

## BUDGET ESTIMATES 2019-20

### PREMIER – SUPPLEMENTARY QUESTIONS

<b>QUESTION - Electoral enrolment</b>
1. Will you commit to automatically enrolling residents of NSW when they turn 18? (a) If not, why not?
<b>ANSWER:</b>  Residents of NSW are already automatically enrolled by the Australian Electoral Commission using data from NSW Government agencies under the Joint Roll arrangements.

<b>QUESTION - Electoral funding</b>
2. Will you expand the list of prohibited donors to include arms companies, distributors and manufacturers? 3. Will you expand the list of prohibited donors to include corporations involved in mining and petroleum extraction? 4. Will you expand the list of prohibited donors to include companies that are currently involved in government contracts or are intending to bid for government contracts in the next 4 years? 5. Will you expand the list of prohibited donors to include registered clubs and other not-for-profit gambling entities?
<b>ANSWER:</b>  In 2016, the Expert Panel on Political Donations considered the bans on political donations from certain donors. The Expert Panel recommended that the ban on political donations from prohibited donors (including property developers and liquor, gambling and tobacco industry business entities) under the previous <i>Election Funding, Expenditure and Disclosures Act 1981</i> be retained for the time being.  The prohibited donor provisions were retained in the <i>Electoral Funding Act 2018</i> which implemented recommendations made by the Expert Panel and the Parliamentary Joint Standing Committee on Electoral Matters.

<b>QUESTION - Lobbying of Government Officials</b>
6. What consideration has been given to expanding lobbying regulations to include shadow ministers and their advisors? 7. Will you establish a lobbyist register for local government officials? 8. Will you extend diary disclosure provisions to cover events and functions?

## BUDGET ESTIMATES 2019-20

9. What resources are in place to make a publicly accessible and useful online register of all information relating to lobbyists, lobbying activities, political donations, ministerial diaries and gifts received by public officials?

10. Why are Members of Parliament allowed to act as paid lobbyists?

11. Why is there no cooling off period for all identified persons including ministers, shadow ministers, members of Parliament, parliamentary secretaries, ministerial or shadow ministerial advisers and senior public servants from engaging in any lobby activity?

### ANSWER:

The Government will consider any report of the Independent Commission Against Corruption (ICAC) on lobbying, influence and access in NSW.

On 12 April 2019, the ICAC commenced an investigation into lobbying, access and influence in NSW, releasing a discussion paper and calling for submissions. The ICAC's investigation will examine:

- whether the interrelated principles of transparency, fairness, integrity and freedom of political communication are being upheld in NSW; and
- options that are available for lifting standards of probity so as to ensure integrity in public office and protect the public interest in official decision-making.

### QUESTION - Parliamentary Remuneration

12. Will you consider linking MP wages to the NSW median wage?

13. What steps have been taken to ensure MPs declare the financial affairs of their partners, children or other family members?

14. What steps have been taken to ensure MPs declare the financial situation of any trusts that provide a benefit to the MP or their family members?

### ANSWER:

**12.** Section 4 of the *Parliamentary Remuneration Act 1989* caps any increases in Members' basic salaries at 2.5% per annum which is consistent with the wages policy which has applied to the NSW public sector since 2011.

**13-14.** Disclosures by Members of Parliament of their pecuniary interests are regulated by the *Constitution (Disclosures by Members) Regulation 1983*. In addition, both Houses of Parliament have adopted Codes of Conduct which require Members to take all reasonable steps to disclose any conflict of interest between their private financial interests and decisions in which they participate in the execution of their office.

### QUESTION - Relationship guidelines

15. What policies are in place regarding social and intimate relationships between senior officials and senior departmental officers in the NSW public service, including Agencies such as the NSW Police Force?

## BUDGET ESTIMATES 2019-20

16. Are they consistent across Agencies or do different Agencies have distinct policies? If distinct please provide details.

17. Is the Premier aware of any transgressions by senior officials either in NSW or overseas of these policies?

### **ANSWER:**

The *Government Sector Employment Act 2013* sets out the Ethical Framework for the government sector, including the core values of integrity, trust, service and accountability and principles for their implementation in practice.

The heads of government sector agencies have been directed by the Public Service Commissioner to implement the Code of Ethics and Conduct (the Code) for NSW government sector employees and to require employees to comply with the Code.

The Code requires all employees to place the public interest over personal interest.

Senior executives are required to declare any private personal interests or relationships that have the potential to influence, or could be perceived to influence, decisions made or advice given by the senior executive. The declaration must be provided to the senior executive's Secretary or head of agency.

Secretaries and heads of agencies are responsible for the general conduct and management of their organisations in accordance with the government sector core values in the Ethical Framework.

### **QUESTION - Electoral Commission**

18. You gave evidence about the impact of budget cuts on the functions of the Electoral Commission. Can you please advise the Committee about what impact those cuts will have on the capacity of the Commission to supervise and regulate the electoral funding and disclosure laws over time if not corrected?

19. Why did your Government deny proposals from the Electoral Commissioner to adequately fund elections?

20. Do you agree with the Commissioner's comments from Budget Estimates that due to reductions in funding that "there is a risk of failure, a risk of something going wrong and the worst outcome... of course is that the outcome of the election is called into question and we have to do it again and the integrity of the Electoral Commissioner or the commission is called into doubt as well"?

21. Do you support electoral staff working "30 hours straight to be able to monitor the systems and do appropriate checks", as the Commissioner reported was occurring due to reductions in funding?

22. Do you agree with the Commissioner's comments from Budget Estimates that due to reductions in funding, that "things can start to go wrong. Things can start to go wrong with the people supervising the count, which might call the election into question."?

23. Please respond to comments from the Commissioner that "I am not going to sacrifice lives for the benefit of a quick result." Why is the Commissioner being forced to decide between running an election and protecting the lives of his staff, as a result of funding cuts?

## BUDGET ESTIMATES 2019-20

**ANSWER:** The NSW Government is committed to ensuring the highest level of integrity in all electoral matters by supporting the independent NSW Electoral Commission's work.

The NSW Electoral Commission received \$121.9 million in the 2019-20 Budget. This reflects the cyclical budget with no major election to be held in 2019-20.

The Electoral Commissioner recently indicated his satisfaction with the funding for the 2019 State General Election, noting that it was a significant increase in funding from the 2015 election.

### QUESTION - Western City and Aerotropolis Authority

I understand the Western City and Aerotropolis Authority (WCAA) is responsible for identifying and completing masterplans for sites that kick-start development of the Aerotropolis and support growth of the Western Parkland City. The specific roles played by the Authority include:

- Master-planning and master-developing
- Placemaking, precinct activation and precinct management
- Infrastructure planning, prioritisation and coordination
- Securing both national and foreign investment

The Authority also has a key role in delivering on NSW strategic plans, including:

- The Western City District Plan (Greater Sydney Commission)
- The Land Use and Infrastructure Implementation Plan (LUIIP) for the Western Sydney Aerotropolis (Department of Planning and Environment)
- Future Transport Strategy (Transport for NSW).

24. Given its clear placemaking function, why is this Authority in the Treasury cluster with its CEO reporting to the Treasurer and not the Planning Cluster reporting to the Minister for Planning?

25. With the Greater Sydney Commission's polycentric plans for Sydney released, why has the Commission now moved to an implementation function?

26. Is that not the function of the Department of Planning in conjunction with the relevant local government authorities?

27. Whom has the greater primacy in planning in NSW? The DPIE or the Greater Sydney Commission?

28. What is the current status of implementing the Urban Transformation Strategy for the revitalisation of Parramatta Road by the Greater Sydney Commission?

29. Is the Greater Sydney Commission being used as a political 'quick fixer' by the Government instead of advice from the DPIE or independent planning commission?

30. When did the government designate Pyrmont as a priority precinct area? Why were the DPIE staff making representations to the Independent Planning Commission on the proposed Ritz-Carlton development not made aware of your position for Pyrmont to be 'open for business'?

31. How does the governance structure of the GSC work where the CEO effectively reports to both you as Premier and also to the Minister for Planning in her capacity as a Deputy Secretary of DPIE?

## BUDGET ESTIMATES 2019-20

32. As has been shown by the hastily convened 'review of Pyrmont' and the 'assurance review' in Ryde before the last State election, isn't there a complete conflict of interest for the CEO of the GSC caused by this very strange governance structure?

### ANSWER:

24. The Treasury Cluster leads on the economy, jobs and investment and drives the economic development strategy to guide NSW's growth for the next 10 to 20 years.

25. The Greater Sydney Commission's (the GSC) functions are outlined in the *Greater Sydney Commission Act 2015* and the *Environmental Planning and Assessment Act 1979*.

26. Implementation of the *Greater Sydney Region Plan – A Metropolis of Three Cities* and District Plans is a whole-of-government responsibility.

27. The DPIE and the Commission operate in accordance with their relevant NSW Government legislation.

28. There is a publicly available Implementation Plan 2016-2023 for the Urban Transformation Strategy.

29. No.

30. The Government requested that the GSC conduct an independent review of the development controls at Pyrmont and provide recommendations to ensure good planning outcomes for the Western Harbour precinct.

31. The CEO of the GSC continues to be employed by and report to the Secretary, of the Department of Premier and Cabinet. In addition, a dual Deputy Secretary role was created in the DPIE to drive alignment and co-operation.

32. Recognising and managing conflicts of interest or conflicts of duty is an integral part of all public service roles. The CEO of the GSC has recused herself from the Commission's independent Review of Planning Controls in Pyrmont and the Western Harbour Peninsula.

### QUESTION - National Security Clearances

33. How many Secretaries across the NSW Government hold a national security clearance at 'baseline' or higher?

34. Does the Secretary of DPC hold a national security clearance at 'baseline' or higher?

35. Do any of the Deputy Secretaries, Chief Executives, or Agency heads hold a national security clearance?

(a) If so, how many?

36. How many NSW Government Deputy Secretaries, or equivalent, hold a national security clearance at 'baseline' or higher?

## BUDGET ESTIMATES 2019-20

37. Do any Secretaries or Deputy Secretaries within the NSW Government, who do not hold a national security clearance, have access to national security information?

**ANSWER:**

Security clearance assessments are conducted in accordance with the Australian Government Protective Security Policy Framework.

**QUESTION - Stadiums PBO Interference**

38. Treasury Secretary Martin Pratt gave evidence in Budget Estimates on 29 August 2019 that the Treasurer raised concern with the independent PBO costing of Labor's stadium loan policy in the days before the election. The PBO confirmed as much in an email to the Secretary dated 29 March 2019, released under GIPA. Did you or your office raise concerns about the costing with the Treasurer?

39. Did you or your office raise concerns about the costing with Treasury?

40. Did you or your office raise concerns about the costing with the PBO?

41. An email dated 18 March from Treasury released under GIPA states that Treasury received an inquiry about the costing "which was prompted by PO/TO questioning the PBO costing". What was the nature of raising that issue? Who did you raise it with? In what format? On what date?

42. Who in the Premier's office questioned the costing?

43. Did you question any other policies, or just that one? Why just that one?

44. Is raising this issue appropriate during Caretaker?

45. Is "PO" a reference to your office?

46. The Caretaker conventions clearly state: "Ministers should take particular care to ensure that they do not compromise the neutrality of the public service in the lead up to an election." The Treasury Secretary has stated that the Treasurer raised an issue with a Labor party costing in the days before the election, something he could only do because of his access and relationship with the Secretary. Do you deny that this is a breach of the Caretaker Conventions?

47. Do you agree this is clearly inappropriate in the days before an election?

48. The Treasury Secretary emailed at the time that "based on the evidence provided to you the PBO should remove the fictions revenue for the government through this transaction." And then five days after the election on the 28th, "I find this completely unacceptable". Why did the Secretary take such personal interest in this costing?

49. Why did the Secretary and Treasury change their view so suddenly and vehemently in the week before the election, despite the costing being one that Treasury themselves prepared only a few weeks ago without any issue?

50. Was there an explicit instruction from the Premier or Treasurer?

51. Is it appropriate for the Secretary to be talking to the PBO like this, at 5pm on the day before the election?

52. The Treasurer emailed Treasury in the week before the election questioning the costing. Do you stand by a Treasurer who tries to use his department for political gain during an election and put political pressure on their department during caretaker?

## BUDGET ESTIMATES 2019-20

53. Have you politicised the Treasury in your attempt to win the election?

54. If not, why would the Treasury Secretary have emailed at the time that “we will need to bring this to a head in the morning for \*redacted\* to publically correct as I can’t leave this significant error unaddressed”?

55. Does the Treasurer have your full support? Do you condone his actions?

56. Was that the only time you or your office discussed a Labor policy during the election period with a Department or the Public Service? Please outline all other interactions during the election period.

### ANSWER:

The Parliamentary Budget Officer is an independent officer of Parliament.

After receiving an election costing request, the Parliamentary Budget Officer prepares a costing of the policy concerned and provides the costing to the parliamentary leader who made the request as soon as possible

The Parliamentary Budget Officer may, at any time, make a request for information from the head of any Government agency to assist the Officer in the preparation of a costing of an election policy under the *Parliamentary Budget Officer Act 2010*.

The Parliamentary Budget Officer may revise an election policy costing or budget impact statement under Part 4 of the *Parliamentary Budget Officer Act 2010* at any time after it is made to correct any error, and provide or release the revised costing or statement.

In August 2018, the Premier issued memorandum M2018-01 ‘*2019 State Election – Caretaker Conventions*’ providing guidance on the caretaker conventions in the lead-up to the 2019 State General Election. Similar guidance was issued prior to the 2015 and 2011 State General Elections.

During the caretaker period, Ministers may continue to request factual material from agencies. The purpose to which such material is to be put is a matter for the Minister to determine.

### QUESTION – Crown

57. You’ve previously said “The question for me is, if there’s a failure in society - whether it’s a market failure or a safety issue, the most difficult question for me every day is when do I step in and when do I let things take care of themselves,” What motivated you to step in in relation to the 66-storey Star tower?

58. How often did you have contact (in person, phone, email, text) to Michael Photios?

59. How often did you speak with proponents of the Ritz Carlton development at the Star Casino?

60. Who did you consult with before directing the Greater Sydney Commission to conduct a review into Pymont’s planning controls?

61. Did you speak to the Treasurer before making your decision?

62. Do you believe ordering the GSC to conduct a politically expedient review aligns well with its intended purpose as a strategic planning body?



## BUDGET ESTIMATES 2019-20

63. Do you have confidence in the work of the Department of Planning, Industry and Environment?

64. Why did you call in the Greater Sydney Commission to check the Department's work?

### ANSWER:

**57-61.** The Greater Sydney Commission (GSC) was directed to review planning rules for the Pymont and Western Harbour precinct to ensure consistency with the NSW Government's vision for the future. The Star Casino redevelopment is being separately assessed by the Independent Planning Commission.

**62.** The GSC is an independent body and its governance structure is based on the statutory requirements of the *Greater Sydney Commission Act 2015* (GSC Act). Section 5 (3) of the GSC Act states that "The Commission is not subject to the control and direction of the Minister (except to the extent specifically provided for in this or any other Act)". Section 10 (1) (f1) states that one of the Commission's functions is to: "provide the Minister administering the Planning Act with any information, advice or reports requested by the Minister administering the Planning Act"

**63.** Yes.

**64.** The Department of Planning, Industry and Environment and the GSC work collaboratively to deliver the best outcome for the people of NSW.

### QUESTION - Parramatta Pool

65. When is Parramatta going to get back the pool that your Government took away from the community to rebuild the stadium?

66. How many summers have the people of Parramatta been without a pool?

67. At the election, what did you promise the people of Parramatta regarding a replacement pool?

68. Can you confirm that your Governments' 'like for like' commitment for Parramatta Pool will include the same facilities?

69. Will the new pool include

(a) A 10 lane 50 metre pool?

(b) A learn to swim pool?

(c) Dive towers?

(d) Twin waterslides?

(e) A kiosk, outdoor seating, shaded areas and BBQ facilities?

70. Why wasn't that \$30 million commitment in this year's budget? Why is there no mention of such a fundamental election promise in your budget papers?

71. Where are things up to? When can the people of Parramatta expect that pool?

### ANSWER:

The NSW Government recently announced a \$77 million joint funding partnership with Parramatta City Council to deliver a new aquatic centre on the Mays Hill site in Parramatta.



## BUDGET ESTIMATES 2019-20

The new facility will deliver:

- a 10-lane 50-metre outdoor pool
- a 25-metre indoor pool
- learn-to-swim facilities
- fitness centre
- change rooms
- café
- parking facilities

The NSW Government has always been committed to a replacement pool for the people of Parramatta and has been working with Council to ensure it is delivered.

### QUESTION - Opal Tower

72. Is there a crisis in building construction in NSW?

73. There was an interim report into Opal Tower. Why hasn't the government acted on them?

74. There's been report after report containing recommendations to strengthen enforcement of the building industry. Why hasn't the government implemented the Lambert recommendations?

75. Why did your government wind back regulation of this industry in 2017?

76. Why have you not proclaimed the building legislation your government passed nearly 12 months ago?

77. When can we expect new building reform legislation to restore confidence in this industry?

78. How many public buildings in NSW have been identified by your government's taskforce as containing potentially combustible cladding? What is your government doing about it?

79. Is there a system for rectification work or is it ad hoc?

80. Can you provide a list of all public buildings that have been identified as having flammable cladding?

81. How much has been spent on rectification works on Government owned buildings?

### ANSWER:

72. No.

73. On 22 February 2019, the NSW Government released the final report from the independent investigation into Opal Tower. The NSW Government announced that it supported the direction of the report's recommendations. It noted that the recommendations refer to ensuring that qualified people design buildings, and that buildings are built to those designs.

These recommendations are being pursued through the NSW Government's response to the 'Building Confidence Report' of Professor Peter Shergold AO and Ms Bronwyn Weir.

Legislation will be introduced into Parliament in the 2019 Spring session to implement reforms responding to these recommendations.

## BUDGET ESTIMATES 2019-20

**74.** The NSW Government released its response to the Lambert Report in September 2016. The Government Response (page 2) committed to implement priority reforms: to overhaul the regulation of certifiers, clarify Ministerial responsibility and administration of building laws, implement a package of fire safety reforms for both new and existing buildings, and establish a Building Regulators Committee to improve coordination across Government. Those priority reforms have been implemented. Further detail on the implementation of the Lambert Report recommendations have been provided to the Parliament in evidence and submissions to the Parliamentary Inquiry into regulation of building standards, building quality and building disputes provided by the Department of Customer Service.

**75.** The Government has introduced a number of reforms to building regulation to improve the sector, including reforms via amendments to the following statutes that are critical to the regulation of planning, certification and building:

- *Home Building Act 1898*
- *Environmental Planning and Assessment Act 1979*
- *Building (Products) Safety Act 2017*
- *Building and Development Certifiers Act 2018*
- *Building and Construction Industry Security of Payment Act 1999*, and
- *Strata Schemes Management Act 2015*.

**76.** On 31 October 2018, the *Building and Development Certifiers Act 2018* (BDC Act) received assent by the NSW Governor. The BDC Act plays an important role in setting out strengthened regulatory requirements for the registration of certifiers and supports the *Environmental Planning and Assessment Act 1979*, which outlines a certifier's role in carrying out functions in the integrated planning and approvals framework. The BDC Act's supporting regulation is currently being developed and will be finalised following public consultation.

**77.** Legislation will be introduced into Parliament in the 2019 Spring session.

**78.** The NSW Government is committed to ensuring unsafe cladding is removed from homes and buildings across NSW. An audit of almost 200,000 building records has been completed to identify buildings with aluminium or other external wall cladding. We will continue to work closely with building owners and local councils to ensure all fire safety risks are addressed. The NSW Cladding Taskforce is overseeing the implementation of the NSW Government's action plan to address cladding risks. Updates on the Taskforce's activities are available here: <https://www.claddingregistration.nsw.gov.au/cladding-taskforce>.

**79.** See response to question 78.

**80.** Individual Government agencies are best placed to consider providing information to the public concerning their buildings.

**81.** All Government agencies have met the costs of any required works from their budget allocations.

## BUDGET ESTIMATES 2019-20

### QUESTION – Infrastructure

82. The original Sydney Light Rail cost was \$1.6b. Just last week the Treasurer confirmed in Estimates that the projected cost is “around \$3b”. That’s a \$1.4b blowout. Do you think the project has been well managed? Is a \$1.4b blow out acceptable?

83. The WestConnex was originally costed at \$10b. What is the estimated cost now?

84. The Sydney Metro was originally \$11b. Is the cost now \$12.5b?

85. The new intercity fleet was originally \$2.8b. Is the cost now \$3.9b?

86. Overall, across all your major projects, can you confirm that’s almost 30% of costs lost in blowouts and mismanagement?

87. Why is your government so terrible at managing projects and contracts?

88. Is it the concept? The contracts? A lack of tenderers in the market?

89. There is almost \$90b of infrastructure that you want to deliver. Does that mean you’ll accept a \$30b blowout bill? Where will that money come from?

90. At what stage of the project are blowouts occurring?

### ANSWER:

**82.** The final cost will be confirmed following project completion.

**83.** This is a vital project to cut travel times for motorists in Western Sydney. Please see the WestConnex website for further information, including the updated strategic business case released in 2015 which covers this matter.

**84.** Sydney Metro is Australia’s biggest public transport project and includes multiple components - Metro North West, Metro City & South West, Metro West, and Metro Greater West. Please see the Sydney Metro website for further information.

**85.** The new trains will provide more comfortable, reliable, efficient and accessible journeys for our customers. Please see the Transport for NSW website for further information.

**86–90.** The magnitude of the State’s infrastructure program makes it essential to develop and deliver major projects in a timely and cost-efficient way.

To ensure there is better oversight of the State’s development and delivery program, the Government draws on independent assurance advice provided by Infrastructure NSW. Infrastructure NSW engages experts from across Australia to independently review major projects through a series of “Gateways” covering the project lifecycle including project inception, options analysis, Business Case, procurement, delivery and operations.

Please refer to the Government’s Ten Point Commitment to the Construction Sector Action Plan.

This is compared to Labor’s time in Government where projects, such as the CBD Metro, were announced and cancelled without any work delivered, but which saw hundreds of millions of dollars wasted.

## BUDGET ESTIMATES 2019-20

### QUESTION - Sydney Modern

91. Can you confirm that \$344m will be the final cost for the Sydney Modern Project?
92. Given your projects result in almost 30% of costs lost in blowouts, will you guarantee that this project will be delivered on time and in budget?
93. What was the original timeline?
94. What is the new timeline? Do you commit to that?

### ANSWER:

- 91.** The total budget for Sydney Modern is \$344 million which includes \$100 million from private donations.
- 92.** The project remains firmly on track to be delivered within its \$344 million budget.
- 93–94.** The project will be completed in 2022.

### QUESTION - CBD Light Rail

95. Your signature Light Rail project is more than \$1 billion dollars over a budget and a year late. What's the current timeline anticipated now?
96. In estimates last year you said "March 2020". Do you still stand behind that?
97. What is the current amount of compensation paid to small businesses that have been affected or have gone bust as a result of prolonged disruption from your light rail?
98. Why did they sue you for misleading or deceptive conduct? What did you mislead them about? Why did you decide to settle for over half a billion of taxpayer dollars if you did nothing wrong?
99. In Estimates last year you said "there is no doubt there are challenges with this project". Things have gotten markedly worse since then. How would you characterise it now?

### ANSWER:

- 95–96.** Target start dates remain December 2019 for the first passenger service between Randwick and Circular Quay, and March 2020 for services between Kingsford and Circular Quay.
- 97.** This is a matter for the Minister for Transport and Roads.
- 98.** Acciona has agreed to the full withdrawal and release of its claim and further agreed that it will not be able to rerun any allegations made in or arising from this claim against the State in any future proceedings or dispute resolution forum. TfNSW's position is that there was never any basis for this claim. Questions regarding any further details should be directed to the Minister for Transport and Roads.
- 99.** Following the agreement with the ALTRAC consortium, an updated program and milestones have been established, with the first passenger service due to commence in December 2019. On 30 July 2019, the first vehicle was taken to Circular Quay as night time testing commenced in the Northern CBD corridor.

## BUDGET ESTIMATES 2019-20

### QUESTION - Parramatta Light Rail

100. Will you commit to deliver Parramatta Light Rail Stage 2?

101. What is the status of second stage business case?

102. How many people are currently working on delivering the project?

103. In 2017, its reported Transport Minister Andrew Constance said the final cost of the second stage would not be known until a competitive tender process was completed and contracts signed by 2019. He also indicated he was hopeful construction on the second stage would start before 2020. Do you recall these statements? Did you agree at the time?

104. Now the Transport Minister also said the Government is “looking at the longer term in relation to Parramatta stage two”. What does this mean?

105. In July your Transport Minister said the government did not have a timeframe for the beginning of works on Stage. 2 What happened to the timeframe set out 2 years ago? Has your commitment to Stage 2 waned?

106. If you haven't cancelled Parramatta Light Rail Stage 2, when's the start date?

107. Do you rule out replacing Parramatta Light Rail Stage 2 with a bus route?

108. Why are the units going in so far ahead of the public transport?

### ANSWER:

**100–107.** This is a matter for the Minister for Transport and Roads.

**108.** The timing and development of (residential) units in any location is a market driven decision.

### QUESTION - Cabinet Composition

109. Does the Premier believe her executive adequately reflects community standards when it comes to the representation of women?

### ANSWER:

I have strongly advocated for greater representation of women in NSW Parliament.

Three out of the six new Liberal MPs to secure seats at the 2019 election were women.

Three female MPs were also promoted as Parliamentary Secretaries following the election.

### QUESTION - Domestic Violence

110. Why have you abandoned your key priority to reduce violence reoffending rates by 25 per cent by 2021?

111. Your preamble on the Premiers Priorities website describes your aim to ‘to tackle many of the issues that have been put in the too hard basket, for too long.’ Why is this being put in the too hard basket for even longer?

## BUDGET ESTIMATES 2019-20

112. Given that domestic violence is worse now than when the Coalition formed government in 2011, peaking at 15.7 per cent in 2017-18, why have you failed to contain re-offending?

113. Given that the Premier's Priorities website acknowledges the importance of this issue, has any modelling been done on how the target could be achieved in within the original target timeframe?

### ANSWER:

In 2015, the NSW Government set a highly ambitious Premier's Priority target to reduce the proportion of domestic violence reoffending by 25 per cent by 2021. The scale of this reduction has never been achieved elsewhere.

Government and NGOs have worked in partnership to reduce the rate of DV reoffending in NSW and this has resulted in the number of DV reoffenders decreasing for two consecutive years.

In June 2019, the Premier re-committed to reducing domestic violence reoffending by refreshing the target to *Reduce the number of domestic violence reoffenders by 25 per cent by 2023*. This will maintain momentum and continue the important work underway to improve outcomes for victims and their families.

### QUESTION - Reducing Homelessness

114. Originally the target in the 2015-19 priorities was due to be delivered by 2016-17; and yet one day it changed to 2018-19, because that's what the website says now. When did you delay exactly? Why did you decide that addressing youth homelessness could wait another two years? Was it because you weren't anywhere near meeting your target yet?

115. Is that the approach, if you can't meet a target you just move the target?

116. Is addressing homelessness is a priority again for this government in this term. Do homeless people still make you feel "completely uncomfortable"?

117. Given the Rev. Bill Crews said last month that homelessness is worse than he has ever seen in Sydney – and yet it's been a premier's priority for over 4 years – what have you been doing? Is the Premier satisfied with the outcome?

### ANSWER:

In 2015, the NSW Government set an ambitious Premier's Priority target to increase the proportion of young people who successfully move from Specialist Homelessness Services to long term accommodation to 32.3 per cent by 2019.

Following strong early progress, the ambition of this Premier's Priority was increased in 2016-17, with the target moving from 32.3 to 34 per cent. This more ambitious target was achieved a year early in 2017-18 with 200 more young people in stable long-term accommodation than the year before.

Building on this progress, in June 2019 I announced a new Premier's Priority target specifically focused on reducing street homelessness across NSW by 50% by 2025.

## BUDGET ESTIMATES 2019-20

### QUESTION - Protecting Our Kids

118. The 2015-19 Premier's priorities aimed to decrease the percentage of children and young people re-reported at risk of significant harm by 15 per cent by 2020 (based on the 2019 cohort of children). The target was 34.4. Did the Government meet the target?

119. Can you tell us what initiatives you undertook to meet that target? Did those initiatives fail?

120. The 2019-23 Priorities specify a target of 32.3 by 2021-22. Premier, how confident are you that you'll achieve this target?

121. What initiatives have you put in place to meet this target? Given you've failed previously, what assure can you give that you'll do better this time?

### ANSWER:

In 2015, a Premier's Priority target was set to decrease the percentage of children and young people re-reported at risk of significant harm by 15 per cent by 2020. Since then, rates of re-reporting have improved and there are now hundreds fewer children re-reported each year. In June 2019, I set a new, more ambitious target to build on this momentum and decrease the rate of re-reporting even further.

### QUESTION - Improving Service Levels in Hospitals

122. Despite signing up to a Premier's Priority to see 81 per cent of patients through emergency departments within four hours by 2019, the last result was 73 per cent in 2017-18 and the metric has since been dumped in your new Premier's Priorities. Will you admit that you've failed or will you just keep moving the goalposts?

### ANSWER:

In 2015, a Premier's Priority target was set to move 81 per cent of patients through the emergency department within four hours by 2019. Of the 2.88 million patients presenting to NSW's emergency departments in 2017-18, over 2.1 million moved through in four hours – 36,000 more than the previous year.

Building on this progress and momentum, in June 2019 I announced a new Priority focused on emergency department treatment times for those requiring urgent attention. The 81% target continues to be a KPI tracked by the NSW Government, and remains critical for setting high standards of patient care in NSW hospitals.

### QUESTION - Improving Service Levels in Hospitals

123. Your Health Minister has presided over the unfolding calamity which is the privately-operated Northern Beaches Hospital and failed to address the concerns of paediatric surgeons at Randwick over maladministration in the Sydney Children's Hospital Network (SCHN). Does he still have your full confidence?

124. How much longer will sick kids' health outcomes be jeopardised by your government's inability to manage paediatric cardiac surgery services within the SCHN?



## BUDGET ESTIMATES 2019-20

125. Can you guarantee that the NSW Government will not have to buy back the Northern Beaches Hospital?

**ANSWER:**

123. Yes.

124–125. This is a matter for the Minister for Health and Medical Research.

**QUESTION - Greater Sydney Commission**

126. Can you outline the exact nature of the Secretary's role as a member of the Greater Sydney Commission?

127. How much time in a given month is spent devoted to that role as compared with the Secretary's substantive job and responsibilities?

128. Can you outline the role of the Infrastructure Delivery Committee? Does the committee have key performance indicators? How do you assess that the committee is fulfilling its role appropriately?

129. What is the role of the Greater Sydney Commission within the planning framework?

130. Can you outline what you understand to be the reason(s) that the GSC was moved from the Planning cluster to the DPC cluster?

131. Are you aware of comments made by then-Planning Minister Anthony Roberts last year where he lauded the work done by his Department while criticising the willingness of Education, Health, Transport to work beyond their silos when planning for Sydney's growth?

132. Do you agree with these comments?

133. Did you seek the Secretary's advice before you announced that the GSC would be brought into your cluster?

**ANSWER:**

**126.** The Secretary of the Department of Premier and Cabinet is an ex-officio member of the Greater Sydney Commission (GSC) in accordance with Section 6 of the *Greater Sydney Commission Act 2015*. The Secretary is also an ex-officio member of the Commission's Infrastructure Delivery Committee in accordance with Section 14 of the Act.

**127.** The GSC meets on average four times per year. The GSC's Infrastructure Delivery Committee meets on average four times per year.

**128.** The statutory role of the Infrastructure Delivery Committee is set out in Section 14 of the *Greater Sydney Commission Act 2015*.

**129.** GSC's functions and statutory responsibilities are set out in the *Greater Sydney Commission Act 2015* and the *Environmental Planning and Assessment Act 1979*.

**130–133.** On 1 July 2018, as a result of machinery of government changes, the GSC moved to the Premier and Cabinet Cluster. This was designed to strengthen the Commission's cross-Government oversight, coordination and assurance functions and to best align land use and infrastructure planning.

## BUDGET ESTIMATES 2019-20

### QUESTION - Parliamentary Secretaries

134. The Premier appears to have three parliamentary secretaries supporting her: Alister Henskens, Cabinet Secretary; Gabrielle Upton, Parliamentary Secretary to the Premier; and, Ray Williams, Parliamentary Secretary to the Premier and Western Sydney. In terms of their work:

- (a) What public affairs and/or public policy are the respective Parliamentary Secretaries connected to?
- (b) What, if any, special tasks, has the parliamentary secretary been asked to provide assistance with?
- (c) Do you know of any duties of the Premier that the parliamentary secretary been asked to provide relief to the Premier?
- (d) What activities associated with the public policy/public affairs of the parliamentary secretary have been undertaken and required departmental support?
- (e) What staff in DPC have worked with the parliamentary secretary to undertake their duties/ public affairs/ public policy role/s?
- (f) Since their appointment on April 24, have any departmental staff accompanied the parliamentary secretary to meetings with stakeholders?
- (g) Has the department been required to prepare/ provide briefing information for the parliamentary secretary prior to any stakeholder meetings and/or in the undertaking of their duty and/or public policy role?
- (h) Are there any protocols that the department/ agency/ office have established in working with a parliamentary secretary?

### ANSWER:

Each Parliamentary Secretary is appointed pursuant to Section 38C of the *Constitution Act 1902*.

The duties of a Parliamentary Secretary are outlined in the *Ministers' Office Handbook* available on the Department of Premier and Cabinet website.

Each Parliamentary Secretary must comply with the *Ministerial Code of Conduct*, as it applies to them, and I expect them to do so.

### QUESTION - Wholly or Jointly Administered Acts

135. What, if any, planned reviews are being done over the next 2 years for any of the acts or their regulations that the Premier administers?

- (a) Which regulations that fall under these acts are due to cease as at 1 September 2019, and 1 September 2020?
- (b) Given that various regulations, as set out under the Subordinate Legislation Act, cease five years after being published, what mechanisms have you set up to ensure that regulations which are required to be maintained after this 5 year period remain in force?

136. Which acts in this portfolio are yet to commence?

- (a) What provisions in specific acts have yet to commence?

## BUDGET ESTIMATES 2019-20

137. In terms of each of the acts, are there any provisions that need clarifying for the department/agency/office to be able to better support the Premier?

(a) What amendments have been proposed?

138. In terms of the following jointly administered acts, how is the responsibility shared between the Ministers and their departments/agencies/offices?

(a) With the Treasurer

(b) With the Special Minister Of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts

(c) With the Minister for Customer Service

(d) With the Minister for Sport, Multiculturalism, Seniors and Veterans

139. How are these jointly administered acts operationalised between the Ministers and their departments/ agencies/offices?

140. What happens when there is a conflict in the administration of these acts between the Ministers and their departments/agencies/offices?

(a) Other than matters that are referred to Cabinet, what is the mechanism to solve conflicts between the Ministers who share responsibility?

141. In relation to the IPART Act, has the Premier signed off on any "arrangement[s] for the provision of services by the Tribunal", provided by section 9 of the IPART Act?

(a) If yes, when has that occurred and for what bodies/organisations/persons?

(b) Is there a push for IPART to increase its income generation so that its costs are neutral and/or the Tribunal turns a profit?

### ANSWER:

The Department of Premier and Cabinet routinely conducts statutory reviews of Acts allocated to the Premier on the Premier's behalf, as required under legislative provisions.

In the next two years, statutory reviews will be carried out in respect of the following Acts and associated regulations within the Premier's portfolio, as required by the terms of those statutes:

- *Government Sector Employment Act 2013*
- *Greater Sydney Commission Act 2015*

Under the *Subordinate Legislation Act 1989*, statutory rules are automatically repealed after five years after publication on 1 September. The Governor may, by order published on the NSW legislation website, from time to time postpone by one year the date on which a specified statutory rule is repealed by section 10 of the Act. The repeal of a particular statutory rule may not be postponed on more than five occasions.

Premier's Memorandum M2008-01 explains the arrangements for statutory rules due for staged repeal under the *Subordinate Legislation Act 1989* on 1 September each year. Under the program of staged repeal, regulations which are due for repeal may be re-made with major or minor amendments, or be allowed to lapse, or have their repeal postponed.

A list of uncommenced NSW Acts, including wholly uncommenced and partially uncommenced Acts, is available on the NSW legislation website.

## BUDGET ESTIMATES 2019-20

The Governor may, by an administrative arrangements order, allocate to Ministers the administration of Acts and other portfolio responsibilities, pursuant to section 50B of the *Constitution Act 1902*.

In allocating the administration of an Act, different portions of the Act may be administered by different Ministers, different Ministers may administer the Act in different respects, and two or more Ministers may jointly administer the same Act or the same portion of an Act.

The joint administration of an Act or portion of an Act does not require the joint exercise of a Ministerial function (subsection 50B(3)).

The exercise of Ministerial functions under Acts that are jointly allocated is a matter for the relevant Ministers.

Section 9 of the *Independent Pricing and Regulatory Tribunal Act 1992* (the IPART Act) provides that the Tribunal may enter into arrangements with any government agency, or other body or person (whether in the public or private sector):

- (a) for the provision of assistance to the Tribunal in connection with investigations under the IPART Act or the exercise of other functions of the Tribunal (whether under the IPART Act or any other Act); or
- (b) for the provision of assistance by the Tribunal to the agency or other body or person by means of the provision of services that are within the Tribunal's field of expertise and relevant to its functions

The Tribunal is not to enter into an arrangement for the provision of services by the Tribunal unless the Premier has approved of the arrangement.

Details of arrangements made under section 9 of the IPART Act are generally available on the Independent Pricing and Regulatory Tribunal website.

### QUESTION – GIPA

142. Since March 30, how many formal GIPAs have your cluster/department received?

143. Out of those received formal GIPAs, how many have you determined to:

- (a) Grant full access to the information?
- (b) Grant partial access to the information?
- (c) Not grant access to the information?

144. Out of those GIPAs where partial information or no information was granted, how many have decided to appeal?

- (a) Out of those who have decided to appeal, how many have decided to use:
  - i. The agency's internal appeals' mechanism?
  - ii. Review by the Information Commissioner?
  - iii. Review by NCAT?
- (b) How many of those GIPAs have been overturned on appeal?
  - i. Internal appeals' mechanism?

## BUDGET ESTIMATES 2019-20

ii. Review of the Information Commissioner?

iii. Review by NCAT?

145. Since March 30, in regard to GIPAs that have been granted full or partial access, how many appear on the agency's disclosure log?

(a) What is the rationale for not putting GIPAs on the agency's disclosure log (excluding GIPAs asking for personal information)?

146. Has any GIPAs that appeared on the agency's disclosure log been taken down?

(a) If so, for what reason/s?

### ANSWER:

Agencies are required to report on these matters under section 125 of the *Government Information (Public Access) Act 2009* (the GIPA Act).

Information will be included in the Department's annual report made under the *Annual Reports (Departments) Act 1985* and in accordance with the requirements prescribed under the GIPA Act.

The Department maintains a disclosure log on its website with links to documents released under the GIPA Act that it thinks could also be of interest to other members of the public. The Department's disclosure log is continuously updated and is currently up to date.

### QUESTION - Infrastructure NSW, Urban Growth Development Corporation and Barangaroo Development Authority

147. As part of the Legislative Council's return to orders about the Public Service employment figures, there is a document called "Public Service Commission FTE number", it says that in relation to the Bargangaroo Delivery Authority, Infrastructure NSW, and UrbanGrowth NSW Development Corporation that in all cases their former cluster was "Premier and Cabinet", and that their new cluster is "Planning and Industry". Whereas when going through the "Machinery of Government – material transfers" documents, as part of return to orders, does not list them as transferring to the "Planning and Industry" cluster.

(a) Which document accurately reflects the correct machinery of government changes?

(b) How was a mistake like this able to be made?

148. When going through the 2019/20 Budget Paper no 3, when an area has been abolished as per the Machinery of Government changes, it says "discontinued" at the top next to the former department/ agency name, and there are no budget allocations for the 2019/20 budget year. For example Department of Finance, Services and Innovation, or the Office of Local Government. However for the Barangaroo Delivery Authority and the UrbanGrowth Development Corporation, that is not the case.

(a) Why is that?

(b) For both BDA and UGDC what are the personnel services expenses for?

(c) [page 5-25 – 5-27 of BP3] For the BDA, where are the Grants and Contributions amounts coming from?

i. What about the investment revenue?

ii. What about other revenue?

## BUDGET ESTIMATES 2019-20

- iii. Where will the assets that are currently on the books be transferred to?
  - iv. Assets held for sale – what is the timeframe for their sale, or will they be transferred to an agency, department or office for their sale?
  - v. Why are the receivable so high compared to the previous year?
  - vi. Why have borrowings increased markedly?
  - vii. What is the bulk of the non-current liabilities “Other” line item and why was the amount in 2018/19 revised upward so markedly?
  - viii. What will happen to the equity in BDA?
  - ix. Why has the purchases from property plant and equipment line item differed so markedly from the revised amount in 2018/19 and the budgeted amount in 2019/20?
- (d) [page 5-40 – 5-42 of BP3] For the UGDC, why has there been the continuation of Cluster Grant Revenue in 2019/20?
- i. Why have the plant and equipment amount increased five times the amount from the 2018/19 revised budget figures?
  - ii. What will happen to the Equity and will it be transferred to a department/ agency or office?
  - iii. Why has the Grants and Subsidies amount differed markedly from the 2018/19 revised figure to the 2019/20 budgeted amount?
- (e) If the BDA and UGDC really still operating, why are they said to be abolished in the Machinery of Government information?
- (f) Infrastructure NSW has a massive increase in its Employee related operating expenses, more than a 4 times increase the revised 2018/19 figures, to approx. \$50 million budgeted in 2019/20. Why is this?
- i. Is it to reflect the staffing from BDA and UGDC coming into Infrastructure NSW?
  - ii. If not, what constitutes this massive increase in staffing costs?

### ANSWER:

**147.**

- a) The Barangaroo Delivery Authority and UrbanGrowth NSW Development Corporation were abolished as stand-alone agencies during the Machinery of Government changes and their functions transferred to Infrastructure NSW. Infrastructure NSW remains in the Premier & Cabinet cluster.
- b) This misprint was most likely due to an administrative error.

**148.**

- a) See answer to 147 (a) above. The Agencies were abolished after the 2019/20 Budget Papers had been finalised and published.
- b) Transfer of employee related expenditure to INSW from the abolished UGDC and BDA as the per the Administrative Order.
- c) Levy proceeds from the Development.
  - i) Financing of the Development.
  - ii) Income proceeds from utilisation of the completed sections of the Development.
  - iii) Transferred to INSW via the legislation effective 1 July 2019.

## BUDGET ESTIMATES 2019-20

<p>iv) Transferred to INSW via the legislation effective 1 July 2019.</p> <p>v) Financing of the Development.</p> <p>vi) Financing of the Development.</p> <p>vii) Financing of the Development.</p> <p>viii) Transferred to INSW via the legislation effective 1 July 2019.</p> <p>ix) Transfer of land to assets held for sale.</p> <p>d) See answer 147 (a) above. The Agencies were abolished after the 2019/20 Budget Papers had been finalised and published.</p> <p>i) Primarily attributable to an election commitment to fit out an existing government building as a Western Sydney Start-Up hub at North Parramatta (\$4m in 2019/20).</p> <p>ii) Transferred to INSW via the legislation effective 1 July 2019.</p> <p>iii) Based on estimates of expenditure from developer contribution accounts. Essentially based on assumed completion of works.</p> <p>e) See answer 147 (a) above. The Agencies were abolished after the 2019/20 Budget Papers had been finalised and published.</p> <p>f) Transfer of employee related expenditure to INSW from the abolished UGDC and BDA as the per the Administrative Order.</p> <p>i) Yes.</p> <p>ii) N/A.</p>
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<b>QUESTION - Machinery of Government Changes</b>
<p>149. In the Machinery of Government – Summary of Material Transfers Finance, Services and Innovation Cluster: “Under the Administration Order, the Customer Service cluster had been assigned the Data Analytics Centre and the Behavioural Insights Unit. Both these units will be transferred without ongoing funding. The cluster is therefore required to fund the operation of these units through cost savings of over \$12m p.a.”</p> <p>(a) What was the rationale for Behavioural Insights Unit moving out of DPC but not with the Government contributions that had previously been attached to the Unit?</p>
<b>ANSWER:</b>
<p>The Behavioural Insights Unit transferred from DPC to the Customer Service cluster with funding. This funding is set out in the Machinery of Government – Summary of Material Transfers document in the Premier &amp; Cabinet Cluster Appendix.</p>

<b>QUESTION - Intersection of the State Outcomes and Premier’s Priorities</b>
<p>150. How are state outcomes determined?</p> <p>(a) What is the role of the public service in this process?</p>
<b>ANSWER:</b>



## BUDGET ESTIMATES 2019-20

NSW Treasury leads the outcomes based budgeting framework which is broadly undertaken as follows:

- Government sets the State Outcomes it wishes to deliver;
- Clusters develop Outcome Business Plans which are approved by Government as part of the budget process;
- Cluster performance and spending against state outcomes are published in the budget papers; and

Clusters continue performance reporting against outcome business plans milestones and targets.

### QUESTION - Intersection of the State Outcomes and Premier's Priorities

151. How are the premier's priorities determined?

(a) What is the role of the public service in this process?

152. How do the state outcomes and premier's priorities intersect with one another?

(a) Are they discrete, separate things that have their own individual methods of measuring their results/ aims?

(b) What are the requirements to reporting on the state outcomes and the premier's priorities?

(c) Who has responsibility for achieving them?

(d) Where there is a possible conflict between the 2, which one takes precedence?

153. A number of Premier's priorities for 2015-2019 that were not met during that period have not been included for the 2019-2023 period.

(a) What happens to those priorities?

(b) What happens to providing information for the 2018/19 year?

(c) Are they still reported on, particularly in the case where the timeframes push past 2019 or one isn't specified?

i. For example, to reduce the volume of litter by 40%, or key metropolitan, regional and local infrastructure projects to be delivered on time and on budget, or reduced childhood obesity by 25% by 2025, or 81% of patients through emergency departments within 4 hours by 2019

(d) Or are they no longer reported on and forgotten?

i. For example how would the people of NSW know if the volume of litter target is met 2 years earlier, or that childhood obesity was reduced by 25% by 2025, or that 81% of patients were seen within 4 hours by 2019, or whether key metropolitan, regional and local infrastructure projects were delivered on time and on budget?

### ANSWER:

In June 2019, I announced a new set of Premier's Priorities for this term of government. The Priorities are a set of targets to tackle some of the toughest social challenges our community faces including domestic violence, recidivism, child protection and homelessness. The Premier's Implementation Unit will support agencies tasked with delivery of the Premier's Priorities. More information on the Premier's Priorities can be found here: <https://www.nsw.gov.au/improving-nsw/premiers-priorities/>.

## BUDGET ESTIMATES 2019-20

### QUESTION - State Outcomes

154. In the 2019/20 Budget Paper no 3 one of the state outcomes listed is “effective and coordinated government”. This state outcome is mirrored from what was in the 2018/19 Budget Paper no. 3. The description given is the largely the same “coordinating government policy, overseeing infrastructure investment, facilitating the delivery of key urban renewal precincts”, with the exception of that the following part has been deleted from the 2019/20 description “and developing the regions”.

(a) With the Regional NSW Group transferred out of DPC, how does DPC provide effective and coordinated government across all of NSW without a dedicated regional NSW group?

(b) Is there any regional capacity/knowledge left in DPC?

(c) How will the cluster ensure that that the infrastructure investment isn’t directed solely towards urban renewal in the metropolitan areas?

155. In referencing the “effective and coordinated government” state outcome, what are the indicators that will be used to measure the cluster’s performance?

(a) Will they be the same as the 2018/19 outcome indicators?

(b) What data will be collected to provide outcome indicator information?

(c) How will the indicator data be collected?

(d) What baseline year will be used?

(e) Will specific timeframes be used to achieve the state outcome?

(f) Why were indicators not included in the budget papers?

156. In looking at the ‘accountable and responsible government” state outcome, what are the indicators that will be used to measure the cluster’s performance?

(a) Will they be the same as the 2018/19 outcome indicators?

(b) What data will be collected to provide outcome indicator information?

(c) How will the indicator data be collected?

(d) What baseline year will be used?

(e) Will specific timeframes be used to achieve the state outcome?

(f) Why were indicators not included in the budget papers?

157. In looking at the “Empowering Aboriginal communities” state outcome, what are the indicators that that will be used to measure the cluster’s performance?

(a) In terms of health and educational outcomes for Aboriginal peoples, will they be monitored and reported on in the Premier and Cabinet cluster, or in each of their respective portfolio clusters?

(b) In looking at the “excellence in arts, culture and heritage” state outcome, what are the indicators that will be used to measure the cluster’s performance?

(c) Will they be the same as the 2018/19 outcome indicators?

(d) What data will be collected to provide outcome indicator information?

(e) How will the indicator data be collected?

(f) What baseline year will be used?

(g) Will specific timeframes be used to achieve the state outcome?

(h) Why were indicators not included in the budget papers?

## BUDGET ESTIMATES 2019-20

### ANSWER:

**154.** DPC coordinates information across government including where input is required from other clusters. Infrastructure investment is guided by either the criteria stipulated in the program under which it is funded or Infrastructure Investment Assurance Framework & Treasury guidelines.

**155–157.** Clusters are responsible for developing Outcome Business Plans, which set out how they will deliver the state outcomes their cluster is responsible for. These plans include the indicators, targets and metrics for a cluster’s state outcomes. All clusters are currently developing these plans.

### QUESTION - Greater Sydney Commission

158. In going back through previous year’s Budget Paper no. 3, I note that the first time the Greater Sydney Commission appears is the 2017/18 budget papers.

(a) In the 2017/18 and 2018/19 budget paper no. 3 it says under “operating expenses employee related” that in both years, there was no staffing expenses. Why is that?

(b) The 2018/19 budgeted figure of \$14.9 million for “other operating expenses” seems to mostly be constituted by “personnel services expenses”. What are “personnel services expenses”?

(c) In the 2019/20 budget, “personnel services expenses” are budgeted to be \$11.9 million and then revised to be nothing – with a revision of \$7.3 million for employee expenses. Why is that? How did this come about?

(d) The “other operating expenses” 2018/19 revised budgeted amount increased by more two times what was budgeted for in 2018/19. Why is that? How did that occur?

### ANSWER:

**158. (a)–(b)** At the time of publication of the Budget Papers in both years, the Greater Sydney Commission was not recognised as a Public Service executive agency and staff were employed by the Department of Planning and Environment as the principal department. During this time these expenses were passed on to the Commission as a personnel services expense. Personnel service expenses are included in other operating expenses in Budget Paper 3 and are reported in line with NSW Treasury Circular 15/07. Personnel service expenses include items such as salary, wages, long-service leave and superannuation.

**(c)–(d)** Following machinery of government changes that came into effect on 1 July 2018 establishing the Commission as a staff agency, staff were transferred from DPE as the principal department to the Greater Sydney Commission Staff Agency. These changes also required a reclassification of budget between expense categories. To enable the required changes, a budget adjustment was made transferring a portion of the original budget from personnel services to employee related. The remainder of the personnel services budget was transferred to other operating expenses as it related to contractor and secondee costs. In addition, the Commission received additional funding during the year to deliver Growth Infrastructure Compacts as part of the Western Sydney City Deal. This resulted in an increase to the revised operating expense budget for 2018-19.

## BUDGET ESTIMATES 2019-20

### QUESTION - Port of Newcastle

159. Is the Premier aware that the 2019 NSW Nationals Conference passed the following motion:  
"That conference call on the NSW Nationals to ensure:
- i. The removal of all obstacles facing the Newcastle Container Terminal Expansion Plans, including the cap on the number of containers and the State Government fee payable on container exports and The Port's development of a high intensity container terminal."?
160. Does the Premier support the motion as passed by the 2019 NSW Nationals Conference?
161. Does the Premier agree with the Deputy Premier's comments that western district farmers and primary producers would "absolutely" benefit from a container port at Newcastle?
162. Does the cap on containers at the Port of Newcastle drive up costs of farming exports?
163. Would a container terminal in Newcastle lower freight costs for northern NSW exports?
164. What would be the benefit to western district farmers and primary producers?
165. Would a container terminal in Newcastle remove trucks from the M1 and Sydney's choked road network?
166. What would be the benefit of removing these trucks from the road network and transporting these containers by rail at the Port of Newcastle?
167. This committee has previously been told that a container terminal can be developed in Newcastle, does the Premier agree?
168. What is the current container threshold at the Port of Newcastle for which compensations is payable to NSW ports?
169. The Port of Newcastle stands ready to invest \$1.8 billion into a container terminal in Newcastle, will you remove the cap and allow the port to diversify?
170. Has the NSW Government modelled how many jobs a Newcastle container terminal would create?
171. How many jobs would a container terminal in Newcastle deliver for Newcastle and the Hunter?
172. How many jobs would a container terminal in Newcastle deliver for regional NSW?
173. Would a container in Newcastle reduce freight costs for businesses in Newcastle, the Hunter and Northern NSW?
174. Has the NSW Government modelled the economic benefit of a container terminal in Newcastle?
175. What would be the economic benefit to NSW of a container terminal in Newcastle?
176. What would be the economic benefit to the Hunter of a container terminal in Newcastle?
177. Is the restriction on NSW ports adding to gridlock in Sydney?
- (a) If so, what is this impact?
178. Are the restrictions placed on the Port of Newcastle effecting the efficiency of the NSW port network?
179. What percentage of containers are moved by road in Sydney?
180. Do you see a benefit for the NSW economy with competition between ports?

## BUDGET ESTIMATES 2019-20

181. Are you aware of any anti-competitive restrictions facing the development of a container terminal at the Port of Newcastle?
182. Does the Government charge a legislated fee for container traffic at the Port of Newcastle above the Government's minimal specified cap?
183. Does the Government charge any fee for container traffic at the Port of Newcastle above the Government's minimal specified cap?
184. Now the NSW Government has been named as a defendant alongside NSW Ports in the Federal Court case begun in December last year by the Australian Competition and Consumer Commission, and the State of NSW is now directly accused by the ACCC of "illegal and anti-competitive" conduct in privatising Botany and Kembla to Newcastle's disadvantage – do you believe that the original contract is hugely deficient?
185. Is the fact that the lessee of the Port of Newcastle can develop a container terminal if it wishes to do so, consistent with Government policy that the State's next container terminal will be developed at Port Kembla after Port Botany reaches capacity?
186. What is the government's source of funds to be able to pay NSW Ports Pty Ltd for container traffic at the Port of Newcastle above the government's minimal specified cap?
187. Did the Government lease the Port of Newcastle to be able to pay NSW Ports Pty Ltd for container traffic at the Port of Newcastle above the Government's minimal specified cap until 2063?
- (a) If not, what is the Government's source of funds to be able to pay NSW Ports Pty Ltd for container traffic at the Port of Newcastle above the Government's minimal specified cap until 2063?
188. On what date did the government inform the ACCC of its decision to require the developer of a container terminal at the Port of Newcastle to pay the government's fee for container traffic at the Port of Newcastle above the government's minimal specified cap?
189. Do the lease arrangements for the Port of Newcastle reflect the Government's policy that Port Kembla will be the State's next container terminal when Port Botany reaches capacity?
190. What is the government's current cap on container numbers at the Port of Newcastle?
191. Given that there is no legislated cap on the number of containers that can travel through the Port of Newcastle, did the Government make a cap on numbers at the Port of Newcastle a rule for a scoping study into leasing Port Botany and Port Kembla?
192. Was the cap on numbers given as an instruction to the government's financial adviser, Morgan Stanley for conducting a scoping study in the first half of 2012 into leasing Port Botany and Port Kembla?
193. Is the government's decision that the developer of a container terminal at the Port of Newcastle is required to pay the government's fee for exceeding the minimal specified cap on container traffic at the Port of Newcastle, consistent with the government's decision that Port Kembla will be the State's next major container terminal after Port botany reaches capacity?
194. Was the "Ports Assets (Authorised Transactions) Act 2012" amended to authorise the Government to lease the Port of Newcastle after Port Botany and Port Kembla were leased to NSW Ports on May 30 2013?
195. When the Government leased Port Botany and Port Kembla to NSW Ports on May 30 2013, did the Government have authority to require the developer of a container terminal at the Port of Newcastle to pay the Government for container traffic at the Port of Newcastle above the Government's minimal specified cap; and, if so, what was that authority?
196. Given that the Government's NSW Freight and Ports Strategy notes that the Port of Newcastle would continue to be NSW's primary coal export and will continue to service bulk grain

## BUDGET ESTIMATES 2019-20

and other commodities, how does the Government define the term “container” in respect of charging a fee for container traffic at the Port of Newcastle above the Government’s minimal specified cap?

197. Do the Port Commitment Deeds for Port Botany, Port Kembla and the Port of Newcastle all include the same meaning of the term “container”?

198. What is the definition of container with respect to the Port Commitment Deeds?

199. Given that the Government charges a fee for container traffic at the Port of Newcastle above the Government’s minimal specified cap, how many “containers” a year were shipped through the port since it was leased?

200. Given that the Port of Newcastle is not prevented from developing a container terminal, would a container terminal be “an uneconomic enterprise contrary to market demand” if the Government abolished its fee charged for container traffic above the Government’s minimal specified cap?”

201. Given the Government’s assurances that there is no cap on containers at the Port of Newcastle - legislative or otherwise - is there competition in the NSW container port market between Port of Newcastle Investments Pty Ltd at the Port of Newcastle, and NSW Ports Pty Ltd at Port Botany?

(a) If yes, how is the Government supporting this competition?

202. Does Port Botany compete with the Port of Melbourne in the East coast container port market?

(a) If yes, how many containers for the NSW market are shipped through the Port of Melbourne?

203. What studies has the Government undertaken in relation to competition between the Port of Melbourne and Port Botany in the East coast container port market?

204. Is the government’s unlegislated cap on container traffic at the Port of Newcastle consistent with the Government’s freight and ports strategy?

205. Is the Government’s fee for container traffic above the Government’s minimum specified cap at the Port of Newcastle, consistent with the Government’s freight and ports strategy?

206. Why does the Government not disclose the Government’s fee for container traffic above the Government’s minimum specified cap at the Port of Newcastle, in the Government’s freight and ports strategy?

207. On what date did the Government inform the Parliament about the Government’s fee for container traffic above the Government’s minimum specified cap at the Port of Newcastle?

208. Would it be appropriate for all freight entering Sydney by land to be carried by rail, and for landside transportation of freight through Port Botany to be carried by rail?

209. Is it desirable that all Port Botany container traffic is railed?

210. Is rail access to a container terminal a key consideration for regional economic development?

211. Is it the case that there will be an estimated five million container truck movements a year through Port Botany by 2040 – and six million without the Moorebank Intermodal Terminal – compared with one million truck movements a year at present?

212. What is the cost of road improvements to the local road network serving the Moorebank Intermodal Terminal?

213. How much is Moorebank intermodal terminal operator is required to contribute to road improvements?

214. Can the increase in container truck movements at Port Botany be handled without connecting Port Botany to WestConnex?

## BUDGET ESTIMATES 2019-20

215. What is the capacity of rail freight network serving the Moorebank Intermodal Terminal?
216. Would removing freight from Sydney's existing rail network enable the capacity to be used for passenger services?
217. Would removing freight from the existing rail lines between Newcastle and Sydney, and Port Kembla and Sydney, allow the capacity to be used for passenger services?
218. When will the \$1 billion "Northern Sydney Freight Corridor Stage One" reach capacity?
219. How much will stages 2 and 3 of the Northern Sydney Freight Corridor cost to build?
220. Has the government abandoned stages 2 and 3 of the Northern Sydney Freight Corridor?
221. Is it the government's intention that the estimated \$800 million cost of the Maldon-Dombarton freight line – connecting Port Kembla to the main southern line - be met by railing containers from a Port Kembla container terminal after Port Botany reaches capacity?
222. What is the estimated cost of the Western Sydney Freight Line, between Chullora and Eastern Creek?
223. What is the cost of upgrading the rail freight line into Port Botany?
224. Are there any plans to build a second rail bridge over the Hawkesbury River?

### **ANSWER:**

**159–160.** Motions passed by the National Party at their state conference are a matter for the National party.

**161.** Any decision to build a container terminal at Newcastle is a matter for the operator of the Port of Newcastle.

**162–207.** I refer you to the Inquiry into the impact of Port of Newcastle sale arrangements on public works expenditure in New South Wales. Requests for further detail should be referred to the Treasurer.

**208–210.** Optimal efficiency at Port Botany is achieved through having a modal split between road and rail as some freight will be destined for locations that are not served by rail.

**211–212.** This is a matter for the Minister for Transport and Roads.

**213.** The Department of Planning, Industry and Environment is the relevant planning authority for assessing/determining the development applications for this site.

All information, including relevant traffic reports and conditions of development consent for Moorebank Precinct East and West is available via the Department of Planning, Industry and Environment's Major Project Portal.

**214.** By 2036 around 50 per cent of port-bound heavy vehicles will use Sydney Gateway.

This will help reduce congestion and create more capacity on major arterial routes, including the M5 East and King Georges Road, to support the future growth of Port Botany.



## BUDGET ESTIMATES 2019-20

**215–220.** This is a matter for the Minister for Transport and Roads.

**221.** Government policy on the Maldon to Dombarton Rail Line is discussed in Future Transport 2056 and the Freight and Ports Plan 2018-2023.

**222.** This question should be directed to the Minister for Transport and Roads.

**223.** This is an Australian Government funded and delivered project. The Australian Government has announced a commitment of \$400 million.

**224.** The NSW Government has committed to investigate a new rail alignment between Woy Woy and Northern Sydney as part of plans to start early works for the Fast Rail Network.

### QUESTION - Jenny's Place Domestic Violence Resource Centre

225. Is the Premier aware of the important work Jenny's Place does supporting women and children that have experienced domestic violence?

226. Is the Premier aware that funding for this service runs out this month?

227. Is the Premier aware that if funding is not found for this service it will likely close this month?

228. What action has the Premier taken to ensure that the Domestic Violence Resource Centre operated by Jenny's Place does not close?

229. Jenny's Place require \$900,000 to continue operating for the next three years, considering government is spending hundreds of millions of dollars on domestic violence services over the next 4 years, why can funding for this vital service not be found?

230. Why is your government continually refusing to fund front line domestic violence services?

231. Will you reconsider your Government's decision not to fund the Domestic Violence Resource Centre operated by Jenny's Place?

232. What do you say to constituents who are concerned that the Domestic Violence Resource Centre will close without government funding?

233. Will you intervene to stop the closure?

(a) If not, why not?

### ANSWER:

**225, 228 and 230-233.** This is a matter for the Attorney General and Minister for the Prevention of Domestic Violence.

**226, 227 and 229.** This is a matter for the Minister for Families, Communities and Disability Services.

## BUDGET ESTIMATES 2019-20

### QUESTION - Regional and Metropolitan Definitions

234. Is the Newcastle LGA (Local Government Area) considered regional or metropolitan for NSW Government grant programs?

235. Can the Premier provide all of the NSW Government grant programs the Newcastle LGA is eligible for?

236. Can the Premier provide all of the NSW Government grant programs available to metropolitan LGAs?

237. Can the Premier provide all of the NSW Government grant programs available to regional LGAs?

### ANSWER:

The NSW Government considers individual community needs and characteristics as they relate to specific programs or projects.

The Liberals & Nationals are proud to be investing record amounts in infrastructure and services across the whole State, including Newcastle and the Hunter.

### QUESTION - Newcastle Cruise Terminal

238. How much has the government committed to the cruise ship terminal in Newcastle?

239. What was the original budget for the Eden cruise ship terminal?

240. How much has the government spent on the cruise ship terminal in Eden?

241. Is the Premier aware that the Port of Newcastle sought additional funds in order to deliver the Newcastle cruise ship terminal?

(a) Why was this requested denied?

242. Why was the request for additional funds rejected when the government's contributions to the Eden terminal has continually increased?

243. On 27 September former Premier Mike Baird said the Newcastle cruise terminal "secures the future of cruise shipping in Newcastle and gives the city and the region the opportunity to compete for the growing east coast tourism trade", does the Premier share this view?

244. On 27 September the then Minister for Planning said "the project will also deliver new economic benefits to the region" does the Premier share this view?

245. The government's NSW Cruise Development Plan identifies "ensuring cruise infrastructure is fit-for-purpose" as key priority, does the Premier believe passengers disembarking ships in Newcastle in to a tent is fit-for-purpose infrastructure?

246. An action from the government's NSW Cruise Development Plan is "The NSW Government will investigate funding options for suitable infrastructure to support calls at current and potential regional ports, in partnership with local authorities", why does the government refuse to provide the funds required in Newcastle?

247. Is the Premier aware that Dream Cruises have cancelled cruises from Newcastle later this year?

## BUDGET ESTIMATES 2019-20

248. Has the government's inaction to deliver this infrastructure hurt the Newcastle tourism sector and local economy?

249. Will the Premier commit to getting on with the job and deliver the Newcastle cruise terminal?

250. What action has the Premier taken to ensure a cruise terminal is delivered in Newcastle?

### ANSWER:

**238.** The NSW Government committed \$12.7 million for a cruise terminal at Newcastle.

**239–240.** This information is on the public record.

**241–242, 246, 248–250.** The NSW Government funding for this project is sourced from the Hunter Infrastructure Investment Fund, which is part of the Restart NSW fund and is administered by Infrastructure NSW.

I am advised that earlier this year the Port of Newcastle wrote to Infrastructure NSW seeking a significant reduction to the scope of the project. Infrastructure NSW was unable to approve these changes. The funding has not been withdrawn and remains available to the Port of Newcastle should they proceed with the project as per the scope of works described in the funding deed.

Infrastructure for cruise ships to visit Newcastle is available and Newcastle is benefiting from cruise ship visits. Developing a cruise terminal is a commercial decision for the Port operator (Port of Newcastle).

**243–245.** The NSW Government's position is stated in the NSW Cruise Development Plan available on Department of Planning, Industry and Environment website.

**247.** This is a matter for the cruise operator and port operator.

### QUESTION – Ministerial Travel/Meal Allowance

251. How many nights travel were claimed by the Minister during the 2018-19 period?

252. How many nights travel were claimed by the Minister's spouse during the 2018-19 period?

253. What was the total amount of travel allowances claimed by the Minister and their spouse (if applicable) during 2018-19?

254. What is the total amount of meal allowances claimed by the Minister and their spouse (if applicable) during 2018-19?

### ANSWER:

**251–254.** In 2018/19, total expenditure by the Ministry on domestic travel was \$1,093,735.

## BUDGET ESTIMATES 2019-20

### QUESTION – Efficiency dividends

255. What was the forecast efficiency dividend saving for each department, statutory agency and/or other body within your portfolio in 2018-19?

256. What is the forecast efficiency dividend saving for each department, statutory agency and/or other body within your portfolio in

(a) 2019-20?

(b) 2020-21?

(c) 2021-22?

257. What was the total efficiency dividend that was achieved for each department, statutory agency and/or other body within your portfolio between 2011-12 and 2018-19 inclusively?

### ANSWER:

**255–257.** Savings from the NSW Government's efficiency dividend are outlined in the Budget Papers.

### QUESTION – Ministerial Office Administration

258. How many staff are in your ministerial office?

(a) What was the average salary for staff members in your office during 2018-19?

(b) What is the estimated average salary for a ministerial staffer in your office in 2019-20 based on current appointments?

259. How many iPhone/smart phones are assigned to your staff?

(a) For each phone, how much was each bill in 2018-19?

(b) How many phones have been lost or replaced due to damage in your office?

(c) What is the cost of replacing those phones?

260. 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 2018-19?

(b) How many iPads or tablets have been replaced due to lost or damage in 2018-19?

(c) What was the cost of replacing these devices?

261. Has any artwork been purchased or leased for display in your ministerial office in 2018-19?

(a) What is the cost of this?

262. Have any floral displays or indoor plants or pot plants been hired or leased for display in your ministerial office in 2018-19?

(a) If so, what was the cost of these items?

263. Have any floral displays or indoor plants or pot plants been purchased for display in your ministerial office in 2018-19?

(a) If so, what was the cost of these items?

## BUDGET ESTIMATES 2019-20

264. What was the total cost of all subscriptions by you and your staff to news services, newspapers, magazines, journals and periodicals (including online services) in 2018-19?

(a) What are these services/newspapers/magazines/journals/periodicals?

(b) Who is the subscriber for each of these?

265. What was the total value of all gifts purchased for use by you and your office in 2018-19?

(a) What were the gifts purchased?

(b) Who were they gifted to?

266. Do you purchase bottled water or provide water coolers for your office?

(a) What is the monthly cost of this?

267. How much did your ministerial office spend on hospitality, including catering and beverages, in

2018-19?

268. What non-standard features are fitted to your ministerial vehicle?

(a) What is the cost of each non-standard feature?

269. What was the total bill for your office in 2018-19 for:

(a) Taxi hire

(b) Limousine hire

(c) Private hire care

(d) Hire car rental

(e) Ridesharing services?

270. Were any planes or helicopters chartered by you or your office and paid for with public money in 2018-19?

(a) If yes, will you please detail each trip, the method of transport and the cost?

271. 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 2018-19?

### ANSWER:

**258.** Ministers' Office staff numbers and salary bands are available on the DPC website. Refer to: <https://www.dpc.nsw.gov.au/publications/premiers-and-ministers-staff-numbers/>

**259.** There were 261 smartphones and other mobile devices allocated across the Ministers' IT Network in 2018-2019. The total usage cost of these smart phones and other mobile devices (including iPads) was \$334,630, compared to 2009-10 expenditure of \$434,854 under Labor. There were 6 devices lost/stolen across the Ministerial Offices during 2018-2019. The cost of replacing any lost or stolen devices is claimed through the NSW Treasury Managed Fund. Repairs are funded by the Department of Premier and Cabinet, Corporate and Ministerial Services.

**260.** There were 111 iPads allocated across the Ministers' IT Network in 2018-2019. The cost of replacing any lost or stolen devices is claimed through the NSW Treasury Managed Fund. Repairs are funded by the Department of Premier and Cabinet, Corporate and Ministerial Services.

## BUDGET ESTIMATES 2019-20

**261.** Artwork in Ministers' Offices includes art donated at no cost. '

**262–263.** Floral arrangements purchased by the Ministry are managed within Ministerial office budgets.

**264.** Ministers' offices subscribe to a modest number of publications, which are managed within Ministerial office budgets.

**265.** Gifts are presented to dignitaries during overseas missions and to dignitaries visiting NSW in accordance with established protocol.

**266.** The Ministry spent \$466 on filtered water for their offices in 2018-19.

**267.** Expenditure on hospitality across the Ministry totalled \$27,782 in 2018-19, which includes catering for stakeholder meetings and courtesy calls with visiting dignitaries.

**268.** Ministers, the Leader of the Opposition, other nominated public office holders and certain former office holders are provided with official cars and drivers. During 2018-19, all costs associated with these vehicles were paid from the relevant Ministerial office budget.

**269.** Expenditure on taxis, hire cars and ride share services in 2018-19 across the Ministry was \$119,179, compared to 2009-10 expenditure of \$175,776 under Labor.

**270.** Expenditure on charter flights for the Ministry totalled \$83,845 in 2018-19, compared to 2009-10 expenditure of \$281,567 under Labor.

**271.** No.

### QUESTION - Agile Workspaces/Activity Based Working/Hot-desking

272. Have any of your departments, statutory agencies and/or other bodies adopted agile working environment/activity based working practices e.g. hot-desking?

(a) If not, are there plans to introduce activity based working practices in 2019-20?

273. How much have your departments, statutory agencies and/or other bodies spent in the roll-out of the agile working environment including laptops, furniture, lockers and other equipment in 2018-19?

### ANSWER:

**272–273.** Accommodation planning for Premier and Cabinet Cluster agencies is undertaken in accordance with the Government's accommodation strategy and design guidelines. Agile working environments are being rolled out as appropriate.

## BUDGET ESTIMATES 2019-20

### QUESTION - Hospitality

274. For each department, statutory agency and/or other body in the Minister's portfolio please report:

- (a) How much was spent on hospitality, including catering and beverages, in 2018-19?
- (b) Whether the department, statutory agency and/or other body has coffee machines? And if so:
  - i. How many?
  - ii. What was their purchase cost?
  - iii. What is their maintenance cost?
  - iv. Who has access to them?
  - v. Which staff have access to the machines?

### ANSWER:

**274.** Expenditure on hospitality is limited to official work related purposes with any related staff benefits subject to Fringe Benefits Tax provisions.

The provision and acceptance of gifts, benefits and hospitality is subject to specific policies and agency Codes of Conduct and is strictly monitored.

### QUESTION - Labour Hire Firms

275. Do any departments, statutory agency and/or other bodies within your portfolio responsibilities utilise the services of Labour Hire Firms? If yes, please advise in table form for 2018-19:

- (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
- (h) Who authorised the use of labour hire companies?
- (i) Do staff under these labour hire arrangements receive as much training and security clearance as permanent staff?

### ANSWER:

## BUDGET ESTIMATES 2019-20

**275.** The Premier and Cabinet Cluster uses Labour Hire firms, in accordance with NSW Public Service policies to cover temporary vacancies as required. DPC commenced using Contractor Central in November 2018 who now maintain these records.

### QUESTION - Stationery

276. For each department, statutory agency and/or other body in the Minister's portfolio please report:

(a) What was the cost of stationery for the following financial years:

i. 2015-16

ii. 2016-17

iii. 2017-18

iv. 2018-2019

v. 2019-present

(b) What brand of paper is used?

i. Is this paper Australian made?

### ANSWER:

**276.** Stationery purchases by Premier and Cabinet Cluster agencies are made in accordance with the applicable policies and procedures on procurement.

### QUESTION - Credit Cards

277. For each department, statutory agency and/or other body in the Minister's portfolio please report:

(a) How many credit cards are currently on issue for staff?

i. Please provide a break-down of this information by grade.

(b) What was the value of the largest reported purchase on a credit card for the following financial years:

i. 2015-16

ii. 2016-17

iii. 2017-18

iv. 2018-2019

v. 2019-present

(c) What was each largest reported purchase for?



## BUDGET ESTIMATES 2019-20

(d) How much interest was paid on amounts outstanding from credit cards for the following financial years:

- i. 2015-16
- ii. 2016-17
- iii. 2017-18
- iv. 2018-2019
- v. 2019-present

(e) How much was paid in late fees on amounts outstanding from credit cards for the following financial years

- i. 2015-16
- ii. 2016-17
- iii. 2017-18
- iv. 2018-2019
- v. 2019-present

(f) What was the largest amount outstanding on a single card at the end of a payment period and what was the card holder's employment grade?

(g) How many credit cards have been reported lost or stolen?

i. What was the cost to replace them?

(h) How many credit card purchases were deemed to be illegitimate or contrary to agency policy?

i. What was the total value of those purchases?

ii. How many purchases were asked to be repaid on the basis that they were illegitimate or contrary to agency policy and what was the total value thereof?

iii. Were all those amounts actually repaid?

iv. If no, how many were not repaid, and what was the total value thereof?

(i) What was the largest purchase that was deemed illegitimate or contrary to agency policy and asked to be repaid, and what was the cardholder's employment grade?

i. What that amount actually repaid, in full?

ii. What amount was left unpaid?

(j) Are any credit cards currently on issue connected to rewards schemes?

i. Do staff receive any personal benefit as a result of those reward schemes?

(k) Can a copy of the staff credit card policy please be provided?

**ANSWER:**

## BUDGET ESTIMATES 2019-20

**277.** The NSW Government has implemented a PCard program to realise a number of benefits including savings from the use of cards over traditional high cost procure-to-pay processes and the enhanced capability to track and monitor expenditure.

Cards are issued to staff according to business need and are managed in accordance with Treasury Policy TPP 17-09 *Use and Management of NSW Government Purchasing Cards*.

Staff are prohibited from using official PCards for personal or other unofficial purposes and cards are not connected to reward schemes or any other program that would provide a personal benefit to the cardholder.

All NSW Government card balances are paid within bank payments terms and therefore no late fees or interest charges are incurred.

### QUESTION - Media and Public Relations

278. For each department, statutory agency and/or other body in the Minister's portfolio please report:

(a) How many media/communications/public relations advisers are employed?

i. What is the total salary cost for media/communications/public relations advisers in 2018-19?

(b) What is the forecast for the current financial year for the number of media/communications/public relations advisers to be employed and their total cost?

(c) What is the total cost of media monitoring services?

i. Please provide a breakdown by department, statutory agency and/or other body.

(d) Are any media or public relations advisers currently engaged as contractors?

i. Who are these contracts with?

ii. What is the value of these contracts?

(e) How much was spent on media or public relations advisers in financial year:

i. 2015-16

ii. 2016-17

iii. 2017-18

iv. 2018-2019

v. 2019-present?

### ANSWER:

**278. (a)–(b)** DPC staff numbers are included in the Annual Report. DPC staff numbers undertaking media or public relations activities are commensurate with need and can go down or up as required.

## BUDGET ESTIMATES 2019-20

**(c)–(e)** The Financial Statements, including legal, consulting and any other general costs from third party service providers, are available in the agency annual report. These are available in accordance with NSW Government Procurement Policy.

### QUESTION - Facebook

279. How much did your ministerial office spend on Facebook advertising or sponsored posts in 2018-19?

280. How much did your department, statutory agency and/or other body in the Minister's portfolio spend on Facebook advertising or sponsored posts in 2018-19?

### ANSWER:

**279.** No taxpayer money has been spent on Facebook advertising or sponsored posts.

**280.** Where appropriate, social media is used by agencies alongside other forms of advertising as a cost effective medium of communication.

### QUESTION - Overseas Trips

281. 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?
- (b) Have you undertaken any official overseas travel that was privately funded?
- (c) If so, what was the nature of these trips?
- (d) Who paid for these trips?

### ANSWER:

**281.** Details of overseas travel including costs are published on agency websites.

### QUESTION - Department/Agency Travel

282. What was the total expenditure in 2018-19 by departments, statutory agencies and/or other bodies within your portfolio on:

- (a) Taxi hire
- (b) Limousine
- (c) Private car hire
- (d) Hire car rental
- (e) Ridesharing services

## BUDGET ESTIMATES 2019-20

(f) Chartered flights?

**ANSWER:**

**282.** Agency travel was conducted in accordance with relevant NSW Government policies and guidelines including Treasury Circular TC18-15 and ATO determinations.

**QUESTION - Drivers**

283. Are any of the senior executives in the relevant department, statutory agency and/or other body provided drivers?

(a) If so, can you please specify which positions are provided drivers?

(b) In total, how many drivers are used by senior executives in the department, statutory agency and/or other body?

(c) What is the total cost of drivers for senior executives in the department, statutory agency and/or other body?

**ANSWER:**

**283.** No senior executives in the Department of Premier and Cabinet are provided drivers.

**QUESTION - Consulting**

284. For each department, statutory agency and/or other body in the Minister's portfolio please report:

(a) How much was spent in legal costs in 2018-19?

i. For what specific purposes or matters was legal advice sought?

(b) Have departments, statutory agencies and/or other bodies under your portfolio engaged any consultants to provide the following services or advice in 2018-19:

i. Social media

ii. Photography

iii. Acting training

iv. Ergonomics

(c) What was the cost of these services?

i. Social media

ii. Photography

iii. Acting training

iv. Ergonomics

## BUDGET ESTIMATES 2019-20

**ANSWER:**

**284.** The Financial Statements, including legal, consulting and any other general costs from third party service providers, are available in agency annual report.

**QUESTION - Web Content**

285. For each department, statutory agency and/or other body in the Minister’s portfolio please report:

(a) What were the top 20 most utilised (by data sent and received) unique domain names accessed this year?

(b) What were the top 20 most accessed (by number of times accessed) unique domain names accessed this year?

**ANSWER:**

**285.** (a) Data sent and received is not tracked as a website metric as this does not provide customer benefit.

(b) Please see attached for DPC:

Site	Page views 2018-2019 FY
legislation.nsw.gov.au	52,833,990
iworkfor.nsw.gov.au	33,230,285
sydneyoperahouse.com	30,986,977
icac.nsw.gov.au	10,344,482
records.nsw.gov.au	7,272,569
parliament.nsw.gov.au	3,858,956
psc.nsw.gov.au	2,138,040
barangaroo.com	1,900,199
australiaday.com.au	1,343,466
ombo.nsw.gov.au	724,380
dpc.nsw.gov.au	639,788
arp.nsw.gov.au	272,997
governor.nsw.gov.au	257,074
publicserviceawards.nsw.gov.au	61,138
osii.nsw.gov.au	57,608
comprac.nsw.gov.au	52,115
opengov.nsw.gov.au	50,471
remtribunals.nsw.gov.au	25,538
corporateclubaustralia.com.au	13,590
leadershipacademy.nsw.gov.au	12,414

## BUDGET ESTIMATES 2019-20

### QUESTION - Department/Agency Staffing

286. How many redundancies were processed by departments, statutory agencies and/or other bodies within your portfolio responsibilities during 2018-19?

(a) Of these redundancies, how many were:

i. Voluntary?

ii. Involuntary?

287. What was the total cost of all redundancies?

288. Have any staff who received a redundancy in the last two years undertaken any paid work or provided any paid services for the department, statutory agency and/or other body 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?

289. Are any staff formerly employed by your ministerial office now employed by departments, statutory agencies and/or other bodies under your portfolio responsibility?

290. How many staff were dismissed from departments, statutory agencies and/or other bodies under your portfolio responsibilities in 2018-19?

(a) What were the reason/s for each dismissal?

291. How much was spent advertising for recruitment for the following financial years:

(a) 2015-16

(b) 2016-17

(c) 2017-18

(d) 2018-2019

(e) 2019-present?

(e) 2019-present?

### ANSWER:

**286–290.** Voluntary redundancies are a component for agencies to achieve their efficiency dividends. Redundancy figures can be found in the Annual Report. The Labour Expense Cap introduced in the 2012-13 Budget also continues to give Secretaries as much flexibility as possible to achieve these savings in the most appropriate ways to meet the service requirements of their agencies. Frontline staff such as, nurses, police officers and school teachers and regional employees have been quarantined from this measure.

**291.** Advertising expenses can be found in the Annual Report.

## BUDGET ESTIMATES 2019-20

### QUESTION - Smart Phone

292. How many mobile phones are given to staff or board members?

(a) How many new mobile phones were purchased in the last year?

293. What is the total cost of these phones for the following financial years:

(a) 2015-16

(b) 2016-17

(c) 2017-18

(d) 2018-2019

(e) 2019-present?

294. How many had to be replaced due to damage?

295. How many were reported as lost?

296. How many tablets are given to staff or board members?

(a) How many new tablets in the last year?

297. What is the total cost of these tablets for the following financial years?

(a) 2015-16

(b) 2016-17

(c) 2017-18

(d) 2018-2019?

298. How many phones and tablets had to be replaced due to damage?

299. How many were reported as lost?

300. How many people have both a smart phone and a tablet?

(a) What is the lowest ranked official who has both a work smart phone and tablet?

301. How many staff or board members overspent on their phone or tablet data bill?

(a) By how much?

(b) What was the average cost of data bills for tablets and mobile phones?

(c) What was the highest monthly cost?

302. Do the departments, statutory agencies and/or other bodies within your portfolio have an iTunes account?

(a) What was the total expenditure in 2018-19 on iTunes?

(b) What applications/subscriptions/services were purchased through iTunes?

303. Do the departments, statutory agencies and/or other bodies within your portfolio have a Google Play Store account?

(a) What was the total expenditure in 2018-19 on through the Google Play Store?



## BUDGET ESTIMATES 2019-20

(b) What applications/subscriptions/services were purchased through the Google Play Store?

**ANSWER:**

**292–303.** IT costs are managed within each agency's budget and in accordance with NSW Government's ICT and procurement policies and frameworks.

**QUESTION - Merchant fees**

304. Please provide a list of all transactions where customers need to pay a merchant fee on credit and/or debit card payments to a department, statutory agency and/or other body within your portfolio.

305. Please provide the percentage and/or amount of the merchant fees applied to all credit and/or

debit card payments/transactions to a department, statutory agency and/or other body within your portfolio.

306. What was the total amount paid in merchant fees on credit and/or debit card payments to departments, statutory agencies and/or other bodies within your portfolio in 2018-19?

**ANSWER:**

**304–306.** All NSW Government agencies are required to impose surcharges to recoup their merchant interchange fees, pursuant to Treasury Circular TC12/13. DPC does not accept payment for goods and services, so we do not impose merchant fees on our customers.

DPC staff only use their Pcards for the purchase of goods and services for official business purposes. If particular vendors elect to impose a merchant fee on card transactions, that is an unavoidable cost of doing business. It would not be possible to determine fees charges to Departmental cards, as these would either be embedded in the individual transaction cost, or if separately disclosed would require each monthly card statement for each user to be reviewed.

**QUESTION - Advertising and Sponsorships**

307. For each department, statutory agency and/or other body in the Minister's portfolio please report:

(a) How much was spent on advertising in the following financial years:

i. 2015-16

ii. 2016-17

iii. 2017-18

iv. 2018-2019?

## BUDGET ESTIMATES 2019-20

308. Has your department, statutory agency and/or other body within your portfolio engaged in any corporate sponsorships?

(a) Who were these sponsorships with?

(b) What was the purpose of these sponsorships?

(c) What was the value of these sponsorships, by case and year?

(d) What was the value of these sponsorships in the following financial years:

i. 2015-16

ii. 2016-17

iii. 2017-18

iv. 2018-19?

### ANSWER:

**307–308.** The Financial Statements, including advertising and sponsorship, are available in agency annual reports. The NSW Government may use advertising to inform the public of their rights, obligations and entitlements as well as to explain government policies, programs, services and initiatives. Government advertising is conducted within guidelines outlined in the NSW Government Advertising Handbook. Any sponsorship arrangements are conducted within ICAC principles.

### QUESTION - Probity Auditor

309. Has your office or department, statutory agency and/or other body within your portfolio 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.

### ANSWER:

**309.** In accordance with the NSW Procurement Board's Direction (PBD-2013-05), the Department of Premier and Cabinet has internal mechanisms in place to ensure that probity considerations are routinely taken into account in its procurement decisions, and the use of external probity advisers and auditors is the exception rather than the rule. The Department's Annual Report includes all consultancies including those involving probity advisers valued more than \$50,000.

### QUESTION - Energy

310. For each department, statutory agency and/or other body within your portfolio by name, how much electricity did it consume for each of:

(a) 2014-15?

(b) 2015-16?

## BUDGET ESTIMATES 2019-20

(c) 2016-17?

(d) 2017-18?

(e) 2018/19?

311. What proportion of the electricity consumed by each department, statutory agency and/or other body within your portfolio by name for those years came from renewable sources? Please name each source of energy (coal, solar, wind, etc.) and the proportion of the total electricity used.

312. How much money was spent on electricity for each department, statutory agency and/or other body within your portfolio by name in each of the above financial years?

313. What was the name of the energy supplier to each department, statutory agency and/or other body within your portfolio by name for those financial years?

314. How much electricity is it estimated that each department, statutory agency and/or other body

within your portfolio will consume in:

(a) 2019-20?

(b) 2020-21?

(c) 2021-22?

315. What proportion of that electricity is it estimated will come from renewable sources, for each year?

316. For each department, statutory agency and/or other body within your portfolio by name, please

provide the estimated proportion of energy to be used from each kind of energy (coal, gas, solar, wind etc.)?

317. What is the name of the energy supplier to each department, statutory agency and/or other body

within your portfolio for each of:

(a) 2019-20?

(b) 2020-21?

### ANSWER:

**310–317.** Energy purchases by Premier and Cabinet Cluster agencies are made in accordance with the applicable policies and procedures on procurement under whole of government Contracts 776 (small sites under 100,000 kwh per annum) and 777.

Under these contracts the following suppliers are mandated:

- 776 – Origin Energy Electricity Limited
- 777 – ERM Power Retail Pty Ltd

The NSW Government Resource Efficiency Policy was introduced in 2014 to reduce the NSW Government's operating costs and lead by example in increasing the efficiency of the resources it uses.

## BUDGET ESTIMATES 2019-20

NSW Government agencies are required to report on energy use under the Government Resource Efficiency Policy. The Department of Planning, Industry and Environment publishes progress reports on compliance with the policy.

### QUESTION - General Costs

318. For each department, statutory agency and/or other body in the Minister's portfolio please report:

(a) Any gardening services used for indoor or outdoor pot plants/flowers maintenance?

i. Who are the contracts with?

ii. How much does each contract cost?

iii. How often do they visit?

iv. How much was spent on this service in financial year:

- 2015-16
- 2016-17
- 2017-18
- 2018-19?

(b) Any floral displays or indoor plants or pot plants hired or leased for display in any offices?

i. Who were the contracts with?

ii. How much was each contract cost?

iii. How much was spent on this service in financial year:

- 2015-16
- 2016-17
- 2017-18
- 2018-19?

### ANSWER:

**318.** The Financial Statements, including expenditure on any general costs, are available in an agency's annual report. Plant and related purchases by Premier and Cabinet Cluster agencies are made in accordance with the applicable policies and procedures on procurement.

### QUESTION - Domestic Violence Leave Policies, Awareness and Usage

319. For each department, statutory agency and/or other body in the Minister's portfolio please report:

(a) A copy of the entity's policy or web link to the entity's domestic violence leave policy;

(b) Date of introduction of domestic violence leave into enterprise agreements/contracts of employment, awards as applicable;

## BUDGET ESTIMATES 2019-20

- (c) Whether or not all employees and/or contractors are eligible for domestic violence leave;
  - (d) Number of days of domestic violence leave that have been taken in each financial year since the introduction of such leave;
  - (e) Number of days available for eligible staff to access domestic violence leave in each financial year;
  - (f) Number of other personal days of leave that have been taken in each financial year since the introduction of domestic violence leave;
  - (g) Number of sick days available for eligible staff to access domestic violence leave in each financial year;
  - (h) Whether or not all staff and/or contractors have access to Employee Assistance Programs?
  - (i) What training has been undertaken with management and administration for those involved in approving and/or processing domestic violence leave on issues such as?
    - i. Privacy and confidentiality of information about domestic violence
    - ii. Access to emotional, psychological, financial and medical support which may be required
320. Who has provided training on domestic violence in the workplace?
321. What percentage of staff in each agency has undertaken domestic violence training?
322. What efforts have been made to ensure that perpetrators (or their accomplices) within the staffing profile are not able to access personal information of victims in order to identify their location, or other information which may assist in committing domestic violence against them, including changing or accessing records in such a way as to disadvantage them financially or legally?

### ANSWER:

**319. (a)** Section 6.18 of the Public Service Industrial Relations Guide provides guidance to staff and management on appropriate strategies for supporting a staff member experiencing domestic violence. This guidance further references Section 84A of the Award (leave for matters arising from domestic violence) and Treasury Circular 19-08 Domestic and Family Violence Workplace Support Policy – Guiding Principles for Agencies.

**(b)** Section 84A was added to the Award in 2011.

**(c)** All staff members employed under the Award in a cluster agency are entitled to be absent from the workplace due to an incident of domestic violence if required. Similar clauses apply to agencies covered by their own negotiated agreements.

**(d)** From 1 January 2019, a separate leave type of Domestic & Family Violence Leave was made available as a separate leave type. In 2018-19, there were no reported leave days of this type taken.

**(e)–(g)** In accordance with the Award, NSW Government Sector employees are entitled to ten days paid domestic and family violence leave per calendar year. This leave is non-cumulative and can be taken in part-days, single days, or consecutive days. Staff may also utilise all available Family and Community Service Leave, Sick Leave and Carer's Leave to assist with managing domestic violence circumstances. If this leave is unavailable special leave maybe granted up to five days per calendar year.

## BUDGET ESTIMATES 2019-20

(h) All staff, their families and contractors have access to the Employee Assistance Program.

(i) An e-learning module has been developed in consultation with Family and Community Services. DPC is working to ensure all staff are trained in line with the developed modules.

**320.** DPC is an accredited White Ribbon Workplace through White Ribbon Australia. DPC continues to provide ongoing support and guidance to cluster agencies on best practice approaches to supporting women who are experiencing domestic violence.

**321.** An e-learning module has been developed in consultation with Family and Community Services. DPC is working to ensure all staff are trained in line with the developed modules.

**322.** DPC complies with the highest levels of document and privacy management consistent with the *Privacy and Personal Information Act 1998* (NSW).

### QUESTION - Sexual harassment and Anti-bullying training and awareness programs

323. For each department, statutory agency and/or other body in the Minister's portfolio please report:

(a) Date of introduction of sexual harassment and anti-bullying training and awareness programs and a copy of such documentation.

i. Whether or not all employees and/or contractors have received such training?

ii. Is this course mandatory for all employees/ contractors?

iii. How long for each session, how many sessions?

iv. Who delivers it?

v. Is the program tailored to take into consideration specific needs of LGBTQIA, ATSI and CALD or other at risk groups?

- How?

(b) What percentage of staff in each department, statutory agency and/or other body within your portfolio have undertaken sexual harassment and anti-bullying training and awareness programs?

(c) How many complaints have been initiated in relation to:

i. Sexual harassment

ii. Bullying

iii. Workplace violence

### ANSWER:

**323.**

(a) This training was formally introduced first in July 2013 and is regularly reviewed and updated in accordance with policies and guidance.

## BUDGET ESTIMATES 2019-20

- (i)–(ii)** Attendance at sexual harassment and anti-bullying training courses is mandatory for the Department of Premier and Cabinet and a number of other agencies in the cluster.
- (iii)** Session times vary between trainers and agencies but range from 2 hours up to half a day.
- (iv)** Various specialist providers as well as EAP providers. Some agencies utilise training courses organised by others within the cluster to maximise efficiencies.
- (v)** The needs of at-risk groups are considered in the training provided.

**(b)** Participation is mandatory in the Department of Premier and Cabinet and a number of agencies in the cluster.

**(c)** Complaints of this nature are addressed through the Department of Premier and Cabinet Complaints and Investigation Policy. Not all complaints are raised as a formal complaint and may be addressed informally and directly between the complainant and the individual being complained of.

### QUESTION - Participation of women in Government

324. For each department, statutory agency and/or other body in the Minister's portfolio please report:

- (a)** What number and percentage of women are employed within the department, statutory agency and/or other body within your portfolio?
- (b)** What number and percentage of women are employed within the management levels of the department, statutory agency and/or other body within your portfolio?
- (c)** What number and percentage of women are employed in the top ten leadership positions of the department, statutory agency and/or other body within your portfolio?
- (d)** What strategies does the department, statutory agency and/or other body within your portfolio use to encourage women in to management and leadership positions?
- (e)** What is the gender pay gap within your department, statutory agency and/or other body within your portfolio?
- (f)** Does the department, statutory agency and/or other body within your portfolio report participation of women figures to Women NSW on a regular basis?

### ANSWER:

**324.**

**(a)–(c)** This information is available in each agency's Annual Report.

**(d)** All agencies use gender balance on interview panels as well as offering flexible working arrangements to allow better management of work and home commitments. Agencies continue to promote diversity and inclusion strategies which promote a workplace free from social biases of any kind.

**(e)** All equivalent positions determined by an objective assessment of their work value are paid the same salary within all agencies. The relevant distribution of women in each classification of work across the sector is reported by the Public Service Commission (PSC) but is also available in the agency's Annual Report.



## BUDGET ESTIMATES 2019-20

(f) The workforce profile data collected by the PSC is made available to Women NSW.

### QUESTION - Professional Photography

325. How much has been spent on professional photography for the following financial years:

- (a) 2015-16
- (b) 2016-17
- (c) 2017-18
- (d) 2018-2019
- (e) 2019-present?

### ANSWER:

**325.** The Financial Statements, including expenditure on professional photography, are available in agency annual reports.

### QUESTION - Unmanned Aerial Services

326. How much has been spent on Unmanned Aerial Services for the following financial years:

- (a) 2015-16
- (b) 2016-17
- (c) 2017-18
- (d) 2018-2019
- (e) 2019-present?

### ANSWER:

**326.** The Financial Statements, including expenditure on unmanned aerial services, are available in agency annual reports.

### QUESTION - Seconded Staff

327. How many staff from your department, statutory agency and/or other body within your portfolio have been seconded to your Ministerial Office, for the following financial years:

- (a) 2015-16
- (b) 2016-17
- (c) 2017-18

## BUDGET ESTIMATES 2019-20

(d) 2018-2019

(e) 2019-present?

328. Please provide their names, their substantive work title, and their seconded work title.

**ANSWER:**

**327–328.** NSW Government sector employees may be seconded from agencies to Ministers' offices in accordance with Clause 35 of the Government Sector Employment Regulation 2014.

**QUESTION - Consultant Costs**

329. For each department, statutory agency and/or other body in the Minister's portfolio please report, the total expenditure on consultants by financial year:

(a) 2015-16

(b) 2016-17

(c) 2017-18

(d) 2018-2019

(e) 2019-present?

330. What are names and values of the five most expensive reports produced by consultancies for each department, statutory agency and/or other body in the Minister's portfolio by financial year:

(a) 2015-16

(b) 2016-17

(c) 2017-18

(d) 2018-2019

(e) 2019-present?

**ANSWER:**

**329–330.** The Financial Statements, including expenditure on consultants, are available in agency annual reports.