



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

## **BUDGET ESTIMATES 2017-2018 Supplementary Questions**

**Portfolio Committee No. 1 – Premier and Finance**

**INNOVATION AND BETTER REGULATION**

Hearing: Monday 4 September 2017

**Answers due by: Thursday 28 September 2017**

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## INNOVATION AND BETTER REGULATION

### Questions from Dr Mehreen Faruqi MLC

#### Use of artificial intelligence

1. What current uses of artificial intelligence does the department undertake?

Note: Please include all uses of AI including uses for resource allocation and administrative support, big data analysis, replacement and assistance of experts and researchers, procedural matters, or summarising diverse data – for reference this might include:

- Chatbots for customer service or advice
- Customer management systems
- Scanning legal documents to find relevant case law
- Categorising and searching documents
- Directing petitions efficiently
- Translation
- Document drafting

2. What planned uses does the department have for artificial intelligence?
3. What policy guidelines, if any, guide the exploration and use of artificial intelligence by the department?
4. What research, if any, has the department undertaken regarding the use of AI in Government services?

### Questions from the Hon Shaoquett Moselmane MLC (on behalf of the NSW Labor Opposition)

#### SafeWork NSW

5. What is the status of the investigation report into the death of Tim McPherson on 1 March 2017?
  - (a) When does SafeWork NSW expect it to be completed?
6. What steps have been taken by SafeWork NSW inspectors to lift the level of compliance checks by SafeWork inspectors on board crane barges since the death of Tim McPherson?
  - (a) Does SafeWork NSW carry out routine compliance checks on crane barges?
  - (b) Does SafeWork NSW adopt self-regulation when it comes to safety checks?

7. What checks were made by SafeWork NSW inspectors on the crane barge *Kochi* prior to the incident on 29 August 2017?
8. In light of the Minister for Transport's comments on the *Kochi* incident, what investigations has SafeWork NSW undertaken to address general safety aboard crane barges?
  - (a) When will the terms of reference of those inquiries be made public?
9. How many incidents has SafeWork investigated since the Government introduced its changes to the Workers Compensation Scheme in NSW?
  - (a) How many of these involved workers that were injured?
  - (b) How many of these investigations have led to prosecution?
10. How many times has SafeWork NSW accepted enforceable undertakings from a guilty business rather than prosecuting them for a breach?
  - (a) Which businesses, and why?
11. I note that the Government has issued a further extension on the exemption for audiometric testing requirements under s58(2) of the *Work Health and Safety Regulation 2011*.
  - (a) Do you continue to support the idea that audiometric testing is best practice for managing the risk of industrial deafness in noisy workplaces?
  - (b) Will the Government commit to not extending the exemption a second time when it expires in 2018?
12. On average, how many workers compensation claims were made prior to the Government's reforms to the scheme?
  - (a) How many claims, on average, have been made in the years since?
  - (b) Is this attributed to many of those injuries no longer being eligible for compensation?
  - (c) Is the Minister aware of significant under-reporting of workplace safety breaches as a result of the Workers Compensation legislation?
13. Does the Minister support safe work places?
14. Are you aware of significant under reporting of workplace safety breaches as a result of the Workers Compensation legislation?
15. Does SafeWork NSW actually attend to investigate every workplace incident involving a death, serious injury or serious incident?

16. Is it the case that on a number of occasions, SafeWork NSW has left it to the business responsible to investigate the incident itself?

(a) How many of these incidents involved workers that were injured?

### **Charitable Funds Act - RSL Bergin Inquiry**

17. Do the Terms of Reference for the RSL inquiry require Bergin to investigate the political donations made by RSL Lifecare to the Liberal Party?

18. Do you think that the Liberal Party should return ALL the political donations it received from RSL Lifecare?

19. When you became aware that Jim Longley, Deputy Secretary of Ageing, Disability and Home Care and Director of RSL Lifecare, was also receiving payments from RSL Lifecare, did you write to the Minister for Ageing and disability requesting he be stood aside?

(a) Is Jim Longley receiving special treatment?

i. If so, why?

### **Quad Bikes**

20. Do you believe the programs the Government has implemented regarding quad bike safety will do anything to address the tragic deaths of young children?

21. Do you support age restrictions on adult quad bikes?

### **Residential Tenancy**

22. In light of the Government's announcement in July 2016 regarding the removal of break fees for victims of domestic violence on their residential tenancy leases:

(a) Where is this program up to?

(b) Can the Minister give a firm commitment as to when these new protections will be introduced?

### **AirBnB**

23. Does the Minister own any properties that are rented out through short term rental platforms like Airbnb?

(a) If so, how many?

24. Has the Minister ever utilised short term rental platforms as part of a holiday?

(a) If so, how many times?

(b) When was the last time the Minister used such a platform?

## **E10**

25. As Minister for Innovation and Better Regulation, the Minister has responsibility for the ethanol mandate. Is the Minister aware of the ethanol usage by each department and Minister in the NSW public service?

(a) If not, why not?

26. Is the Minister aware of the E10 usage in Ministerial cars?

(a) If not, why not?

(b) Does the Minister use E10 in his own Ministerial car?

i. Does the Minister use E10 exclusively?

ii. Has the Minister instructed his driver to only use E10 fuel?

(c) Is the Minister aware of any other Ministers not using E10 fuel when their vehicles are E10 compatible?

27. Can the Minister confirm that E10 usage amongst the public service is lower than that of the current mandatory level?

(a) Can the Minister confirm that E10 usage amongst the public service is lower than that of the current state average?

28. Can the Minister confirm that E10 usage amongst Ministerial cars is lower than the current mandatory level?

(a) Can the Minister confirm that E10 usage amongst Ministerial cars is lower than the state average?

## **Fuel Check**

29. It's been a year since FuelCheck was made available to the public - Why is it still in beta form?

30. Why don't we have an application as yet for mobiles?

(a) When will a mobile app for FuelCheck be delivered?

(b) Has the Government partnered with any start-ups to achieve the development of a mobile app?

## Cladding

31. Can the Minister name one building within a 5km radius of Parliament House that contains flammable cladding?
32. Has the audit of buildings that use non-confirming aluminum cladding been completed?
  - (a) Is the Minister confident that the 1000 or more buildings which have been identified thus far is the full extent of the problem?
  - (b) How did the Minister determine that there were approximately 1000 buildings which contain flammable cladding?
    - i. Did that process involve onsite inspections?
33. Is the Minister and the Cladding Taskforce aware of a series of correspondence between the Commissioner of Fire and Rescue and the Secretary for Planning dated February 2016 regarding the risks posed by aluminum cladding?
  - (a) If not, why not?
  - (b) Does the Minister agree with the Commissioner that this correspondence should not be released because of the current media attention, and because it may endanger the system in NSW for preventing large-scale fires in high rise buildings caused by terrorist attack?
34. Can the Minister guarantee that no innocent party, including homeowners, tenants or “mum and dad” investors, will be out of pocket as a result of illegal cladding?
35. Is the Minister and the Taskforce aware that the Government has removed the Bronto fire trucks from St Andrews and Hornsby fire stations?
  - (a) Does the Minister think it is acceptable that all of Western Sydney is serviced by one fire station in Parramatta in the event of a high-rise apartment fire?
36. Is the Minister or the Taskforce aware of changes the Government has made to remove the need for fire safety reports through the *Environmental Planning and Assessment Amendment (Fire Safety Reports) Regulation 2015*?
  - (a) Will the Taskforce look at this weakening of regulatory oversight of fire safety in high rise buildings?
37. Is the Minister supportive of fire safety reports being optional?
  - (a) Is this part of the Government’s agenda to cut red tape?

## **Innovation**

38. Has the Minister met with any of the regional universities to discuss innovation policy?
  - (a) If so, who?
  - (b) If not, why not?
39. Does the Minister consider unaffordable property prices as a disincentive to innovation and attracting young entrepreneurs?
40. Has the Minister spoken to the Minister for Planning and/or the Premier on the need for affordable housing targets as a way of attracting young entrepreneurs to live and work in cities like Sydney? If not, why not?

## **Newcastle**

41. Of the 1,041 buildings identified as having flammable material, how many are located in the Newcastle electorate?
  - (a) Will the Minister release the location of these buildings?
  - (b) Have all residents in these buildings been notified?
    - i. If not, why not?
42. Has the location of these 1,041 buildings been shared with local Fire and Rescue NSW crew who will be first responders in an emergency situation?
43. How many of the buildings located in the Newcastle electorate have been audited?
44. How many building owners in the Newcastle electorate have responded to your letter regarding flammable cladding?

## **Short Term Rental/Sharing Economy**

45. How many noise/disturbance complaints have been made to NCAT and to Fair Trading in relation to strata buildings for STRA (Short Term Rental Accommodation) lots?
46. How many noise/disturbance complaints have been made to NCAT and to Fair Trading in relation to strata buildings for LTRA (Long Term Rental Accommodation) and owner-occupier lots?
47. Is it the case that the only mention of the word 'innovation' in the [NSW Government's Options Paper on Short-term Holiday Letting](#) is in your Ministerial title?

48. How are you supporting the citizens of NSW to pay off their mortgages and make ends meet through the innovations which have been brought about through the sharing economy?

### **Office Administration**

49. How many staff are in your ministerial office?
- (a) What was the average salary for staff members in your office during 2016-17?
  - (b) What is the estimated average salary for a ministerial staffer in your office in 2017-18 based on current appointments?
50. How many blackberries/iphones/smart phones are assigned to your staff?
- (a) For each phone, how much was each bill in 2016-17?
  - (b) How many phones have been lost or replaced due to damage in your office?
    - i. What is the cost of replacing those phones?
51. How many iPads or tablets has DPC assigned to your Ministerial office and to whom have they been issued?
- (a) What was the cost of providing iPads or tablets to your Ministerial Office in 2016-17?
  - (b) How many iPads or tablets have been replaced due to lost or damage in 2016-17?
    - i. What was the cost of replacing these devices?
52. Has any artwork been purchased or leased for display in your ministerial office in 2016-17?
- (a) What is the cost of this?
53. Have any floral displays or indoor plants or potplants been hired or leased for display in your ministerial office in 2016-17?
- (a) If so, what was the cost of these items?
54. Have any floral displays or indoor plants or potplants been purchased for display in your ministerial office in 2016-17?
- (a) If so, what was the cost of these items?
55. What was the total cost of all subscriptions by you and your staff to online news services, newspapers, magazines, journals and periodicals in 2016-17?
- (a) What are these services/newspapers/magazines/journals/periodicals?
    - i. Who is the subscriber for each of these?

56. What was the total amount your office spent on stationery?
57. What was the total value of all gifts purchased for use by you and your office in 2016-17?
- (a) What were the gifts purchased?
    - i. Who were they gifted to?
58. Do you purchase bottled water or provide water coolers for your office?
- (a) What is the monthly cost of this?
59. What non-standard features are fitted to your ministerial vehicle?
- (a) What is the cost of each non-standard feature?
60. What was the total bill for your office in 2016-17 for:
- (a) Taxi hire
  - (b) Limousine hire
  - (c) Private hire care
  - (d) Hire car rental
  - (e) Ridesharing services
61. Were any planes or helicopters chartered by you or your office and paid for with public money in 2016-17?
- (a) If yes, will you please detail each trip, the method of transport and the cost?

### **Hospitality**

62. How much did your ministerial office spend on hospitality, including catering and beverages, in 2016-17?
63. How much did your Department/agency spend on hospitality, including catering and beverages, in 2016-17?

### **Labour Hire Firms**

64. Do any Departments/agencies within your portfolio responsibilities utilise the services of Labour Hire Firms? If yes, please advise in table form for 2016-17:
- (a) The names of the firms utilised
  - (b) The total amount paid to each firm engaged
  - (c) The average tenure period for an employee provided by a labour hire company

- (d) The longest tenure for an employee provided by a labour hire company
- (e) The duties conducted by employees engaged through a labour hire company
- (f) The office locations of employees engaged through a labour hire company
- (g) The highest hourly or daily rate paid to an employee provided by a labour hire company

### **Media and Public Relations**

- 65. How many media or public relations advisers are employed for each of your portfolio agencies and what is the total cost to employ these advisers?
- 66. What is the forecast for the current financial year for the number of media or public relations advisers to be employed and their total cost?
- 67. What is the total cost of media monitoring services used by Departments/agencies within your portfolio responsibilities?
- 68. By how much has the number of media or public relations advisers employed for each of your portfolio agencies increased since 2011-12 to the current date?
- 69. By how much has the expenditure on media or public relations advisers employed for each of your portfolio agencies increased since 2011-12 to the current date?
- 70. Have you had media training or speech training?
  - (a) If yes, who paid for it?
  - (b) If paid by taxpayers, what was the amount paid in 2016-17?

### **Facebook**

- 71. How much did your ministerial office spend on Facebook advertising or sponsored posts in 2016-17?
- 72. How much did your Department/agency spend on Facebook advertising or sponsored posts in 2016-17?

### **Overseas Trips**

- 73. Were any of your overseas trips in the last financial year paid for in part or in full by using public money?
  - (a) If so, did any of your relatives or friends accompany you on these trips?
- 74. Have you undertaken any official overseas travel that was privately funded?

- (a) If so, what was the nature of these trips?
- (b) Who paid for these trips?

### **Department/Agency Travel**

75. What was the total expenditure in 2016-17 by Departments/agencies within your portfolio on:
- (a) Taxi hire
  - (b) Limousine/private car hire
  - (c) Hire car rental
  - (d) Ridesharing services
76. Do any senior executive service employees in your Departments/agencies have a driver that is paid for by the Departments/agencies? If so, what is the number of senior executive service employees that have a driver and which senior executive service employees have a driver?
- (a) How much was spent on these drivers in 2016-17?

### **Consulting**

77. How much did the Department/agencies under your portfolio responsibility spend in legal costs in 2016-17?
- (a) For what specific purposes or matters was legal advice sought?
78. Have Department/agencies under your portfolio engaged any consultants to provide the following services or advice in 2016-17:
- (a) Social media
    - i. And the cost of these services
  - (b) Photography
    - i. And the cost of these services
  - (c) Acting training
    - i. And the cost of these services
  - (d) Ergonomics
    - i. And the cost of these services

## **Department/Agency Staffing**

79. What was the number of senior executive service employees employed by Departments/agencies within your portfolio in 2016-17?
- (a) How much was this number in 2011-12?
80. What was the expenditure on senior executive service employees employed by Departments/agencies within your portfolio in 2016-17?
- (a) How much was this number in 2011-12?
81. What was the number of internal legal counsel employees employed by Departments/agencies within your portfolio in 2016-17?
- (a) How much was this number in 2011-12?
82. What was the expenditure on internal legal counsel employees employed by Departments/agencies within your portfolio in 2016-17?
- (a) How much was this number in 2011-12?
83. How many redundancies were processed by Departments/agencies within your portfolio responsibilities during 2016-17?
- (a) Of these redundancies, how many were:
- i. Voluntary
  - ii. Forced
- (b) What was the total cost of all redundancies?
84. Have any staff who received a redundancy in the last two years undertaken any paid work or provided any paid services for the agency with which they were formerly employed?
- (a) What was the nature of these works/services?
- (b) What was the total cost of these works or services?
85. Are any staff formerly employed by your ministerial office now employed by Departments/agencies under your portfolio responsibility?
86. How many staff were dismissed from Departments/agencies under your portfolio responsibilities in 2016-17?
- (a) What were the reason/s for each dismissal?
87. What was the total amount your Departments/agencies spent on stationery?

### **Smart Phone Accounts**

88. Do the Departments/agencies within your portfolio have an iTunes account?
- (a) What was the total expenditure in 2016-17 on iTunes?
    - i. What applications/subscriptions/services were purchased through iTunes?
89. Do the Departments/agencies within your portfolio have an Android account?
- (a) What was the total expenditure in 2016-17 on Android?
    - i. What applications/subscriptions/services were purchased through Android?

### **Websites Visited**

90. What were the top 20 most utilised (by data sent and received) unique domain names accessed by your Ministerial office this year?
91. What were the top 20 most accessed (by number of times accessed) unique domain names accessed by your Ministerial office this year?

### **Merchant fees**

92. Please provide a list of all transactions where customers need to pay a merchant fee on credit and/or debit card payments in your Department/agency.
93. Please provide the percentage and/or amount of the merchant fees applied to all credit and/or debit card payments/transactions in your Department/agency.
94. What was the total amount paid in merchant fees on credit and/or debit card payments in your Department/agency in 2016-17?

### **Probity Auditor**

95. Has your office or department used a Probity Auditor or Probity Advisors, or similar, in the past five years? If so please list the company and/or individual, the project, the engagement dates, and their total remuneration in tabular format.”

<b>Questions from Mr Justin Field MLC</b>
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### **Ethanol Mandate Exemptions**

96. How many businesses are subject to the minimum biofuels requirement in NSW?
- (a) How many of these businesses met the minimum biofuels requirement and did not require and exemption in each of the first and second quarters of 2017?

- (b) How many new business have become subject to the minimum biofuels requirement in NSW since the recent changes to the Act and regulations?
97. Regarding the 179 applications for exemptions to the biofuels mandate which the Minister said the Government has received since 1 January 2017:
- (a) When is this up to? Is it only up to 30 June?
- i. If yes, how many applications have been received since 30 June 2017?
- ii. How many of these new applications are from businesses that were granted an exemption previously?
- (b) Does this figure relate to the total number of exemptions sought under the Biofuels Act or only to those business newly required to comply since the recent changes to the Act and regulations?
- i. If it is the latter, how many other businesses have made applications for exemptions to the biofuels mandate since 1 January 2017 and how many of these have been granted?
- (c) What percentage of businesses that are subject to the minimum biofuels requirement have applied for an exemption?
- (d) In his evidence Mr Hoffman stated that the Department has done an analysis of these exemptions broken down by the reasons they were granted. Can you provide this break down?
- (e) Can you provide a copy of a sample approved exemption letter that has been sent to a business?
- (f) Does the Department have a policy regarding the number of times businesses will be granted an exemption before enforcement action is taken?
- i. Is there a limit to the number of exemptions that can be granted?
- (g) Can exemptions be granted for periods longer than 3 months?
98. How many investigations have been completed and how many are ongoing into businesses which have failed to comply with the minimum biofuels requirement?

### **Ethanol Advertising**

99. How much is budgeted to be spent on the E10 Fuel for Thought advertising campaign over the next 4 years?

## **Ethanol Mandate**

100. Has the ethanol mandate increase the uptake of ethanol blended fuel in NSW?
- (a) If yes, what evidence do you have to support this claim?
101. Why has the percentage of ethanol blended fuel and the total amount of ethanol blended fuel has fallen every year for at least the past 7 years?
102. Do you predict the percentage of ethanol blended fuel used by motorists in NSW increase or decrease, and by how much:
- (a) In the next year?
- (b) Over the next 4 years?
103. Do you predict the total amount of ethanol blended fuel used by motorists in NSW increase or decrease, and by how much:
- (a) In the next year?
- (b) Over the next 4 years?
104. How many petrol stations in NSW do not sell regular unleaded fuel?
105. In his evidence the Minister said that the Department has done some modelling on how much the ethanol mandate is costing motorists. Has this modelling looked at the extent to which motorists have purchased premium unleaded fuels because regular unleaded fuel is unavailable due to the ethanol mandate?
- (a) If yes, what were the findings of the modelling?

## **Fair Trading Complaints Register**

106. The Fair Trading Complaints Register provides the consumer little detail of the type of complaints made, will you consider providing more detail in the Register that describes the nature of the complaint?

## **Fuel Check**

107. Is Fuel Check in beta form, if so why?
108. Is there an app available for mobiles? Why not?

## **Data Analytics Centre (DAC)**

109. What has the DAC achieved in terms of analysing data provided by agencies?
- (a) What are the financial outcomes of the DAC?

110. What is the annual cost of running the DAC?
111. Which agencies are you receiving data from?
112. Have any agencies refused to provide data?
113. Has the DAC used their legislative power to require agencies to forward data? If no, why not?
114. Is the data provided from agencies to the DAC in real time?