

BUDGET ESTIMATES 2019-2020

Questions taken on notice

Portfolio Committee No. 5 – Legal Affairs

SPORT, MULTICULTURALISM, SENIORS AND VETERANS
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Hearing: Friday 6 March 2020

MINISTER LEE - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

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The Hon. ROSE JACKSON: Who participated in those discussions within the Office of Sport for canvassing alternate places for the funding to sit?

Ms JONES: It was an internal conversation within the Office of Sport. If you want actual details of names, I will have to take that on notice.

The Hon. ROSE JACKSON: That would be useful. Is that a fair description of what actually occurred inside the Office of Sport because was it not the case that the office did, in fact, actively seek alternative funding arrangements?

ANSWER

I understand from an article in the Sydney Morning Herald dated the 11th of March 2020 that the NSW Opposition have referred these matters to the Independent Commission Against Corruption.

Given these matters may be under investigation it would be inappropriate to comment.

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The Hon. ROSE JACKSON: What was the date on which you were made aware that the Penrith Panthers facility would not include sporting facilities?

Ms JONES: I will have to take that on notice. I do not have that information handy.

ANSWER

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The Hon. ROSE JACKSON: Were you given that certainty that the Federal Government funding was, in fact, forthcoming, despite the fact that the scope of the project had changed? Did you have that certainty?

Ms JONES: That is something that I would have to take on notice and go back through the file and have a look for you.

The Hon. ROSE JACKSON: So, for example, there was not correspondence in June, in September— throughout 2018, in fact—that the Federal department of infrastructure had indicated that the project would require reassessment due to the scope of the project changing?

Ms JONES: That level of detail, as I said, I do not have that information or those documents in front of me, so I would have to take that on notice. I am happy to provide you with a chronology of it then.

The Hon. ROSE JACKSON: Ms Jones, given that you were, as I understand, in charge of sports infrastructure at this time, are you aware of a letter written by the Deputy Prime Minister, Michael McCormack, to Senator Marise Payne regarding the funding of the facility?

Ms JONES: No, I was not, but, again, I am happy to take it on notice.

The Hon. ROSE JACKSON: I can probably provide you with a copy of that one too. I am unsure why you cannot recall with clarity as to why the Office of Sport did not have full oversight and clarity on the Federal Government funding commitment, when the funding commitment from the Office of Sport was so obviously contingent on that?

Ms JONES: As I said before, in terms of infrastructure projects that have a number of sources of funding, we do actually confirm those sources of funding before we actually sign up to our funding agreement. That is typical practice at the Office of Sport. So, in terms of specific details around the Federal component of that commitment, as I said, I am happy to take that on notice and provide you with that information.

ANSWER

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The Hon. ROSE JACKSON: At that point did you have absolute clarity as to whether the Federal Government funding agreement, on which your funding agreement was contingent, was secure?

Ms JONES: Again, in terms of the details around the commitments and who signed it and what dates they were signed by the Federal Government, I am taking that on notice. I do not have that information in front of me.

The Hon. ROSE JACKSON: Despite the fact that you have said that the Minister signing the funding agreement for the Office of Sport funding was in fact contingent on the Federal Government funding agreement, you are unable to provide any certainty that, in fact, the Office of Sport knew that the Federal funding was available at that time?

Ms JONES: For the purposes of this Committee I want to be accurate and correct for yourself. In order to provide that level of information it is important that I go back and source those documents for you and provide that information to you at a later date, so I will take it on notice. Thank you.

ANSWER

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The Hon. ROSE JACKSON: In your previous answer you mentioned that the reason the Minister indicated that he wished to delegate his authority to Mr Miller in relation to the signature of the funding agreement was as a probity safeguard. That was your answer. I am asking you why that probity safeguard was not necessary on 24 January and was necessary on 19 February?

Dr GEOFF LEE: Sorry, perhaps I was not clear in what I was saying. I was saying that a spokesperson for Minister Ayres, which was reported in the media recently, said that—and I just quoted what they—that is speculation, but what I quoted was Minister Ayres's spokesperson saying about the process. I am more than happy for Ms Jones to answer about the process but I think she has clearly indicated that she will take those specific questions on notice when she has the documentation in front of her. Unless you want to add anything, Ms Jones?

The Hon. ROSE JACKSON: Ms Jones, do you have anything to add on that?

Ms JONES: No. Look, I was not the chief executive at the time, so obviously if there is any additional information I am happy to provide that through taking it on notice.

ANSWER

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The Hon. ROSE JACKSON: You were never told or never informed or never given any information in relation to the fact that Minister Ayres had signed a funding agreement and then a few weeks later a new brief had to be written in which delegated authority was given to Mr Miller to sign a funding agreement? Your evidence is that you were completely unaware of that chain of events?

Ms JONES: As I said before, the context of this email is that I was to provide examples of funding agreements for infrastructure projects. The context of those discussions is something that I have to go back through my notes on. Again, I will take that on notice.

ANSWER

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The ACTING CHAIR: Minister, you have been the acting sports Minister for over six months, is it?

Dr GEOFF LEE: I would have to check, but around that

ANSWER

Since September 2019.

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The ACTING CHAIR: How much has been spent?

Mr DRAPER: I would have to check my notes to date but stage one was approximately \$36 million or \$37 million.

The ACTING CHAIR: That was the knockdown?

Mr DRAPER: That was the stage one works, which included more than the demolition. The stage one included demolition, but also included earthworks, relocation of utilities, creation of new stormwater infrastructure on site, which is now in place. All of that has been done.

The ACTING CHAIR: Stage one was \$36 million or \$37 million. What has been spent since then?

Mr DRAPER: I would have to check what the spend to date is on stage two, but it would be relatively small, because we are only at the early stages of stage two

ANSWER

I am advised as at the end of February 2020 \$9,699,401 (ex. GST) has been spent on the Stage 2 works.

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The Hon. ROSE JACKSON: How often does this happen, Minister, that you make election commitments to deliver, in this instance, sporting facilities through the Office of Sport and then continue to use the Office of Sport to deliver completely different facilities? Is it happening all the time? How many projects is the Office of Sport funding that are not in fact sporting facilities?

Dr GEOFF LEE: I will ask Karen Jones if she wants to answer that question.

Ms JONES: As I said before, the decision was actually made to use the Office of Sport given that we have established processes and procedures in place to administer—

The Hon. ROSE JACKSON: Sporting facilities.

The Hon. TREVOR KHAN: Just hold on.

Ms JONES: —election commitments for infrastructure projects with sporting clubs. We have a lot of election commitments and also grant recipient processes that we actually administer. In terms of the content of each one of those, that is something I would have to take on notice. There are hundreds.

The Hon. ROSE JACKSON: So it is in fact possible that there are other infrastructure projects that the Office of Sport is delivering that have nothing to do with sport? There could be more?

Ms JONES: I am not saying that. What I am saying is that we are more than happy to have a look through those election commitments and other applications that we are processing for you and give you back that detail and that breakdown.

ANSWER

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The Hon. ROSE JACKSON: Why then was it necessary to secure an email from the Deputy Prime Minister to Senator Marise Payne on 15 January in relation to the project?

Ms JONES: That is something I would have to take on notice and go back through the notes.

ANSWER

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The Hon. ROSE JACKSON: What is the financial limit of the delegated authority that can be given to the CEO of the Office of Sport?

Mr COUTTS-TROTTER: I will turn to Karen because those delegations do not run through me.

Ms JONES: I think the Minister has the delegation to delegate any sort of prescribed value to the chief executive of the Office of Sport. But in terms of any necessary limits, I can take that on notice.

ANSWER

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The Hon. ROSE JACKSON: This is a \$12 million project and the financial limit of the delegated authority of the CEO is \$3 million, yet the Minister delegated the authority to the then CEO, Mr Miller, to sign off on the project, and you are saying there are no probity questions around that occurrence?

Ms JONES: In terms of the actual delegation powers of the Minister to the chief executive in relation to this particular project, I will take that on notice and provide you some advice on that.

ANSWER

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The Hon. ROSE JACKSON: I refer to one grant to start with. I understand my time is about to expire and I will come back to it. I ask you about the grant for the cycling project in Wagga Wagga on 18 August 2018.

Why was that grant allocated in Wagga Wagga before the applications for this grant round had even closed? Why was that one done?

Dr GEOFF LEE: Whose question is that?

The ACTING CHAIR: I think it is directed to you, Minister, and then if you want to direct it anywhere else.

Dr GEOFF LEE: Obviously that was well before my time. I am more than happy to ask—it is pretty self-evident. You are asking the same questions, keep going to preface it. I will keep prefacing my answers. But I am more than happy for Ms Jones to be open and transparent. If you can do, we will take it on notice

ANSWER

I am advised when the Regional Sports Infrastructure Fund opened in August 2017, it was a continuously open grant program. This meant that applications could be submitted at any time and assessed.

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The ACTING CHAIR: Mr Coutts-Trotter, I accept that you are not in a position to give a comprehensive answer based on the series of assumptions that were put to you about the signing of the contract by the Minister and then the request to have it rescinded and then signed under delegation. I accept you are not in a position to provide comprehensive answers on that now but I would invite you to take that on notice and review the relevant documentation and advise the Committee whether you have any concerns, having reviewed the documentation.

Mr COUTTS-TROTTER: I am happy to take it on notice and I will respond as I can.

The ACTING CHAIR: Are you aware of any circumstances to your knowledge—and you have extensive experience in the bureaucracy—where there has been a request to withdraw a contract that has a Minister's signature on it so it could be replaced by another contract signed under delegated authority? Are you aware of that happening in your experience?

Mr COUTTS-TROTTER: Not that I can recall but it is my best recollection. It could have happened previously but I cannot recall it.

The ACTING CHAIR: It would not be unreasonable to say that that would be a highly unusual occurrence?

Mr COUTTS-TROTTER: No, I would not characterise it in those terms. I really should not. As I say, I am not familiar with the detail of this. I should look at the detail of this before offering any kind of characterisation.

ANSWER

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The ACTING CHAIR: Minister, will you review the black folder and provide a copy of the black folder to the Committee?

Dr GEOFF LEE: Can I say that—I will take advice. On advice, yes—

The ACTING CHAIR: Let me guess. You will take advice, it may be commercial-in-confidence and you will get back to us on notice.

Dr GEOFF LEE: That was the answer I had too.

The ACTING CHAIR: The thought that there is a black folder that exists where there are, on the face of it, these highly controversial communications about the delivery of \$12 million of public money, which you were not aware of as the acting Minister, that is problematic, is it not?

Dr GEOFF LEE: No. As I said, we will review that. We have committed to reviewing that, we will look at it and, if appropriate, we will release that information to you.

ANSWER

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The ACTING CHAIR: Do you have any targets we can hold you to by the end of this year for a reduction in the rate of homelessness for older women?

Dr GEOFF LEE: We do not have those set targets at the moment, but I am more than happy to get back to you. I will take it on notice and see if we have those targets available at the present time. I am sure we will have another opportunity.

ANSWER:

I am advised this is a matter for the Minister for Families, Communities and Disability Services.

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Street Homelessness

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The ACTING CHAIR: Minister, that leads me to my next series of questions. Given Sydney has the highest rate of any major capital city of street homelessness, what has been the reduction, if any, in the rate of street homelessness given it is one of the Premier's Priorities?

Dr GEOFF LEE: I am more than happy to take that on notice.

Mr COUTTS-TROTTER: We could take a more complete answer on notice. But, as you would know, Mr Shoebridge, there is currently only one local government area that undertakes a biannual census of people who are experiencing street homelessness, that is the City of Sydney.

The ACTING CHAIR: It is the biggest one. It is the big issue.

ANSWER:

I am advised this is a matter for the Minister for Families, Communities and Disability Services.

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The ACTING CHAIR: All right. Through you, Minister, perhaps of Mr La Posta, what is the number and percentage of people employed in the New South Wales public service who are culturally and linguistically diverse?

Mr LA POSTA: In terms of the overall public service?

The ACTING CHAIR: Yes.

Mr LA POSTA: I will need to take that question on notice.

The ACTING CHAIR: Do you have any numbers that you can give to us?

Mr LA POSTA: I can take the specific numbers on notice but I am aware that there was a decline.

ANSWER:

I am advised the NSW Public Service Commission's 2019 Workforce Profile Report shows that the percentage of people who spoke a language other than English as a child is 18.3%, up from 15.2% in 2010.

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The ACTING CHAIR: Will you undertake to at least communicate with Mr La Posta and his office and come back with an answer to us about what the decline is and what the reasons for the decline are?

Dr GEOFF LEE: I certainly will undertake that, absolutely. I will do our best to get back to the Committee.

ANSWER:

I am advised the CEO of Multicultural NSW met with the A/Public Service Commissioner to discuss the number of people from racial, ethnic or ethno-religious groups working in the NSW public sector.

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The Hon. ROSE JACKSON: Apologies. Can you give us a list of the other agencies that you are in an ongoing dialogue with about the potential transfer of the management of the project?

Ms JONES: I am happy to take that on notice and provide you with some documentation around conversations that we have had in terms of the transfer of the election commitment. That will outline what agencies we have had conversations with.

ANSWER

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The Hon. ROSE JACKSON: When the list of projects were approved a recommended list of approved projects was provided to the Minister from the Office as a result of that process and the oversight from the committee you described. Were there any notes or amendments or comments made by the Minister on that brief when it was returned to the department?

Ms JONES: I would have to take that on notice in terms of the specific brief, in terms of any comments or anything that was made on that brief if there was any. I am happy to take that question on notice.

ANSWER

I am advised no.

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The Hon. ROSE JACKSON: And did the Minister draw on any of those broad general political or government priority frameworks in making the decision about the finalists?

Ms JONES: I more than happy to take that on notice and go back through the notes around that process.

ANSWER

I am advised decisions made were in accordance with the Program Guidelines and supporting documentation.

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The Hon. SHAOQUETT MOSELMANE: How much of that \$32 million was awarded for 2018-19?

Mr LA POSTA: In terms of the exact number?

The Hon. SHAOQUETT MOSELMANE: Yes.

Mr LA POSTA: For 2018-19?

The Hon. SHAOQUETT MOSELMANE: Yes.

Mr LA POSTA: I can take that on notice.

ANSWER:

I am advised discussions with designated multicultural aged-care providers commenced in 2018-19, and payments occur according to the delivery of milestones as part of funding agreements.

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The Hon. SHAOQUETT MOSELMANE: Who signed off on those election commitments?

Mr LA POSTA: I cannot speak to that, Mr Moselmane. They are election commitments.

The Hon. SHAOQUETT MOSELMANE: Minister, who signed off?

Dr GEOFF LEE: Again, that was before my time as Minister. I am more than happy to get back unless Mr Secretary is aware.

ANSWER:

I am advised election commitments were made by the NSW Liberals and Nationals in the lead up to the March 2019 State Election.

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The Hon. SHAOQUETT MOSELMANE: Were they open to all organisations?

Dr GEOFF LEE: I would have to take that on notice.

ANSWER:

I am advised election commitments were made by the NSW Liberals and Nationals in the lead up to the March 2019 State Election.

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The Hon. ROSE JACKSON: Can you give us a list of the 10 projects that were unsuccessful?

Ms JONES: I can take that on notice for you.

The Hon. ROSE JACKSON: Thank you. That will be useful.

Ms JONES: I do not have that information.

The Hon. ROSE JACKSON: Take that on notice. That is fine.

ANSWER

I am advised the details of individual applications and project assessments are confidential.

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The Hon. ROSE JACKSON: Do you have the three that were not funded? Is that there? That is a smaller number?

Ms JONES: I will take that on notice.

ANSWER

I am advised the details of individual applications and project assessments are confidential.

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The Hon. ROSE JACKSON: The question was: Based on the information we already have about the successful projects, and the fact that there is clear and overwhelming evidence that they favour Government-held electorates and information we are going to get on notice about the projects that the Minister exercised his discretion to remove from the list, will you call an inquiry and ensure that there is an investigation into how decisions were made to fund projects under these grant rounds so that we can ensure that it was done in the best interests of taxpayers and not the best interests of the Liberal Party?

Dr GEOFF LEE: What you are talking about is what has happened in the past. I will actually discuss that and I am more than happy to take that on notice and get back to you.

The Hon. ROSE JACKSON: When similar questions were raised at a Federal level Prime Minister Morrison asked the head of the department to look into it. Will you ask the head of your department today? We have raised questions about political interference in sports grants. Will you ask the head of your department today to conduct an investigation into this process to ensure that the public can have confidence in these grants?

Dr GEOFF LEE: I am more than happy to discuss my heads of department, including the secretary, look at the situation and then get back to the Committee. So I will take it on notice. The reason is that I am advised that the assessment methodology was followed.

The Hon. ROSE JACKSON: I appreciate that you have been advised that but we have seen an outcome that has been massively skewed. We have now had information that the Minister on two occasions exercised his discretion to remove grants from the list. There are questions that need to be answered. The Prime Minister asked his departmental head to answer them at the Federal level and I am asking you to ask your departmental head to conduct an investigation into the sports grants so that the New South Wales public can have confidence in you.

Dr GEOFF LEE: I assure everybody that the process—the assessment methodology—was followed. I am more than happy to chat with my departmental heads, including the secretary, about what, if anything, is required to be done.

The ACTING CHAIR: Will you provide the detailed answer on notice?

Dr GEOFF LEE: I will provide the answer on notice, yes, Mr Chair.

ANSWER

I am advised by my agency that the process was followed in line with the assessment methodology.

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Ms JONES: The expressions of interest for the first round of the Regional Sports Infrastructure Fund opened on 7 August 2017 and closed on 7 March 2018.

The Hon. ROSE JACKSON: How then do you explain the provision of \$4.9 million to Lismore City Council in February 2018?

Ms JONES: I can take that one on notice for you. I only have really high-level dates here.

ANSWER

I am advised when the Regional Sports Infrastructure Fund opened in August 2017, it was a continuously open grant program. This meant that applications could be submitted at any time and assessed.

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The Hon. ROSE JACKSON: We might come back to that, but I want to go again to the fact that applications for round one closed in March 2018, yet \$5 million was granted to Lismore City Council for an upgrade of Albert Park baseball in February 2018, before applications had even closed. How could that have happened?

Ms JONES: The decision-making process around that I will have to take on notice and get back to you on that one

ANSWER

I am advised when the Regional Sports Infrastructure Fund opened in August 2017, it was a continuously open grant program. This meant that applications could be submitted at any time and assessed.

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The Hon. ROSE JACKSON: That makes sense. Are you able to provide us information from your notes as to what the unsuccessful projects were?

Ms JONES: I will take that on notice.

The Hon. ROSE JACKSON: That would be useful.

Ms JONES: Sure.

The Hon. ROSE JACKSON: It would be good to get information about the unsuccessful projects— 19 projects to 13 in stage two, I think.

Ms JONES: I will take that on notice and get you that information

ANSWER

I am advised the details of individual project applications and assessments are confidential.

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The ACTING CHAIR: Could you describe the nature of where they are drawn from, the pools they are drawn from?

Ms JONES: I think I just did.

The Hon. ROSE JACKSON: Ms Jones did provide some information on that. I appreciate that, but you are aware that I raised with the Minister some concerns around the political nature of the grants that were approved. I do not want to unnecessarily cast aspersions on the members of this panel, but if we do not even know who they are, what assurances can we have about the decisions that they are making, because we are concerned that 80 per cent of funding went to Government electorates? I appreciate you have indicated that is not part of the decision-making of the panel—

Ms JONES: Correct.

The Hon. ROSE JACKSON: —but that is the outcome that was received. We now cannot even find out the names of the people who were making the decision.

Ms JONES: In terms of actually providing the names of these people, as I said, I am hesitant in doing that, mainly also because of the Greater Sydney Sports Facility Fund, because that program is still open, particularly for round two. Those projects are still under consideration by those people. I think it is really important that we uphold the integrity of that panel by not disclosing the individuals involved. I am happy to take it on notice in terms of the credibility of those people and also provide information about where they have been selected from and their history and their background. I am happy to do that and provide you information on that. But in terms of individual names, I think that would be inappropriate at this stage.

The ACTING CHAIR: Ms Jones, I invite you to take the question on notice, including the question of the individual names, and then that gives you the opportunity to take advice and see how best to answer that question.

Ms JONES: Sure.

ANSWER

I am advised the names of Grant Panel members are confidential. This maintains the integrity of the grant assessment process.

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Regional Sports Infrastructure Fund - panel criteria

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The Hon. ROSE JACKSON: You mentioned that there was a set of criteria that the panel was using to determine recommendations. What was that or is that a written policy document or framework that you could provide the Committee on notice?

Ms JONES: Yes, absolutely.

ANSWER

I am advised the grant assessment criteria is provided in the program guidelines which is publicly available.

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The Hon. SHAOQUETT MOSELMANE: Thank you, Chair. I will just ask Mr La Posta with regard to my earlier question about the grants—and you said that it was election promises. In those election promises there are \$32.5 million. Have those \$32.5 million now been allocated for the next four years? Can you give us a list of which organisations are now listed to receive those grants?

Mr LA POSTA: Sure.

ANSWER:

I am advised all grants administered by Multicultural NSW are reported in the Agency's Annual Report, including details of recipients and amounts funded. This report is tabled in the Parliament of New South Wales annually and is available on the Multicultural NSW website once tabled.

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The Hon. SHAOQUETT MOSELMANE: Were there coordinations with the police in terms of the violence? There was not just verbal violence. There were actual physical attacks on some Chinese members of our community.

Mr LA POSTA: Yes. Specifically with regard to the attacks, that question is best directed to the New South Wales police. What I can say is the police are very active members of our Community Resilience and Response Plan [COMPLAN] forum. COMPLAN is set up on specific incidents that impact on social cohesion in New South Wales. We stood it up after the devastating attacks in Christchurch. We stood it up after Sri Lanka. We have now stood it up again in the context of the coronavirus. That brings together the Anti-Discrimination Board, the New South Wales police and a number of different government agencies.

Accordingly, because of the seriousness of the coronavirus at the moment, many more agencies are becoming a part of that social cohesion forum to discuss the ramifications and impacts and terms of their business. I touched on a few of them before—Study NSW, small business councils, these sorts of people. With regard to the police, at our last Community Partnership Action [COMPACT] meeting there were no reported incidents of any race hate crimes that were perpetrated in association with the coronavirus. With regard to the Anti-Discrimination Board—and we touched base with our colleagues—there are two incidents of discrimination that they have recorded based on specifically the coronavirus.

The Hon. SHAOQUETT MOSELMANE: And is the Anti-Discrimination Board following those matters up?

Mr LA POSTA: I cannot speak on behalf of the Anti-Discrimination Board.

The Hon. SHAOQUETT MOSELMANE: No, but as far as you know?

Mr LA POSTA: I am happy to take that on notice. I met with the head of the Anti-Discrimination Board not two weeks ago to have this exact conversation as well, to make sure the two organisations were working in parallel.

ANSWER:

I am advised Multicultural NSW is in close contact with the Anti-Discrimination Board of NSW and understands such matters are followed up according to Anti-Discrimination Board of NSW complaints handling processes.

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The ACTING CHAIR: Mr La Posta, did you say the expenditure on countering violent extremism was included in the programs that deal with Islamophobia, because they seem to have quite different functions?

Mr LA POSTA: Yes. The Government has a \$47 million package that is across all of those issues.

The ACTING CHAIR: The countering violent extremism funding will not be addressing Islamophobia. They are quite separate issues. I assume expenditure will be spent on the broader community to address the rise in the indicator of Islamophobia, whereas I am assuming that, to the extent that there is expenditure on countering violent extremism that deals with the Islamic community, that would have a different purpose?

Mr LA POSTA: Yes. I think it is important to acknowledge that—and I touched on this before—we are aware that there are a number of different threats that impact on social cohesion in this State. Islamophobia is one of those threats.

The ACTING CHAIR: And it is a rising concern, as you have indicated. The data is suggesting it is a rising concern.

Mr LA POSTA: Yes.

The ACTING CHAIR: I am not criticising—

Mr LA POSTA: No, no.

The ACTING CHAIR: You are following the data.

Mr LA POSTA: I think it is important to acknowledge that we see divisive forces at both ends of the spectrum and there are extremists looking to divide us. Our responsibility is to not break that down too much, but to think about it as a threat-agnostic approach. The Scanlon research talks to the fact that 85 per cent of people broadly support multicultural principles. Our responsibility is to strengthen that 85 per cent in the first instance so that we do not see decline in that percentage and then to think about how we influence marginal forces at both ends that are trying to undermine or impact on our democracy or those sorts of things. With respect to the specifics in terms of the breakdown of the \$47 million, I will need to take that on notice.

The ACTING CHAIR: Yes, but I say again, accepting your proposal that the bulk of the money is spent on ensuring that 85 per cent is solid and grows, to the extent that you are including funding on countering violent extremism, that is very much in those minorities at either end. That is why I am asking for the breakdown.

Mr LA POSTA: Yes.

ANSWER:

I am advised questions about the whole \$47 million NSW Government funding package to counter violent extremism (CVE) should be directed to the Minister for Counter Terrorism.

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The ACTING CHAIR: Mr La Posta to the extent that you can, will you provide the Committee with a breakdown on what is the \$47 million funding?

Mr LA POSTA: I need to take that question on notice because it does not sit within the remit of my agency.

The ACTING CHAIR: I accept that. The problem is it is 45 or 46 separate agencies so we could chase it up in five or six budget estimates, so to the extent that you can, will you take on notice the breakdown of it?

Mr LA POSTA: Certainly.

ANSWER:

I am advised questions about the whole \$47 million NSW Government funding package to counter violent extremism (CVE) should be directed to the Minister for Counter Terrorism.

MINISTER LEE - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Bushfire smoke exposure

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The ACTING CHAIR: Are you aware of any steps that have been taken to specifically improve resilience amongst seniors following the bushfire smoke exposure and directed to the potential for future bushfire smoke exposure?

Mr COUTTS-TROTTER: Let me see if I can get a response on that from my colleagues in public health.

ANSWER:

I am advised that this is a matter for the NSW Health Minister.

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The Hon. ROSE JACKSON: How many times have you met with the Minister himself to discuss veteran's issues?

Ms MACKANESS: I see the Minister at veterans' functions but separately to that he is the current chair of the ANZAC Memorial Trust so there are meetings of the trust. He has chaired one meeting. I briefed him ahead of that meeting and I have met with him on a couple of other occasions.

The Hon. ROSE JACKSON: Perhaps two or three times separate to that. Will you take on notice and confirm how many times other than that briefing for that one meeting you have met with him to discuss veterans' issues?

Ms MACKANESS: Yes, certainly.

ANSWER:

I am advised the Director, Office for Veterans Affairs is in regular contact with the Minister and his office regarding the veterans portfolio.

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The Hon. SHAOQUETT MOSELMANE: How many people have taken up the new Seniors Savers Card since it was launched?

Mr COUTTS-TROTTER: I will see if I can get that data for you.

The Hon. SHAOQUETT MOSELMANE: Thank you.

Mr COUTTS-TROTTER: I am not sure that I have that data for you, I am afraid. I will give you an answer on notice.

The Hon. SHAOQUETT MOSELMANE: Take that on notice. Is the Government on track for meeting its goal of 60,000?

Mr COUTTS-TROTTER: Yes, I am sorry, I do not have an update on the numbers of people who have taken it up since it was launched in February—well, it became available from July last year onwards.

The Hon. SHAOQUETT MOSELMANE: But you will take that on notice.

Mr COUTTS-TROTTER: Yes, I will.

ANSWER:

I am advised the agency is on track to achieve this target.

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The Hon. SHAOQUETT MOSELMANE: On that, a resident has provided us with a letter in an envelope with the logo of both Seniors Card and the New South Wales Government prompting the resident to get a hearing test and offering a \$30 discount for in-store purchases. This is a commercial request, is it not, Mr Coutts-Trotter?

Mr COUTTS-TROTTER: I am not familiar with that, but from what you have just described, yes.

The Hon. SHAOQUETT MOSELMANE: I will give you a copy of that letter.

Mr COUTTS-TROTTER: Thank you.

The Hon. SHAOQUETT MOSELMANE: Is this a typical kind of letter that might be sent out by Seniors Card on behalf of third parties?

Mr COUTTS-TROTTER: This clearly has not been sent out by Seniors Card. It has been sent out by an organisation called Industrial Deafness Australia and it is making an offer for Seniors Card holders. I do not know whether this is an endorsed arrangement between Seniors Card and this firm.

The Hon. ROSE JACKSON: The envelope, which we can also provide you, Mr Coutts-Trotter, although I did not bring it downstairs, I can assure you does not have Industrial Deafness Australia's name or logo on it. In fact it has your department's name and logo on the front and the back and the Seniors Card logo on the front. Who is paying for that?

Mr COUTTS-TROTTER: I would have to take that question on notice. I simply do not know.

The Hon. ROSE JACKSON: Have you sold the private information of seniors to organisations like Industrial Deafness Australia?

Mr COUTTS-TROTTER: I will take it on notice and respond with details of our privacy policies. I do not think that we onsell information. I should know but I do not think I have advice to hand. That seems very unlikely but I will take the question on notice.

The Hon. ROSE JACKSON: Just to clarify, you have taken on notice the question of who has paid for the distribution of that letter, for example.

Mr COUTTS-TROTTER: Yes.

ANSWER:

I am advised Industrial Deafness Australia is an approved participating business who has taken out advertising to members for their offers through the NSW Seniors Card program. Seniors Card has many partners who pay for advertising to members to promote their offers.

Seniors Card does not sell data to partners. Participating businesses pay to advertise through NSW Seniors Card. All data is managed by Seniors Card and kept private.

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The Hon. ROSE JACKSON: Are there any parameters or guidelines in relation to who your department and the people that administer the Seniors Card partner with for this type of solicitation?

Mr COUTTS-TROTTER: Yes, there are arrangements to sign partnership agreements and there is due diligence done through the consumer protection agency prior to firms partnering with Seniors Card. The communications to Seniors Card members distributed by the Seniors Card reflect what our surveying of Seniors Card members and feedback tells us about the kind of information Seniors Card members want to receive by that means. I do not have a summary of the privacy policy but I am more than happy to provide that to the Committee.

The ACTING CHAIR: I suppose if you are taking questions on notice it is whether or not the use of those logos was authorised or endorsed.

Mr COUTTS-TROTTER: Yes. I simply do not know. I will find out.

The ACTING CHAIR: And, if so, was there any commercial arrangement behind that?

Mr COUTTS-TROTTER: I should not guess; I will find out.

ANSWER:

I am advised that the Seniors Card requires business participants to be of good standing. Business participants are subject to a high level review, which includes vetting carried out by NSW Fair Trading.

Organisations that do not pass this vetting process may not participate as business participants in the Seniors Card Program or book paid advertising/marketing in Seniors Card marketing channels.

Additionally, businesses who join the Seniors Card program accept the participating business terms and conditions and advertising which can be found on the NSW Seniors Card website www.seniorcard.nsw.gov.au

All direct mail marketing communications are sent out using a NSW Seniors Card envelope which is approved by the program.

Seniors Card members opt in to receive marketing communications upon application. Members can opt out of communications by contacting Seniors Card to update their preferences. The privacy policy can be found on the NSW Seniors Card website www.seniorcard.nsw.gov.au

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The Hon. ROSE JACKSON: Can we have a list of the organisations with whom Seniors Card has partnered in a similar arrangement to Industrial Deafness Australia?

The ACTING CHAIR: If that is the case, any similar commercial partnerships.

Mr COUTTS-TROTTER: Right. Well, that is right.

The Hon. ROSE JACKSON: I am interested in who Seniors Card has commercial arrangements with.

Mr COUTTS-TROTTER: That is distinct from corporate organisations of various kinds who have signed arrangements with Seniors Card, because there are about 9,000 of those, from memory.

The Hon. ROSE JACKSON: I suppose to be more specific, who else could seniors expect to receive unsolicited letters from?

Mr COUTTS-TROTTER: Okay. Again there is an assumption about the nature of what sits behind this letter. I will take the question on notice and respond to you. The

ACTING CHAIR: Perhaps there is an even easier way of describing it. Can you provide to us what the arrangements were, if there were any, that led to that letter being sent and what other arrangements are of a similar nature? That is what we are getting at.

Mr COUTTS-TROTTER: Sure.

ANSWER:

I am advised Seniors Card has many partners who pay for advertising to members to promote their offers.

Participating businesses who chose to advertise pay commercial rates that cover all the costs of any marketing promotions out to members.

Seniors Card does not sell data to partners. Participating businesses pay to advertise through NSW Seniors Card. All data is managed by Seniors Card and kept private.

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The Hon. SHAOQUETT MOSELMANE: We will move on to the NSW Ageing Strategy. The NSW Ageing Strategy expires this year. What is the status of the new strategy?

Mr COUTTS-TROTTER: So the strategy concludes, I think, at the end of the calendar year 2020 and we are in the process of preparing for the creation of a four-year strategy beyond that. I am looking to see if I have any information of use to you. Okay, you can rest easy. The interdepartmental committee that oversees the implementation of the strategy has commenced work on the next Ageing Strategy from 2021. Consultation has started with an initial workshop with the interdepartmental committee members. They are my own department; the Department of Premier and Cabinet; NSW Health; Transport for NSW; the Department of Planning, Industry and Environment; the Department of Education; the Department of Customer Service; the NSW Trustee and Guardian; and Create NSW. A broad public consultation process will continue through the first few months of this year to inform the new strategy. So work is underway to prepare for the next four years.

The Hon. SHAOQUETT MOSELMANE: Is there a list of community groups that you communicate with?

Mr COUTTS-TROTTER: I am happy to provide the Committee with that information.

ANSWER:

I am advised all members of the public, including community organisations, are invited to provide feedback on the development of the NSW Ageing Strategy.

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The ACTING CHAIR: Is there a distinct role being given to the Ageing and Disability Commissioner in the establishment of this Ageing Strategy that is distinct from the previous one because it is a new position?

Mr COUTTS-TROTTER: Well, the commissioner is a new feature and was not on the field.

The ACTING CHAIR: Which is why I am asking.

Mr COUTTS-TROTTER: Obviously the commissioner will have a distinct role because the commission exists, the commissioner's role exists. I am happy to see what we can provide by way of response on notice to the kind of consultation that is going on with the commissioner.

The ACTING CHAIR: I would have assumed that the commissioner would have been leading the development of the strategy. That was my assumption, which is why I asked.

Mr COUTTS-TROTTER: The commissioner is a very, very significant presence here but there will be powerful and important contributions from Health, from Transport, from Planning and a whole range of other agencies.

The ACTING CHAIR: So it is not being led by the commissioner is your understanding.

Mr COUTTS-TROTTER: I would need to check on that and I will do so in our responses to the Committee.

ANSWER:

I am advised that the Ageing and Disability Commissioner will respond directly to the Committee.

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The Hon. SHAOQUETT MOSELMANE: Mr Coutts-Trotter, I have some more general questions around scams to do with seniors.

Mr COUTTS-TROTTER: Yes.

The Hon. SHAOQUETT MOSELMANE: Has the department provided any input or support to Fair Trading when it comes to protecting seniors against scams following the bushfires

Mr COUTTS-TROTTER: In truth, I do not know. I would have to take that on notice and respond to you.

The Hon. SHAOQUETT MOSELMANE: Has the department broadcast any messages through its various channels toward seniors about scams during the bushfire and recovery appeals?

Mr COUTTS-TROTTER: Again, I will take that on notice to make sure I can give you accurate information. I do not have a specific brief on that.

ANSWER:

I am advised that this is a matter for the Deputy Premier as the Minister responsible for Bushfire Recovery. I am advised the Department has provided information to seniors about scams.

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The Hon. SHAOQUETT MOSELMANE: Has the department provided any specific support to seniors who have been affected by the bushfires or the February storms?

Mr COUTTS-TROTTER: The department is home to the former Office of Emergency Management, or the New South Wales disaster recovery entity. Much of the Government's response and support for individuals and for businesses actually moves through that organisation, so the answer is yes. I am happy if you like to provide some detail of the kinds of things that have been done specifically to try to support seniors in areas affected by bushfires.

The Hon. SHAOQUETT MOSELMANE: That would be appreciated. Has the department issued any memorandum or advice to seniors during the bushfires that you would be able to provide to us?

Mr COUTTS-TROTTER: There may well have been communication from that part of the department with responsibility for supporting public housing tenants. There would be a range of areas in the department that may have communicated with seniors and communities during the bushfires. I will see what I can find out.

ANSWER:

I am advised there are a number of programs already serving seniors in bushfire affected communities and this is a matter for the Deputy Premier, as the Minister responsible for Bushfire Recovery.

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The ACTING CHAIR: What are you budgeting for the disruption costs for this current financial year?

Ms MATHER: It is too early to actually call that at this point because it depends on a number of factors.

The ACTING CHAIR: But you must have a budget.

Ms MATHER: It varies. But, as I said, we have been able to accommodate pretty much all of the Roosters games and their attendances are up.

The ACTING CHAIR: That is only one of three major tenants. You must have a budget for what you assume in this current financial year will be the disruption costs, and I am simply asking what that budget is.

Ms MATHER: I will have to come back to you.

The ACTING CHAIR: Then can you advise the Committee what the additional estimated disruption costs are as a result of the extension of the deadline to 30 July 2022? That is from March 2022 to 30 July. But you must do budgets, Ms Mather. You must do budgets. I am asking you what you expect the budget costs are to be.

Ms MATHER: It may be close to zero. It really depends on whether we can actually host the content at the SCG.

The ACTING CHAIR: Given it has been \$27 million to date, if it is zero for that, that would be a major achievement. Perhaps you could tell us on notice why that will be.

Ms MATHER: Because this year is a very busy year with the World Cup whereas for that three-month period, if we are able to accommodate all the content at the SCG, our focus has been about minimising—

The ACTING CHAIR: Well, it is at least four months because if it was March 2022 and it is now the end of July 2022, that is at least four months.

Ms MATHER: Yes, but we will not know—

The ACTING CHAIR: So could you provide us on notice what you expect that cost to be?

Ms MATHER: I will be able to give you a better indication by November 2021 when we know what the schedule is for the 2022 season.

The ACTING CHAIR: See what you can do within 21 days.

Ms MATHER: Sorry?

The ACTING CHAIR: See what you can do within 21 days.

Ms MATHER: But the 2022 schedule is not known until November 2021.

The ACTING CHAIR: Well, you can tell us why you cannot give us a figure.

Ms MATHER: Okay. I can happily provide that."

ANSWER

I am advised the SCG cannot forecast its budget for events beyond seasons already scheduled. Sports and promoters set schedules several months out from the start of a season. The SCG can provide a budget forecast for the 2022 season when the schedule is known.

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The ACTING CHAIR: Ms Mather, have you been advised what the trigger will be to effectively say that no crowds will be gathering together at your venues?

Ms MATHER: No, but very similar to what Ms Jones has just said, the discussion with the Chief Health Officer was that the direction would ultimately come from the Australian Health Protection Principal Committee. It would form a view and provide that advice to government, and then the Government would form a decision.

The ACTING CHAIR: Will that decision be made and implemented under the Federal biosecurity legislation in terms of directing sporting codes to not hold sporting events where crowds come, or is there State legislation that will be triggered?

Mr COUTTS-TROTTER: I will take advice but I am pretty sure that the Public Health Act would be the source of power. But I am happy to check.

The ACTING CHAIR: Is there contingency planning in place to give the necessary directions, Mr Coutts-Trotter, so that sporting facilities do not operate and gather crowds if we get to that point—I hope we don't.

Mr COUTTS-TROTTER: None of us hope that we get to that point. I would need to take advice on operational questions

ANSWER

I am advised the SCG takes the advice of Government to enact any such direction.

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The Hon. ROSE JACKSON: I will push through. I have two topics left. The first is Active Kids. Was there an underspend of \$9.7 million in the Active Kids program in the 2017-18 financial year?

Ms JONES: In the 2017-18 financial year?

The Hon. ROSE JACKSON: Yes.

Ms JONES: I will take that one on notice.

ANSWER

I am advised yes.

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The Hon. ROSE JACKSON: Yes, I appreciate that. I checked recently on the dashboard and it says that there were 2,441,159 vouchers created so far. Does that sound correct to you, Ms Jones?

Ms JONES: Yes. I can confirm those figures and take them on notice if you like

ANSWER

I am advised the total number of vouchers created as of March 6th 2020 is 2,497,341.

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Ms JONES: All I can say is that Active Kids will be fully funded. The source of funds, in terms of achieving that, if that means a rollover of unspent funds from previous years, if that is something that is agreed to by government then that is something that we will use.

The Hon. ROSE JACKSON: Is it not the case that the underspend for the previous years has, in fact, already been reallocated and spent?

Ms JONES: For this year we are tracking on budget or close to.

The Hon. ROSE JACKSON: The question was: For the previous years the money that was underspent has, in fact, already been reallocated and spent on other projects, was it not?

Ms JONES: Correct, within that financial year, yes.

The Hon. ROSE JACKSON: I suppose we will have to come back to this question in future years—

Ms JONES: Sure.

The Hon. ROSE JACKSON: —if the project continues to grow and looks to exceed the funding envelope because of that. Anyway, we will come back to that. With the money that was redistributed in previous years, what was that money spent on? Where was that reallocated?

Ms JONES: That is something I can take on notice for you and give you that breakdown—

The Hon. ROSE JACKSON: Apologies, you finish.

Ms JONES: Because some of those unallocated funds—I mean, it is still a live situation. I can give you that breakdown in terms of where we are at and where those funds have been reallocated.

The Hon. ROSE JACKSON: That would be useful.

ANSWER

I am advised Active Kids is fully funded for the 2019/20 financial year and will be fully funded for 2020/21.

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The Hon. ROSE JACKSON: Did the Office of Sport receive any correspondence from Stuart Ayres, the member for Penrith, regarding a loan to the Nepean Hockey Association?

Ms JONES: Yes, we did.

The Hon. ROSE JACKSON: What was the nature of that correspondence?

Ms JONES: It depends on—I think there was some correspondence. If I have got specific dates then I can take that on notice and get that back to you.

The ACTING CHAIR: Could you table the correspondence with the Committee, Ms Jones? I know you do not have it now but can you do it on notice?

Ms JONES: I do not have it right now but I can do it on notice.

The Hon. ROSE JACKSON: I do not have the specific dates of the correspondence but if you were able to take on notice tabling that correspondence so that we could have a look at it, that would be useful.

Ms JONES: Sure, that is fine.

ANSWER

I am advised in his capacity as the Member for Penrith, The Hon Stuart Ayres made representations on behalf of the Nepean Hockey Association.