

28 August 2006

(General Purpose Standing Committee No. 4)

Portfolio

Fair Trading

ANSWERS TO QUESTIONS ON NOTICE PAPER

1. Departmental Motor Vehicles

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many cars at 30 June 2006 were:
 - a. leased from a Government Finance Entity;
 - b. leased from State Fleet
 - c. leased from a Government Finance Entity and provided for the use of one individual; and
 - d. leased from State Fleet and provided for the use of one individual;
- ii) How many new cars were purchased in the following years:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03

Please provide details of the make, size and horsepower of the cars acquired in each year.

- iii) How many new cars were leased in the following years:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03

Please provide details of the make, size and horsepower of the cars leased in each year and when the lease expires.

- iv) How many cars owned and/or leased were powered by liquid petroleum gas (LPG) as at:

- a. 30 June 2006
- b. 30 June 2005
- c. 30 June 2004
- d. 30 June 2003

Please provide details of the make, size and horsepower of the cars if available.

- v) How many cars owned and/or leased were powered by compressed natural gas (CNG) as at:

- a. 30 June 2006
- b. 30 June 2005
- c. 30 June 2004
- d. 30 June 2003

Please provide details of the make, size and horsepower of the cars if available.

- vi) How many cars owned and/or leased have been modified for ethanol as at:

- a. 30 June 2006
- b. 30 June 2005

- c. 30 June 2004
- d. 30 June 2003

Please provide details of the make, size and horsepower of the cars if available.

vii) How many cars owned and/or leased were powered by petrol as at:

- a. 30 June 2006
- b. 30 June 2005
- c. 30 June 2004
- d. 30 June 2003

Please provide details of the make, size and horsepower of the cars if available.

viii) How many cars owned and/or leased were powered by diesel as at:

- a. 30 June 2006
- b. 30 June 2005
- c. 30 June 2004
- d. 30 June 2003

Please provide details of the make, size and horsepower of the cars if available.

ix) How many refuelling stations does the Department operate as at:

- a. 30 June 2006
- b. 30 June 2005
- c. 30 June 2004
- d. 30 June 2003

Please provide details of the location of the station and availability of different fuel types at each station

x) Does the Department have a policy or strategy to reduce the fuel consumption of its car fleet, if so, can details be provided?

xi) What is the departments position on the use of ethanol fuel?

xii) What is the fuel efficiency rating of all the cars provided to the Department and/or departmental staff under the arrangement described above?

xiii) How does the actual fuel consumption and mileage compare with that rating?

xiv) Statewide, what operating savings would have been achieved for FY2005-06 if all cars provided to the Department and/or departmental staff under the arrangement described above were run on:

- a. LPG
- b. CNG
- c. ethanol?

ANSWER

I'm advised:

At 30 June 2006, the number of passenger vehicles in the New South Wales Government motor vehicle fleet was 17,140.

There were also 8,732 other vehicles including commercial vehicles, Ambulances, buses and other specialised vehicles such as handicapped transporters in the fleet.

The composition of the passenger fleet has changed significantly over the past twelve months with small and medium now comprising the largest segment of the fleet at 38% whilst large passenger vehicle numbers have reduced by 14% to now represent only 36%.

In 2005 new guidelines were announced committing the Government to the use of biofuels and other alternative fuels as part of the Government's overall *Cleaner NSW Government Fleet Policy*.

From 1 July 2006, all government owned vehicles are required to use E10 blends (or other alternative fuels) where this is practicable, available and cost effective. This coincides with the commencement of a new whole-of-government fuel contract that includes biofuels.

Vehicles managed by the Department of Commerce's StateFleet are being issued with fuel cards specifically providing for the consumption of E10, where it is available.

Public sector officials who currently have Government owned vehicles as part of their remuneration package are also able to replace existing vehicles with hybrid vehicles when they are due for replacement.

Despite a change in the federal Department of Transport and Regional Services green vehicle guide rating system on 1 January 2006 the whole of government environmental performance score has increased from 9.55 at 1 July 2005 to 9.96 at 30 June 2006 against a target of 10. Without the change, the score would have been 10.

2. Diversity reporting

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did the Department include in its annual report a report on outcomes achieved for clients from multicultural and linguistically diverse backgrounds for each of the following financial years:
 - a. FY2000-01
 - b. FY2001-02
 - c. FY2002-03
 - d. FY2003-04
 - e. FY2004-05
 - f. FY2005-06?
- ii) If not, did the Department otherwise publish a report on outcomes achieved for clients from multicultural and linguistically diverse backgrounds for each of the following financial years:
 - a. FY2000-01
 - b. FY2001-02
 - c. FY2002-03
 - d. FY2003-04
 - e. FY2004-05
 - f. FY2005-06?

ANSWER

I'm advised:

NSW Government agencies are required to implement the principles of multiculturalism in conducting their affairs. Public sector agencies incorporate these principles and objectives part in their core business through the Ethnic Affairs Priorities Statement (EAPS) Standard Framework.

EAPS provides a framework for agencies to address the needs of a culturally diverse society according to their charter and integrate these needs into the agency's core business and services.

Agencies are required to prepare EAPS plans and review them on an annual basis.

All agencies are required to report on the progress made in implementing EAPS in the past year and the key ethnic affairs strategies proposed for the following year/s.

The *Community Relations Report 2005* provides an account of the programs and initiatives pursued by NSW Government agencies in implementing the Principles of Multiculturalism.

The reports contains a selection of initiatives that have been submitted to the Commission as examples of how public sector agencies are providing services to our culturally diverse society. The report is publicly available from the Community Relations Commission website at www.crc.nsw.gov.au.

3. Diversity costs

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) What were the costs associated to the Department of providing culturally responsive and accessible services for each of the following financial years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- ii) What was the budget at the start of the financial year for the estimated costs associated to the department of providing culturally responsive and accessible services for each of the following financial years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- iii) How much did the Department budget for this purpose for FY2006-07?

ANSWER

I'm advised:

The NSW Government is committed to the Principles of Multiculturalism and Equal Employment Opportunity (EEO). The government recognises the benefits in employing staff from Non English Speaking Backgrounds (NESB).

New South Wales is one of the most culturally diverse communities in Australia with people from around 140 birthplaces and around 26% of the population speak a language other than English at home.

Through the EAPS Framework, the government is committed to responding to needs of a culturally diverse community when delivering programs and services.

The government recognises that a culturally diverse workplace can promote equity and enhances staff skills and agency success.

Community language skills and cultural competencies are valuable assets to an agency. Service delivery can improve when agency staff understand and can communicate skilfully with clients from a range of backgrounds.

The percentage of NESB employees is publicly reported in agency annual reports.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

4. Public information

With respect to each Department, Agency and Entity that the Minister is responsible for:

i) Which publications are being published, as at today, for public information purposes?

ii) Which publications produced for public information purposes have had their publication suspended since 1 July 2003? Please provide details of when the last issue was published.

iii) For the list of publications published for general public information purposes?
a. Which publications were produced in languages other than English and what languages were the publications published in?
b. From the above list, how many copies were printed?
c. From the above list, what was the total cost of the publication (i.e. translation, printing and distribution) of each of these documents?

iv) For the period 1 July 2006 to date what are the details of all publications produced by agencies for which the Minister has responsibility, indicating in each case the:
a. title;
b. date of issue/distribution;
c. cost of production;
d. number printed;
e. name of printer; and
f. details of distribution, including numbers and cost and the purpose of production.

v) For the period 1 July 2005 to 30 June 2006 what are the details of all publications produced by agencies for which the Minister has responsibility, indicating in each case the:
a. title;
b. date of issue/distribution;
c. cost of production;
d. number printed;
e. name of printer; and
f. details of distribution, including numbers, cost and the purpose of production.

vi) For the period 1 July 2004 to 30 June 2005 what are the details of all publications produced by agencies for which the Minister has responsibility, indicating in each case the:
a. title;
b. date of issue/distribution;
c. cost of production;
d. number printed;
e. name of printer; and
f. details of distribution, including numbers, cost and the purpose of production.

vii) For the period 1 July 2003 to 30 June 2004 what are the details of all publications produced by agencies for which the Minister has responsibility, indicating in each case the:
a. title;
b. date of issue/distribution;

- c. cost of production;
- d. number printed;
- e. name of printer; and
- f. details of distribution, including numbers, cost and the purpose of production.

ANSWER

I'm advised:

Under section 14 of the *Freedom of Information Act 1989* agencies publish a list of publications and other promotional materials in a six monthly summary of affairs which appears in the Government Gazette and in an annual statement of affairs which are usually contained in publicly available annual reports.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

5. Staff with Non-English Speaking Backgrounds

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) What proportion of employees as at 30 June 2006 have a non-English speaking background?
- ii) What efforts has the Department made to identify employees from non-English speaking backgrounds and the languages in which they are fluent?
- iii) For each language other than English that the Department has identified employees with language skills, please indicate as at 30 June 2006 how many were identified as being:
 - a. Fluent in the respective language;
 - b. Proficient in the respective language?
- iv) Of the personnel with skills in languages other than English as at 30 June 2006:
 - a. How many have been identified as possessing accredited language skills to either translator or interpreter standard?
 - b. For each language, how many were identified as having accreditation as a translator and what was their respective level of accreditation?
 - c. For each language, how many were identified as having accreditation as an interpreter and what was their respective level of accreditation?
- iv) What was the cost of language training paid for by the Department in the following periods:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?

Please provide details of number of employees who received language training and in what language.

ANSWER

I'm advised:

The NSW Government is committed to the Principles of Multiculturalism and Equal Employment Opportunity (EEO). The government recognises the significant benefits in employing staff from Non English Speaking Backgrounds (NESB).

New South Wales is one of the most culturally diverse communities in Australia with people from around 140 birthplaces and around 26% of the population speak a language other than English at home.

Through the EAPS Framework, the government is committed to responding to needs of a culturally diverse community when delivering programs and services.

The government recognises that a culturally diverse workplace promotes equity and can enhance staff skills and agency success.

Community language skills and cultural competencies are valuable assets to an agency. Service delivery can improve when agency staff understand and can communicate skilfully with clients from a range of backgrounds.

The percentage of NESB employees is publicly available in agency annual reports.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

6. Departmental staff – Community Language Allowance scheme

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any Departmental staff members receive an allowance under the Community Allowance Scheme in:
 - a. FY 2003-04
 - b. FY 2004-05
 - c. FY 2005-06
- ii) Of the Department's personnel who were in receipt of an allowance under the Community Allowance Scheme how many received the base level of allowance in:
 - a. FY 2003-04
 - b. FY 2004-05
 - c. FY 2005-06
- iii) Of the Department's personnel who were in receipt of an allowance under the Community Allowance Scheme how many received the highest level of allowance in:
 - a. FY 2003-04
 - b. FY 2004-05
 - c. FY 2005-06

ANSWER

I'm advised:

As part of the Ethnic Affairs Priorities Statement (EAPS) Standard Framework, agencies are required to employ strategies to ensure services are equitable and accessible to all sections of the community.

An agency's service delivery can improve when staff understand and can communicate skilfully with clients from a range of backgrounds. The community may also identify with and relate to agencies that reflect its level of diversity.

Community language skills and cultural competencies are valuable assets to an agency. The Personnel Handbook which is publicly available at www.premiers.nsw.gov.au makes provision for the payment of a Community Language Allowance Scheme (CLA).

To be eligible for the CLA, employees must pass one or both of two examinations and be nominated by their department.

They must also be:

- public contact staff, counter staff or other clerical staff who, owing to their language skills, are required to deal with public enquiries;
- prepared to be identified as possessing a non-English language skill for the purpose of the work of their department;
- available to use the language skill as required by the department; and
- recognised by their department as occasional or regular users of their language skill as an adjunct to their normal duties.

Further details on the policy is contained in the Personnel Handbook.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

7. Use of translators and interpreters

With respect to each Department, Agency and Entity that the Minister is responsible for:

- iv) How much was spent by each entity the Minister was responsible for on engaging language translators in each of the following periods:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- v) How much was spent by each entity the Minister was responsible for on engaging language interpreters in each of the following periods:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- vi) What is the amount budgeted in FY2006-07 for engaging:
 - a. language translators
 - b. language interpreters?
- vii) For each language in which a translator was engaged, how many engagements occurred in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- viii) For each language in which an interpreter was engaged, how many engagements occurred in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- ix) What was the total cost (broken down according to language) of the engagement of translators in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06
- x) What was the total cost (broken down according to language) of the engagement of translators in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?

ANSWER

I'm advised:

As part of the Ethnic Affairs Priorities Statement (EAPS) Standard Framework, agencies are required to employ strategies to ensure services are equitable and accessible to all sections of the community.

These strategies may include the use of interpreters to communicate with agency clients. Service delivery can improve when agency staff understand and can communicate skilfully with clients from a range of backgrounds.

The Language Services Division of the Community Relations Commission provides an interpreter and translation service that is available to NSW public sector agencies. The Division works with government agencies to provide opportunities for the professional development of interpreters and translators and to improve availability of language services in Sydney metropolitan, regional and rural areas.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

8. Print advertising

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How much was spent on advertising or advertorial in the ethnic print media during each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- ii) Please provide details of the name of the publication used in each instance, the language in which it is printed, the average circulation achieved by the publication and the Department's total annual spend on advertising and advertorial in each publication in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- iii) What is the amount budgeted in FY2006-07 for expenditure on advertising or advertorial in ethnic print media?

ANSWER

I'm advised:

The Government completed a review of advertising practices across NSW Government and issued new advertising requirements that came into effect on 1 July 2005.

These requirements applied to the advertising of recruitment, tenders, statutory and regulatory notices, important public information and campaign advertising.

Changes to the Government's advertising policy were announced in *Premier's Circular 2006-26 : Changes to Government Advertising Policy*.

To achieve savings, all advertisements will now be consolidated in a single government advertisement under the masthead NSW Government Noticeboard.

Those changes include:

1. Improving access to details of job vacancies by publishing the Government's composite recruitment advertisement in both The Sydney Morning Herald and The Daily Telegraph each Saturday; and
2. consolidating all important public information and statutory notices into a single government advertisement that appears each Wednesday in The Sydney Morning Herald and The Daily Telegraph.

In 2005/2006, advertising expenditure by budget dependent and self-funded was \$55.3 million and comprised of Community Awareness advertising of \$39.3 million and Public Notices/Information advertising of \$16 million

I'm further advised the Howard Government has allocated at least \$250m in the 2006/07 Budget for 13 advertising campaigns including:

- \$52.1m Private Health Insurance Campaign claiming to increase consumer awareness of the incentives and benefits associated with private health insurance;
- \$47.3m Smartcard Awareness Campaign claiming to ensure all Australians are aware of the processes for registering for the card;
- \$36.1m Child Support Reforms to increase awareness of the changes; and
- \$15m Independent Contractors (AWA) communications campaign.

The \$250m is in addition to the \$130m advertising placement spent for the current financial year making a combined total of \$380 million.

The Howard Government has spent over \$1.1 billion on advertising since it came to office in 1996.

9. Radio advertising

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How much was spent on advertising or advertorial on ethnic radio in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- ii) Please provide details of which radio station was used in each instance, the language in which it was broadcast and the Department's total annual spend on advertising and advertorial in each language at each radio station in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- iii) What is the amount budgeted in FY2006-07 for expenditure on advertising or advertorial on ethnic radio?

ANSWER

I'm advised:

The Government completed a review of advertising practices across NSW Government and issued new advertising requirements that came into effect on 1 July 2005.

Those requirements applied to the advertising of recruitment, tenders, statutory and regulatory notices, important public information and campaign advertising.

Changes to the Government's advertising policy were announced in *Premier's Circular 2006-26 : Changes to Government Advertising Policy*.

To achieve savings, all advertisements will now be consolidated in a single government advertisement under the masthead NSW Government Noticeboard.

Those changes include:

1. Improving access to details of job vacancies by publishing the Government's composite recruitment advertisement in both The Sydney Morning Herald and The Daily Telegraph each Saturday and,
2. consolidating all important public information and statutory notices into a single government advertisement that appears each Wednesday in The Sydney Morning Herald and The Daily Telegraph.

In 2005/2006, advertising expenditure by budget dependent and self-funded was \$55.3 million and comprised of Community Awareness advertising of \$39.3 million and Public Notices/Information advertising of \$16 million

I'm further advised the Howard Government has allocated at least \$250m in the 2006/07 Budget for 13 advertising campaigns including:

- \$52.1m Private Health Insurance Campaign claiming to increase consumer awareness of the incentives and benefits associated with private health insurance;
- \$47.3m Smartcard Awareness Campaign claiming to ensure all Australians are aware of the processes for registering for the card;
- \$36.1m Child Support Reforms to increase awareness of the changes; and
- \$15m Independent Contractors (AWA) communications campaign.

The \$250m is in addition to the \$130m advertising placement spent for the current financial year making a combined total of \$380 million.

The Howard Government has spent over \$1.1 billion on advertising since it came to office in 1996.

10. Intermediary Service Providers – Expenditure

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How much was spent on the services of an intermediary service provider, such as another level of government or a non-government organization, for delivery of Departmental programs or services in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - a. FY2004-05
 - b. FY2005-06?
- ii) Please provide details why the intermediary service provider was used in each instance and the nature of the services provided in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?

iii) What is the amount budgeted in FY2006-07 for expenditure on the services of an intermediary service provider, such as another level of government or a non-government organization, for delivery of Departmental programs or services?

ANSWER

I'm advised:

Each year the NSW Government acquires and builds significant assets, goods and services including computer and communication technology infrastructure and systems.

The Department of Commerce (Commerce) works with government agencies to develop significant strategies and plans to deliver value, minimise costs and manage risk in the construction and management of assets, procurement and management of information and communication technology and the procurement of goods and services.

Commerce also provides, as part of a broader government network, services to project manage emergency incidences and to deliver projects of state significance.

Key procurement services provided include establishing and administering aggregated goods and services, standing period contracts, design and delivery of efficient and effective procurement systems and best practice guidelines, online procurement tools and services and the review of projects across their procurement lifecycle.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

11. Intermediary Service Providers - Accountability

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many Departmental programs or services were delivered using an intermediary service provider, such as another level of government or a non-government organization, in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- ii) Did contracts with intermediary service providers used for delivering the Departmental programs or services identified above specify access and equity accountabilities (eg. collection and reporting of information on client characteristics) as part of their funding conditions?
- iii) For each of these, is the condition a standard clause? If so, can the Department supply a copy of the standard clause used in the contracts?
- iv) If the Department does not use a standard clause in these contracts, can the Department provide a copy of the various conditions used in its service contracts with intermediary service providers used for delivering the Departmental programs or services?
- v) Does the Department audit its contracts with intermediary service providers used for delivering the Departmental programs or services to ensure compliance with any funding conditions specifying access and equity accountabilities (standard clauses or otherwise)? If so, please supply details of the results of these audits.

ANSWER

I'm advised:

The Auditor General audits the expenditure of agencies as provided in the *Public Finance and Audit Act 1983*. The audit process provides an independent assessment of agencies financial situation. Internal audit procedures are guided by information supplied by NSW Treasury which is publicly available at www.treasury.nsw.gov.au, in particular Treasury Policy and Guideline Papers TPP95a (Statement of Best Practice – Internal Control and Audit) and TPP95b (Internal Control and Assessment) and Treasurer's Directions 720.01-.03 (Internal Control and Internal Audit).

Shared Corporate Services are leading practice for corporate services delivery, through the benefits of economies of scale, access to expert advice, better customer service, transparency of information and on-line access for users and clients.

The NSW Government has endorsed a Shared Corporate Services Strategy to enable public sector agencies to significantly improve corporate services delivery, realise the benefits of technologies and reduce costs.

The Shared Corporate Services concept capitalises on recent developments in corporate IT applications, which eliminate much of the routine manual transactions and make remote provision of services an efficient and effective option.

Prospective Providers need to demonstrate that they are able to provide an efficient, effective and appropriate service without compromising their core business. Providers need to demonstrate their commitment to providing services over a period of time and in accordance with criteria developed to assist the transparent assessment of potential providers by central agencies, potential clients and the providers themselves.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

12. Engagement of contractors by the Department – need identification

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Please provide the following information concerning those occasions during FY2005-06 when the need for a contractor was established within the Department, thereby necessitating the engagement of a contractor or contractors to undertake and/or execute any project or task:
 - a. the name or names of the contractor or contractors engaged in each instance;
 - b. the project or task the contractor or contractors were engaged to perform in each instance;
 - c. the actual amount paid to the contractor or contractors in each instance, indicating where relevant the extent to which this amount exceeded the projected cost for the contract.
- ii) Please provide the following information concerning those occasions during FY2005-06 to date when the need for a contractor has been established within the Department thereby necessitating the engagement of a contractor or contractors to undertake and/or execute any project or task:
 - a. the name or names of the contractor or contractors engaged in each instance;
 - b. the project or task the contractor or contractors were engaged to perform in each instance;
 - c. the actual amount paid to the contractor or contractors in each instance.

ANSWER

I'm advised:

The use of contractors is limited to areas in which the agency does not have the necessary skills or specific expertise to effectively and efficiently undertake a required

project or task. As well as establishing a need, it is standard practise to forecast contractor costs in order to conduct a cost-benefit analysis prior to making a decision of engagement. Contractors' work is monitored and evaluated to ensure that objectives and milestones specific to the project are met within the agreed budget and time-frame.

The Auditor General audits of agencies expenditure as required by the Public Finance and Audit Act 1983 and this audit process provides an independent assessment of agencies financial situation. Internal audit procedures are guided by information supplied by NSW Treasury which is publicly available at www.treasury.nsw.gov.au, in particular Treasury Policy and Guideline Papers TPP95a (Statement of Best Practice – Internal Control and Audit) and TPP95b (Internal Control and Assessment) and Treasurer's Directions 720.01-.03 (Internal Control and Internal Audit).

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

13. Engagement of contractors by the Department – cost forecasting

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) During FY2005-06, was a cost-benefit analysis prepared within the Department prior to making a decision to engage a contractor or contractors in every instance?
- ii) In every instance during FY 2005-06 when a cost-benefit analysis was prepared within the Department prior to making a decision to engage a contractor or contractors, please provide the following information:
 - a. the estimated or forecast cost of engaging a contractor or contractors to undertake and/or execute the relevant project or task and a description of the project or task involved;
 - b. the name or names of the contractor or contractors engaged to undertake and/or execute the project or task and whether the work performed by the contractor or contractors met the objectives and milestones specific to the project within the agreed budget and time-frame
 - c. the extent to which the amount the contractor or contractors received exceeded the agreed budget and time-frame and/or any estimated or forecast cost in the cost benefit analysis prepared by the Department.
- iii) During FY2005-06, has a cost-benefit analysis been prepared within the Department prior to making a decision to engage a contractor or contractors in every instance?
- iv) In every instance during FY 2005-06 to date when a cost-benefit analysis has been prepared within the Department prior to making a decision to engage a contractor or contractors, please provide the following information:
 - a. the estimated or forecast cost of engaging a contractor or contractors to undertake and/or execute the relevant project or task and a description of the project or task involved;
 - b. the name or names of the contractor or contractors engaged to undertake and/or execute the project or task and whether the work performed by the contractor or contractors has met the objectives and milestones specific to the project within the agreed budget and time-frame
 - c. the extent to which the amount the contractor or contractors received exceeded the agreed budget and time-frame and/or any estimated or forecast cost in the cost benefit analysis prepared by the Department.

ANSWER

I'm advised:

The use of contractors is limited to areas in which the agency does not have the necessary skills or specific expertise to effectively and efficiently undertake a required project or task. As well as establishing a need, it is standard practise to forecast contractor costs in order to conduct a cost-benefit analysis prior to making a decision of engagement. Contractors' work is monitored and evaluated to ensure that objectives and milestones specific to the project are met within the agreed budget and time-frame.

The Auditor General audits of agencies expenditure as required by the Public Finance and Audit Act 1983 and this audit process provides an independent assessment of agencies financial situation. Internal audit procedures are guided by information supplied by NSW Treasury which is publicly available at www.treasury.nsw.gov.au, in particular Treasury Policy and Guideline Papers TPP95a (Statement of Best Practice – Internal Control and Audit) and TPP95b (Internal Control and Assessment) and Treasurer's Directions 720.01-.03 (Internal Control and Internal Audit).

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

14. Credit Card Use

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many employees/staff carry, use or have been issued with a Departmental/Agency credit cards as at
 - a. 30 June 2006
 - b. 30 June 2005
 - c. 30 June 2004
 - d. 30 June 2003
- ii) What was the total amount of expenditure by staff on credit cards used within the Department/Agency in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- i) Please provide a breakdown on the credit limits for credit cards issued by the department/agency as at:
 - a. 30 June 2006
 - b. 30 June 2005
 - c. 30 June 2004
 - d. 30 June 2003
- ii) Provide details of the total amount of interest and fees paid by the Department/Agency in respect of the credit cards used within the Department/Agency in each of the following years:
 - e. FY2002-03
 - f. FY2003-04
 - g. FY2004-05
 - h. FY2005-06?
- iii) Provide a breakdown of the amount spent by Departmental/Agency staff using credit cards:
 - a. Reimbursement of meals and food related expenses
 - b. Reimbursement of accommodation expenses
 - c. Reimbursement of taxi and hire car expenses

ANSWER

I'm advised:

Credit cards for Ministers and public sector employees are issued and used in accordance with Directions to all government agencies. Credit cards are used for business purposes only and may be used to meet the costs of official out-of-pocket expenses from time to time in accordance with the Premier's policy guidelines. Credit cards are generally used for the purchase of low value goods and services.

Authorities must establish a business case for the use of credit cards including a cost benefit analysis for their agency.

Payment of expenses and or purchase of approved stores and services by credit card requires the normal procedures of acquiring approval to incur expenditure. Credit card accounts require the normal examination, certification and authorisation.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

15. Departmental staff

With respect to each Department, Agency and Entity that the Minister is responsible for: Please provide data on the number of staff in the Department in each salary band?

ANSWER

I'm advised:

The Public Sector Employment and Management Act 2002 provides for a Department Head to establish or abolish any branch or part of the Department. Internal branch/unit structures of Departments are designed to ensure the most efficient and effective service is provided to the Minister and the people of New South Wales.

Under the *Annual Reports (Departments) Act 1985* and the *Annual Reports (Statutory Reports) Act 1984*, agencies are required to set out their structure and business units in their annual report.

Accordingly information relating to staff and salary groups is publicly available in annual reports.

16. Ministerial staff

With respect to both the Department and the agencies constituted under it:

- i) How many departmental employees were seconded/assigned to work in Offices of Ministers and of Parliamentary Secretaries as at:
 - a. 30 June 2002
 - b. 30 June 2003
 - c. 30 June 2004
 - d. 30 June 2005
 - e. 30 June 2006
- ii) To what Minister or Parliamentary Secretary outlined in part i) were they assigned?
- iii) What was the total cost of seconding/assigning department employees to work in Offices of Ministers and of Parliamentary Secretaries for the following periods:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?

iv) What is the amount budgeted in FY2006-07 for seconding/assigning department employees to work in Offices of Ministers and of Parliamentary Secretaries?

ANSWER

I'm advised:

Ministers' office staff are employed by the Director-General of the Premier's Department under the Public Sector Employment and Management Act 2002.

Departmental staff may be assigned to Ministers' Offices from agencies within the Minister's portfolio to assist the Minister's Office deal more efficiently with agency matters.

Conditions of employment and entitlements are regulated by the provisions of the Public Sector Act. Salary costs are included in the employee-related expenses of the home agencies.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

17. Departmental support for the Minister

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) As at 30 June 2006, does the Department have a staff members and/or a Ministerial/Parliamentary Liaison Unit whose duties involve any of the following:
- a. Coordinating and processing correspondence,
 - b. Briefings,
 - c. Freedom of Information requests,
 - d. Reports to Parliament,
 - e. ANSWERs to Questions of Notice,
 - f. Estimates briefings?
- ii) What is the official name of the unit or the section to which employees who are assigned who are involved in any of the following:
- a. Coordinating and processing correspondence,
 - b. Briefings,
 - c. Freedom of Information requests,
 - d. Reports to Parliament,
 - e. ANSWERs to Questions of Notice,
 - f. Estimates briefings?
- iii) How many employees are currently in the Ministerial/Parliamentary Liaison Unit (whose duties are outlined in part i) as at:
- a. 30 June 2003
 - b. 30 June 2004
 - c. 30 June 2005
 - d. 30 June 2006
- Please provide details of salaries & job titles/descriptions of the employees counted above.
- iv) As at 30 June 2006, who in the Ministerial/Parliamentary Offices is able to authorise requests or commission work from the Department and/or Ministerial/Parliamentary Liaison Unit?
- v) As at 30 June 2006, to whom does the Ministerial/Parliamentary Liaison Unit report to within the department?

vi) As at 30 June 2006 and to whom in the Ministerial/Parliamentary Liaison Unit?

vii) What was the total cost of the Ministerial/Parliamentary Liaison Unit (whose duties are outlined in part i) for the following periods:

- a. FY 2002/03
- b. FY 2003/04
- c. FY 2004/05
- d. FY 2005/06

viii) How much has been budgeted by the Department for the Ministerial/Parliamentary Liaison Unit for FY2006-07?

ANSWER

I'm advised:

The Public Sector Employment and Management Act 2002 provides for a Department Head to establish or abolish any branch or part of the Department. Internal branch/unit structures of Departments are designed to ensure the most efficient and effective service is provided to the Minister and the people of New South Wales.

Under the *Annual Reports (Departments) Act 1985* and the *Annual Reports (Statutory Reports) Act 1984*, agencies are required to set out their structure and business units in their annual report.

This includes units that assist the Department and Minister in performing their roles. Accordingly this information is publicly available.

17. Professional development

With respect to each Department, Agency and Entity that the Minister is responsible for:

i) What was the total expenditure on professional development for senior staff in the following periods:

- a. FY 2002/03
- b. FY 2003/04
- c. FY 2004/05
- d. FY 2005/06

ii) Please provide a breakdown of the aggregate spent on professional development of senior staff over the last three years according to their classification as SES (Senior Executive Service) or Senior Officers other than SES.

iii) What is the amount budgeted in FY2006-07 to be spent on professional development of senior staff?

ANSWER

I'm advised:

The Government's policy document *The NSW Public Sector Workforce Planning Strategic Framework and Action Plan 2004 – 2006* which is publicly available at www.premiers.nsw.gov.au, outlines key workforce issues across the NSW public sector.

A major focus of the plan is to align skill gaps with resources for training and development. The Government's Action plan outlines initiatives for building workforce capability including entry level and graduate recruitment and retention, leadership development and core public sector skill development.

The Government has established initiatives for developing leadership across the sector including the Executive Development Program, the Public Sector Management Program and study assistance scheme.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

18. Staff training & development

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) What was the total expenditure on in-house job-related training for the following periods:
 - a) FY 2003-04
 - b) FY 2004-05
 - c) FY 2005-06?
- ii) How many hours did staff spend on in-house job-related training for the following periods:
 - a) FY 2003-04
 - b) FY 2004-05
 - c) FY 2005-06?
- iii) What was the total budgeted expenditure on in-house job-related training for the FY2006-07?
- iv) What was the total expenditure on external job-related training for the following periods:
 - a) FY 2003-04
 - b) FY 2004-05
 - c) FY 2005-06?
- v) How many hours did staff spend on external job-related training for the following periods:
 - a) FY 2003-04
 - b) FY 2004-05
 - c) FY 2005-06?
- vi) What was the total budgeted expenditure on external job-related training for the FY2006-07?
- vii) What are the specific areas of focus for staff training due to be undertaken in this financial year and how does this differ from training programs undertaken in the previous two financial years?
- viii) Please provide a breakdown of the aggregate spend on in-house and external job-related training for staff over the last three years according to their classification and/or level.

ANSWER

I'm advised:

The Government's policy document The NSW Public Sector Workforce Planning Strategic Framework and Action Plan 2004 – 2006, which is publicly available at www.premiers.nsw.gov.au outlines key workforce issues across the NSW public sector.

A key focus is to align any skill gaps with resources for training and development. The plan outlines initiatives for building workforce capability including entry level and graduate recruitment and retention, leadership development and core public sector skill development.

The Government has established initiatives for the delivery of training across the sector including the Aboriginal Employment Framework, which provides agencies with direction and guidance on planning, development and implementation of Aboriginal employment initiatives.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

19. Work practices

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Has the Department implemented any new policies or practices to assist employees to balance work and family responsibilities during FY2005- 06 and the financial year to date? If so, what are those policies and or practices?
- ii) Does the Department have any benchmarks against which it assesses the efficacy of new policies or practices introduced by it to assist employees to balance work and family responsibilities? If so what are those precise benchmarks?
- iii) If the Department has implemented any new policies or practices to assist employees to balance work and family responsibilities during the last four financial years:
 - a. has it sought employee feedback to evaluate the effectiveness of these initiatives?
 - b. has there been any cost/benefit analysis performed to assess the effectiveness of such initiatives and, if so, what did that analysis indicate?

ANSWER

I'm advised:

The NSW Government is committed to providing family friendly working conditions for staff. Employees under the *Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006* are covered by NSW public service wide initiatives such as:

1. The Public Employment Office (PEO) Premier's Department, Flexible Work Practices - Policy and Guidelines, provides a framework for implementing initiatives that assist employees to balance work and family responsibilities. This includes policies relating to part-time work and part-time leave without pay, job sharing and short-term absences for family and community service responsibilities. Other options include career break schemes, part year employment and varying hours.
2. Policy and Guidelines on employee sponsored childcare are an important part of the Government's commitment to a family friendly workplace.
3. The Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006 also provides a range of entitlements to assist employees to meet their work and family responsibilities. In 2005/06 the PEO and the Public Service Association (PSA) agreed to include express provisions within the Award to provide greater certainty about entitlements for part time employees. Other entitlements include:
 - Flexible working hours
 - Paid maternity, adoption and parental leave
 - Part-time maternity, adoption and parental leave
 - Family and community services leave
 - Access to personal sick leave to care for an ill family member

- Where leave entitlements are exhausted flexible access to leave without pay to meet caring responsibilities

20. Employment of people with a disability With respect to each Department, Agency and Entity that the Minister is responsible for:

- How many people with a disability are employed by the Department in each NSW electoral divisions?
- Please provide a breakdown of the Department's disabled workforce listing their employment status (permanent, casual, temporary), average remuneration rate by gender, age, gender and occupational group.

ANSWER

I'm advised:

The Government has completed a program of strategic partnerships with the Motor Accidents Authority, the Public Trustee and the Department of Education and Training to offer public sector traineeships for job seekers with a disability.

This Traineeship Program provided on-the-job training in NSW Government agencies together with tertiary study opportunities for people with a disability. These opportunities lead to nationally accredited qualifications. On completion successful trainees have a nationally accredited qualification.

The three year traineeships program 2002-04 outcomes include 71 participants having completed the program. Twenty nine public sector agencies participated in the program and fifty successful trainees found permanent positions with these agencies.

Many agencies include high level information relating to the employment of people with a disability in annual reports, which are publicly available.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

21 Employment of mature age staff

With respect to each Department, Agency and Entity that the Minister is responsible for:

- what is the total number of male staff aged over 65 years and the total number of female staff aged over 60 years as at:
 - FY 2003-04
 - FY 2004-05
 - FY 2005-06?
- As at 30 June 2006, how many men over 65 years and women over 60 years are employed by the Department in each NSW electoral division?
- As at 30 June 2006, please provide a breakdown of roles and salaries of all men over 65 years and women over 60 years are employed by the Department?
- What policies are in place within the Department to encourage employment of staff older than retirement age?

ANSWER

I'm advised:

The Government's policy document *The NSW Public Sector Workforce Planning Strategic Framework and Action Plan 2004 – 2006* outlines key workforce issues across the NSW public sector.

The Government is committed to ensuring that it attracts and retains skilled and valuable employees to meet changing policy and service delivery needs. The Government is keenly aware of the impact that an aging population will have on the labour market in terms of skills shortages and the recruitment and retention of staff. The Government's Action Plan outlines a range of initiatives to improve the retention of older public sector employees.

The recently released *Retirement Intentions Survey: Report and Findings* will help the Government plan and manage the ageing Public Sector workforce to ensure that experience and expertise is retained by agencies.

All employment decisions within the NSW public sector must satisfy the principles of merit selection including fair practices that are free from discrimination and value and deliver diversity in the workplace.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

22. State Government funded programs

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Does the Department administer any State funded programs for which community organisations or businesses can apply for funding? If so, what are these programs?
- ii) Does the Department advertise these funding opportunities?
- iii) For each of the programs listed in part i) above, please provide a breakdown of the following by electoral division and year (that is, for each of FY2003-04, FY2004-05 and FY2005-06 to date):
 - a. the name and postal address of each organisation that sought funding from the State;
 - b. the purpose of the funding sought in each case; and
 - c. for successful applications, the level of funding provided.

ANSWER

I'm advised:

Lists of grants are provided in agency annual reports which are publicly available.

I'm further advised NSW Government grants programs are listed on the Government's Community Builders website at www.communitybuilders.nsw.gov.au. The website contains all the NSW Government grants programs together with some Commonwealth Government and corporate philanthropic programs. All NSW Government grants are currently being added to this site.

23. Departmental public relations and media staff

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many media and/or communications advisers were employed by the Department in accordance with the provisions of the Public Sector Employment & Management Act 2002 during FY2005-06?

- ii) What was the total cost to the Department in FY2005-06 of media and/or communications advisers employed by the Department in accordance with the provisions of the Public Sector Employment & Management Act 2002?
- iii) How many media and/or communications advisers are currently employed by the Department?
- iv) What is the estimated total cost to the Department in FY2006-07 of media and/or communications advisers employed by the Department?
- v) How many media and/or communications advisers were employed as contractors by the Director General of the Department during FY2005-06?
- vi) What was the total cost to the Department in FY2005-06 of media and/or communications advisers employed as contractors by the Department?
- vii) How many media and/or communications advisers are currently employed as contractors by the Department?
- viii) What is the estimated total cost to the Department in FY2006-07 of media and/or communications advisers employed as contractors by the Director General of the Department?

ANSWER

I'm advised:

Governments are required to communicate a wide variety of information to the public including public health, community welfare and safety, public education and training, environmental and rural support, arts, tourism and business development.

Governments use a variety of channels and media to communicate this information including print, radio and television media, advertising, marketing and promotional activities, publications, website and community liaison.

Agencies may employ staff to carry out media and/or communication functions to communicate important information including the department's activities to members of the public. Section 9 (2) of the Public Sector Employment and Management Act 2002 (PSEM Act 2002) provides for department heads to create, abolish or otherwise deal with any positions in their department other than the position of department head.

Under the *Annual Reports (Departments) Act 1985* and the *Annual Reports (Statutory Reports) Act 1984*, agencies are required to set out their structure and business units in their annual report. This includes units that provide communications services to the public.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

24. Departmental advertising

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did the Department submit any campaign advertising plans to the Advertising Peer Review during FY2005-06?

- ii) Please provide a detail of all campaign advertising plans submitted by the Department to the Advertising Peer Review during FY2005-06.
- iii) How many and which campaign advertising plans submitted to the Advertising Peer Review during FY2005-06 were:
 - a. Rejected;
 - b. Sent back for further work;
 - c. Forwarded onto Cabinet Sub-Committee;
 - d. Approved by the Cabinet Sub-Committee;
- iv) What was the total actual advertising expenditure by the Department in FY2005-06?
- v) How has the total advertising expenditure by the Department varied over the last three financial years?
- vi) Please provide a monthly breakdown of total actual advertising expenditure by the Department in FY2005-06.
- vii) Please provide a breakdown of total actual advertising expenditure by the Department in FY2005-06 on the following categories of advertising
 - +a. community awareness
 - b. public notice
 - c. public information
 - d. employment related advertising
 - e. non-employment related advertising.
- viii) In relation to actual advertising by the Department in FY2005-06, please provide a list of each campaign cost, which firms were involved and the actual amount spent by the Department on "media buy" and advertising agency fees.
- ix) What has been the actual total advertising expenditure by the Department during FY2006-07 to date.

ANSWER

I'm advised:

The Government completed a review of advertising practices across government and issued new advertising guidelines on 1 July 2005.

These requirements apply to the advertising of recruitment, tenders, statutory and regulatory notices, important public information and campaign advertising.

Further amendments to the Government's advertising policy were made in *Premier's Circular 2006-26: Changes to Government Advertising Policy* which is publicly available at www.premiers.nsw.gov.au.

To achieve savings, all advertisements will now be consolidated in a single government advertisement under the masthead NSW Government Noticeboard.

Changes include:

- Improving access to details of job vacancies by publishing the Government's composite recruitment advertisement in both The Sydney Morning Herald and The Daily Telegraph each Saturday and,

- Consolidating all important public information and statutory notices into a single government advertisement that appears each Wednesday in The Sydney Morning Herald and The Daily Telegraph.

In 2005/2006, advertising expenditure by budget dependent and self-funded was \$55.3 million and comprised of Community Awareness advertising of \$39.3 million and Public Notices/Information advertising of \$16 million

I'm further advised the Howard Government has allocated at least \$250m in the 2006/07 Budget for 13 advertising campaigns including:

- \$52.1m Private Health Insurance Campaign claiming to increase consumer awareness of the incentives and benefits associated with private health insurance;
- \$47.3m Smartcard Awareness Campaign claiming to ensure all Australians are aware of the processes for registering for the card;
- \$36.1m Child Support Reforms to increase awareness of the changes; and
- \$15m Independent Contractors (AWA) communications campaign.

The \$250m is in addition to the \$130m advertising placement spent for the current financial year making a combined total of \$380 million.

The Howard Government has spent over \$1.1 billion on advertising since it came to office in 1996.

25. Departmental advertising & public information

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Please list all advertising or public information projects currently being undertaken or expected to be undertaken in FY2006-07 where the cost of the project is estimated or contracted to be \$10,000 or more and indicate:
 - a. The purpose and nature of the project;
 - b. The intended recipients of the information to be communicated by the project;
 - c. Who authorised or is to authorise the project;
 - d. The manner in which the project is to be carried out;
 - e. Who is to carry out the project;
 - f. Whether the project is to be carried out under a contract or contracts;
 - g. Whether such contract or contract was or is to be let by tender;
 - h. The estimated or contracted cost of the project.

ANSWER

I'm advised:

The Government completed a review of advertising practices across government and issued new advertising guidelines on 1 July 2005.

These requirements apply to the advertising of recruitment, tenders, statutory and regulatory notices, important public information and campaign advertising.

Further amendments to the Government's advertising policy were made in *Premier's Circular 2006-26: Changes to Government Advertising Policy* which is publicly available at www.premiers.nsw.gov.au.

To achieve savings, all advertisements will now be consolidated in a single government advertisement under the masthead NSW Government Noticeboard.

Changes include:

- Improving access to details of job vacancies by publishing the Government's composite recruitment advertisement in both The Sydney Morning Herald and The Daily Telegraph each Saturday and,
- consolidating all important public information and statutory notices into a single government advertisement that appears each Wednesday in The Sydney Morning Herald and The Daily Telegraph.

In 2005/2006, advertising expenditure by budget dependent and self-funded was \$55.3 million and comprised of Community Awareness advertising of \$39.3 million and Public Notices/Information advertising of \$16 million

I'm further advised the Howard Government has allocated at least \$250m in the 2006/07 Budget for 13 advertising campaigns including:

- \$52.1m Private Health Insurance Campaign claiming to increase consumer awareness of the incentives and benefits associated with private health insurance;
- \$47.3m Smartcard Awareness Campaign claiming to ensure all Australians are aware of the processes for registering for the card;
- \$36.1m Child Support Reforms to increase awareness of the changes; and
- \$15m Independent Contractors (AWA) communications campaign.

The \$250m is in addition to the \$130m advertising placement spent for the current financial year making a combined total of \$380 million.

The Howard Government has spent over \$1.1 billion on advertising since it came to office in 1996.

26. Departmental advertising & public information – effectiveness tracking

mechanisms With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How does the Department evaluate the effectiveness of the advertising and/or public information projects being undertaken during FY2006-07 where the cost of the project is estimated or contracted to be \$10,000?
- ii) What are the precise benchmarks against which the projects are being assessed?

ANSWER

I'm advised:

The Government completed a review of advertising practices across government and issued new advertising guidelines on 1 July 2005.

These requirements apply to the advertising of recruitment, tenders, statutory and regulatory notices, important public information and campaign advertising.

Further amendments to the Government's advertising policy were made in *Premier's Circular 2006-26: Changes to Government Advertising Policy* which is publicly available at www.premiers.nsw.gov.au.

To achieve savings, all advertisements will now be consolidated in a single government advertisement under the masthead NSW Government Noticeboard.

Changes include:

- Improving access to details of job vacancies by publishing the Government's composite recruitment advertisement in both The Sydney Morning Herald and The Daily Telegraph each Saturday and,
- consolidating all important public information and statutory notices into a single government advertisement that appears each Wednesday in The Sydney Morning Herald and The Daily Telegraph.

All departmental expenditure is subject to annual audits by the Auditor-General who tables those reports in Parliament.

27. Departmental research projects

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Please provide a list of all research projects currently being undertaken or expected to be undertaken by the Department or agency in the course of FY2006-07?
- ii) How many of these research projects are expected to be completed by the end of this financial year?
- iii) What are the specific areas of focus for projects due to be completed in this financial year and how does this differ from projects undertaken in the previous three financial years (ie. FY2003-04, FY2004-05, FY2005-05)?

ANSWER

I'm advised:

Agency research and development initiatives are provided in annual reports, which are publicly available, as part of the general reporting on programs and initiatives.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

28. Departmental break-ins

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many break-ins did the Department report to the NSW Police in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- ii) How many break-ins did the Department not report to the NSW Police in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- iii) For each incident:
 - a. What was the location and cost of the damage associated with each break-in?
 - b. What was the cost of damage incurred because of the break-in?
 - c. What was the subject of theft in each break-in?
 - d. What was the cost of any theft associated with each break-in?

- e. Was anyone apprehended and charged in relation to the break-in (please indicate if the relevant individual/s was employed by the Department)?
- f. Was anyone convicted in relation to the break-in (please indicate if the relevant individual/s was employed by the Department)?

ANSWER

I'm advised:

These matters are reported to NSW Police and are dealt with accordingly.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

29. Departmental property theft With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many thefts of Departmental property occurred in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06
- ii) For each incident:
 - a. What was stolen in each instance?
 - b. What was the value of the stolen item/s?
 - c. From where were the relevant items stolen?
 - d. Was anyone apprehended and charged in relation to the theft (please indicate if the relevant individual/s was employed by the Department)?
 - e. Was anyone convicted in relation to the break-in (please indicate if the relevant individual/s was employed by the Department)?
 - f. Were any of the items recovered?

ANSWER

I'm advised:

These matters are reported to NSW Police and are dealt with accordingly.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

30. Departmental fraud With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many incidents of fraud were detected against the Department in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06
- ii) For each incident:
 - a. What was the subject of the fraud in each instance?
 - b. What was the value of the fraud?
 - c. Which administrative unit was the subject of the fraud?
 - d. Was anyone charged in relation to the fraud (please indicate if the relevant individual/s was employed by the Department)?

- e. Was anyone convicted in relation to the fraud (please indicate if the relevant individual/s was employed by the Department)?
- f. Were any of the defrauded items recovered or was any of the defrauded money recovered?

ANSWER

I'm advised:

These matters are reported to NSW Police and are dealt with accordingly.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

31. Departmental property loss

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many incidents of loss (excluding theft, accident, breakage and vandalism) of Departmental property were reported to the Department in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- ii) For each incident:
 - a. What was the loss in each instance?
 - b. What was the value of the loss?
 - c. Which administrative unit lost the property?
 - d. Were any of the lost item/s recovered?
 - e. Was anyone disciplined over the loss?

ANSWER

I'm advised:

Details of insurance claims are provided in agency annual reports which are publicly available.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

32. Computer equipment & security

Have there been any desktop computers, laptop computers or any other item of computer hardware, lost or stolen from the possession of any staff member during the FY2005-06 and the current financial year to date; if so:

- a. what and how many have been lost;
- b. what and how many have been stolen;
- c. what is the total value of these items;
- d. what was the replacement value per item; and
- e. were these items been recovered or replaced.

33. Were the police been requested to investigate any of these incidents? If so: how many were the subject of police investigation;

- a. how many police investigations have been concluded;
- b. in how many cases has legal action commenced; and
- c. in how many cases has this action been concluded and with what result?

34. How many of these lost or stolen items had departmental documents, content or information other than operating software on their hard disc drives, floppy disc, CD Rom or any other storage device?

35. How many of the documents or files in (iii) were:

- a. confidential, classified for security or for limited distribution for any other purpose;
- b. if any, what was the security classification involved and how many have been recovered?

36. What Departmental disciplinary or other actions have been taken in regard to the items in (i) or in relation to the documents or files in (iii) or (iv)?

ANSWERS 32 -36

I'm advised:

Most government agencies have appropriate insurance arrangements through the Self Insurance Corporation (SIC) or other appropriate insurance arrangements.

Thefts are referred to NSW Police according to particular fund manager requirements and agency policy.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

37. Motor vehicle accidents

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many Department motor vehicle accidents were involved in accidents in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- ii) For each incident:
 - a. What was the value of the damage?
 - b. To which administrative unit was the vehicle attached?
 - c. Was anyone charged over the incident (please specify the charges involved)?

ANSWER

I'm advised:

Most government agencies have appropriate insurance arrangements through the Self Insurance Corporation (SIC) or other appropriate insurance arrangements.

The number of insurance claims for motor vehicles for government agencies is published in agency annual reports which are publicly available.

The details and cost of damage and theft of motor vehicles for the public sector was released to *The Daily Telegraph* under the Freedom of Information Act 1989 and

published on 4 September 2006, which noted the total number of claims for 2005-2006 was 8,708 at a cost of \$24.43 million.

38. Departmental transport costs

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) What was the total expenditure by the Department on taxi, limousine and hire car services (including Cabcharge) for the following periods:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06?
- ii) What is the budget for expenditure by the Department on taxi, limousine and hire car services (including Cabcharge) for the FY 2006-07?
- iii) Please provide a breakdown of the aggregate spend by staff on taxi, limousine and hire car services (including Cabcharge) according to their classification as SES (Senior Executive Service), Senior Officers other than SES and the remaining staff classifications.

ANSWER

I'm advised:

The policy established by the Greiner Government is contained in Information Sheet No. 91-13 which is publicly available at www.premiers.nsw.gov.au.

The policy prescribes the circumstances under which taxi fares may be reimbursed and cabcharge vouchers may be issued.

Expenditure on taxi fares is either for official travel to ensure staff can attend meetings or to return home after late or shift work.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

39. Departmental function costs

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) What was the total expenditure by the Department on functions (such as staff training, "in-services" and entertainment related functions) held at external venues (including hotels and public venues) for the following periods:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06?
- ii) In relation to each of the functions held by the Department at an external venue during FY2005-06, please provide the following information:
 - a. The purpose and nature of the function;
 - b. The intended audience for the function and the number of people actually in attendance at the function;
 - c. Who authorised the function;
 - d. Whether food or refreshments were supplied at the function and the amount of the final total cost of the function indicating the cost of venue or room hire and the costs of catering food and beverage for the function.
 - e. Whether alcoholic beverages were served at the function;
 - f. Whether the provision of services (venue, catering etc) was carried out under a contract or contracts;
 - g. Whether such contract or contract was let by tender.

iii) What is the amount budgeted for this purpose (that is, spend by the Department on functions such as staff training, "in-services" and entertainment related functions) in FY2006-07?

ANSWER

I'm advised:

Employees may attend training courses and professional development courses in line with the policy contained in the Personnel Handbook. These courses and activities must be of benefit to the agency and may also benefit employee career development within the Public Service.

With regard to entertainment expenses, Premier's Memorandum M2005-12 outlines sector-wide requirements, prohibiting the expenditure of State funds on any event that could provide predominantly personal benefit to NSW public sector employees.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

40. Conference or training attendance by Departmental staff

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many fee-paying conferences did staff members attend in
 - a. FY 2003-04
 - b. FY 2004-05
 - c. FY 2005-06?
- ii) Please provide the following information concerning each occasion during FY2005-06 when attendance by a staff member or staff members at a conference was approved:
 - a. the name of the conference and where it was held;
 - b. the number, title and name of the employees who attended the conference;
 - c. the amount of the conference fees;
 - d. the total cost to the Department of the attendance at the conference of the staff member or members.
- iii) How many fee-paying conferences have staff members attended in FY2006-07 to date?
- iv) Please provide the following information concerning each occasion during FY2006-07 to date when attendance by a staff member or staff members at a conference has been approved:
 - a. the name of the conference and where it was/will be held;
 - b. the number, title and name of the employees who attended/will attend the conference;
 - c. the amount of the conference fees;
 - d. the total cost/total estimated cost to the Department of the attendance at the conference of the staff member or members.

ANSWER

I'm advised:

Attendance at conferences is recognised as a training and development activity with benefits for employees and agency's effectiveness in delivering services. Conference attendance is determined on a case by case basis depending on the relevance to the agency.

The policy is contained in the Personnel Handbook which is available on the Premier's Department Website at www.premiers.nsw.gov.au.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

41. Business Consultations With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many business consultations and/or information sessions directed to the business community did the Department conduct in:
 - a. FY 2003-04
 - b. FY 2004-05
 - c. FY 2005-06?
- ii) Please give an indication of the broad industries that the Department consults.
- iii) Please give an indication of the specific business sectors and/or industries from which, as a matter of course, the Department seeks input on policy and legislative initiatives.
- iv) Were any consultations made outside the Sydney Metropolitan area in:
 - a. FY 2003-04
 - b. FY 2004-05
 - c. FY 2005-06?

ANSWER

I'm advised:

The Government cooperates closely with all stakeholders, including for example business and farming communities to develop appropriate policies and programs for the people of NSW.

In rural and regional NSW, the Government has established a range of mechanisms to encourage participation and develop a collaborative approach to policy making and service delivery.

In 1996, the Government established the Regional Communities Consultative Council to ensure the Government is informed on the issues facing people in rural and regional NSW. In 1997, the Government appointed a Minister for Regional Development and a Minister for Rural Affairs to give rural and regional communities a stronger voice in Government decision making.

Another key component of these efforts is the Regional Coordination Program. The Program has placed 10 Regional Coordinators across metropolitan and regional New South Wales, providing Government and communities with a strong network for the strategic management of projects and issues.

The Government has relocated several government agencies and numerous staff into rural and regional NSW to improve services in these areas and increase employment opportunities.

Extensive consultation has also been undertaken by the Government in the development of the State Plan launched on 8 August 2006.

Up to 2,500 members of the public were invited to attend Community Forums across NSW attended by the Premier, Ministers and senior public servants.

The Community Forums provide valuable feedback on important challenges and priorities across NSW. Full analysis of the detailed outcomes from the Community and other regional stakeholder forums will inform the development of the final State Plan.

The people of NSW also have an opportunity to provide comment and submissions on the Draft State Plan through the website at www.nsw.gov.au/stateplan.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

42. Regional NSW - print advertising

With respect to each Department, Agency and Entity that the Minister is responsible for:

i) How much was spent on advertising or advertorial in the print media in regional NSW in each of the following years:

- a. FY2002-03
- b. FY2003-04
- c. FY2004-05
- d. FY2005-06?

ii) Please provide details of the name of the publication used in each instance, the subject matter of the advertising or advertorial concerned and the total annual spend on advertising and advertorial in each publication in each of the following years:

- a. FY2002-03
- b. FY2003-04
- c. FY2004-05
- d. FY2005-06?

iii) What is the amount budgeted in FY2006-07 for expenditure on advertising or advertorial in the print media in regional NSW?

ANSWER:

I'm advised:

The Government completed a review of advertising practices across government and issued new advertising guidelines on 1 July 2005.

These requirements apply to the advertising of recruitment, tenders, statutory and regulatory notices, important public information and campaign advertising.

Further amendments to the Government's advertising policy were made in *Premier's Circular 2006-26: Changes to Government Advertising Policy* which is publicly available at www.premiers.nsw.gov.au.

To achieve savings, all advertisements will now be consolidated in a single government advertisement under the masthead NSW Government Noticeboard.

Changes include:

- Improving access to details of job vacancies by publishing the Government's composite recruitment advertisement in both The Sydney Morning Herald and The Daily Telegraph each Saturday and,
- Consolidating all important public information and statutory notices into a single government advertisement that appears each Wednesday in The Sydney Morning Herald and The Daily Telegraph.

In 2005/2006, advertising expenditure by budget dependent and self-funded was \$55.3 million and comprised of Community Awareness advertising of \$39.3 million and Public Notices/Information advertising of \$16 million

I'm further advised the Howard Government has allocated at least \$250m in the 2006/07 Budget for 13 advertising campaigns including:

- \$52.1m Private Health Insurance Campaign claiming to increase consumer awareness of the incentives and benefits associated with private health insurance;
- \$47.3m Smartcard Awareness Campaign claiming to ensure all Australians are aware of the processes for registering for the card;
- \$36.1m Child Support Reforms to increase awareness of the changes; and
- \$15m Independent Contractors (AWA) communications campaign.

The \$250m is in addition to the \$130m advertising placement spent for the current financial year making a combined total of \$380 million.

The Howard Government has spent over \$1.1 billion on advertising since it came to office in 1996.

43. Regional NSW - radio advertising

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How much was spent on advertising or advertorial on radio in regional NSW in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- ii) Please provide details of which radio station was used in each instance, the subject matter of the advertising or advertorial concerned and the total annual spend on advertising and advertorial at each radio station in each of the following years:
 - e. FY2002-03
 - f. FY2003-04
 - g. FY2004-05
 - h. FY2005-06?
- iii) What is the amount budgeted in FY2006-07 for expenditure on advertising or advertorial on radio in regional NSW?

ANSWER:

I'm advised:

The Government completed a review of advertising practices across government and issued new advertising guidelines on 1 July 2005.

These requirements apply to the advertising of recruitment, tenders, statutory and regulatory notices, important public information and campaign advertising.

Further amendments to the Government's advertising policy were made in *Premier's Circular 2006-26: Changes to Government Advertising Policy* which is publicly available at www.premiers.nsw.gov.au.

To achieve savings, all advertisements will now be consolidated in a single government advertisement under the masthead NSW Government Noticeboard.

Changes include:

- Improving access to details of job vacancies by publishing the Government's composite recruitment advertisement in both The Sydney Morning Herald and The Daily Telegraph each Saturday and,
- Consolidating all important public information and statutory notices into a single government advertisement that appears each Wednesday in The Sydney Morning Herald and The Daily Telegraph.

In 2005/2006, advertising expenditure by budget dependent and self-funded was \$55.3 million and comprised of Community Awareness advertising of \$39.3 million and Public Notices/Information advertising of \$16 million

I'm further advised the Howard Government has allocated at least \$250m in the 2006/07 Budget for 13 advertising campaigns including:

- \$52.1m Private Health Insurance Campaign claiming to increase consumer awareness of the incentives and benefits associated with private health insurance;
- \$47.3m Smartcard Awareness Campaign claiming to ensure all Australians are aware of the processes for registering for the card;
- \$36.1m Child Support Reforms to increase awareness of the changes; and
- \$15m Independent Contractors (AWA) communications campaign.

The \$250m is in addition to the \$130m advertising placement spent for the current financial year making a combined total of \$380 million.

The Howard Government has spent over \$1.1 billion on advertising since it came to office in 1996.

44. Freedom of Information – Departmental Procedures

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) When did the Department last update its policies and/or procedures for dealing with Freedom of Information applications received by the Department?
- ii) Who has responsibility within the Department for dealing with Freedom of Information applications received by the Department?
- iii) Please provide details of the policies and/or procedures followed within the Department for dealing with Freedom of Information applications received from the public?
- iv) Please outline the step-by-step process (giving details of the consultation between members of Departmental staff and external agencies, where applicable) which, in practice, is followed by the Department upon receipt of a Freedom of Information applications received from the members and staff of the NSW Opposition?
- v) Has the Department sought to ascertain whether the staff member or staff members tasked with handling with FOI applications received by the Department is or has previously been a member of any political party/organization?

ANSWER

I'm advised:

The policy and procedures on the processing of Freedom of Information applications are detailed in the publication *FOI Procedure Manual* which is available on the Premier's Department website at www.premiers.nsw.gov.au. The web site contains other useful information for agencies and the public including:

- application forms;
- Guidelines for Using FOI in NSW;
- Summary of Affairs;
- Statement of Affairs;
- The Freedom of Information Act 1989;
- Information on Review and Appeals.

In collaboration with the Office of the Ombudsman and The Cabinet Office, Premier's Department is in the process of finalising a new FOI Manual.

Section 14 of the *Freedom of Information Act 1989* prescribes the information that must be published by an agency in its Statement of Affairs and its Summary of Affairs. This specifically includes the procedures and contact officers for FOI requests in the agency for members of the public. The Statement of Affairs is usually published in an agencies annual report.

The Premier's Department Personnel Handbook, which is publicly available provides that public servants may be members of political parties as long as this position does not conflict with their primary duty. The Handbook also ensures appointments to positions within the public sector adhere to a competitive merit selection process.

45. Sick leave

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any Departmental staff member make sick leave applications relating to a workers compensation claim citing stress as an element or reason for their leave application in the following periods
 - a. FY2003-04,
 - b. FY2004-05 and
 - c. FY2005-06,
- ii) How many sick leave applications relating to a workers compensation claim citing stress as an element or reason for their leave application were made by staff of the Department in the following periods
 - a. FY2003-04,
 - b. FY2004-05 and
 - c. FY2005-06,
- iii) In each of FY2003-04, FY2004-05 and FY2005-06, how many Departmental staff members took sick leave relating to a workers compensation claim citing stress as an element or reason for their leave application where the period of sick leave was:
 - a. less than one month;
 - b. greater than one month but less than three months;
 - c. greater than three months but less than six months;
 - d. greater than six month but less than 12 months;
 - e. greater than 12 months?
- iv) Please provide the following information concerning each occasion during FY2003-04, FY2004-05 and FY2005-06, when a staff member has been granted sick leave relating to a workers compensation where stress was an element or reason for the sick leave application:
 - a. the total cost, in terms of wages etc, of the leave taken by the employee;
 - b. the total amount of leave taken by the employee in terms of full-time equivalent days.

- v) In FY2006-07 to date, have any Departmental staff members made sick leave applications relating to a workers compensation claim citing stress as an element or reason for their leave application?
- vi) In FY2006-07 to date, how many sick leave applications relating to a workers compensation claim citing stress as an element or reason for their leave application were made by staff of the Department?
- vii) In FY2006-07 to date, how many Departmental staff members have taken sick leave relating to a workers compensation claim citing stress as an element or reason for their leave application where the period of sick leave was:
 - a. less than one month;
 - b. greater than one month but less than three months;
 - c. greater than three months but less than six months;
 - d. greater than six month but less than 12 months;
 - e. greater than 12 months?
- viii) Please provide the following information concerning each occasion during FY2006-07 to date when a staff member has been granted sick leave relating to a workers compensation where stress was an element or reason for the sick leave application:
 - a. the total cost or cost to date, in terms of wages etc, of the leave taken by the employee;
 - b. the total amount of sick leave or the amount of sick leave taken to date by the employee in terms of full-time equivalent days.

ANSWER

I'm advised:

The *NSW Occupational Health and Safety Act 2000* aims to protect the health, safety and welfare of people at work, by providing general requirements to be met at every place of work in NSW. The Act covers employees as well as employers and self-employed people.

NSW government agencies are required to identify the causes of work related injury and illness affecting their employees, conduct a risk assessment of the workplace hazards, work practices or other identified causes of workplace injury and illness and develop and implement the appropriate prevention and control policies dealing with work-related injury and illness.

The Government has released its *Working Together – The Public Sector OHS and Injury Management Strategy for 2005-2008*, which is a three year strategy to secure improvements in the public sector's health and safety performance with a specific focus on injury management. It builds on the progress made since the release of the Government's OHS and injury management policy and guidelines *Taking Safety Seriously*.

The Personnel Handbook, which is publicly available, outlines the policy for managing absences due to sickness to ensure that absences are for genuine illness and employees are allowed the necessary time to properly recover before returning to work. The Policy requires managers to regularly monitor and review absences due to illness within the agency.

To check each leave application form would be an unjustifiable diversion of public resources.

46. Departmental staff – compensation for private property

With respect to each Department, Agency and Entity that the Minister is responsible for:

i) Did any Departmental personnel receive compensation for damage to or loss of personal property in the course of employment under the *Crown Employees (Public Service Conditions of Employment) Award 2002*, clause 50, Compensation for Damage to or Loss of Employee's Private Property during:

- a. FY2003-04
- b. FY2004-05
- c. FY2005-06
- d. FY2006-07 to date?

ii) How many claims for damage to or loss of personal property in the course of employment under the *Crown Employees (Public Service Conditions of Employment) Award 2002*, clause 50, Compensation for Damage to or Loss of Employee's Private Property were made by Departmental personnel during:

- a. FY2003-04
- b. FY2004-05
- c. FY2005-06
- d. FY2006-07 to date?

iii) What was the total value of claims for damage to or loss of personal property in the course of employment under the *Crown Employees (Public Service Conditions of Employment) Award 2002*, clause 50, Compensation for Damage to or Loss of Employee's Private Property were made Departmental personnel during:

- a. FY2003-04
- b. FY2004-05
- c. FY2005-06
- d. FY2006-07 to date?

iv) Please provide the following information concerning each claim for damage to or loss of personal property in the course of employment made by Departmental personnel in FY2003-04, FY2004-05, FY2005-06 and FY2006-07 to date:

- a. the item of personal property in respect of which the claim was made;
- b. the nature of the loss or damage to the item of personal property which the staff member claimed;
- c. the amount of the compensation claimed for loss or damage to the item of personal property by the staff member;
- d. whether a claim was lodged under the Injury Management & Worker's Compensation Act 1998 and/or under any insurance policy of the Department covering the damage to or loss of personal property of the employee and whether the relevant claim was accepted or rejected by the insurer; and
- e. if the claim was rejected by the insurer, whether the compensation paid to the employee was the amount necessary to repair the item or an amount for replacement of the item.

ANSWER

I'm advised:

The policy on compensation for loss or damage to private property is contained in the Personnel Handbook which is available on the Premier's Department Website at www.premiers.nsw.gov.au.

If damage to or loss of the employee's private property occurs in the course of employment, a claim may be lodged under the Injury Management and Workers Compensation Act 1998, or under any insurance policy of the department covering the damage to or loss of the personal property of the employee, or both of the above.

If the claim is rejected by the insurer, the department head may compensate an employee for the damage to or loss of private property, if such damage or loss:

- is due to the negligence of the department, another employee, or both, in the performance of their duties; or
- is caused by a defect in the employee's material or equipment; or
- results from an employee's protection of or attempt to protect departmental property from loss or damage.

Compensation is limited to the amount necessary to repair the damaged item. If the item cannot be repaired or is lost, the department head may pay the cost of a replacement item, provided the item is identical to or only marginally different from the damaged or lost item and the claim is supported by satisfactory evidence as to the price of the replacement item.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

47. Departmental staff – private vehicles damaged on official business or other approved travel

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any Departmental personnel receive reimbursement of an insurance policy excess in respect of a private vehicle damaged while being used for work during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06
 - d. FY2006-07 to date?
- ii) How many claims for reimbursement of an insurance policy excess in respect of a private vehicle damaged while being used for work were made by Departmental personnel during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06
 - d. FY2006-07 to date?
- iii) What was the total value of claims for reimbursement of an insurance policy excess in respect of a private vehicle damaged while being used for work were made by Departmental personnel during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06
 - d. FY2006-07 to date?
- iv) How has the number and total value of claims for reimbursement of an insurance policy excess in respect of a private vehicle damaged while being used for work were made by Departmental personnel varied over the last four financial years?
- v) Please provide the following information concerning reimbursements made by the Department for the cost of repairs to a broken windscreen on private vehicles used for official business or other approved travel:
 - a. how many times was such a reimbursement made in each of FY2003-04, FY2004-05, FY2005-06 and FY2006-07 to date;
 - b. what was the total value of such reimbursements in each of FY2003-04, FY2004-05, FY2005-06 and FY2006-07 to date?

ANSWER

I'm advised:

The Personnel Handbook, which is publicly available on the Premier's Department Website at www.premiers.nsw.gov.au, provides that if a private vehicle is damaged while being used for work any normal excess insurance charges prescribed by the insurer must be reimbursed by the department, provided that:

- the damage is not due to the negligence by the employee; and
- the charges claimed by the employee are not charges prescribed by the insurer as punitive excess charges.

Motor Vehicle insurance claims are also reported in agency annual reports.

48. Departmental staff – cost of travel to and from work

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any Departmental personnel receive assistance for the cost of travel to and from work under *the Public Sector Employment & Management (General) Regulation 1996, Part 5, Division 6* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06
 - d. FY2006-07 to date?
- ii) How many applications for assistance to Departmental personnel for the cost of travel to and from work under *the Public Sector Employment & Management (General) Regulation 1996, Part 5, Division 6* were made by Departmental personnel during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06
 - d. FY2006-07 to date?
- iii) What was the total value of assistance provided to Departmental personnel for the cost of travel to and from work under *the Public Sector Employment & Management (General) Regulation 1996, Part 5, Division 6* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06
 - d. FY2006-07 to date?
- iv) How has the number of staff in receipt of assistance and the total value of assistance provided to Departmental personnel for the cost of travel to and from work varied over the last three financial years?

ANSWER

I'm advised:

The *Public Sector Employment and Management (General) Regulation 1996, Part 5, Division 6* provides that an employee must bear the cost of travel to and from work, unless the department head otherwise determines or the following provisions apply:

- If the employee is directed to report for duty at a locality other than the locality at which the employee reported for duty at the beginning of the day; or
- if the employee is directed to report for duty on any day or days at a locality other than the locality at which the employee is normally required to report for duty; and

- if the employee has already incurred expenditure in relation to travel on that day or those days to the locality at which the employee is normally required to report for duty, then
- the cost of travel on that day or those days - up to five days - to the locality at which the employee is directed to report for duty is to be borne by the department.

If the department head is satisfied that special circumstances exist, the department head may approve a period of assistance longer than the 5 days specified.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

49. Departmental staff – first aid allowance

With respect to each Department, Agency and Entity that the Minister is responsible for:

- Did any Departmental personnel receive a first aid allowance under the *Crown Employees Public Sector Employment & Management (General) Regulation 1996, Part 5, Division 6* during:
 - FY2003-04
 - FY2004-05
 - FY2005-06
 - FY2006-07 to date?
- How many Departmental personnel received a first aid allowance under the *Crown Employees Public Sector Employment & Management (General) Regulation 1996, Part 5, Division 6* during:
 - FY2003-04
 - FY2004-05
 - FY2005-06
 - FY2006-07 to date?
- What was the total value of the first aid allowance provided to Departmental personnel under the *Crown Employees Public Sector Employment & Management (General) Regulation 1996, Part 5, Division 6* during:
 - FY2003-04
 - FY2004-05
 - FY2005-06
 - FY2006-07 to date?
- How has the number of staff in receipt of and total value of first aid allowances provided to Departmental personnel varied over the last four financial years?
- Of the Department's personnel receiving first aid allowances provided to Departmental personnel under the *Crown Employees Public Sector Employment & Management (General) Regulation 1996, Part 5, Division 6*, how many has the Department funded in whole or in part in order to receive training for appointment as a First Aid Officer?

ANSWER

I'm advised:

The Occupational Health and Safety Regulation 2001 requires that adequate first aid equipment be available in each workplace. If no medical or paramedical employees are employed, a first aid service must be provided by a person qualified to undertake that task.

Clause 54 of the Crown Employees (Public Service Conditions of Employment) Award currently regulates the payment of an allowance to a First Aid Officer.

First Aid Officers should hold a St John's Ambulance Certificate or equivalent qualifications (such as the Civil Defence or the Red Cross Society's First Aid Certificates) issued within the previous three years. First Aid Officers in charge of a first aid room in larger workplaces should hold an Occupational First-Aid Certificate issued within the previous three years.

The costs of training employees who do not already possess qualifications and who need to be trained to meet departmental needs, and the cost of retraining First Aid Officers, are to be met by Departments. (NSW Government Personnel Handbook chapter 7-7)

Allowances are published in the Crown Employees (Public Service Conditions of Employment) Award 2002.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

50. Departmental staff – flying allowance

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any Departmental personnel receive an allowance when required to work in flight under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 47 Flying Allowance* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY 2005-06 to date?
- ii) How many members of Departmental personnel receive an allowance when required to work in flight under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 47 Flying Allowance* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- v) What was the total value of allowances provided to Departmental personnel required to work in flight under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 47 Flying Allowance* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?

ANSWER

I'm advised:

Employees, other than those employed to fly aircraft, receive an allowance when required to work in flight. Allowances are published in the Crown Employees (Public Service Conditions of Employment) Award 2002.

51. Mobile Phone Use

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many employees/staff carry or use Departmental/Agency mobile telephones as at:
 - a. 30 June 2003
 - b. 30 June 2004
 - c. 30 June 2005
 - d. 30 June 2006

ii) What was the total amount of expenditure by staff on calls and charges involving Departmental/Agency mobile telephones in each of the following years:

- a. FY2002-03
- b. FY2003-04
- c. FY2004-05
- d. FY2005-06?

iii) Provide an analysis by classification and seniority level of staff issued with mobile telephones by the Department/Agency and the amount spent by the Department on mobile telephone handsets, call charges and other usage fees according to the staff members' classification and seniority level in each of the following years:

- a. FY2002-03
- b. FY2003-04
- c. FY2004-05
- d. FY2005-06 to date.

ANSWER:

I'm advised:

Mobile telephones are issued to staff on the basis of need. The guidelines for mobile telephone use are set out in Premier's Department Circular 99-09. Mobile telephones are made available for business use. A business case has to be made for an officer to be provided with a telephone. This can involve the need to be able to contact the officer at irregular times or to seek specific advice on particular issues.

Officers are required to pay for private calls made on mobile telephones.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

52. Departmental Website

With respect to each Department, Agency and Entity that the Minister is responsible for:

i) Did the Department budget for costs associated with developing and maintaining a Departmental website in each of the following financial years:

- a. FY2002-03
- b. FY2003-04
- c. FY2004-05
- d. FY2005-06?

ii) How much did the Department budget for costs associated with developing and maintaining a Departmental website in each of the following financial years:

- a. FY2002-03
- b. FY2003-04
- c. FY2004-05
- d. FY2005-06?

iii) How much has the Department actually spent developing and maintaining the Departmental website in FY2005-06 to date?

iv) How many times was the Departmental website updated in each of the following financial years:

- a. FY2003-04
- b. FY2004-05
- c. FY2005-06 to date?

53. With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Who has responsibility within the Department for dealing with comments or feedback from the public regarding the website and/or Departmental services which are received by the Department via the Departmental web portal?
- ii) Does the Department have a designated unit or "Feedback desk" responsible for dealing with comments or feedback from the public regarding the website and/or Departmental services received by the Department via the Departmental web portal? If so, what is the name of this unit within the Department and how many staff members are employed to fulfil this function?
- iii) Please provide details of any policies and/or procedures the Department has for dealing with comments or feedback from the public regarding the website and/or Departmental services received by the Department via the Departmental web portal?
- iv) How much did the Department budget for costs associated with dealing with comments or feedback from the public regarding the website and/or Departmental services received by the Department via the Departmental web portal in each of the following financial years:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06?
- v) How much has the Department actually spent dealing with comments or feedback from the public regarding the website and/or Departmental services received by the Department via the Departmental web portal in FY2005-06 to date?

Departmental website – Effectiveness tracking

54. With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How does the Department evaluate the effectiveness of information delivery to the public via the Departmental website?
- ii) What are the precise benchmarks against which the modifications to the Departmental website are assessed and how often is such assessment conducted in each financial year?

ANSWER 52-54

I'm advised:

The *People First – NSW Government ICT Strategic Plan* sets the strategic framework for a coordinated government – wide approach to ICT planning and expenditure.

The Plan implements commitments in the Premier's February 2006 *Economic and Financial Statement*.

The Plan aims to ensure the cost to deliver e-government is met from within the current levels of ICT expenditure. An *ICT Investment Framework* will align expenditure with government service delivery priorities including community expectations for electronic service delivery. ICT Procurement Policy and ICT Governance arrangements will ensure the *NSW Government ICT Strategic Plan* steers government ICT expenditure.

The Plan's key priorities include front-line service delivery and customer service (e-government), followed by a line of business (core agency systems) that support e-government.

The plan will address the need for major upgrades and replacement of front-line and line of business (core) systems

The NSW Government Chief Information Office provides strategic direction to the NSW public sector for ICT development and coordinates with the Office of Procurement the purchasing of ICT infrastructure, systems, goods and services.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

55. Departmental Website – Feedback management

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Who has responsibility within the Department for dealing with comments or feedback from the public regarding the website and/or Departmental services which are received by the Department via the Departmental web portal?
- ii) Does the Department have a designated unit or “Feedback desk” responsible for dealing with comments or feedback from the public regarding the website and/or Departmental services received by the Department via the Departmental web portal? If so, what is the name of this unit within the Department and how many staff members are employed to fulfil this function?
- iii) Please provide details of any policies and/or procedures the Department has for dealing with comments or feedback from the public regarding the website and/or Departmental services received by the Department via the Departmental web portal?
- iv) How much did the Department budget for costs associated with dealing with comments or feedback from the public regarding the website and/or Departmental services received by the Department via the Departmental web portal in each of the following financial years:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06?
- v) How much has the Department actually spent dealing with comments or feedback from the public regarding the website and/or Departmental services received by the Department via the Departmental web portal in FY2005-06 to date?

ANSWER

I'm advised:

The *People First – NSW Government ICT Strategic Plan* sets the strategic framework for a coordinated government – wide approach to ICT planning and expenditure.

The Plan implements commitments in the Premier's February 2006 *Economic and Financial Statement*.

The Plan aims to ensure the cost to deliver e-government is met from within the current levels of ICT expenditure. An *ICT Investment Framework* will align expenditure with government service delivery priorities including community expectations for electronic service delivery. ICT Procurement Policy and ICT Governance arrangements will ensure the *NSW Government ICT Strategic Plan* steers government ICT expenditure.

The Plan's key priorities include front-line service delivery and customer service (e-government), followed by a line of business (core agency systems) that support e-government.

The plan will address the need for major upgrades and replacement of front-line and line of business (core) systems

The guidelines on quality assurance are contained in "Web Usability and Accessibility Guide", a publication by the NSW Government Chief Information Office and is available at the Office website (www.oict.nsw.gov.au).

NSW Treasury publishes a range of guides to assist agencies in evaluating their performance and effectiveness, available on its website.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

56. Departmental staff – Garage and carport allowance

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any Departmental personnel receive a garage and carport allowance under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 51 Garage and Carport Allowance* during:
 - d. FY2003-04
 - e. FY2004-05
 - f. FY2005-06 to date?
- ii) How many Departmental personnel received a garage and carport allowance under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 51 Garage and Carport Allowance* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- iii) What was the total value of the garage and carport allowances provided to Departmental personnel under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 51 Garage and Carport Allowance* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- vi) Of the Department's personnel receiving garage and carport allowances provided under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 51 Garage and Carport Allowance* what was the total amount paid to employees for the garaging of departmental vehicles while the employee/s were absent from their usual place of work during:
 - d. FY2003-04
 - e. FY2004-05
 - f. FY2005-06 to date?

ANSWER

I'm advised:

Employees received garage and carport vehicle allowances in accordance with the provisions of the *Crown Employees (Public Service Conditions of Employment) Award 2002*.

Further details are available in the Personnel Handbook which is available on the Premier's Department website at www.premiers.nsw.gov.au.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

57. Departmental staff – Use of private motor vehicle in conjunction with air travel

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any Departmental personnel receive an allowance for use of a private motor vehicle in conjunction with air travel under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 37* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- ii) How many Departmental personnel received an allowance for use of a private motor vehicle in conjunction with air travel under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 37* and what was the aggregate amount of allowance paid to staff in each of the following:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?

ANSWER

I'm advised:

The Personnel Handbook provides that the Department head may approve the payment of an allowance at the casual rate if an employee uses their private motor vehicle to travel to and from an airport for approved travel.

Travelling and related allowances are reviewed on a regular basis and variations to the rate published in the *Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006*.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

58. Departmental staff – Overseas travelling allowance

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any Departmental personnel receive an overseas travelling allowance under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 42 Overseas Travel* and/or relevant *Premier's Department Circulars* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY 2005-06 to date?
- ii) How many members of Departmental personnel received an overseas travelling allowance under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 42 Overseas Travel* and/or relevant *Premier's Department Circulars* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- i) What was the total value of overseas travelling allowances (please include spend on daily meal and incidental allowances) provided to Departmental personnel under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 42 Overseas Travel* and/or relevant *Premier's Department Circulars* during:
 - a. FY2003-04

- b. FY2004-05
- c. FY2005-06 to date?
- ii) What was the duration of the overseas travel (please indicate duration in terms of months and days overseas in each instance) taken by each staff member who received an overseas travel allowance under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 42 Overseas Travel* and/or relevant *Premier's Department Circulars* in each of:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- iii) In addition to overseas travel allowances provided to Departmental personnel, what was the total value of payments met separately by the Department in respect of overseas travel by Departmental personnel (see *NSW Premiers Department Personnel Handbook – March 2003, Chapter 7-13.5 in version of handbook updated Dec 2004*) during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- iv) Please provide a breakdown according to the recipient staff members' classification (that is, as Senior Executive Service – SES, Senior Officers other than SES and the remaining staff classifications) of the Department's aggregate spend in each of the last four financial years on overseas travel allowances.

ANSWER

I'm advised:

Overseas travel by public sector employees is governed by various Premier's Memoranda and Circulars. Travel by public sector employees is determined on the basis of value to the tax-payer and public sector development. Travel undertaken is always on government business and essential for the performance of official business on behalf of the Government of New South Wales.

All overseas travel is subject to Minister's approval. Ministers are to exercise strict economy in approving overseas travel and significant benefits to the agency and/or the State must be demonstrated. Ministers may approve official travel overseas after deciding that the travel is essential and that it can be funded within the budget allocation for the organisation concerned.

Employees who are required to travel overseas in the course of their duty may be eligible for overseas travelling allowances.

Overseas travel by agency staff is reported in the agency annual reports which are publicly available.

59. Departmental Staff – Travelling Compensation

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any Departmental personnel receive travelling compensation under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clauses 25 to 34* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY 2005-06 to date?

- ii) How many members of Departmental personnel received travelling compensation under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clauses 25 to 34* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- iii) What was the total value of travelling compensation (please include spend on accommodation & related allowances, meal & incidental allowances and any adjustments to these which may have been approved) provided to Departmental personnel under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clauses 25 to 34* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- iv) What was the average duration of travel undertaken by staff members to whom the Department paid travelling compensation under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clauses 25 to 34* in each of:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- v) Please provide a breakdown according to the recipient staff members' classification (that is, as Senior Executive Service – SES, Senior Officers other than SES and the remaining staff classifications) of the Department's aggregate spend in each of the last four financial years on travelling compensation.

ANSWER

I'm advised:

The policy on eligibility and calculation of travelling compensation is contained in the Personnel Handbook which is available on the Premier's Department website at www.premiers.nsw.gov.au.

Overseas travel undertaken by Departmental staff for each financial year is published in the agency annual reports which are publicly available.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

60. Departmental staff – Remote areas allowances

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any Departmental personnel receive an allowance for living in a remote area pursuant to the *Public Sector Employment and Management (General) Regulation 1996, Part 5, Division 4* and/or *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 40* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- ii) How many Departmental personnel received an allowance for living in a remote area and what was the aggregate amount of such allowance paid to staff in each of the following:
 - d. FY2003-04
 - e. FY2004-05
 - f. FY2005-06 to date?

- iii) What was the aggregate amount of allowance paid to Departmental personnel living in a remote area in respect of travel on recreation leave (see *NSW Premiers Department Personnel Handbook – March 2003, Chapter 7-14.5 in version of handbook updated Dec 2004*) in each of the following:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- iv) What was the aggregate amount of dependant allowance paid to Departmental personnel living in a remote area (see *NSW Premiers Department Personnel Handbook – March 2003, Chapter 7-14.2 & 14.3 in version of handbook updated Dec 2004*) in each of the following:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?

ANSWER

I'm advised:

Employees may be entitled to a Remote Area Allowance in accordance with provisions in the Crown Employees (Public Service Conditions of Employment) Award 2002. This allowance is part of the Government's commitment to ensure services are provided to the people of NSW in remote areas.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

61. Departmental staff – Home office allowance

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any Departmental personnel receive an allowance for the use of a room at home as an office under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 44 Room at Home Used as an Office* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- ii) How many Departmental personnel received an allowance for the use of a room at home as an office under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 44 Room at Home Used as an Office* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- iii) What was the total value of the home office allowances provided to Departmental personnel under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 44 Room at Home Used as an Office* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- vi) Please provide a breakdown according to the recipient staff members' classification (that is, as Senior Executive Service – SES, Senior Officers other than SES and the remaining staff classifications) of the Department's aggregate spend in each of the last four financial years on home office allowances.

ANSWER

I'm advised:

Employees may be entitled to a Home Office Allowance in accordance with provisions in the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006.

The NSW Government is committed to providing family friendly working conditions to its employees through sector wide initiatives such as the Flexible Work Practices - Policy and Guidelines, October 1995, which provides the sector with a framework for implementing initiatives that assist employees to balance work and family responsibilities. This includes policies relating to part-time work and part-time leave without pay, job sharing, working from home and short-term absences for family and community service responsibilities. Other options open to employees include career break schemes, part year employment, variable year employment and varying hours.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

62. Departmental staff – Semi-official telephone subsidy

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any Departmental personnel receive a subsidy in respect of their private telephone service at their principal place of residence under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 45 Semi-official Telephones* during:
 - d. FY2003-04
 - e. FY2004-05
 - f. FY2005-06 to date?
- ii) How many Departmental personnel received a subsidy in respect of their private telephone service at their principal place of residence under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 45 Semi-official Telephones* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- iii) What was the total value of semi-official telephone subsidies (including subsidies for telephone installation, line connection and rental, call costs) provided to Departmental personnel under the *Crown Employees (Public Service Conditions of Employment) Award 2002, clause 45 Semi-official Telephones* during:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- vii) Please provide a breakdown according to the recipient staff members' classification (that is, as Senior Executive Service - SES, Senior Officers other than SES and the remaining staff classifications) of the Department's aggregate spend in each of the last four financial years on semi-official telephone subsidies.

ANSWER

I'm advised:

The Personnel Handbook provides that employees who, as part of their duties, are required

- to give decisions, supply information or provide emergency services; or
- to be able to be contacted by the public outside normal office hours for reasons of safety or security

are entitled to be reimbursed for some of the costs of their private telephone service. The service must be located in the employee's principal place of residence, and the telephone number communicated to everyone entitled to have out of hours contact with the employee. The claim for reimbursement must be certified by the employee and state the reasons for each official call.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

63. Departmental staff management

With respect to each Department, Agency and Entity that the Minister is responsible for:

i) How many staff resigned in:

- a. FY2003-04
- b. FY2004-05
- c. FY2005-06?

ii) How many staff retired in:

- a. FY2003-04
- b. FY2004-05
- c. FY2005-06?

iii) How many staff were medically discharged in:

- a. FY2003-04
- b. FY2004-05
- c. FY2005-06?

iv) How many staff were terminated in:

- a. FY2003-04
- b. FY2004-05
- c. FY2005-06?

v) How many staff were recruited in:

- a. FY2003-04
- b. FY2004-05
- c. FY2005-06?

ANSWER

I'm advised:

Aggregated data on resignations and recruitment for the NSW Public Sector is available in the Workforce Profile Overview Report. Individual agency level data is not published.

The Workforce Profile collects data from agencies in accordance with the provisions of the Privacy Code of Practice for the NSW Public Sector Workforce Profile. The Code intends to satisfy the requirements of under Part 3 Division 1 of the Privacy and Personal Information Protection Act 1998 (PPIP Act) to the extent that the collection, storage and

use of personal data for the purposes of the Workforce Profile involve departures from the Information Protection Principles in Part 2 of the PPIP Act.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

64. Departmental asset management & identification

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Does the Department have any asset management strategy, policies and/or procedures in place to facilitate the effective management of Departmental assets? If so, what is the name or official designation of this Departmental strategy, policy and/or procedure?
- ii) When did the Department last update its strategy, policies and/or procedures for facilitating the effective management of Departmental assets?
- iii) Does the Department's asset management strategy, policies and/or procedures identified in response to i) above deal with asset acquisition, asset maintenance and asset disposal?
- iv) Who has responsibility within the Department for managing the Department's strategy, policies and/or procedures for effective management of Departmental assets (Please provide details of such as the designation of the relevant officer, Departmental unit or staff grouping)?

ANSWER

I'm advised:

Responsibility for the whole-of-government Total Asset Management (TAM) Policy, together with the role and functions of the Government Asset Management Committee (GAMC) Secretariat, were transferred to NSW Treasury from the Department of Commerce in June 2003.

Treasury Circular 04/09 – *Total Asset Management (TAM) Policy – Reconfirmation* confirms the Government's commitment to the implementation of TAM policy.

An agency's Asset Strategy Plan is an overarching strategy that links to the agency's corporate plan, service delivery strategy, resource levels and asset base.

An agency's size, function, existing and future requirements will determine the number of staff and resources it allocates to asset management and planning.

Agencies are required to prepare an updated Asset Strategy and submit to NSW Treasury each year. The Asset Strategy encompasses planning for capital investment, asset maintenance, asset disposal and office accommodation.

65. Departmental asset maintenance

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Does the Department have any document such as a Schedule of Assets which identifies all the assets or groupings of assets of the Department? If so, what is the name or official designation of this document?
- ii) Does the Department have any document such as Schedule of Assets and/or an Asset Maintenance Plan which sets out a maintenance program for each asset or grouping of assets? If so, what is the name or official designation of this document?

iii) Does the document identified in response to ii) above deal with timing issues and/or provide a timeline or schedule in relation to the maintenance requirements of Departmental assets or asset groupings?

ANSWER

I'm advised:

Treasury Circular 04/09 – *Total Asset Management (TAM) Policy – Reconfirmation* confirms the Government's commitment to the implementation of TAM policy.

Agencies are required to prepare an updated Asset Strategy Plan and submit to NSW Treasury each year. The Asset Strategy includes planning for capital investment, asset maintenance, asset disposal and office accommodation for the forthcoming year and over the longer term. As with any plan, circumstances and priorities may change in the course of its implementation.

A template has been prepared for agencies to provide a disciplined structure upon which to develop their TAM strategies. The template cover the agency's corporate and service goals, likely resource levels, alternative service delivery strategies, risks to service delivery, performance measures and the asset strategies to achieve its service delivery goals.

The TAM Manual for agencies is publicly available on the NSW Treasury website at www.treasury.nsw.gov.au.

66. Departmental asset maintenance costs and scheduling

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Does the Department budget include provision for funding Departmental asset maintenance? If so, how does the Department determine what level of funding is needed each year in relation to its asset maintenance requirements?
- ii) Does the Department have any document such as Funding Plan for asset maintenance in which it sets out the level of funding needed each year to achieve the Department's asset maintenance requirements? If so, what is the name or official designation of this document?
- iii) How much did the Department budget for costs associated with maintenance of Department assets in each of the following financial years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- iv) How much was actually spent on maintenance of Department/Agency/Entity assets in each of the following years:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?
- v) How much has the Department/Agency/Entity actually spent on maintenance of Department/Agency/Entity assets in FY2006-07 to date?
- vi) What was the value of the backlog maintenance program and/or deferred asset maintenance requirements deferred in each of the following periods:
 - a. FY2002-03
 - b. FY2003-04
 - c. FY2004-05
 - d. FY2005-06?

ANSWER

I'm advised:

Treasury Circular 04/09 – *Total Asset Management (TAM) Policy – Reconfirmation* confirms the Government's commitment to the implementation of TAM policy.

Budget Paper No. 4 Infrastructure Statement provides the value of each agency's physical assets and their capital expenditure program. The value of each agency's physical assets is subdivided into land and buildings, plant and equipment and infrastructure systems.

The asset management policy for each agency is integrated with the budget process.

Budget sector agencies are advised to prepare TAM Strategies based on the agency continuing to provide agreed services within current resource limits. Agencies may also submit specific proposals for enhanced levels of service.

TAM strategies outline the long term maintenance strategies for each asset type or risk category, a costed program of proposed investment and maintenance works and a program of disposals.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

67. Unfilled Public Service Positions

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Provide details of the number of full time equivalent staff positions in non-urban areas of the NSW which the Department/Agency/Entity currently has unfilled?
- ii) Please provide a breakdown of positions by staff classification and location?

ANSWER

I'm advised:

Agency relocations to rural and regional parts of New South Wales have been an important part of the Government's clear policy of encouraging employment opportunities and economic activity outside Sydney.

Over 1500 positions have been relocated since January 2000, bringing over \$50 million annually in salaries alone into their communities. In the four agency relocations reviewed by the Auditor-General (Local Government, WorkCover, Mineral Resources, State Debt Recovery Office), almost 75% of positions were filled via local recruitment. Transfers of other staff from Sydney contributed to local population growth.

The overall economic impact on regions over and above the staff employed can be very significant. It has been estimated that, for the 200 positions relocated to Maitland with the Division of Mineral Resources, Department of Primary Industries, there is an annual economic impact of approximately \$15 million, including supporting a further 130 jobs in the local community.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

68. Unfilled Public Service Positions

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many permanent, temporary and casual vacancies within the Department/Agency/Entity were filled by using the services of employment and placement agencies or companies?
- ii) Please provide details of the employment and placement agencies used by the Department/Agency/Entity in the following periods:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06
 - d. FY2006-07 to date?
- iii) What was the total cost to the Department/Agency/Entity of the services of employment and placement agencies used in each of the following periods:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06
 - d. FY2006-07 to date?
- iv) Which employment and placement agencies received payments from the Department/Agency/Entity for the placement of staff in each of the following periods:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06
 - d. FY2006-07 to date?
- iii) Which employment and placement agencies received payments from the Department/Agency/Entity for temporary or contract staff in each of the following financial years:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?
- iv) What was the total amount paid to employment and placement agencies by the Department/Agency/Entity for temporary or contract staff in each of the following financial years:
 - a. FY2003-04
 - b. FY2004-05
 - c. FY2005-06 to date?

ANSWER

I'm advised:

Decisions on engaging and managing recruitment service providers are the responsibility of department heads, having regard to Government policies on efficient corporate services.

In filling vacancies, department heads are legally responsible for choosing the person with the greatest merit from among applicants. That responsibility applies when using recruitment service providers. Department heads also remain responsible for compliance with Government policies on equity, equal employment opportunity for target groups, and cultural diversity.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

69. Procurement Policy

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) When did the Department last update its procurement policy documentation?
- ii) What mechanisms does the Department have in place to ensure its procurement guidelines reflect current policy in relation to government contracting?

ANSWER

I'm advised:

Premier's *Memorandum 2006-11 on NSW Procurement Reforms* outlines initiatives to further improve procurement outcomes, get better value for taxpayers and reduce the operating costs of government.

The Memorandum supports the announcements on improving procurement outcomes made in the February 2006 *Economic and Financial Statement*.

Other key policy documents are the Treasury Circular *TC 04/07 Procurement Policy Reform* and Premier's *Memorandum 2001-16 NSW Government Electronic Procurement Reform Implementation Strategy*.

The Department of Commerce is responsible for co-ordinating the implementation of the procurement reform initiatives.

The reforms announced in Premier's Memorandum 2006-11 include:

- All agencies required to utilise the State Contracts Control Board (SCCB) for whole-of-government contracts, effective immediately
- Development and introduction of an agency accreditation scheme for goods and services by July 2007
- All major agencies to implement electronic procurement of their goods and services by June 2007, with smartbuy® being the Government's default electronic procurement system
- All agencies to make their Requests for Tender documentation and tenders available to be lodged through www.tenders.nsw.gov.au.

The requirements outlined in the memorandum apply to all Government agencies, including Statutory Authorities, Trusts and other government entities, except for State Owned Corporations.

70. Recruitment Agencies

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) What sum was spent on recruitment agencies for the following financial years:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- ii) Will the Minister provide a list of recruitment agencies which were used for the following financial years:
 - a. FY2005-06

- b. FY2004-05
- c. FY2003-04
- d. FY2002-03?

ANSWER

I'm advised:

Decisions on engaging and managing recruitment service providers are the responsibility of department heads, having regard to Government policies on efficient corporate services and avoiding unnecessary spending on consultancies.

In filling vacancies, department heads are legally responsible for choosing the person with the greatest merit from among applicants. That responsibility applies when using recruitment service providers. Department heads also remain responsible for compliance with Government policies on equity, equal employment opportunity for target groups, and cultural diversity.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

71. Chartering Aircraft

With respect to each Department, Agency and Entity that the Minister is responsible for:

- iii) For each Department and agency that the Minister was responsible for what sum was spent on chartering aircraft for the following financial years:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- iv) Will the Minister provide a list of aircraft chartering firms which were used for the following financial years:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- v) Will the Minister provide a reason for each charter undertaken, the date of the charter, where the aircraft flew to and who was on board the aircraft during each charter for the following financial years:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?

ANSWER

I'm advised:

Air travel undertaken is for official government business only. Travel by Ministers and public sector employees are determined on the basis of value to the tax-payer and public sector development. Minister's travel is governed by the guidelines contained in the Ministers' Office Administration Handbook and travel by public sector employees is governed by various Premier's Memoranda and Circulars which are publicly available.

Overseas travel by agency staff is reported in the Annual Report of each agency.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

72. Domestic & Overseas Travel

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) What sum was spent by the Minister's department on domestic and international air travel for the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
- ii) What proportion of domestic air travel by employees of the Minister's department was provided by (a) Qantas, (b) Regional Express, and (c) Virgin Blue for the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
- iii) What sum was spent by the Minister's department on domestic air travel provided by (i) Qantas, (ii) Regional Express, and (iii) Virgin Blue for the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
- iv) What sum was spent by the Minister's department on (a) economy and (b) business class travel on (i) domestic routes and (ii) international routes for the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
- v) How many employees of the Minister's department had membership of the (a) Qantas Chairman's Lounge, (b) Qantas Club, (c) Regional Express Membership Lounge, and (d) Virgin Blue's Blue Room paid for by the department for the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
- vi) Which company provides travel management services to the Minister's department for the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04

ANSWER

I'm advised:

Overseas travel by public sector employees is governed by various Premier's Memoranda and Circulars. Travel by public sector employees is determined on the basis of value to the tax-payer and public sector development. Travel undertaken is always on government business and essential for the performance of official business on behalf of the Government of New South Wales.

All overseas travel is subject to Minister's approval. Ministers are to exercise strict economy in approving overseas travel and significant benefits to the agency and/or the State must be demonstrated. Ministers may approve official travel overseas after deciding that the travel is essential and that it can be funded within the budget allocation for the organisation concerned.

Overseas travel by agency staff is reported in agency annual reports which are publicly available.

73. Messages

With respect to each Department, Agency and Entity that the Minister is responsible for:

- vi) For each Department and agency that the Minister was responsible for what sum was spent on massages for staff for the following financial years:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- vii) For each Department and agency that the Minister was responsible for what how many staff made use of massage services provided:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?

ANSWER

I'm advised:

The *New South Wales Government Expenses* policy outlines sector-wide requirements, prohibiting the expenditure of State funds on any event that could provide predominantly personal benefit to New South Wales public sector employees.

The Auditor General audits the expenditure of agencies as provided in the *Public Finance and Audit Act 1983*. The audit process provides an independent assessment of agencies financial situation. Internal audit procedures are guided by information supplied by NSW Treasury which is publicly available at www.treasury.nsw.gov.au, in particular Treasury Policy and Guideline Papers TPP95a (Statement of Best Practice – Internal Control and Audit) and TPP95b (Internal Control and Assessment) and Treasurer's Directions 720.01-.03 (Internal Control and Internal Audit).

74. Overtime

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) For each Department and agency that the Minister was responsible for what sum was spent on overtime for the following financial years:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- ii) For each Department and agency that the Minister was responsible for what was the total number of TOIL (Taken of in Lie) hours taken by staff for the following financial years and the total cost of these hours:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?

ANSWER

I'm advised:

Employees covered by the *Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006* may receive the payment of overtime or time-in-lieu.

A staff member may be directed by the Department Head to work overtime, provided it is reasonable for the staff member to be required to do so. A staff member may refuse to work overtime in circumstances where the working of such overtime would result in the staff member working unreasonable hours. Separate provisions apply for overtime worked by shift workers and overtime worked by day workers.

Payment for overtime shall be made only where the staff member works directed overtime.

The Department Head shall grant compensation for directed overtime worked either by payment at the appropriate rate or, if the staff member so elects, by the grant of leave in lieu in accordance with the provisions provided under the *Section 97 – Payment for Overtime or Leave in Lieu of the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006*.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

75. Media Training

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did any agency, entity or department in the Minister's portfolio employ the services of a media training company in the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- ii) How many individuals in each agency and department the Minister was responsible for received media training in the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- iii) What was the cost for each agency and department the Minister was responsible for media training in the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- iv) Which entities were hired by each agency and department the Minister was responsible to provide media training for staff in the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?

ANSWER

I'm advised:

Governments are required to communicate a wide variety of information to the public ranging from matters such as public health, community welfare and safety, public education and training, environmental and rural support, arts, tourism and business development.

The role and responsibilities of an employee's position may require for them to communicate important information including the department's activities to the public.

The Government is committed to building workforce capability of the public sector including leadership development and core public sector skill development.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

76. Barristers

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) What sum did the Minister's department spend on external barristers for the following periods
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- ii) What sum did the Minister's department spend on solicitors for the following periods
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- iii) What sum did the Minister's department spend on internal legal services for the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- iv) What is the Minister's department's projected expenditure on legal services for 2006-07?

ANSWER

I'm advised:

NSW public sector agencies may engage the Crown Solicitors Office or private legal professionals to engage in non core (general) legal work for government agencies.

The Crown Solicitor acts for

- The State of NSW;
- Persons suing or being sued on behalf of the State;
- Ministers of the Crown;
- A body established by a law of the State
- An officer or an employee of the Public Service or any other service of the State or of a body established by a law of the State;

- A person holding office under a law of the State or because of appointment to that office by the Governor or any Minister of the Crown; and
- Any other person or body approved by the Attorney General.

Agencies must engage the Crown Solicitor to perform core legal services in respect of matters which:

- Have implications for Government beyond an individual Minister's portfolio;
- Involve the constitutional powers and privileges of the State and/or the Commonwealth;
- Raise issues which are fundamental to the responsibilities of Government; and
- Arise from, or relate to, matters falling within the Attorney General's area of responsibility.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

77. Coaching

- Has the Minister received any training, coaching or assistance in public speaking or voice projection at public expense since the Minister took office; if so, what was the cost of this training?
- What is the name and postal address of the individual or organisation(s) which provided the training?

ANSWER

I'm advised:

The *New South Wales Government Expenses* policy outlines sector-wide requirements, prohibiting the expenditure of State funds on any event that could provide predominantly personal benefit to New South Wales public sector employees.

I can advise state funds have not been spent for this purpose.

78. Lettable Area

With respect to each Department, Agency and Entity that the Minister is responsible for:

- What properties, or lettable floor areas at partially occupied properties, owned by the NSW Government and in the possession of the department and each agency in the Minister's portfolio, are currently not utilised by the department or agency in question, and are not let out?
- For how long has each property, or part of a property, identified in part (1) been vacant and why has it been left vacant?

ANSWER

I'm advised:

The NSW Government occupies 1.2 million square metres of office accommodation in over 1,000 buildings across the State.

As at 31 August 2006, the total amount of vacant space was approximately 5,380 square metres, which is only 0.44% of the total space occupied by Government, that is, less than half of one per cent.

This is a marked improvement on the vacancy rate of 2.23% that existed at 31 January 1995 under the Coalition: five times the Government's current vacancy rate.

The Government's current vacancy rate also compares more than favourably to the office market vacancy rate of 9.4% in the Sydney CBD at July 2006. (Figure supplied by the Property Council of Australia).

79. Translation Services

With respect to each Department, Agency and Entity that the Minister is responsible for:

- v) What was the total cost of translating documents for the following periods
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- vi) Will the Minister provide details of the cost of translation into Arabic, Indonesian, Cantonese, French, Greek, Italian, Mandarin, Spanish, Tamil, Thai Urdu, and Vietnamese for the following periods
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- vii) Will the Minister provide details of who received payment and the value of payments for the translation of the languages outlined above

ANSWER

I'm advised:

As part of the Ethnic Affairs Priorities Statement (EAPS) Standard Framework, agencies are required to employ strategies to ensure services are equitable and accessible to all sections of the community.

These strategies may include the use of interpreters to communicate with agency clients. Service delivery can improve when agency staff understand and can communicate skilfully with clients from a range of backgrounds.

The Language Services Division of the Community Relations Commission provides an interpreter and translation service that is available to NSW public sector agencies. The Division works with government agencies to provide opportunities for the professional development of interpreters and translators and to improve availability of language services in Sydney metropolitan, regional and rural areas.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

80. Pianos

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many pianos does his department
 - a. own and
 - b. lease?
- ii) How many grand pianos does his department
 - a. own and
 - b. lease?
- iii) In respect of each piano, where is it and what is its value?

ANSWER

I'm advised:

The Auditor General audits the expenditure of agencies as provided in the *Public Finance and Audit Act 1983*. The audit process provides an independent assessment of agencies financial situation. Internal audit procedures are guided by information supplied by NSW Treasury which is publicly available at www.treasury.nsw.gov.au, in particular Treasury Policy and Guideline Papers TPP95a (Statement of Best Practice – Internal Control and Audit) and TPP95b (Internal Control and Assessment) and Treasurer's Directions 720.01-.03 (Internal Control and Internal Audit).

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

81. Coffee Machines

With respect to each Department, Agency and Entity that the Minister is responsible for:

- iv) How many coffee machines does his department
 - a. own and
 - b. lease?
- v) In respect of each coffee machine, where is it and what is its value?

ANSWER

I'm advised:

The Auditor General audits the expenditure of agencies as provided in the *Public Finance and Audit Act 1983*. The audit process provides an independent assessment of agencies financial situation. Internal audit procedures are guided by information supplied by NSW Treasury which is publicly available at www.treasury.nsw.gov.au, in particular Treasury Policy and Guideline Papers TPP95a (Statement of Best Practice – Internal Control and Audit) and TPP95b (Internal Control and Assessment) and Treasurer's Directions 720.01-.03 (Internal Control and Internal Audit).

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

82. Non-Australians

With respect to each Department, Agency and Entity that the Minister is responsible for:

- vi) How many non-Australian citizens worked in each department and agency you were responsible as at the end of the:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- vii) How many non-Australian citizens working in each department and agency you were responsible for were sponsored by the department as at the end of the:
 - e. FY2005-06
 - f. FY2004-05
 - g. FY2003-04
 - h. FY2002-03?

ANSWER

I'm advised:

The New South Wales Government's policy is contained in the Personnel Handbook which clearly states:

A person is eligible to be appointed to a permanent position only if they are:

- an Australian citizen; or
- a permanent Australian resident.

People who are not Australian citizens or permanent residents are only eligible for appointment to temporary vacancies. People who claim to possess Australian citizenship should produce their birth certificate, current Australian passport, certificate of naturalisation or other relevant documentation.

Recruiting officers should require documentary proof of either Australian citizenship or permission to reside permanently in Australia *before an offer of employment is made*. Temporary residents of Australia may only be employed in certain circumstances and are ineligible for appointment as officers.

Only people who are *permanent residents* satisfy the citizenship requirements for appointment.

People with temporary entry permits *not* marked 'EMPLOYMENT PROHIBITED' may be employed in certain circumstances. People with authorisation to work from the Commonwealth Department of Immigration and Multicultural Affairs fit into this category. In all other cases, the Commonwealth Department of Immigration and Multicultural Affairs (Sponsored Entry Section) should be contacted to find out if employment is permitted.

83. Reservists

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many employees in each Department and agency the Minister is responsible are currently members of the Australian Defence Force (ADF) Reserves as at:
 - a. 30 June 2000
 - b. 30 June 2001
 - c. 30 June 2002
 - d. 30 June 2003
 - e. 30 June 2004
 - f. 30 June 2005
 - g. 30 June 2006
- ii) How many employees in each Department and agency the Minister is responsible are currently members of the Australian Defence Force (ADF) Reserves and are on active duty as at:
 - a. 30 June 2000
 - b. 30 June 2001
 - c. 30 June 2002
 - d. 30 June 2003
 - e. 30 June 2004
 - f. 30 June 2005
 - g. 30 June 2006
- iii) What was the total value of compensation from the Commonwealth Government under the employee support payment scheme for employees who have been called up for active duty for the following periods:
 - a. FY2000/01
 - b. FY2001/02

- c. FY2002/03
- d. FY2003/04
- e. FY2004/05
- f. FY2005/06

ANSWER

I'm advised:

Circular 2006-25 sets out the Government's policy on leave requirements for members of Australia's Defence Force Personnel which is captured in the *Defence Reserve Service (Protection) Act 2001*. Top up pay is also available for personnel on leave for military purposes.

Circular 2004-38 provides that, for leave in excess of the current military leave entitlement of up to 24 days for army and naval reservists and 28 days for air force reservists, public service employees will receive top up pay. This being the difference between their Reservist pay paid by the Commonwealth Department of Defence, and what they would ordinarily have received if they were at work. During periods of *Top up pay* the Government will maintain Reservist's superannuation, and Reservists will continue to accrue sick leave and extended leave entitlements.

The cost of the *top up pay* scheme will be offset, in part, by the operation of the Commonwealth's Employer Support Payment (ESP) Scheme, which is designed to compensate employers for releasing their employees for Defence Force service. The ESP Scheme only applies once an employee has been on military leave for at least 3 weeks per financial year.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

84. Behaviour Complaints

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many unacceptable behaviour complaints were reported for sexual offences in each of the Departments and agencies you were responsible for in:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- ii) How many unacceptable behaviour complaints were reported for general harrasment in each of the Departments and agencies you were responsible for in:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- iii) How many unacceptable behaviour complaints were reported for discrimination in each of the Departments and agencies you were responsible for in:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- iv) How many unacceptable behaviour complaints were reported for abuse of power in each of the Departments and agencies you were responsible for in:
 - a. FY2005-06
 - b. FY2004-05

- c. FY2003-04
- d. FY2002-03?
- v) How many unacceptable behaviour complaints were reported for bullying in each of the Departments and agencies you were responsible for in:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?
- vi) How many unacceptable behaviour complaints were reported for inappropriate workplace relations in each of the Departments and agencies you were responsible for in:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
 - d. FY2002-03?

ANSWER

I'm advised:

The Model Code of Conduct for NSW Public Agencies sets out the guidelines for the conduct of public servants and establishes principles for a code for all public agencies. Specifically:

Employees are to treat members of the public and their colleagues fairly and consistently, in a non-discriminatory manner with proper regard for their rights and obligations. In this regard, they should perform their duties in a professional and responsible manner.

They should also ensure that their decisions and actions are reasonable, fair and appropriate to the circumstances, based on a consideration of all the relevant facts, and supported by adequate documentation.

Employees are to promote confidence in the integrity of public administration and always act in the public interest and not in their private interest. Employees should protect the reputation of public employers. They should not engage in activities, at work or outside work, that would bring the public service into disrepute.

Employees are to provide a relevant and responsive service to their clients and customers, providing all necessary and appropriate assistance and fulfil the department's service performance standards.

Further details of the Code are publicly available on the Premier's Department website at www.premiers.nsw.gov.au.

The Personnel Handbook also sets out the procedures and arrangements for dealing with the conduct of employees in a fair and equitable manner based on the provisions of the Public Sector Employment and Management Act 2002.

The Independent Commission Against Corruption may also inquire into any allegations of corrupt conduct that occur in the public service.

85. Opinion Polls

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) Did the department or any agency under the Minister's portfolio conduct or commission an opinion poll, focus group or market research and; if so, what

was the (a) purpose and (b) cost of each opinion poll, focus group or market research survey conducted for the following periods:

- a. FY2005-06
- b. FY2004-05
- c. FY2003-04
- d. FY2002-03?

- ii) What was the name and postal address of each company engaged to conduct the poll, focus group or research for the above periods?

ANSWER

I'm advised:

All surveys of Government clients and NSW citizens are carried out in accordance with standard probity requirements in NSW Government policy guidelines.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

86. Opinion Polls

With respect to each Department and Agency the Minister is responsible for can the following information be provided for each financial year from 2003/4 to date:

- i) how many consultants were engaged by the department and/or its agencies to conduct surveys of community attitudes to departmental programs?
- ii) What was the total costs of consultants that were engaged by the department and/or its agencies to conduct surveys of community attitudes to departmental programs?
 - a. For each consultancy engaged by the department and/or its agencies to conduct surveys of community attitudes to departmental programs
 - i. what was the cost,
 - ii. who was the consultant,
 - iii. was this consultant selected by tender; if so, was the tender select or open; if not, why not?
- iii) Were any of the surveys produced by consultants released publicly; if so, in each case, when was the material released; if not, in each case, what was the basis for not releasing the material publicly?

ANSWER

I'm advised:

All surveys of Government clients and NSW citizens are carried out in accordance to NSW Government policy guidelines.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

87. Photographs

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) For each department and agency the Minister was responsible for what was the total cost of photography undertaken for the following periods:
 - a. FY2005-06

- b. FY2004-05
- c. FY2003-04

ANSWER

I'm advised:

The Auditor General audits the expenditure of agencies as provided in the *Public Finance and Audit Act 1983*. The audit process provides an independent assessment of agencies financial situation. Internal audit procedures are guided by information supplied by NSW Treasury which is publicly available at www.treasury.nsw.gov.au, in particular Treasury Policy and Guideline Papers TPP95a (Statement of Best Practice – Internal Control and Audit) and TPP95b (Internal Control and Assessment) and Treasurer's Directions 720.01-.03 (Internal Control and Internal Audit).

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

88. Office Space

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) What was the total value and location of new office space purchased in the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
- ii) What was the total value and location of new office space leased in the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
- iii) What was the total value and location of office space refurbished in the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04

ANSWER

I'm advised:

The NSW Government occupies 1.2 million square metres of office accommodation in over 1,000 buildings across the State.

As at 31 August 2006, the total amount of vacant space was approximately 5,380 square metres, which is only 0.44% of the total space occupied by Government, that is, less than half of one per cent.

This is a marked improvement on the vacancy rate of 2.23% that existed at 31 January 1995 under the Coalition: five times the Government's current vacancy rate.

The Government's current vacancy rate also compares more than favourably to the office market vacancy rate of 9.4% in the Sydney CBD at July 2006. (Figure supplied by the Property Council of Australia).

89. Drug Testing

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many random drug tests have been administered to each departmental and agency employees personnel in the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
- ii) How many employees had positive results to drug testing for the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
- iii) How many employees have had their employment terminated for testing positive for drugs in the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
- iv) How many employees have been disciplined for testing positive for drugs in the following periods:
 - a. FY2005-06
 - b. FY2004-05
 - c. FY2003-04
- v) At what locations and dates were random drug tests undertaken at from 1 July 2003 to date?

ANSWER

I'm advised:

The New South Wales Government is committed to providing a safe, healthy and productive work environment for all employees. To support this commitment, public sector organisations are encouraged to develop programs aimed at the prevention, reduction and/or elimination of problems associated with the misuse or abuse of alcohol and other drugs which affect employees' work performance, conduct or safety.

The Personnel Handbook outlines procedures for managing conduct and performance in the workplace. Other legislation and policies including the Premier's Department documents "*Alcohol and Other Drugs: Policy and Guidelines*" and "*Assistance Services for Employees: Policy and Guidelines*" are available for guidance in relation to managing some of these issues.

90. Traffic Infringements

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many penalty notices did each department/agency receive for traffic infringements for the following periods:
 - a. FY2005/06
 - b. FY2004/05
 - c. FY2003/04?
- ii) Will Minister inform us of the breakdown of number of each type of infringement incurred for the following periods:
 - a. FY2005/06
 - b. FY2004/05
 - c. FY2003/04?

- iii) What was the total value of fines for traffic infringements incurred in department/agency vehicles for the following periods:
 - a. FY2005/06
 - b. FY2004/05
 - c. FY2003/04?
- iv) What was the total value of fines for traffic infringements incurred in department/agency vehicles paid for by the department/agency for the following periods:
 - a. FY2005/06
 - b. FY2004/05
 - c. FY2003/04?
- v) What was the total value of fines for traffic infringements incurred in department/agency vehicles paid for by the employee responsible for the infringement for the following periods:
 - a. FY2005/06
 - b. FY2004/05
 - c. FY2003/04?

ANSWER

I'm advised:

Memorandum 90-50 issued by former NSW Premier Nick Greiner set out the policy on the payment of traffic infringements incurred by public sector vehicles. It states in part:

Payment of Parking Infringement Notices by Government bodies must be met from normal operating funds.

The Government does not pay parking infringements for public sector vehicles unless they are incurred in the course of and because of their duties as provided for in Memorandum 90-53 and it does not pay for traffic infringements.

Providing additional specific information in response to this question would be an unjustifiable diversion of public resources.

91. New Positions

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many new positions were authorised to be created in each department and each agency the Minister was responsible for in the following periods:
 - a. FY2005/06
 - b. FY2004/05
 - c. FY2003/04
 - d. FY2002/03?
- ii) How many new positions were authorized to be created in each department and each agency the Minister was responsible for which had a salary greater than \$120,000 in the following periods:
 - a. FY2005/06
 - b. FY2004/05
 - c. FY2003/04
 - d. FY2002/03?
- iii) How many positions were abolished in each department and each agency the Minister was responsible for in the following periods:
 - a. FY2005/06
 - b. FY2004/05
 - c. FY2003/04

- d. FY2002/03?
- iv) How many positions were abolished in each department and each agency the Minister was responsible for which had a salary greater than \$120,000 in the following periods:
 - a. FY2005/06
 - b. FY2004/05
 - c. FY2003/04
 - d. FY2002/03?

ANSWER

I'm advised:

The *Public Sector Employment and Management Act 2002* provides that a Department/Division Head may create, abolish or otherwise deal with any positions in their department other than the position of department head. Internal branch/unit structures of Departments are designed to ensure the most efficient and effective service is provided to the Minister and the people of New South Wales.

92. Mobile Phone Telephone Services

- i) What has been the cost of providing mobile telephone services to the Minister's staff since 1 July 2003 on a yearly and year to date basis?

ANSWER

I'm advised:

Mobile telephones are issued to staff on the basis of need. The guidelines for mobile telephone use are set out in Premier's Department Circular 99-09. As is the case in the public sector generally, in Ministers' offices mobile telephones are made available for business use. A business case has to be made for an officer to be provided with a telephone. This can involve the need to be able to contact the officer at irregular times or to seek specific advice on particular issues.

Officers are required to pay for private calls made on mobile telephones.

The cost of mobile telephones for the Premier and 20 Ministers' offices supported by Premier's Department and funded from the Department's allocation in 2005-06 was \$478,283 (net of money reimbursed by employees for private calls). This is an average of about \$22,800 per office.

By way of comparison, the mobile telephone costs for the Leaders of the Opposition were \$24,552.

93. Fees, Levies & Charges

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) What are all the fees, fines, levies, charges and taxes that fall under your portfolio responsibility?
- ii) What was the level/rate of each of these at:
 - a. 1 September 2006
 - b. 31 March 2006
 - c. 31 March 2005

- d. 31 March 2004
- e. 31 March 2003
- f. 31 March 1999
- g. 31 March 1995?

ANSWER

I'm advised:

Fees and fines are determined either by the Independent Pricing and Regulatory Tribunal which consults widely with stakeholders and the public before making a determination or by statutory regulation which is reviewed and may be disallowed by Parliament.

These are both transparent processes that allow the public and the Parliament to be consulted prior to implementation. Levels of fees, fines and charges are contained in the relevant act, regulation or statutory rule.

94. Bullying

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) How many cases of bullying in the workplace have been reported to each department or agency under the aegis of the Minister for each year and year to date since 1 January 2003?
- ii) How many of these claims resulted in WorkCover cases being established for each year and year to date since 1 January 2003?
- iii) What was the total cost of these claims for each year and year to date since 1 January 2003?
- iv) What has been the dollar increase in premiums for each individual department or agency due to claims for bullying in the workplace for each year and year to date since 1 January 2003?

ANSWER

I'm advised:

The Model Code of Conduct for NSW Public Agencies sets out the guidelines for the conduct of public servants and establishes principles for a code for all public agencies.

Employees are to treat members of the public and their colleagues fairly and consistently, in a non-discriminatory manner with proper regard for their rights and obligations. In this regard, they should perform their duties in a professional and responsible manner.

They should also ensure that their decisions and actions are reasonable, fair and appropriate to the circumstances, based on a consideration of all the relevant facts, and supported by adequate documentation.

Employees are to promote confidence in the integrity of public administration and always act in the public interest and not in their private interest. Employees should protect the reputation of public employers. They should not engage in activities, at work or outside work, that would bring the Public Service into disrepute.

Employees are to provide a relevant and responsive service to their clients and customers, providing all necessary and appropriate assistance and fulfil the department's service performance standards.

Further details of the Code are available on the Premier's Department website at www.premiers.nsw.gov.au.

In addition the Independent Commission Against Corruption may inquire into any allegations of corrupt conduct that occur in the public service.

95. Stress Leave

With respect to each Department, Agency and Entity that the Minister is responsible for:

- i) In relation to staff members for each department and agency the Minister is responsible for the period 1 July 2002 to date on a yearly basis what was the on stress
 - a. Number of days of stress leave taken;
 - b. The estimated cost of stress leave taken;
 - c. Total number of staff who took stress leave; and
 - d. Average number of stress days leave taken per employee.

ANSWER

I'm advised:

The *NSW Occupational Health and Safety Act 2000* aims to protect the health, safety and welfare of people at work by providing general requirements to be met at every place of work in NSW. The Act covers employees as well as employers and self-employed people.

Employees covered by the *Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006* are entitled to various forms of leave including: sick leave, recreation leave, annual leave, family and community services leave, personal carers' leave, maternity, adoption and parental leave, and special leave.

The Personnel Handbook outlines the policy for managing absences due to sickness to ensure that absences are for genuine illness and employees are allowed the necessary time to properly recover before returning to work. The Policy requires managers to regularly monitor and review absences due to illness within the agency.

To check each leave application form would be an unjustifiable diversion of public resources.

96. Advertising

With respect to each Department and Agency the Minister is responsible for can the following information with regards to advertising be provided for each financial year from 2003/4 to date:

- i) What advertising campaigns were commenced? And for what programs?
- ii) In relation to each campaign:
 - a. what was its total cost, including a breakdown of advertising costs for:
 - i. television placements,
 - ii. radio placements,
 - iii. newspaper placements,
 - iv. mail outs with brochures, and
 - v. research on advertising;
 - b. what was the commencement and cessation date for each aspect of the campaign placement.
- iii) For each campaign:
 - a. on which television stations did the advertising campaign screen;

- b. on which radio stations did the advertising campaign feature; and
 - c. in which newspapers did the advertising campaign feature.
- iv) Which:
- a. creative agency or agencies; and
 - b. research agency or agencies, were engaged for the campaign.
- v) In the event of a mail out, what database was used to select addresses – the Australian Taxation Office database, the electoral database or other?

ANSWER

I'm advised:

The Government completed a review of advertising practices across government and issued new advertising requirements on 1 July 2005.

Those requirements applied to the advertising of recruitment, tenders, statutory and regulatory notices, important public information and campaign advertising.

The policies for campaign advertising were also revised with agencies to align planning with the budget process, and the introduction of an independent advertising peer review process for all campaigns with a budget of \$50,000 or more.

The process of advertising tenders is coordinated by the Government Advertising Agency (GAA) which closely monitors advertisements and rejects those that do not meet the stipulated requirements.

Further changes to the Government's advertising policy were introduced in *Premier's Circular 2006-26: Changes to Government Advertising Policy*.

To achieve savings, all advertisements will now be consolidated in a single government advertisement under the masthead NSW Government Noticeboard.

Changes include:

- Improving access to details of job vacancies by publishing the Government's composite recruitment advertisement in both The Sydney Morning Herald and The Daily Telegraph each Saturday and,
- consolidating all important public information and statutory notices into a single government advertisement that appears each Wednesday in The Sydney Morning Herald and The Daily Telegraph.

97. What are the extra funds mentioned at Budget paper 21-1 for community organisations to deliver face-to-face tenancy advice and credit counselling to the State's most vulnerable people?

- (i) How much extra money has been paid and through what agencies was it paid?
- (ii) What monitoring occurs in relation to expenditure of those funds and what reporting is in place in relation to expenditure of those funds?

ANSWER

(i) and (ii)

I am advised by the Office of Fair Trading that this reference in the Budget Paper relates to the Tenants Advice and Advocacy Program and the Credit Counselling Program. A detailed response is provided under Questions on Notice 107 and 110.

98. What feedback have you had in relation to the alleged '*new direction for dispute resolution*' (21-1). Have you done any surveys or research in relation to the facility, which will allow customers to lodge, then track, applications online in dealings with the Consumer Trader and Tenancy Tribunal?

(Asked during the hearing and taken on notice)

ANSWER

I am advised by the Office of Fair Trading that:

The Tribunal already has an online lodgement and tracking capability which allows applicants to pay the application fee and track the status of the application.

99. It is noted at page 5-5 that your department has introduced new guidelines to help licensed builders obtain affordable home warranty insurance. What were t those guidelines and how successful they have been, and how is that success measured?

ANSWER

This matter should be referred to the relevant Minister, the Minister for Commerce.

100. Will Mr Biddolph, from Niagara Park, the subject of my question in relation to a refund for a withdrawn licence application, be receiving a refund?

ANSWER

I am advised that the fees and charges are set by Schedule 4 of the Home Building Regulation 2004, which prescribes fees for all types of applications including processing components of the licensing application that is non-refundable.

101. Did the prosecution of a trader known as Colin Tseris fail at the Sutherland Local Court on 20 March 2006 because authority given by the Director General of Fair Trading to Mr Christopher Laird Pacey to "*commence authorise commencement of: or intervene in legal proceeding*" had been sub delegated to another party ultra vires to the Act?

(i) How much did this failed prosecution cost the Department of Fair Trading?

ANSWER

Prosecutions are undertaken in accordance with relevant legislation and take into consideration the interest of the public when undertaking enforcement action.

102. Under the heading '*Outcomes, Legislation assessed as fair to consumers/traders*', it shows that 100% of legislation assessed was assessed to be fair.

(i) What legislation was assessed?

(ii) What criteria were used for the assessment and who conducted the assessment?

(iii) What transparency and evaluation procedures where used to determine whether it was fair or not?

ANSWER

Legislation is subject to regular statutory review.

103. The Budget papers also indicate that '*Customer Satisfaction with Services*' rated at 90%

- (i) How was that rating determined?
- (ii) Who was responsible for the assessment and what transparency and evaluation procedures were used to determine the rating?

ANSWER

I am advised by the Office of Fair Trading that:

The rating is determined through confidential telephone interviews with a sample of the Office's recent telephone and counter customers.

The 2005-2006 survey result indicates that 90% of the customers interviewed were either very satisfied or satisfied with the overall quality of the service they received. Fair Trading's target level for this annual survey is ≥90% satisfaction.

An independent contractor is engaged to conduct the survey. This ensures unbiased results. For comparability, the same survey instrument is used from year to year.

104. The Budget Papers also indicate that the "*Accuracy of Information provided to public*" a rating is given of 90%

- (i) How was that rating determined?
- (ii) Who was responsible for the assessment and what transparency and evaluation procedures were used to determine the rating?

ANSWER

I am advised by the Office of Fair Trading that:

This rating is determined through a survey carried out by an independent contractor.

105. The Budget Papers report at 5-29 that the EFT for the Department of Fair Trading is 1,121, and at 5-30 it states that *Employee Related expenses* \$97,628,000. This appears to equate to an average salary of \$87,090.00 for employees in the department is this correct?

ANSWER

No

106. Could the Minister supply a breakdown of the number of employees in the Department of Fair Trading at each salary band level?

ANSWER

Yes

107 Can the Minister provide a list of the agencies that funded with the amount of \$1.243 referred to in the Budget papers at 5-30, under '*Financial Counselling Services*' and provide details of how much funding each agency is paid? Additionally what procedures

are in place for monitoring and acquitting the manner in which these grants are expended?

108. Who receives funding from the amount of \$500,000 referred to in the Budget Paper at 5-30 under the program listed as '*Miscellaneous Education Grants*'? What procedures are in place for monitoring and acquitting the manner in which these grants are expended?

109. What are the 'Building Service Grants' referred to in the Budget Papers at 5-30? Who receives these grants and how much was allocated to each recipient? What procedures are in place for monitoring and acquitting the manner in which these grants are expended?

110. Can the Minister provide a list of the agencies that are funded with the amount of \$4,049,000 referred to in the Budget papers at 5-30, under *Tenancy advice and advocacy education program* and details of how much funding each agency is paid? What procedures are in place for monitoring and acquitting the manner in which these grants are expended?

ANSWER 107 - 110

Grants are issued and assessed under a rigorous framework.

Financial Counselling Services referred to in the Budget Paper relates to the Credit Counselling Program. The Program is funded annually with \$1,214,983 allocated in 2006/07 to seventeen community organisations.

The Miscellaneous Education Grants program relates to funds that are allocated to organisations on an application basis for industry related projects.

So far in 2006/2007, some \$200,000 has been allocated to funding building related initiatives.

The Tenants Advice and Advocacy Program (TAAP) is delivered by community organisations throughout the State. The Program is funded triennially and more than \$23m has been committed for the three-year period 2005-2008.

111. What are the \$8.4 million worth of "*Grants and Subsidies - to organisations - public financial enterprises*" referred to in the Budget Papers at 5-30? Who receives these grants and how much was allocated to each recipient? What procedures are in place for monitoring and acquitting the manner in which these grants are expended?

ANSWER

I refer the Committee to the Commerce Annual Reports tabled in the House for the annual financial statements prepared by the Fair Trading Administration Corporation, which are audited by the NSW Audit Office.

112. What sort of claims are paid under the program heading *Expenses Excluding Losses – Other Expenses – Settlement of claims for damage*? Can the Minister supply a list of major recipients of the \$1,326,000 allocated last year for the *Settlement of claims for damages*?

ANSWER

I am advised by the Office of Fair Trading that:

Claims paid are for the settlement of claims on the Motor Dealers Compensation Fund and the Real Estate Compensation Fund payable to consumers for damages relating to the illegal actions of Motor Dealers or Real Estate Agents.

113. What sort of claims are paid under the program heading *Other Expenses – Indemnity and guarantee payments under Government Guaranteed Loan Scheme*? Can the Minister detail how much was paid out for this program last financial year and supply a list of recipients?

ANSWER

I am advised by the Office of Fair Trading that:

Claims paid are Indemnity Payments related to the Government's undertaking to pay the 15% difference between 80% and 95% maximum loans made by Co-operative Housing Societies on defaulting mortgagees. An amount of \$9,498 was paid out in 2005/06, to the two recipients listed below:

114. Why the amount budgeted for *Expenses – Ex gratia Payments* (rose) from \$5,000 to \$100,000 for 2006-2007.

ANSWER

I am advised by the Office of Fair Trading that:

The reason for the increase is because 2006/07 includes an estimate for Motor Vehicle Repair Industry Authority payments which has been included under the Office of Fair Trading for the first time.

115. Why is the amount of \$28,188,000 mentioned under *“Retained Revenue – Recoupment of administration costs”* referred to as a recoupment when this is the amount that the Department of Fair Trading charges for the services rendered?

ANSWER

I am advised by the Office of Fair Trading that:

The Office of Fair Trading performs the administrative functions for the Rental Bond Board, Fair Trading Administration Corporation, Building Insurers' Guarantee Corporation and the Motor Vehicle Repair Industry Authority.

When the cost of performing these services has been determined the appropriate amounts are recouped from each entity.

116. At 5-31, *Retained Revenue – Investment Income*, it indicates an Investment Income of \$3,137,000.

- (i) Where has this investment come from and where will it go as far as investment is concerned?
- (ii) What account will it be identified in?

ANSWER

I am advised by the Office of Fair Trading that:

This investment income is derived from interest on funds held in Fair Trading. The bank interest will be used by Fair Trading to fund operational activities and the interest earned on the Property Services Compensation Fund will be held in the Compensation Fund to fund future activities of the Fund.

117. I refer to the Budget Papers at 5-31, "*Retained Revenue – Retained taxes, fees and fines*", why was there nearly an \$8 million increase under this heading between the budget and the revised figure?

ANSWER

I am advised by the Office of Fair Trading that:

The difference of \$5.7m (Budget \$36.623m, Revised Budget \$42.332m) between the Budget and Revised Budget is related to higher than expected Statutory Interest Income received.

118. How much revenue was collected by the Department of Fair Trading under the categories of:

- (i) taxes
- (ii) fees
- (iii) fines?

ANSWER

I am advised by the Office of Fair Trading that:

The revenue collected was \$ 42,822, 000.

119. What are the numbers of staff that are directly attributable to the operation of the Rental Bond Board?

ANSWER

I am advised by the Office of Fair Trading that:

The Rental Bond Board as a Reporting Entity comprises all activities under its control. The administrative functions for the Board are performed by the Office of Fair Trading and costs associated with these functions are paid for on an operational basis in relation to activities performed.

There are some 75 staff employed by Fair Trading who are directly involved in the processing of rental bonds, system administration and also bondholder telephone enquiries. The other aspects of the Board's activities and responsibilities such as policy, legislation, corporate support, Tribunal administration, etc are provided by other staff who have a variety of Fair Trading responsibilities.

120. What is the amount of salary and/ employee operating expenses directly attributable to the Rental Bond Board?

ANSWER

I am advised by the Office of Fair Trading that:

The amount of employee expenses directly attributable to the Rental Bond Board in 2005/06 was \$2.858m (Renting Services \$2.775m and Tenancy \$0.083m).

121. It is noted that there is a surplus at 5-58 of \$4.952 million but at 5-59 there is a 'non cash items' added back of \$1.540 million.

- (i) Why is that item added back against the surplus?
- (ii) What are these 'non cash items'?

ANSWER

I am advised by the Office of Fair Trading that:

This item is added back against the surplus as it is related to investing activities and the bottom line of the Cash Flow Statement reflects the Net Cash Flow from Operating Activities, therefore, non-cash items relating to investing activities need to be excluded.

These 'non cash items' are gains on Investments.

122. The Budget Estimates at 5-59 refers to an amount \$3.412 million under Net Cash Flows from Operating Activities.

- (i) To what account has that been transferred and where does that appear in the budget papers?
- (ii) What is the total amount now in the account that these funds will be transferred to?
- (iii) What is the interest that accounts earns?
- (iv) What happens to any income that is earned on that account and where is it disclosed in the budget papers?

ANSWER

I am advised by the Office of Fair Trading that:

(i), (ii), (iii) iv)

This \$3.412m represents net cash flows from operating activities only, not the total cash flow (as investing activities are not included in this amount) and as such is not transferred anywhere. Any increase/decrease in cash will be reflected in the bank account, which is where any interest earned is attributed. Interest earned is used to fund the activities of the Rental Bond Board.

123. What is the total amount now held by the Rental Bond Board? (Asked at the hearings and taken on notice.)

ANSWER

I am advised by the Office of Fair Trading that:

The total amount held by the Rental Bond Board is \$690,016,000.

124. What investment rate is the Rental Bond Board receiving for those investments?
(Asked at the hearings and taken on notice.)

ANSWER

The interest earned on the Interest Account Investments and Trust Account Investments is the market rate for such investments.

125. It is noted last year that the Board could not determine what amount was held by the Board for unclaimed rental bonds (as against disputed bonds) and active bonds.

- (i) Has any action been taken to clarify this situation since last year?
- (ii) If not will you now take some action to determine how much is held as abandoned bonds?

(Asked at the hearings and taken on notice.)

ANSWER

I am advised by the Office of Fair Trading that:

The Public Finance and Audit Act 1983 provides the requirements for all unclaimed funds.

126. Last year the budget papers indicated that the Department of Commerce in conjunction with the Department of Fair Trading would spend \$4.5 million for the continued implementation of the Fair Trading Information Centre.

- (i) Were there any costs associated with the implementation this year?
- (ii) If so, where are those costs shown in the budget papers?
- (iii) What are the operating costs of the Information Centre?
- (iv) How many people are now employed at the Centre and what is the direct cost of those employees in operating the centre?

ANSWER

I refer the Committee to the Department of Commerce project (capital) expenditure report.

The Fair Trading Information Centre operating budget for 2006/07 totals \$7.4 million, including salaries.

127. Does the OFT take into account criminal records and bankruptcy etc when they issue a licence to traders?

i) if yes:

- a) Has the OFT checked appropriately the conduct and records of Mr Constantine Kalantzis before issuing Licence No: 15163C on 21 st May 2006?
- b) Is the OFT aware of a document titled 'NSW Police Service Application for Criminal Record Check' of Mr Kalantzis which registers criminal convictions of dishonesty, violence, sexual, drug, conviction for ten years dated 31/08/05? Refer Attachment 4. (Consisting of two pages NSW Police Criminal Record and C. Kalantzis

Licence).

- ii) Whether the ANSWER is yes or no:
 - a) Has BARG's President tabled on the 1 March and 24 May 06 at Quarterly Meetings with HBS, in the presence of 4 Officers, Mr. Steve Griffin, Acting General Manager, Mr. Steve Newton, Mr. Les Wrigley and Mr. Michael Cooper a document from 'NSW Police Service Application for Criminal Record Check'?
 - b) Hasn't BARG's President at the Quarterly Meeting asked Mr Griffin regarding C Kalantzis the following:
 - iii) What action if any, has Mr. Griffin taken to date, in relation to Mr Kalantzis licence, since he became aware of his criminal record?
 - iv) Can the OFT provide us with the qualifications and references attached to the licence of Mr C. Kalantzis?

ANSWER

I am advised by the Office of Fair Trading:

Yes, criminal and bankruptcy records are taken into account.

- i) a) Yes.
 - b) No. In fact this assertion is contrary to a check Fair Trading has recently undertaken.
- ii) a) No. Minutes maintained by the Home Building Service in relation to the meetings held on 1 March and 24 May 2006 record that discussions took place and the BARG President referred to a document, claiming that it was Mr Kalantzis' criminal record but did not table the document.
 - b) & iii) No. Mrs Onorati has never asked Mr Griffin this question. However in a subsequent meeting with a consumer, Mr Papanastasiou, Mr Griffin became aware of the concerns surrounding the licensee's criminal record and caused the licence to be reviewed. The review confirmed that Mr Kalantzis' current criminal record does impact on his fitness to hold a licence. Mr Kalantzis is the subject of a current investigation to determine if enforcement action should be taken against him.
- iv) No. However, an application may be made to the Office of Fair Trading under the Freedom of Information Act 1989.

128. Does the OFT check thoroughly the practical experience and employment records attached to the licence application provided by the applicants?

- i) If yes:
 - a) Has the OFT checked Steven Harb's Practical Experience reference dated 19th May 1998 attached to the licence application, signed by Peter Harb, on a letterhead of Harb Construction?
 - b) Has the OFT checked whether the company, Harb Construction, that provided such references was at the time licensed?

- c) Is the OFT aware that Licence No. 65651C printed on the Harb Construction letterhead does not belong to Harb Construction, but it is the individual licence of Peter Harb, who is Steven Harb's brother?
- d) Is the OFT aware that Harb Construction did not hold a licence at the time?
- e) Did BARG tabled at the Quarterly Meetings held on 1st March and 24 May 06 Steven Harb's practical experience and employment records and demonstrated the serious illegalities? NB: It is interesting to note that Steven Harb was issued with a license No: 93973C on 3/8/1998 and Harb Construction Pty. Ltd. was issued with Licence No: 135959C on 14/5/2002, whereas Peter and Steven Harb both are the Qualified Supervisors and Directors. Refer to licences of Peter Harb, Harb Construction Pty Ltd and Steven Harb. Refer Attachment 6.
- ii) Why hasn't Steve Griffin taken any action in relation to the illegal and misleading reference attached to Steven Harb's licence application, given by Peter Harb on Harb Construction's letterhead since 1st March 2006?

ANSWER

I am advised by the Office of Fair Trading:

Yes, practical experience and employment records attached to applications are checked.

- i) a) Yes. This reference is one of a number that the applicant submitted.
- b) Peter Harb provided his reference as an individual and he was appropriately qualified at the time.
- c) Fair Trading is unable to ascertain whether staff were aware at the time. However, this information is irrelevant to the licence application of Steven Harb.
- d) Fair Trading is unable to ascertain whether staff were aware. However, however this does not preclude Mr Peter Harb as an individual from providing a reference in relation to work experience.
- e) No. Minutes maintained by the Home Building Service in relation to the meetings held on 1 March and 24 May 2006 record that while discussions took place, the documents referred to were not tabled. However, Mr Griffin caused a review of Steven Harb's licence application to be undertaken.
- iv) Action was taken and the licence application was reviewed. The reference was not deemed to be illegal or misleading. In addition it was only a secondary reference provided in support of the application.

129. Does the OFT check thoroughly trade qualification before issuing a license?

i) If yes:

- a) Is a CRAFT (vocational) Certificate an adequate TAFE qualification to obtain a licence for carpentry and joinery and concreting?
- b) Has Office of Pair Trading noted that a CRAFT certificate being a vocational certificate has a note in bold stating "Note: this does not certify that a prescribed course has been completed".
- c) Has BARG on the 1st March and the 24th May 2006 Quarterly Meetings with HBS, tabled this Craft Certificate and discussed it, requesting how did OFT issue a License to this applicant, Mr. Peter Callas, who did not have the prescribed qualifications for carpentry and joinery, and no qualifcations at all for concreting?
- d) Has Mr. Les Wrigley (HBS Investigation Manager) stated in relation to the non appropriate qualifications of P. Callas at a BARG Quarterly Meeting that: "we are

satisfied licensing met the criteria back then...".

- e) What action does the OFT take when it receives complaints against licensed traders who did not have adequate qualifications when obtained a licence "back then?"
- f) Why hasn't the OFT complied with the HBA Mandatory Professional Development Amendment introduced on 1st March 2004 in relation to the complaints received against Peter Callas?

ANSWER

I am advised by the Office of Fair Trading:

Yes, trade qualifications are checked.

- i) a) No. Currently Fair Trading would also sight the TAFE Certificate or transcripts of academic record.
- b) Yes. Craft Certificates confirm four years experience only and this formed part of the pathway to obtaining a concreting licence up until 21 August 2006.
- c) Minutes maintained by the Home Building Service in relation to the meetings held on 1 March and 24 May 2006 record that discussions in relation to this certificate did take place. BARG was advised at the March 2006 meeting that a review would be undertaken. At the subsequent meeting, BARG was advised that Mr Callas met the requirements for the granting of a licence at the time his application was received some 14 years ago.
- d) Mr Wrigley said words to the effect: "We are satisfied that Mr Callas met the requirements for the issue of a licence at the time his application was made some 14 years ago."
- e) If Fair Trading becomes aware that a licensed contractor may have acquired a licence or a variation to a licence by fraudulent means, the matter is investigated with a view to cancelling that licence.
- f) Continuing Professional Development applies only to builders and swimming pool builders. Mr Callas holds neither a builder nor swimming pool builder licence.

130. Does the OFT maintain and preserve critical documents i.e. licence applications and details of important records or allow them to deteriorate and become illegible instead of carefully stored them in an 'information database'?

ANSWER

I am advised by the Office of Fair Trading that compliance with statutory record keeping requirements is maintained for all licence records:

131. Does OFT "licence check website" register all the licences held by the one Trader?

ANSWER

I am advised by the Office of Fair Trading that it would hold all individual authorities under an individual's name. However, it does not directly link to companies. If an individual was a nominated supervisor of a licensed entity it would link them on the record. A separate search would have to be undertaken of other licence entities such as the company name. The Fair Trading website provides consumers conducting online licence checks with information to enable a full and complete search to be conducted.

132. Why the OFT Register does not record all licences and/ or any licences previously held by a trader? eg Bryan Watson and Peter Callas? (There may be others.)

ANSWER

I am advised by the Office of Fair Trading that matches only relate to individuals who hold an authority. There would be no direct link to directors:

133. What is an acceptable time to examine, assess and finalise the investigation and take disciplinary action against the misconduct of a licensed builder?

ANSWER

I am advised by the Office of Fair Trading that there is performance criteria in place which apply to the investigation of matters in relation to breaches of the Home Building Act 1989. The timeframe for examining, assessing and finalising an investigation depends on many factors including the complexity of the matter, the availability of evidence and the willingness and availability of witnesses to provide statements. Each investigation is assessed and monitored having regard to these factors.

134. Has Mr C. Hanlon (OFT Officer) given evidence at the Campbell Inquiry in May 2002?

135. Has Mr. Hanlon given the Joint Select Committee on the Quality of Buildings the following evidence: "We will wrap up our disciplinary action, finalise our investigation and take disciplinary action in about 6 week, not 6 months".

ANSWERS 134 – 135

I refer the Committee to the transcripts of that Inquiry.

136. Can the OFT explain to us why complaints lodged by consumers take such protracted delay to be investigated and finalised?

ANSWER

I am advised by the Office of Fair Trading that 60% of building disputes are resolved in under 20 calendar days through an informal mediation process. Therefore, I do not agree that Fair Trading's building complaints are subject to protracted delay.

The remaining complaints, which are more complex and require the intervention of a building inspector, take on average an additional 51 calendar days until an outcome is decided. This timeframe includes a site inspection and assessment, as well as the mediation process between the consumer and builder.

137. Which offences does the OFT consider to be serious enough to take prompt and appropriate disciplinary action according to HBA?

ANSWER

I am advised by the Office of Fair Trading that it considers all offences against the Home Building Act 1989 to be serious. However, matters involving the health and safety of consumers are given priority. As a consequence, Fair Trading will act quickly to suspend a licence or injunct a builder where there are health and safety or serious consumer detriment issues involved.

138. Does the OFT give priority to urgent cases?

ANSWER

I am advised by the Office of Fair Trading that priority is given to cases it determines as urgent.

139. Does the OFT consider “life threats” made by a licensed builder to a consumer urgent enough to be given priority to?

ANSWER

I am advised by the Office of Fair Trading that threats to the life or physical health of any person are given priority. It is, however, a matter for the Police. While Fair Trading will advise the consumer to report the matter to the Police, it will also refer the matter to the Police.

140. What is the acceptable timeframe OFT considers to be given in such situations?

ANSWER

I am advised by the Office of Fair Trading that the timeframe depends on the complexity of the matter, the availability of necessary evidence and the following of statutory and legal processes. Fair Trading has, and will continue to act quickly to suspend the licence of a contractor where there is evidence that the contractor has threatened harm to consumers.

141. Are the Amendments as prescribed by the Review of HBA 2004 strenuously and effectively enforced by the OFT/ HBS?

ANSWER

I am advised by the Office of Fair Trading that it and the Home Building Service diligently seek to enforce the legislation it administers.

142. Is the Commissioner for Fair Trading complying with and enforcing her Statutory Duties as prescribed in section 106 of the HBA?

ANSWER

I am advised by the Office of Fair Trading that the Commissioner is complying and enforcing her statutory duties.

143. Is any ability given to the Commissioner under the Act to remove a particular notation from the register where it is reflected a previous breach by a trader?

ANSWER. Section 120(4) of the Home Building Act 1989 allows the Commissioner to remove information from, or otherwise amend, the public register:

144. Is the OFT aware that on the website register licence of P & N Callas, Licence No: 136256C there was the following notation: Number of Tribunal Orders not complied with:1?

ANSWER

I am advised by the Office of Fair Trading that they are aware of this notation.

145. Why has the Commissioner removed from P & N Callas’ website register Licence No 136256C, the notation of Tribunal Orders not complied with?

ANSWER

I am advised by the Office of Fair Trading that investigations revealed that subsequent to the notation being made, the order was satisfied. Subsequently the notation was removed.

146. What are the penalties imposed by the OFT to licensed contractors for the following HBA breaches and non compliances:

- i) False and misleading information to consumers
- ii) Failure to provide and submit Development Application to Council and to obtain Construction Certificate prior to start building works
- iii) Failure to issue HOW Insurance Certificate
- iv) Failure to issue proper contract
- v) Threats and intimidatory behaviour by builder to consumer when breaches and non compliances were discovered
- vi) Request of maximum deposit
- vii) Failure to comply with requirements of critical Council/ PCA inspections (particularly at the footings stage) and failure to inform the PCA and proceeds with building work in the absence of an inspection taking place
- viii) Lending of a licence and/ or aiding and abetting unlicensed traders.

ANSWER

I am advised by the Office of Fair Trading that:

- i) There are a range of penalties that may be imposed under Section 62 of the Home Building Act 1989 for breaches and non-compliance with the Act. These include cancelling the contractor licence, disqualifying a licensee from holding a contractor licence, suspending the contractor licence, varying the authority of the contractor licence, imposing a monetary penalty and issuing a caution or reprimand. Fair Trading also has the authority to issue penalty notices or take prosecution or injunction action. The penalty that is imposed will depend on the circumstances of the matter and an assessment of which compliance action would achieve an appropriate outcome.
- ii), iii), iv), & v) Refer to ANSWER 146 i).
- vi) Requesting the maximum deposit permitted by Home Building Act is not an offence or breach of that Act.
- vii) & viii) Refer to ANSWER 146 i

Western Sydney NW and SW Growth Centres

147. Recent media reports have suggested the government is considering allowing land releases in the North West and South West Growth Centres in areas where developers can pay for local infrastructure, rather than strictly adhering to the release plan and timetable set by the Growth Centres Commission. Have you or anyone in your Department been consulted about this proposal?

148. This idea was strongly opposed by local government with the President of the Local Government Association and the six metropolitan ROCs denouncing the proposal as a development “free-for-all”. Have you met with any representatives from local government about this proposal?

149. Do you agree that even if local infrastructure is built by developers as promised, interfering with the planned, staged timing of land may undermine the viability of major infrastructure projects such as the proposed Northwest-Southwest Rail Links? If so, have you expressed this concern to your cabinet colleagues? Have you or any of your staff met with any developers or large land holders in the NW or SW growth centres about land releases? If so, with whom and when?

150. You must be aware of the discord felt by some landholders in both the NW and SW Growth Centres, about zoning for green space and flood zones. Specifically, there have been allegations that land owned by large land owners and powerful developers has been zoned for development, while much of the land zoned for green space or flood

prone, is owned by small landholders. Are you confident that all the land zoned flood prone is indeed in a flood prone area, and that the land zoned for development is at no risk of flood?

151. Have you met with any land holders about this matter? If, yes, when and with whom?

152. Have you met with any of your cabinet colleagues to discuss this matter? If yes, when and with whom?

153. Do you support the move by Integral energy to refuse to put the upgraded power mains to Vineyard underground?

154. Have you met with any representatives of Integral Energy to discuss putting the cables underground? If not, why?

155. Given the Government's rhetoric about learning the lessons about inadequate infrastructure and ad hoc greenfield development, shouldn't this major power upgrade in the northwest Growth Centre be put underground before the area is fully developed?

156. Given the existing lack of public transport in North Western Sydney, and the fact that rail experts have said construction time to build the rail link to Rouse Hill would take only 3 years, have you lobbied your cabinet colleagues to build the NW rail extension before 2017? If not, why?

157. Turning to the SW Growth Centre, have you lobbied to have the SW rail extension to Leppington built sooner than 2012?

158. Have you met with anyone about the proposed options for the route of the Leppington rail line, and/or the options for the location of Leppington Station? If yes, with whom and when?

159. Are you aware of the environmental damage caused to South Creek at Oran Park, from an illegal weir built 30 years ago that funnels the creek's water into dams on land owned by local dairy farmer, Mr Perich?

160. Have you ever been to the site of the illegal weir, or Mr Perich's dams, to view the area personally?

161. Have you ever met with Mr Perich? If so, when?

162. Are you aware that Mr Perich has lobbied to have land owned by him running along the western side of South Creek, included in the Oran Park land release, while land at the same elevation on the eastern side of the creek has been zoned flood prone?

163. Have you ever met with the Planning Minister, Frank Sartor, or his successor, Craig Knowles to discuss land releases in the SW or NW growth Sector? Did these discussions include any specific parcels of land. If so, which parcels?

ANSWERS 147-163

As Minister for Western Sydney, I have been involved in the North West and South West release areas from the start attending community consultation meetings that kicked off the process. This has been one of the most comprehensive consultation processes under taken by any Government.

The first stage of Sydney's Growth Centres will see almost 40,000 new housing lots will rezoned for residential development at the same time as infrastructure is provided to these areas.

The Growth Centres will eventually accommodate 181,000 new homes with a greater range of housing types to meet the needs of everyone in the community from families to single and two person households and retirees.

I am pleased that the Government will invest \$483 million upfront over the next four years as part of a \$546 million spending program to prepare these new release precincts for development.

This is Stage One of a \$7.5 billion Infrastructure Plan for Western Sydney's growth centres that will match infrastructure investment to the pace of development.

The average cost of developer contributions towards regional infrastructure in the growth centres has been reduced by 21 percent and almost halved in some cases. The Special Infrastructure Contribution has been reduced to an average of \$33,000 per lot.

Should honourable members require further detail, they should direct their questions to the Minister responsible.

In relation to who I have met with, I can advise that as Minister for Western Sydney, I meet with stakeholders on a regular basis where it is appropriate.

Petrol Prices

164. Are you concerned about the reliance that people in far western Sydney have on cars, and their susceptibility to fuel prices?

165. Given this, what has your department done to try to alleviate the reliance on cars, of people living in Western Sydney.

166. Are you aware of the public debate around peak oil? Has your department done any assessment or study into the impacts of spiralling petrol prices on the people of Western Sydney?

167. Do you intend to do any assessment in the near future?

ANSWERS 164-167

Petrol prices and the regulation of such is primarily the responsibility of the Federal Government.

As Minister for Western Sydney, I am concerned that increasing petrol prices represent a threat to the future prosperity of Western Sydney is the continual rise in petrol prices. Families in Western Sydney are being hit with a double whammy - rising interest rates high petrol prices in petrol prices.

The Commonwealth's recent announcement about providing subsidies for those who switch to LPG will do nothing to help those families who cannot afford to fill their car up at the bowser or pay for the conversion to LPG.

I am pleased however that the incoming Government, will mandate the use of ethanol-blended petrol, helping to deliver relief for NSW families and businesses suffering from high petrol prices.

NSW will also establish an E10 Taskforce to report back to the Government with an implementation plan, and resolve the unanswered questions about biofuel use.

As Minister for Western Sydney, I am pleased that the Government has invested and continues to invest heavily in public transport in Western Sydney. I recently had the pleasure in joining the Premier in announcing the expansion plans of Westbus – demonstrating the success of this Government's private bus reforms

Affordable housing

168. Some commentators have recently said that more land needs to be released for new housing estates in the fringes of western Sydney, and that land costs too much because it is rationed. What is your view on that theory?

169. Given the lack of sufficient affordable housing in Western Sydney, what have you done to address this issue?

170. Have you met with LandCom to explore ways they could provide a greater percentage of affordable housing in their new developments in Western Sydney?

ANSWERS 168-170

The biggest threat to affordable housing in Western Sydney is rising interest rates.

I am pleased that the NSW Government has “zoned and serviced” land that provides for 26,652 new homes.

10,500 of these have not yet gone to Council for a DA approval, while 5,700 have gone through all the state planning processes as well as having been approved by Council and sub-divided by the developers.

They are ready for sale but only some of these have been released to the market.

The Government can only assume that developers are not progressing their developments because of the economic downturn driven by:

- § interest rate rises and speculation of more to come;
- § rising petrol prices, and
- § the current property market cycle position.

The land is there and the Government will be releasing more to build on the available stock.

The Government will continue to take actions to ensure land stock is maintained at a sufficient level in each development stage to meet the changing housing needs of Sydney people.

Social housing

171. Does it concern you that Western Sydney is losing units of social housing due to the stalled or botched PPPs going on at Minto and Bonnyrigg?

172. Have you met with or spoken to any of your cabinet colleagues to try and stop the sale of public housing in Western Sydney?

ANSWERS 171-172

Any loss of social housing is of concern to the Government and I and my Cabinet colleagues are committed to ensure that there is an adequate stock of public housing in Western Sydney and the rest of New South Wales.

UWS medical school

173. What agreement or agreements has the government entered into with the University of Western Sydney to provide financial or in-kind assistance to the university in establishing a medical school?

174. Is the government satisfied that the University is in a strong enough financial position to open a medical school of the standard necessary to ensure its graduates are trained to the appropriate standard before entering the medical workforce?

175. When does the government anticipate that the UWS medical school will have its first cohort of students graduate?

176. Has the government made any assessment, or been informed of any assessment done by the university, of the likely level of tuition fees to be charged for the UWS medical degree? If so, what level of fees is currently envisaged?

177. What incentives is the government considering or proposing to entice UWS medical graduates to practice in western Sydney?

ANSWERS 173-177

The funding of Universities and their fee structure is primarily a Commonwealth Government responsibility.

As Minister for Western Sydney, I am of course delighted that our regional University will have a medical school.

I am also pleased that the State Government has worked closely with UWS and is providing significant, in kind support. This has been necessary to the decision by the Commonwealth Government not to fully fund the entire cost of establishing the school.

I am advised that negotiations have been proceeding with Area Health Services and TAFE NSW to reach formal agreements on use of facilities necessary for the commencement of the medical school and conduct of the curriculum.

This has included temporary use of facilities in the Liverpool TAFE for the training of medical students, and access to NSW Government health facilities and hospitals for placement of students during various parts of their training.

Public transport

178. What is your position on light rail? Do you think there are any opportunities for light rail networks in Western Sydney? If yes, where?

179. Have you lobbied any of your cabinet colleagues for light rail in Western Sydney?

ANSWERS 178-179

As Minister for Western Sydney, I am delighted the Government has invested heavily in Western Sydney's transport infrastructure, particularly bus transitways.

The Parramatta to Liverpool Transitway has carried more than 5 million passengers and the North West Transitway will link another 290,000 residents.

The light rail versus bus debate does not address the core issue facing public transport in Sydney – how do we get people out of their cars and onto public transport.

The advocates of light rail simply propose to swap part of the existing bus network with light rail, at a vastly increased cost.

This Government's bus reforms are giving Western Sydney commuters a strong, viable bus service. I had the pleasure of joining the Premier to announce the expansion plans of Westbus.

The new success of Westbus is a result of this Government's careful planning for the future of buses as a viable mode of transport which stands in stark contrast to the cavalier policies of the Opposition.

Gas Pipeline from Milperra to Marrickville

180. Is the Minister aware of the Agility Energy gas pipeline issue in Bankstown? Does the gas pipeline have to go down residential streets, or would it be better placed in the M5 corridor?

181. Do you know why the pipeline has been approved to run down residential streets? Is there supposed to be a 100m safety zone around the pipe?

182. Will the planned route of the pipe run near industrial sites that use hazardous materials?

ANSWERS 180-182

These questions should be directed to the Minister responsible.

Fair Trading

CMADSS & Administration of Not for Profit Organisations

183. What progress has the Office of Fair Trading made in addressing governance concerns at the Canterbury Multicultural Aged and Disability Support Service (CMADSS)?

184. How many complaints has the Office of Fair Trading received since 2003 about governance or financial issues in incorporated associations that receive public funds for the delivery of services?

185. How many of those complaints have been or are being investigated by the Office of Fair Trading?

186. How many of those complaints have now been resolved to the satisfaction of the complainants?

ANSWERS 183 – 186

I am advised that:

The Office of Fair Trading has undertaken a review of the records of the Canterbury Multicultural Aged & Disability Support Services Inc. to determine compliance with the requirements of the Associations Incorporation Act 1984. The Office of Fair Trading has no evidence at this time to indicate that breaches of the Act have occurred.

All complaints referred to Fair Trading are diligently examined.

Residential Tenancies Act Review

187. Following the receipt of hundreds of submissions, will the Government or OFT be putting out a further discussion/options paper?

188. Studies have shown, in particular a study by Mowbray, that the disinvestment is unlikely to be caused just because of legislative protection on the boarding house sector. Other States and territories have boarders and lodgers included in their legislation. Why will NSW not act to offer some protection to these vulnerable people, who are currently living in a totally unregulated sector?

ANSWERS 187 – 188

I refer the Committee to the transcripts of the Estimate hearings.

Rent increases and the Residential Tenancies Act

189. Some organisations such as the Real Estate Institute of NSW have predicted rent increases. At the moment, any landlord can issue rent increase notice, after the fixed

term of the tenancy expires, as long as they correctly serve the tenant with a 60 day notice. There is no legal limit on the amount of rent increase that can be specified. The tenant has very little redress and the Tribunal is told by the Residential Tenancies Act to use market rents as a reference point on making a determination as to whether or not the rent increase is 'excessive'. When you amend the Residential Tenancies Act, will you take any measures to amend sections 46 and 47, which deal with rent increases, to try to moderate these pressures by placing some sort of limit on how much rent may be increased every year?

ANSWER 189

I refer the Committee to the transcripts of the Estimate hearings.