staff. By email dated 6 October 2022, the Department advised that I may communicate directly with 8 staff. I have sought confirmation from the Department that it has changed its position but, at the time of writing (10.29am 7.10.22), I had not received a response from the Department.