

QUESTION –

Ms ABIGAIL BOYD: I am sure you are correct; I would love to have the policy debate about whether it is a valid priority in the first place but unfortunately we will not have the opportunity to have the Department of Communities and Justice in front of us during these preliminary estimates. On that, specifically, do you have any data as to whether those people who are reoffending are reoffending against the same victims?

Mr REARDON: I could probably do a bit of speculation, but I will take it on notice.

Ms ABIGAIL BOYD: That would be useful. If you could tell me the percentage of reoffending that is against the same victims, that would be very useful, as opposed to these people moving into another relationship and abusing in a separate relationship.

Mr REARDON: If the data is available and I am able to provide it, we will.

Ms ABIGAIL BOYD: Thank you. Can you tell me: Has the ReINVEST project received funding in this budget cycle?

Mr REARDON: I do not even know that program. I will have to take it on notice.

Ms ABIGAIL BOYD: Are you able to take on notice whether that has actually been funded again this year?

Mr REARDON: To be helpful to you, absolutely. It is a budget question and that is what we should take on notice

ANSWER:

Q1: Revictimisation data

BOSCAR data indicates that of the 1,824 domestic violence assault offenders who were proceeded against by NSW Police for a subsequent domestic violence assault within 12 months, 1,145 (63%) had a new domestic violence assault offence involving at least one of the same victims within the 12-month period.

Q2: ReINVEST

The Government has allocated \$8.1 million to ReINVEST between January 2018 and June 2022.

QUESTION –

Mr JUSTIN FIELD: Is it a policy of the Government? You are there to action the policies of the Government, so you must know what its policies are. I am not asking you about whether it is going to take a policy. I am asking you if there is a policy objective of the New South Wales Government to reduce net carbon emissions to zero by 2050. **Mr**

REARDON: I will take it on notice. I have answered the question as best as I can. Otherwise I will take it on notice

ANSWER: With the 2016 *Climate Change Policy Framework*, the NSW Government committed to two policy objectives: Achieving net-zero greenhouse gas emissions by

2050 and making NSW more resilient to a changing climate. To achieve the emissions reduction target, the *2020 Net Zero Plan Stage 1: 2020-2030* sets an objective to deliver a 35 per cent emissions reduction in NSW by 2030 compared to 2005. The NSW and Commonwealth Governments will invest around \$2 billion over 10 years to reduce emissions in NSW.

QUESTION –

The Hon. PENNY SHARPE: Thank you, Mr Reardon and Ms Boyd, for being here today. We understand that you are very busy, but these questions are also very important. To follow up on the last round of questions—and you can take these on notice if you need to, Mr Reardon—how many times has the crisis Cabinet met since 1 June?

Mr REARDON: It has been a very large number, Ms Sharpe. I cannot tell you the exact number, but it is quite a considerable amount of times.

The Hon. PENNY SHARPE: I am sure it is. Would you be able to provide that to the Committee on notice, please? **Mr REARDON:** I could count them up but whether I can actually provide it, I do not know. I do not know if that is Cabinet-in-confidence.

The Hon. PENNY SHARPE: We are not asking about the decisions; we are asking about the number of times people gathered.

Mr REARDON: If I can, I will.

The Hon. PENNY SHARPE: Ms Boyd, just to be clear, are you saying that you will not provide to the Committee the number of times that Ministers outside the five that you have already said attend, which would suggest to me you are able to tell us who attends? The Committee would like to know the other Ministers who are having input and the number of times they have done that. I hear what you are saying, but I really do not believe that is breaching Cabinet-in-confidence or the decision-making; it is simply telling people who is having input into the decisions while the whole State is in lockdown.

Ms KATE BOYD: I appreciate the matters that you are raising, and it would be appropriate for us consult with the Premier as chair of Cabinet about whether or not those details are provided publicly. We will do that.

The Hon. PENNY SHARPE: Terrific. If you could also provide the number of times that the Premier's media adviser attended those meetings, that would be helpful.

ANSWER:

The Crisis Policy Committee of Cabinet was convened in response to the 2019–20 NSW bushfire crisis and has continued to provide overarching strategic policy leadership during the COVID-19 pandemic response, with over 150 meetings held since January 2020. Further details about the role and functions of the Committee are set out in the *NSW Human Influenza Pandemic Plan* – a sub plan of the *NSW State Emergency Management Plan* (see <https://www.nsw.gov.au/sites/default/files/2021-04/emergency-management-subplan-human-influenza-pandemic.pdf>).

The Committee operates in accordance with Cabinet conventions, including collective Ministerial responsibility and confidentiality.

The Premier is the Chair of the Committee, and may invite other Ministers, senior officials and attendees to meetings as required. For example, all cluster lead Ministers are currently standing members of the Crisis Policy Committee.

Meetings are scheduled by the Chair, as required. Meeting frequency has varied from fortnightly to more than once daily throughout the COVID-19 pandemic.

A total of 151 Crisis Policy Committee meetings have been held between 10 January 2020 and 1 September 2021:

10/01/2020
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QUESTION –

The Hon. DANIEL MOOKHEY: Are you in a position to tell us when that central guidance—for want of a better term—will be provided to the departments and agencies?

Mr REARDON: No, not at this point. I will take it on notice because, as I said, it is a live issue at the moment.

The Hon. DANIEL MOOKHEY: I appreciate that. Equally, I am asking this given that the New South Wales Government is Australia's biggest or second biggest employer and your standards will heavily determine a lot of behaviour in the private sector as well, just to be clear. That brings me to my other question: Have you sought legal advice about your obligations under the Work Health and Safety Act regarding vaccination?

Mr REARDON: I do not know if we have anything specific to flow on from the other advice. I am happy to take it on notice. Just on your comment about being the largest employer, we certainly know our place in the Australian economy and the Australian workplace arrangements. Over the past 18 to 20 months that has been tested over and

over, so I am glad you brought it up because when it comes to our return to work policy, social distancing in the workplace and our human resource policies and procedures, the New South Wales public service has played an incredible lead role just purely because of our scale. That has meant we could pilot and test a whole range of things that—you are right—the private sector has followed us on.

The Hon. DANIEL MOOKHEY: Sure. Thank you, Mr Reardon. My time is about to expire so I guess my last question is this: Have you sought advice about whether you have an obligation to check the vaccination status of the tens of thousands of people who access government premises in case it poses a workplace health and safety risk to your staff—which, to be fair, is another question a lot of other employers are trying to resolve about your control of your premises—given that is equally a place of disease distribution?

Mr REARDON: I think it will be a live question for the next couple of months. We would not have been having this conversation six months ago; we would have been talking about a COVID-safe workplace, which meant spacing, the one per four square metre rule, good hand sanitisation and wearing face masks. Now that we have vaccination it is another string to the bow where we may need to consider those things, but it is a live question. I think we will be working on that for the next couple of months. We will have to resolve it, without a doubt, but it is live. I will take on notice whether we have sought any specific advice on it

ANSWER:

The Crown Solicitor has provided advice to the Department regarding COVID-19 vaccinations, including in relation to work, health and safety obligations. The Crown Solicitor's advice is confidential and subject to legal professional privilege.

QUESTION –

Mr DAVID SHOEBRIDGE: Well, can you tell us the dates upon which the crisis Cabinet committee has met since it was formed?

Mr REARDON: I just sort of referred to the General Counsel to give a response to what we can and cannot provide, so you can repeat that if you wish.

Ms KATE BOYD: I believe we have taken on notice to provide the total number of meetings that have occurred since 1 June and then consult with the Premier about whether or not we can provide information as to the invitees

ANSWER:

Refer to previous response.

QUESTION –

Mr DAVID SHOEBRIDGE: Mr Reardon, I will make it simple. When has the crisis Cabinet met? Please provide all the dates to this Committee.

Mr REARDON: Thank you, Mr Shoebridge. I will try to help as best I can. The number of meetings, the dates of meetings, the membership of meetings and other invited guests are

the questions I think I have been asked and I will take those on notice. Does that clarify it for you?

Mr DAVID SHOEBRIDGE: It will clarify it when I get the answers, Mr Reardon. I note that you are taking it on notice and I look forward to the answers.

ANSWER:

Refer to previous response.

QUESTION –

Mr DAVID SHOEBRIDGE: Mr Reardon, will you provide to this Committee the public health advice that has been provided to the crisis Cabinet or the public health advice that has been provided to the Premier?

Mr REARDON: I will have to take that on notice.

ANSWER:

The Crisis Policy Committee of Cabinet operates in accordance with the Cabinet conventions of collective Ministerial responsibility and confidentiality.

Public health advice provided to the Crisis Policy Committee of Cabinet is Cabinet-in-confidence.

I note that Premier's Memorandum 2006-08, *Maintaining Confidentiality of Cabinet Documents and Other Cabinet Conventions* requires that public officials keep Cabinet information confidential.

QUESTION –

Mr DAVID SHOEBRIDGE: On how many occasions has the Chief Health Officer provided written advice to the crisis Cabinet? On how many occasions has the Chief Health Officer provided written advice to the Premier since this most recent COVID outbreak commencing end of June?

Mr REARDON: My response to question one and to question two I will take on notice.

ANSWER:

The Crisis Policy Committee of Cabinet operates in accordance with the Cabinet conventions of collective Ministerial responsibility and confidentiality.

Public health advice provided to the Crisis Policy Committee of Cabinet is Cabinet-in-confidence.

I note that Premier's Memorandum 2006-08, *Maintaining Confidentiality of Cabinet Documents and Other Cabinet Conventions* requires that public officials keep Cabinet information confidential.

QUESTION –

The Hon. DANIEL MOOKHEY: Thank you, Chair. Mr Secretary, has your department ever expressed any concern about how the Transport Asset Holding Entity [TAHE] is recorded in the budget?

Mr REARDON: Sorry, has Premier and Cabinet expressed a concern on that—is that your question?

The Hon. DANIEL MOOKHEY: Yes, about how it is recorded in the budget.

Mr REARDON: Not that I am aware. Wearing a hat from some time ago—as you would be aware, as Transport secretary I certainly had a position on that from that cluster. But not that I am aware. Basically, Treasury and Transport have largely dealt with it. I will take on notice whether there is anything specific on that, but I cannot recall us having a specific decision on it.

ANSWER: Not to the Secretary's knowledge.

QUESTION –

The Hon. DANIEL MOOKHEY: Did you have meetings last year with the secretaries of Transport and Treasury either separately or together?

Mr REARDON: I may have. I can take it on notice but I more than likely did.

The Hon. DANIEL MOOKHEY: And what was discussed at that meeting?

Mr REARDON: I would not recall. I would have to take it on notice.

The Hon. DANIEL MOOKHEY: Did either the Treasury secretary or the Transport secretary express concerns about operating the TAHE model?

Mr REARDON: I will them up. I will take it on notice.

The Hon. DANIEL MOOKHEY: Did any of them advise you that there were risks to the budget or risks to the safety operating if TAHE was to commence in July last year?

Mr REARDON: This was about—you are talking about meetings last year?

The Hon. DANIEL MOOKHEY: Yes.

Mr REARDON: Yes, okay. I will take it on notice. I cannot recall.

The Hon. DANIEL MOOKHEY: Do you recall any particular meeting last March with the Treasury secretary and/or the Transport secretary together?

Mr REARDON: No. I cannot recall.

The Hon. DANIEL MOOKHEY: Were those two secretaries in dispute about the establishment of the Transport Asset Holding Entity?

Mr REARDON: There is certainly a contest of views on establishment of the Transport Asset Holding Entity and I believe it made some media attention.

The Hon. DANIEL MOOKHEY: Did either of them seek a meeting either through you or independently of you with the Premier to express their concerns?

Mr REARDON: I will take it on notice. I just do not—you are asking about diary dates again.

The Hon. DANIEL MOOKHEY: No, I am actually asking you about whether or not either of them sought a meeting—

Mr REARDON: I cannot remember. I actually do not know.

The Hon. DANIEL MOOKHEY: Did the Premier ever raise with you the concerns that had been expressed to her by a departmental secretary about the Transport Asset Holding Entity?

Mr REARDON: This matter ended up being considered by Cabinet at various times so I will take them on notice at the moment.

The Hon. DANIEL MOOKHEY: Sure, but did the Premier ever seek a brief from your department about the concerns being raised by any department secretary or, specifically, either the Treasury secretary or the then Transport secretary?

Mr REARDON: The advisories would have come from Treasury and Transport themselves. They are expert in those areas. I cannot recall whether we were asked for advice. I will take that on notice

ANSWER:

The Secretary of the Department of Premier and Cabinet routinely meets with the Transport Secretary and Treasury Secretary to discuss a range of matters, including the Transport Asset Holding Entity on at least one occasion in March 2020. The Secretaries of the Department of Premier and Cabinet, the Department of Transport, and the NSW Treasury have met with the Premier to discuss the Transport Asset Holding Entity on at least one occasion.

To the Secretary's knowledge, the Premier has not requested a brief from the Department on the matters raised. Advice provided to the Premier on matters under Cabinet consideration is Cabinet-in-confidence. I note that Premier's Memorandum 2006-08, *Maintaining Confidentiality of Cabinet Documents and Other Cabinet Conventions* requires that public officials keep Cabinet information confidential.

QUESTION –

The Hon. DANIEL MOOKHEY: So have all the Cabinet documents requested by the Auditor-General been provided to her?

Ms KATE BOYD: Yes.

The Hon. DANIEL MOOKHEY: When did that take place?

Ms KATE BOYD: I would have to take that on notice, but I believe it was fairly recently. The documents have been provided on a confidential basis, so privilege has not been waived in relation to the documents but they have been provided to assist the Auditor-General with her important work.

The Hon. DANIEL MOOKHEY: Thank you. I will pass back to my colleagues.

ANSWER:

Relevant Cabinet submissions requested by the Auditor-General were provided on 24 June 2021.

QUESTION –

The Hon. ROSE JACKSON: I think that is me. I just have a couple of questions and then the Hon. Penny Sharpe might have a few, depending on how we go with the time. I was just wondering if DPC is still considering the unsolicited proposal to either sell or enter into a long-term lease of the heritage-listed 50 Phillip Street building, which is also known as the Chief Secretary's office building.

Mr REARDON: Just in terms of unsolicited proposals and the confidential nature of them, the proposal you speak of I am clear about. Whether it is on our website I do not know—

The Hon. ROSE JACKSON: It is on your website. I can assure you of that, Mr Reardon.

Mr REARDON: So its current status I will take on notice because I am not sure what I can provide—

ANSWER:

The Unsolicited Proposal for 50 Philip Street is under active assessment.

QUESTION –

Mr REARDON: Indeed. I just was not sure what was up there. So that is where it is up to. It is under active consideration and timing wise I will take it on notice because, look, there are a whole range of unsolicited proposals they have there. But I will take it on notice and if I can give you any more information on that timing I will.

ANSWER:

The Unsolicited Proposal for 50 Philip Street, Sydney is under active assessment and timeframes are dependent on the evaluation process and responses from the proponent.

QUESTION –

The Hon. ROSE JACKSON: Would you be able to take on notice whether the planning Minister or representatives from DPIE, in particular heritage, have expressed a view in relation to the adaptive re-use of the Chief Secretary's office as a commercial hotel?

Mr REARDON: My best view would be that they absolutely would have expressed many views on it already and they would be consulted about it already. I will take on notice if that is the general view—are they consulted and where it is up to. What their view is might end up being a matter for them because ultimately they become the planning approver or otherwise. That is kind of a matter for them under the Environmental Planning and Assessment Act.

ANSWER:

Questions regarding views expressed by the Minister for Planning and Public Spaces or representatives of the Department of Planning, Industry and Environment should be directed to the Minister for Planning and Public Spaces.

50 Phillip Street, although adjacent to the Chief Secretary's Building (121 Macquarie Street), is a separate building. The Unsolicited Proposal for 50 Philip Street is under active assessment and the Department of Planning, Industry and Environment has been consulted as part of the assessment process.

QUESTION –

The Hon. PENNY SHARPE: I think I am almost out of time. I will ask one final question to Mr Reardon, which actually goes back to some of the issues that were raised by Ms Abigail Boyd earlier about the poor tracking of a number of the Premier's Priorities. In particular, I am interested in the continuing increase in the number of vulnerable children who have been re-reported after the Department of Communities and Justice has closed their cases. Can you tell us what actions are being undertaken in relation to this?

Mr REARDON: Look, I have the status and baseline and target in front of me, and I have the current status. I do not have a whole range of commentary on actions for cure and rectification of some of those with me so I will take it on notice. I apologise. I do not have enough detail.

ANSWER:

Premier's Priorities are the Government's commitment to improving quality of life for people in NSW by tackling complex issues that have been in the too hard basket for too long. There are no quick fixes for the challenges and as such it takes time for initiatives to impact the target.

To address the number of vulnerable children who have been re-reported after cases have been closed, the Department of Communities and Justice is: improving the assessment and triage of risk of significant harm (ROSH) reports; introducing greater quality assurance on decisions to close cases; and working more collaboratively with frequent re-reporters before and after case closure.

QUESTION –

Mr DAVID SHOEBRIDGE: So, I will ask again. Is the issue here a lack of supply or bottlenecks in the service delivery? What is preventing everybody in New South Wales from getting a vaccine right now if they want it?

Mr REARDON: Capacities continue to increase and I do not know what maximum capacity that might be. All I know is how much supply comes along. So, to try and answer your question, every dose we get now is basically going into an arm without a doubt. If you say that that is still a supply constraint, possibly, but we continue—the reason it is difficult to answer is we continue to go up every single week and we have not gone backwards in it. So I can take on notice and give you some maths but we just continue to increase and that is the positive thing. The best thing we can all do is go and encourage everyone to be vaccinated and let NSW Health, GPs, pharmacists and other sorts of clinics that are in reach get on with their business

ANSWER:

Australia's COVID-19 Vaccine National Roll-out Strategy is led by the Commonwealth. The Commonwealth is responsible for securing supply of the vaccine and allocating it to States and Territories. The Commonwealth also leads the supply of the vaccine through primary care providers, which includes General Practices, Commonwealth Vaccination Clinics, Aboriginal Community Controlled Health Services and community pharmacies. The Commonwealth has committed to secure enough supply of vaccine to ensure that any Australian who wants a vaccine, can receive at least a first dose before the end of 2021.

The vaccination program has been introduced in a staged approach, targeting priority groups first. From 27 August, anyone aged 12 and over is approved for a COVID-19 vaccine in Australia, with bookings for 12-15 year olds to be opened up in mid-September.

Across NSW there are more than 2,900 access points for vaccinations, including NSW Health centres and GP and pharmacy access points.

NSW reached 70% first dose vaccination of the eligible adult population in the week commencing 30 August.

As at 4 September, the total number of vaccines administered in NSW was 7,511,619, with 2,797,399 doses administered by NSW Health and 4,714,220 administered by the GP network and other providers.

NSW is vaccinating as fast or faster than many G20 nations.

The NSW Government continues to work closely with the Commonwealth to secure more supply as quickly as possible to administer to the citizens of NSW.

QUESTION –

Mr DAVID SHOEBRIDGE: Ms Boyd, that is not an answer. The fact that something is being investigated by ICAC—and I am glad you are telling us that this is now being investigated by ICAC—does not prevent the Parliament from asking questions as well. Again, I ask you: What was the Premier's role on 1 June 2017 in relation to a \$5½ million grant of public money to the Australian Clay Target Association in Wagga Wagga?

Ms KATE BOYD: Look, in addition to the matters that I have raised, I am actually not aware of what the Premier's role was in that so we would have to take that on notice and consider an appropriate response.

Mr DAVID SHOEBRIDGE: Mr Reardon, what, if any, documents were before the Premier at the time the Premier sought the assessment of the updated business case on 1 June 2017? What did the Premier have before her that motivated her to make that request?

Mr REARDON: I would not know and I would have to take it on notice

ANSWER:

Infrastructure NSW provides recommendations on projects to be funded from the Restart NSW Fund, in accordance with the *Restart NSW Fund Act 2011*.

Questions about the documents which were before the Premier at a certain time should be directed to the Premier and not to the Department.

QUESTION –

Mr DAVID SHOEBRIDGE: I am asking whether or not the records of the State of New South Wales, the records of the Department of Premier and Cabinet, contain any record of a conflict of interest. It is well within your capacity to answer that, Mr Reardon. Do the records of the Department of Premier and Cabinet contain any record of a conflict of interest?

Mr REARDON: I do not know but I am happy to take anything on notice that I can. But I would repeat what Ms Boyd said about procedures underway elsewhere.

Mr DAVID SHOEBRIDGE: Have you taken that on notice, Mr Reardon?

Mr REARDON: If I can, I will. I will take it on notice and then I will take some advice on it.

ANSWER:

All Ministers and Parliamentary Secretaries are required to comply with the *NSW Ministerial Code of Conduct* (the **Code**).

Under the Code, Ministers and Parliamentary Secretaries must promptly give notice to the Premier of any conflict of interest that arises in relation to any matter.

Disclosures made by Ministers to the Premier under Part 3 of the Schedule to the Code are placed on the Ministerial Register of Interests. DPC keeps and maintains the Ministerial Register of Interests on behalf of the Premier.

The *Government Information (Public Access) Act 2009* (NSW) states that it is to be conclusively presumed that there is an overriding public interest against disclosure of information contained in the Ministerial Register of Interests kept by DPC on behalf of the Premier.

Given that matters relating to the Australian Clay Target Association are being investigated by the Independent Commission Against Corruption as part of Operation Keppel, it would not be appropriate to make any further comments in relation to that matter.