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NSW Department of Commerce Annual Report 2007/08

**Appendices**





## Appendix 1 - Accounts payable performance

### Accounts paid on time each quarter

Quarter	Current \$'000	Less than 30 days overdue \$'000	30-60 days overdue \$'000	60-90 days overdue \$'000	more than 90 days overdue \$'000	total \$'000
September Quarter	573,538	16,799	5,733	1,660	2,537	600,267
December Quarter	480,838	20,274	4,593	1,901	1,436	509,041
March Quarter	424,106	25,873	4,291	1,793	2,283	458,346
June Quarter	628,510	20,772	4,356	1,275	3,197	658,110

### Percentage paid on time within each quarter

Quarter	Target %	Actual %	Paid on time \$'000	Total paid \$'000
September Quarter	85	95.5	573,538	600,267
December Quarter	85	94.5	480,838	509,041
March Quarter	85	92.5	424,106	458,346
June Quarter	85	95.5	628,510	658,110

## Appendix 2 - Annual report preparation

The annual report was prepared inhouse. Print and production costs were \$5055.05. This cost includes design and production of new covers and introduction of a new print template. The report is also available online at [www.commerce.nsw.gov.au](http://www.commerce.nsw.gov.au)

## Appendix 3 - Australian Centre for Advanced Computing and Communications

The mission of Australian Centre for Advanced Computing and Communications (ac3) is to provide managed IT services for the information and communications technology needs of government agencies and the university research community in New South Wales.

## Functions of ac3

- provide secure data centre facilities, located at the Australian Technology Park in Eveleigh, and at Global Switch in Ultimo
- to provide competitive facilities for use by commercial clients, including government agencies, for the hosting and management of computing and network equipment.
- to provide high-speed communications to the Internet and access to the NSW Government's Broadband Service
- to provide centralised support for shared university supercomputing activities
- to offer a range of locally sourced products and services over the Internet to external commercial clients.

## Aims and objectives

- to become the preferred location for companies and government agencies requiring full professional services for the management of computing servers and networks
- to provide the underlying computing and network infrastructure for the support of the research community in New South Wales
- to survive on commercially generated revenues and participate in Commonwealth grant schemes as required by the University partners.

## Structure of ac3

The Australian Centre for Advanced Computing and Communications Pty Ltd. was registered as a proprietary company limited by shares under the Corporations Act on 10 November 2000.

Currently, the New South Wales Government Telecommunications Authority holds 57 per cent of the shares in the company on behalf of the NSW Government, with the remaining 43 per cent being held by eight NSW universities.

ac3 has its own staff and reports to a Board of 11 Directors who represent the owners of the company.

## Administration

The company's staff manages the day to day operations of the company.

## Contacting ac3:

Bay 9, Locomotive Workshop

Australian Technology Park

Eveleigh, Sydney

Tel: (02) 9209 4600;

Email: [info@ac3.com.au](mailto:info@ac3.com.au)

## Appendix 4 – Committees and Boards

*Representation key: (c) chairperson; (m) member; (t) trustee*

### Director –General

#### *Commerce*

- Commerce Executive (c)
- State Contracts Control Board (c)
- Building Industry Co-ordination Committee (c)
- Cleaning Contracts Steering Committee (c)
- NSW Government Licensing Project Steering Committee (c)
- Central Corporate Services Unit Management Board (m)
- Home Warranty Insurance Scheme Board (m)
- Risk and Audit Committee (m)
- StateFleet Advisory Board (m)

#### *External*

- Aboriginal Communities Development Program Steering Committee (m)
- Australian Procurement and Construction Council, Council of Chief Executives (m)
- Chief Executive Committee (m)
- Chief Executive Officers Economic and Business Cluster (m)
- Chief Executive Officers Network (m)
- Chief Executives Counter Terrorism Co-ordinating Group (m)
- Government Asset Management Committee (m)
- Greenhouse CEOs Committee (m)
- Industrial Relations Steering Committee (m)
- Metropolitan Water CEOs Committee (m)
- Metropolitan CEOs Group (m)
- State Records Authority of New South Board (m)
- Sustainability in Government CEO's Committee (c)

### Legal and Governance

- Internal Audit Capacity in the Public Sector Performance Review, Implementation Steering Committee – Charlie Sherlock (m)

### Office of Fair Trading

Members of significant statutory bodies and inter-departmental committees:

- Acceptable Standards of Domestic Construction Committee – Paul Dengate (m)
- Anti-Graffiti Action Team – Rod Stowe (m) Diana Holy (m) (alternate Susan Dixon)
- Australasian Consumer Fraud Taskforce – Andrew Wilson (m) Katie Davis (m) Malcolm Finger (m)
- Australia New Zealand Reciprocity Association – Barbara Fernandez (m)
- Builders Licensing Australasia - Barbara Fernandez (m) Steve Newton (m)
- Building and Construction Council (BACC) - Steve Griffin (m)
- Building Industry Co-ordination Committee – Lyn Baker (c) Rod Stowe (m) Steve Griffin (m) Dominic Wong (m)
- Business Information and Services Forum - Daniel Hornas (m) Diane Newcombe (m)
- Central Coast Regional Coordination Management Group - Sean Lonergan (m)
- Council of Australian Governments Action Group – Builder, Carpenter, Bricklayer Occupations – Barbara Fernandez (m)

- Council of Australian Governments Action Group - Motor Mechanics Occupations - Tony Tarplee (m)
- Council of Australian Governments Action Group – Plumbing Occupations – Barbara Fernandez (m)
- Council of Australian Governments Economic Participation and Welfare Reform Sub Group – Andrew Gavrielatos (m)
- Committee on Uniformity of Plumbing and Drainage Regulations in New South Wales - Barbara Fernandez (m)
- Community Relations Commission Hornsby - Wyong Regional Advisory Council - Robyn Cini (m)
- Community Relations Commission Northern Regional Advisory Council - Margaret Munro (m)
- Construction Industry Training Advisory Board - Barbara Fernandez (m)
- Consumer Products Advisory Committee - Brian Given (m) Steve Hutchison (m) Andrew Wilson (m)
- Co-operative Housing & Starr-Bowkett Societies Standards Committee - Christine Gowland (m)
- Co-operative Housing Society Advisory Committee - Brian Given (c)
- Co-operatives Council - Brian Given (c) (delegated by Commissioner)
- Co-operatives National Working Party - Brian Given (c) Michael Bardsley (m) Deborah Kreig (m) Robyne Lunney (m)
- Council of Australian Governments (Council of Australian Governments) Action Group – Electrical Occupations – Barbara Fernandez (m)
- Customer Satisfaction Senior Officers Working Group – Andrew Gavrielatos (m)
- Electrical Regulatory Authorities Council - Steve Hutchison (m) Regina Haertsch (m)
- Fair Trading Advisory Council - Lyn Baker (m)
- Fair Trading Operations Advisory Committee (FTOAC) - Brian Given (m) Andrew Wilson (m) Malcolm Finger (m)
- Financial Counselling Trust Fund - Michael Silk (Trustee)
- Financial Literacy Working Party – Suzanne Crowle (c)
- Fire Protection Systems Working Party – Steve Griffin (m) Kel Nash (m)
- Gas Technical Regulators Committee – Steve Hutchison (m)
- Government Business Education Network - Jenny Waldie (m)
- Hazardous Chemicals Advisory Committee - Steve Hutchison (m)
- Health Claims Regulators Forum – Brian Given (m) Andrew Wilson (m)
- Home Building Advisory Council - Lyn Baker (m)
- Home Warranty Insurance Scheme Board – Lyn Baker (m)
- Housing and Human Services Senior Officers Group - Susan Dixon (m)
- Hunter Regional Coordination Management Group - Paul Coles (m)
- Illawarra Multicultural Council - Paul Humble (m)
- Illawarra Regional Coordination Management Group - Paul Humble (m)
- Korea Tourism Reference Group - Malcolm Finger (m)
- MCCA Working Party on Consumer Policy - Susan Dixon (m)
- Minister for State and Regional Development's Biofuels Expert Panel – Rod Stowe (m)
- Ministerial Council on Consumer Affairs/Standing Committee of Attorneys Joint Working Party on General Residential Tenancy Databases - Diana Holy (m) (alternate Susan Dixon)
- Motor Vehicle Industry Advisory Council - Lyn Baker (m)
- National Education and Information Advisory Taskforce (NEIAT) – Suzanne Crowle (m)
- National Finance/Mortgage Brokers Working Group - Margaret Raffan (c)
- National Indigenous Consumer Strategy Reference Group – Paul Coles (m)
- National Plumbing Regulators Forum – Barbara Fernandez (m)
- National Trade Measurement Working Group - Brian Given (c)
- National Trade Measurement Project - Human Resources Working Group – Andrew Gavrielatos (m)
- North Coast Regional Coordination Management Group - Marilyn Richmond (m)
- NSW Car Theft Action Group - Tony Tarplee (m)
- NSW Financial Counselling Trust Fund - Michael Silk (m) Mark Travers (t)
- NSW Government Licensing Project Steering Committee - Lyn Baker (m)
- NSW Security Industry Council – Rod Stowe (m)

- Partnership Against Homelessness Sub-Committee - Susan Dixon (m)
- Personal Property Securities Reform Consultative Committee – Marilyn Betty (m)
- Planning for Later Life Forum – Katie Davis (m)
- Poisons Advisory Committee - Steve Hutchison (m)
- Products Safety Committee - David Catt (c) Steve Hutchison (m)
- Property and Financial Services Industry Training Advisory Board - Property Committee - Barbara Fernandez (m)
- Property Services Advisory Council - Lyn Baker (m)
- Rental Bond Board - Lyn Baker (c)
- Retirement Village Advisory Council - Lyn Baker (m)
- Revised Interagency Protocol for Responding to Abuse of Older People Training Steering Committee – Gianna Alimeni (m)
- SCOCA Core National Trade Measurement Legislation Working Group - Brian Given (m) Graham Monday (m)
- SCOCA Estate Agents Harmonisation Project – Barbara Fernandez (m)
- SCOCA Property Investment Advice Working Party - Dominic Wong (m)
- SCOCA Working Party Travel Agents Regulatory Scheme Review – Brian Given (c)
- Standing Committee of Officials of Consumer Affairs (SCOCA) - Lyn Baker (m)
- Strata Industry Working Group – Leanne Porter (m), Warren McAllister (m)
- Sydney Water - Water Pressure Management Stakeholder committee – Warren McAllister (m)
- Tourist Consumer Protection Working Group - Malcolm Finger (m)
- Trade Measurement Advisory Committee - Brian Given (m) Andrew Wilson (m) Steve Hutchison (m) Graham Monday (m)
- Trade Measurement Transition Coordinators Forum – Andrew Gavrielatos (m)
- Uniform Consumer Credit Code Management Committee - Margaret Raffan (m)
- Urban Development Institute of Australia-NSW Strata & Community Development Committee – Leanne Porter (m)
- Western Area Regional Coordination Management Group – Kerrie Smith (m)
- Western Sydney Regional Coordination Management Group – Joe D'Ermilio (m)
- Working Group on the Potential for Caravan Parks and Manufactured Home Estates to increase the Supply of Affordable Housing and Tourism Accommodation in NSW – Norman Cossey (m)

## Government Chief Information Office

- AusDIN Portal Group – Steve Smith (c)
- AusDIN Work Group - Steve Smith (c)
- Australian Centre for Advanced Computing & Communications (ac3) Audit Committee - Emmanuel Rodriguez/Colin Griffith (m)
- Australian Centre for Advanced Computing & Communications (ac3) Board -Emmanuel Rodriguez/Colin Griffith (m)
- Australian Interactive Media Industry Association (AIMIA) - Colin Griffith (m)
- Australian Telecommunications Users Group (ATUG) - Colin Griffith
- BGA Program Control Group – Emmanuel Rodriguez (m), David Thomson (c)
- Broadband Management Committee - Emmanuel Rodriguez/Colin Griffith (m)
- Business Intelligence User Group - Michael Lurie (m)
- Chief Information Officers' Executive Council - Emmanuel Rodriguez (m) Colin Griffith (m)
- CIO Executive Council - Investment Sub-Committee - Emmanuel Rodriguez (m)/Colin Griffith (m)
- CPA Technical Centre of Excellence Committee – Michael Lurie (m)
- Crisis Coordination and Communications Capability Sub-Committee (4CSC)
- Cross Jurisdictional Chief Information Officers Committee - Emmanuel Rodriguez/Colin Griffith (m)
- Cross Jurisdictional Chief Information Officer's Committee Working Group on Authentication (this is a Commonwealth group) – Nigel Evans (m)
- Customer Interface Management Web Policy Committee - Tony Gates (Chair)
- Department of Juvenile Justice IM&CT Steering Committee – Bill Butler (m)
- Domain Consultative Committee Australian Government Information Management Office (Federal Government) – Trevor Waters (m)

- Enterprise Project Management User Group - Flavian De Silva (m)
- Government Licensing Project Contract Management Committee - Emmanuel Rodriguez/Colin Griffith (m), Mahajan Padmanathan (m), Liz Mathew (m)
- Government Radio Network Users Group - Tim Jensen [Telstra] (c), Paul Barnes (m), Philip Dahdouh (m), Tony Shaw (m)
- Government Telecommunications Agreements - Contracts Management Committee - (c) Emmanuel Rodriguez (m) / Colin Griffith (m)
- Identity Crime Working Group – Nigel Evans (m)
- Microsoft Service Provision Fund Steering Committee - Emmanuel Rodriguez /Colin Griffith (m)
- National Broadband Development Group - Colin Griffith (m)
- National Coordinating Committee for Government Radiocommunications - Tony Gates (Chair), Phil Read (Non- Voting Delegate)
- National Counter Terrorism Committee - Tony Gates (m)
- National Information Management Advisory Group - Tony Gates (m)
- NFEWC - National Forum Early Warnings to the Community– Stephen Smith (m)
- NSIM – National Spatial and Information Management – Stephen Smith (m)
- NSIM –Information Management Sub-group – finalising Information Management Strategic Plan – Stephen Smith (m)
- NSW Government Licensing Project Steering Committee - Mahajan Padmanathan, Colin Griffith (m), Lyn Baker (m)
- NSW Government Licensing Project Steering Committee – Mahajan Padmanathan, Colin Griffith (m)
- NSW Govt. Business Education Network – Natasha Scully (m)
- NSW Public Sector Activity Based Costing User Group - Michale Lurie (c)
- Online Council Officials Meeting - Emmanuel Rodriguez /Colin Griffith (m)
- SAP NSW Public Sector User Group - Michael Lurie (l)
- SEMC-DPC - NSW Recovery Plan – Stephen Smith (m)
- Senior Officers Wireless Working Party - Tony Gates (c)
- Shared Services Interjurisdictional User Group - Michael Lurie (m)
- State Emergency Management Committee - Tony Gates (m)
- State Emergency Management Committee (SEMC) –OES projects– Stephen Smith (m)

#### *Committees abolished in 2007/08*

- ABS Steering Committee – Jan Aalders (m)
- Attorney Generals NSW Police JusticeLink Interface Project board – Alan Patterson (m) – ceased June 2008
- Channels and Access Service Delivery Working Group - Linda Chin (m)
- Channels and Access Strategy Senior Officers Group – Paul Edgecumbe (to May 07)/Colin Griffith (c), Linda Chin (m), Phil Tout (m)
- Cross-Jurisdictional Reference Group – Australians' Use of and Satisfaction with e-Government Services – Linda Chin (m)
- Department of Natural Resources SAP Quality Assurance Committee - Mark Goleby (m)
- Human Services Access Framework Senior Officer Group – Phil Tout (m), Linda Chin (m)
- NSW Police Mainframe Replacement Program Core Policing Project Steering Committee – Alan Patterson (m) – ceased June 2008
- Records & Document Management User Group - Flavian De Silva (m)

#### *Chief Information Officers' Executive Council Working Groups*

In early 2008, the Chief Information Officers' (CIO) Executive Council, responsible for People First, together with the Government Chief Information Office realigned the plan to ensure it was:

- More client focused
- Simplified and streamlined - over 60 programs realigned to eight key areas
- Re-prioritised to meet government needs and agency interests.

As a result, the working groups, comprised of GCIO staff and representatives of other government agencies, were realigned to meet the new streamlined programs and projects which are Better Government Access, Government Licensing, information management, collaborative government services, application consolidation, infrastructure consolidation, desktop environment and telecommunications.

## Office of Industrial Relations

- Law Society of New South Wales, Employment Law Committee - Lolita Keparas (m).
- Children at Work Taskforce – Catherine Quealey (m)
- NSW Cash Economy Working Group – Stephen Hampson (m). This working group is chaired by Centrelink, and members are drawn from NSW and federal compliance agencies.
- NSW Government Industrial Relations Steering Committee – Pat Manser (m).
- Workplace Research Centre Advisory Board – Pat Manser (m).

### *Discontinued or no longer member during 2007/08*

- NSW Influenza Pandemic Taskforce - Suzanne Ashby (m). Discontinued July 2007
- NSW Skills Council – Pat Manser (m), Suzanne Ashby (m) Discontinued May 2008.

## NSW Procurement

- Australian Procurement and Construction Council Leadership Group – David Callahan (m)
- Construction Agency Coordination Committee – Stuart Wood (c)
- Microsoft Service Provision Fund Steering Committee – Claude Davidson (m)
- Senior Officers Committee – David Callahan (m) Dennis O’Keefe (m)
- State Contracts Control Board – John Lee (c) David Callahan (alternate Chair)
- Action Teams:
  - Working Group for Capital Works Procurement Benchmarking – Inderjeet Singh (c)
  - Working Group for Goods & Services Procurement Benchmarking – Inderjeet Singh (c)
  - Working Group for ICT Procurement Benchmarking – Inderjeet Singh (c)
- Department of Education and Training Strategic Sourcing Steering Committee – Ken Dixon (c), Peter Dowling (m)
- State Fleet Advisory Board – David Callahan (m), Michael Wright (m), Paul Dexter (m)

## Office of Public Works and Services

- ANZAC Memorial's Board of Trustees - Bruce Pettman (Honorary Architect)
- Architects Registration Board of NSW - Peter Mould (m) Peter Poulet (Alternate Member)
- AusHeritage - Bruce Pettman (m)
- Australian Institute of Quantity Surveyors Journal Management Committee - Vincent Shaw (m)
- Australian Institute of Quantity Surveyors National Education Committee - Vincent Shaw (m)
- Australian Institute of Quantity Surveyors, NSW Current Construction Costs Committee - Vincent Shaw (m)
- Australian National Committee on Large Dams – John Lenehan (m)
- Australian National Committee on Large Dams Gravity Dam Design Guidelines Group – John Lenehan (m)
- Australian Water Association – Young Water Professionals Member Ambassador– Kate Miles (m)
- Australian Water Association NSW State Committee – Paul Hackney (m)
- Australian Water Association’s representative for NSW Climate Change Fund – Paul Hackney (m)
- BEDP Action Agenda - Peter Mould (m)
- Building Regulation Advisory Committee (BRAC) - Philip Rose (m)
- buildingSMART – International Alliance for Interoperability - Peter Poulet (m)
- Bureau of Meteorology Marine Consultative Committee - Mark Kulmar (m)
- Capital Infrastructure Committee - Peter Poulet (m)
- Centennial Parklands Design Review Panel - Peter Mould (m)

- Central Sydney Planning Committee - Peter Mould (m) Margaret Petrykowski (Alternate Member)
- City of Sydney Design Advisory Panel - Peter Mould (m)
- Commerce Sustainability Coordination Network – Peter Poulet (m)
- Dams Safety Committee - Brian Cooper (m & Ministerial Representative)
- Dams Safety Committee, Hydrology Sub Committee - Peter Cloke (m)
- Department of Education and Training Facilities Standards Committee - John Zahn (m) Cecilia Wilson (m)
- Department of Education and Training Maintenance Steering Committee - Brian Baker (m) Christine Wong (m) John Zahn (m)
- ECRL Transport Management Committee - Helen Lochhead (m)
- Fish Passage Reference Group (for Murray Darling Basin Commission) - Brian Cooper (m)
- Illawarra District Emergency Management Committee - Craig Summerhayes (m)
- Integrated Marine Observing System (IMOS) – Ed Couriel (m)
- Interagency Riparian Boundary Working Committee – Sarah Hesse (m)
- International Council on Monuments & Sites (ICOMOS) – Anita Krivickas (Secretary)
- Metropolitan Water CEO's Committee - Will Strachan [representing Director-General]
- Mines Subsidence Board - Phil Carter (m & Ministerial Representative)
- National Committee on Construction Engineering, Engineers Australia - Ashok Verma (m)
- National Engineering Registration Board – Will Strachan (NSW & Ministerial Representative)
- National Trust of Australia (NSW) Board – Helen Lochhead (m)
- National Trust of Australia (NSW) Properties – Helen Lochhead (m)
- National Trust of Australia (NSW) Urban Conservation Committee – Mary Knaggs (m)
- NSW Architects Registration Board - Peter Mould (vp), Peter Poulet (Alternate Member)
- NSW Fluoridation Technical Committee - Allan Li (m)
- NSW Heritage Council - Peter Mould (m) Bruce Pettman (Deputy)
- NSW Heritage Council, Approvals Committee - Peter Mould (c)
- NSW Heritage Council, Technical Advisory Group - Bruce Pettman (c)
- NSW Science Agencies Committee – Will Strachan (m)
- NSW Water Solutions Advisory Board – Brian Baker (c) Will Strachan (m)
- Permanent Committee on Tides and Mean Sea Level – Ed Couriel (m), Sarah Hesse (m)
- Queens Square Law Courts Design Review Panel - Peter Mould (c)
- Road Transport Authority Bridge Urban Design Expert Register - Peter Mould (m)
- Road Transport Authority Bridge Urban Design Panel - Peter Mould (m)
- Road Transport Authority Judging Panel (Design/Sustainability) - Peter Mould (m)
- Royal Australian Institute of Architects Archvision - Peter Mould (m)
- Royal Australian Institute of Architects National Integrated Practice Taskforce - Peter Mould (m)
- Royal Australian Institute of Architects NSW - Education Committee - Peter Poulet (m)
- Royal Australian Institute of Architects NSW - Environment Committee - Peter Poulet (m)
- Royal Australian Institute of Architects NSW - Heritage Committee - Mary Knaggs (m)
- Royal Australian Institute of Architects NSW - Peter Poulet (Chapter Councillor)
- Standards Australia Committee - AS3003 Electrical Installations - Patient areas of hospitals - Barry Sarah (m)
- Standards Australia Committee - AS3003 Electrical Installations - Patient areas of hospitals, Standards Australia Committee - AS3700 Masonry Code of Australia - Vijay Badhwar (m)
- Standards Australia Committee - AS3700 - Vijay Badhwar (m)
- Standards Australia Committee - AS3700 Masonry Code of Australia - Vijay Badhwar (m)
- Standards Australia Committee - BD-004 Earthquakes Standards - Vijay Badhwar (m)
- Standards Australia Committee - BD-26 - Ram Singh (m)
- Standards Australia Committee - BD-98 Clay and Masonry Pavers - Ram Singh (m)
- State Emergency Management Committee - David Wilkins (m, Cabinet appointment), Rick Still (m)
- State Emergency Management Committee, Avian Influenza Subcommittee - David Wilkins (m)
- State War Memorial Committee – Bruce Pettman (m)
- Survey and Mapping Advisory Committee - Greg McIlwaine (m)
- Sustainability in Government Working Group - Roy Craddock (m)
- Sutherland Independent Hearing Assessment Panel - Helen Lochhead (m)

- Sutherland Shire Council Independent Hearing and Assessment Panel (IHAP) – Helen Lochhead (m)
- Sydney Harbour Design Review Panel - Peter Mould (c), Helen Lochhead (m)
- Sydney Olympic Park Authority Design Review Panel - Peter Mould (c)
- Sydney Opera House Trust Conservation Council - Peter Mould (m)
- University of Sydney's Civil Engineering Foundation – Will Strachan (governor)
- University of Technology Sydney, Industry Advisory Network – Will Strachan (m)
- Walsh Bay Project Finance Steering Committee - (m) John Davidson

*Committees abolished or no longer members in 2007/08*

- Australian Water Association NSW Branch - Annalisa Contos, President (c)
- Australian Water Association Ozwater 2007 Convention Organising Committee – Will Strachan (c)
- Australian Water Association Water Recycling Forum - John Anderson (m)
- International Water Association's Specialist Group on Water Re-use - John Anderson (m)
- Royal Australian Institute of Architects NSW – National Aboriginal Task Force – Dillon Kombumerri (m)

**StateFleet**

- Clean Air Healthy Communities Subcommittee – Michael Wright (m)

**Strategic Communications and Government Advertising**

- Advertising Federation of Australia Ad School Board – Alun Probert (m)

**Appendix 5 - Consultants**

**Engagements over \$30,000**

Consultant	Office	Category	Purpose	Expenditure \$
KPMG	Government Chief Information Office	Organisational review	Financial Appraisal & QA Report for Government Licensing System	61,587
George Williams	Office of Industrial Relations	Legislative review	NSW Industrial Relations Inquiry	73,000
Join The Dots Pty Ltd	Office of NSW Procurement	Organisational review	Implementation of change management program	87,257
Doll Martin Associates Pty Ltd	Office of Fair Trading	Information technology	Fair Trading Online Feasibility Study	39,490
<b>Total engagements over \$30,000</b>				<b>261,334</b>

**Engagements Under \$30,000**

Office	Category	Expenditure \$
Office of Public Works and Services	Organisational review	3,100

Strategic Communications and Government Advertising	Organisational review	28,560
Office of NSW Procurement	Organisational review	12,600
Total Engagements Under \$30,000		44,260
<b>Total cost of consultancies</b>		<b>305,594</b>

## Appendix 6 - Consumer response

### Office of Fair Trading

The Office of Fair Trading's service delivery standards vary with the nature of the services provided in different divisions of Fair Trading and are set out in the Customer Service Standards. During the year, nearly all standards were met in most areas. Fair Trading operates a customer feedback system, known as "Your Opinion Counts", providing forms that can be lodged at a counter or through the mail or website.

In 2007/08, a total of 152 forms were lodged by consumers and traders which comprised 82 (54%) compliments and 70 (46%) complaints. Compliments expressed praise for various aspects of customer service, especially staff helpfulness and professionalism. The 70 complaints were reviewed and addressed through a process overseen by senior management.

The complaints related to:

Service delays	26%	Accuracy of information given	11%	Other/Misc	24%
Actions of staff	20%	Website	19%		

### Government Chief Information Office

The Government Chief Information Office manages a number of web applications and information sites. More information is available in Appendix 8 Electronic service delivery.

#### *NSW Government Directory*

More than 2,000 emails received and processed - being directory updates from Ministerial offices, agencies and the public. None of these were complaints about the Directory.

#### *GCIO website*

The GCIO website (info\_gcio@commerce.nsw.gov.au ) received 853 messages requesting further information or clarification of website issues. No complaints were received.

#### *Government Licensing Service website*

The GLS Website (feedback@licence.nsw.gov.au) received 31 messages. Of these, there were:

#### **Twenty-three minor complaints**

- Errors encountered with website eg browser incompatibility (12)
- Usability of the website (4)
- Other (7)

#### **Eleven general licensing enquiries**

- These were generally resolved directly with website users by the licensing agency concerned

#### **Two compliments**

- "Thank you for the speedy resolution of this. Just some feedback I'd like to commend NSW on making the application process for lotteries licences far more streamlined than other states with

similar requirements. Also I have found customer support from your Department much better than other government departments I have had to deal with. Thanks.”

- “Hi, I love your website.”

## Office of Industrial Relations

The OIR has integrated its complaint handling system into its policies and procedures. This enables people using the OIR's services to understand and be aware of avenues to raise concerns about the quality and timeliness of these services. At all major stages of its services, the OIR provides clients with information about avenues of appeal against decisions made by the Office.

Through the Commerce Results and Services Plan, the OIR has a range of performance standards for the delivery of its major services. During 2007/08, the OIR met or exceeded its major performance targets. In June 2008, the OIR conducted an online survey of its customers, which showed that 86 per cent of customers were satisfied with the overall quality of its services.

## NSW Procurement

### *NSWP Client Support Centre*

In October 2007 the NSW Procurement Client Support Centre was formed to deliver an increased level of service to our customers via a single point of contact. There is a service level agreement (SLA) in place between NSW procurement and government agencies that sets the response time targets for resolving incidents. The Client Support Centre is taking increasing volumes of telephone calls and emails (known as incidents) and delivering a marked improvement in first level customer support ( the calls that are resolved by Client Support Centre staff without referral to another area).

A single point of contact for procurement enquiries 1800 NSW BUY (679 289) was introduced during the year. This channel is being further developed and promoted through the NSW Procurement client services business model.

2007/08 Client Support Centre statistics	
Total number of incidents	19,306
Total number resolved first level	14,446
% first level	74.8%
Total number resolved in SLA	18,215
% calls resolved in SLA	94.3%

2007/08 Client Support Centre statistics by incident type		
smartbuy®	7,824	40.53%
State contracts	4,654	24.11%
NSW eTendering	3,230	16.73%
Others	3,598	18.63%
<b>Total</b>	<b>19,306</b>	<b>100%</b>

## Office of Public Works and Services

Each year NSW Water Solutions and Project Management conduct surveys on projects with external clients.

### *NSW Water Solutions*

NSW Water Solutions' clients indicated a high overall score across 25 survey questions with an average result of 82.6 per cent from 40 surveys. This result, coupled with a high level of repeat business, is indicative of a good level of customer satisfaction.

### *Project Management*

Clients reported improved and high levels of satisfaction with Project Management's performance across almost all key service attributes including management of project risks, understanding and meeting client needs, and quality of staff. Client satisfaction with Project Management services continued to improve and the overall satisfaction score of 83.5 per cent in the 89 surveys was higher than the target of 80 per cent and higher than scores in the previous three surveys.

### *Government Architect's Office*

The Government Architect's Office conducts client satisfaction surveys each year. Surveys were undertaken in 2007/08 to measure client's satisfaction with the Government Architect's Office provision of strategic advice, heritage advice and services, and projects undertaken by the Office. Clients reported high levels of satisfaction rating overall satisfaction on these indicators as 93.3, 95.4 and 86 per cent respectively.

## StateFleet

### *StateFleet customer survey*

StateFleet conducted bi-annual customer satisfaction survey during the reporting year. A mean satisfaction rating of 84 per cent was achieved. The main findings indicated that:

- 98 per cent of surveyed clients were satisfied/very satisfied with ease with which they could access StateFleet personnel when needing assistance.
- 100 per cent of surveyed clients were satisfied/very satisfied with the turnaround time in handling vehicle applications.
- 93 per cent of surveyed clients were satisfied/very satisfied with accuracy of StateFleet lease billings.
- 82 per cent of surveyed clients were satisfied/very satisfied with vehicles being delivered on time.

### *StateFleet annual client conference*

The annual StateFleet conference was held in September 2007. At the all-day conference external presenters discussed the latest industry developments and workshops were held where clients discussed fleet management issues in groups and presented their findings to StateFleet staff and other clients. Ninety-six per cent of clients who attended the conference rated it 'Good to Excellent' in a feedback survey done on the day.

## **Appendix 7 – Credit card certification**

In accordance with Treasurer's Directions and Premier's Memoranda, the Director-General certified that credit card use during 2007/08 was in accordance with established Government requirements and

practices. This certification is qualified to the extent that detected instances of non-compliance with established departmental policies and procedures were considered as isolated and minor.

## Appendix 8 - Electronic service delivery

### Office of Fair Trading

#### *New website*

Fair Trading launched its new website after consulting widely with consumers, traders and community groups, including the indigenous community, young people and multicultural communities. The aim was to improve the functionality of the site and, at the same time, bring it into line with the New South Wales Government Website Style Directive. The new site has real life case studies, both written and visual, which show how ordinary people have resolved consumer issues with Fair Trading's help. Consumers and traders can subscribe to receive regular news updates from the website and can also have their say on a number of proposed changes to fair trading laws and consumer issues such as reverse mortgages and petrol availability. The website allows consumers to easily lodge a complaint or make an enquiry online.

#### *e-newsletters*

Fair Trading's e-newsletters and online polls aim to engage subscribers and inform them of issues and updates that are relevant to them. There are four e-newsletters currently available through the website:

- *Fair Comment* – information for consumers
- *What's new* - important new items or media releases
- *Property industry news* - information for people working in the property industry
- *Foundations* - information for the home building industry.

#### *Online surveys and blogs*

Online surveys were used extensively over the last year – some examples include surveys of the general public on interest-free deals, reverse mortgages and availability of premium petrol, as well as an in-house staff survey on volunteering. Online surveys have also been used to consult with the community and industry about proposed legislative reforms including proposed changes to residential tenancy laws and the *Property and Stock Business Agents Act*.

Blogs – or moderated online discussions - were used as part of community consultation around residential tenancy law reforms in November 2007. These generated interesting discussions on key proposals and proved to be a successful way of gaining insight into the views of tenants and landlords. A youth blog was also run during Fair Trading Week to capture feedback from young people about their experiences in buying a car, mobile phones, buying online, obtaining refunds and dealing with credit issues.

#### *Licensing and registration services*

The Government Licensing Service is a whole of government project to create a single integrated government licensing system for business, professional and some personal licensing. Motor vehicle repairer's licences and home building tradespersons certificates were successfully migrated to the Government Licensing Service in December 2007.

One of the benefits of the new system is that licences can be renewed online. The system is also undergoing development so that the criminal history checks required of all home building licence applicants can be requested automatically.

Fair Trading now offers online services for the renewal of business names, and licences for motor dealers, travel agents, second-hand dealers/pawnbrokers, and home builders. It is also possible to update particulars for business names and licensed motor dealers, second-hand dealers/pawnbrokers and travel agents online.

### *Business names details check*

The business names details check service is available through the Fair Trading website. Launched in September 2007 it is a convenient way for customers to check on around 500,000 registered names in NSW. The service is particularly helpful for people who intend to start a business to check to see if the business name they like has not already been registered.

### *Conveyancers online check facility*

This online service was introduced on the Fair Trading website in April 2008 to provide a quick and easy way to check that a conveyancer is licensed. Consumers can search by licence number, business name or by the licensee's name, whether the conveyancer is an individual or corporation.

### *BLIS enhancements*

The Business Licence Information Service (BLIS) provides the business community and the public with detailed information on all NSW Government licences, permits and associated regulations. This online service gives customers a wide range of information regarding the general requirements for establishment or ongoing operation of a business in NSW. In 2007/08 Fair Trading continued to identify enhancements to improve BLIS performance and usability for its customers. Audits of data quality were also conducted to ensure that BLIS information reflected the most up to date material from NSW and Commonwealth Government agencies.

## Government Chief Information Office

### *Channel NSW*

The New South Wales Government was the first Australian government to explore using digital TV to provide government and public information when it launched Channel NSW a pilot service in March 2004. Channel NSW broadcasts in the Sydney metropolitan area on free-to-air digital television channel 45. Channel NSW provided viewers with a mix of up-to-date information (live video, text and graphical) on transport, environment, government notices, education, health, recreation and the arts. Responsibility for Channel NSW was moved from GCIO in February 2008 and it is now managed by Commerce's Strategic Communications and Government Advertising group. No further research was conducted on viewer numbers however it is estimated by Digital Broadcast Australia that the Sydney region has around 40 per cent of homes with access to digital television spectrum.

### *nsw.gov.au*

The New South Wales Government portal, [www.nsw.gov.au](http://www.nsw.gov.au) is the community's one-stop entry point to New South Wales Government. It provides 24-hour access to government information and services.

In 2007/08, the site received over 3.1 million visits with over 10 million page views. On average, it received over 261,000 visits per month. ACNielsen/NetRatings statistics indicate that the [nsw.gov.au](http://nsw.gov.au) domain was consistently the nation's most popular state government domain.

In 2007/08, [nsw.gov.au](http://nsw.gov.au) spotlighted over 250 announcements and events. Over 1,000 new information packages were introduced that included clear and concise summaries, telephone and contact

information and related links to an array of government services. The search engine was improved to ensure the appropriate information and services were discovered quickly and easily. The weather page continued to be very popular.

### *New South Wales Government Directory*

The online New South Wales Government Directory continued to be a key resource for members of the public seeking information on the Premier, Ministers, Members of Parliament and key agency personnel. It lists Ministerial portfolios, including some 300 agencies and their business units.

During 2007/08, a complete review of the directory was completed with the assistance of the agencies. Daily updates were also applied to ensure the information was up-to-date and accurate. A map was provided to support the street address information and received positive feedback.

### *shop.nsw*

shop.nsw provides an online 'one-stop-shop' for locating and acquiring New South Wales Government products and publications. Many publications can be downloaded or ordered free of charge. Secure online credit card payments are available, as are alternative methods of payment. In the financial year 2007/08, total sales through shop.nsw exceeded \$635,000. This total included \$153,375 in publication sales and \$482,008 in product sales.

Sixteen New South Wales government agencies were full participants, (sold publications/products online) and 47 agencies were electronic participants (links established to electronic publications on agency websites). Over 4,700 items were listed in the shop.nsw online catalogues.

### *Mobile data radio service*

The mobile data radio service is a unified digital mobile data network to provide low bandwidth, time critical mobile data for government agencies.

The Ambulance Service of NSW was the first agency to join the network. It now operates approximately 680 terminals and is logging over 50,000 events each month. Ambulance vehicles receive incident information as a text message displayed on their mobile data terminal where it can be viewed and printed out if necessary.

Since February 2007, the mobile data radio service has achieved 100 per cent availability of service.

### *Government Licensing Service*

GCIO introduced the Government Licensing Service a multi channel licensing system in 2007/08.

There are now 1.2 million business, professional and recreational licences on a single, multi-channel system used by 810 public servants in:

- Office of Fair Trading (Valuers, Home Building and Motor Vehicle Repair Industry)
- Department of Environment and Climate Change (Wildlife and Dangerous Goods)
- Office of Liquor, Gaming and Racing (Liquor, Trade Promotion Lotteries, Games of Chance and Charitable Fundraising)
- NSW Health (Private Clinics).

The Government Licensing Service will cut red tape, increase access to services and replace 48 legacy systems across 18 agencies, 300 types of licences and four million licences over a few years. GCIO figures for 2007/08 showed that at any time, 250 members of the public were using the website, one in three builders renewed their licences online and one in four licensing transactions were completed online. On average the Government Licensing Service collects \$4.5 million agency revenue each month.

The introduction of simple, standardised processes halved the number of licences from 72 to 37 and licence periods extended. Improvements in consumer protection were realised by diverting resources from transaction to compliance activities. Eight legacy systems were decommissioned, resulting in infrastructure and associated savings.

## Office of Industrial Relations

The OIR website provides practical information to help employers and employees to access information about their workplace rights and entitlements.

### *e-business*

Employers and employees can use *Check Your Pay* to calculate wages and other entitlements under selected awards.

The *Email Update* service keeps subscribers up-to-date with new additions to the website. This is a valuable service for anyone wanting to keep in touch with developments in industrial relations in NSW; for example *Pay Rate Updates* provides by email the latest information on changes to NSW pay rates, award conditions and leave entitlements. The OIR added the *News Feed* facility to 130 state awards offered by subscription, providing automatic updates of new award information.

The OIR's *My IR rules* ABN look-up tool assists employers and employees to establish the rights and obligations which apply to them. The tool searches a supplied business name or ABN number and provides information on the legislation that should apply to the searched entity.

### *e-newsletters*

The OIR produces two quarterly e-newsletters. *Your Workplace Online* provides information on awards, the OIR's inspector activities, workshops, key legislative changes, important test cases and other developments in industrial relations. *Work Smart* is a community newsletter disseminated to agencies interested in the employment rights of young people and people from culturally and linguistically diverse communities in New South Wales. As well as delivering information on workplace rights, it provides details of services and resources that will help vulnerable workers.

### *Look and Listen webcast services*

The OIR's webcast services provide audio download and streaming audio and video presentations of OIR information in a range of formats including MP3 download.

### *Young People at Work website*

This website is specifically for young workers outlining their basic workplace rights and entitlements and providing practical information to help them find and keep a job. The attractive and easy to understand website is set up in three segments reflecting the work lifecycle - looking for work, got the job and leaving the job.

## NSW Procurement

NSW Procurement delivered a number of innovative services through electronic channels for government agencies, industry and community, summarised below:

### *Contracting Services*

The online management fee portal was introduced on 24 May 2007 and gave vendors a new channel to lodge their management fee returns. Uptake of the system by vendors increased and about 45 per cent of management fee vendors now complete their returns online.

## *eBusiness*

smartbuy® introduced a new solution to help clients to find products and purchase items electronically. The new state contract for food supplies trialled the solution, which allows users to view food products in easy to understand categories, such as groceries, bakery and beverages, providing government buyers with a more user friendly solution.

Greenbuy, the online solution through smartbuy® that allows government to find and buy environmentally friendly and sustainable products, was enhanced. It now provides a wide range of products in four online catalogues - energy and water efficiency, recycled and climate friendly.

The NSW eTendering website is the single public facing system that supports the Premier's Memorandum (PM2007-01) directive for contract disclosure, and enables agencies to comply with the Freedom of Information (FOI) Act amendments. NSW eTendering site publishes contract disclosure information as required under PM2007-01. In 2007/08, 4,581 contract disclosures with a combined contract value of \$8.5 billion were published on the eTendering site.

The system supports the *People First* – NSW Government Information Communication Technology (ICT) Strategic Plan by providing a single enterprise-wide ICT solution for the whole of government. It will improve the way the public, business and government engage, collaborate and interact with the procurement process and will avoid agency duplication of ICT costs.

## Office of Public Works and Services

### *NSW Water Solutions*

#### **Survey and Spatial Information Services**

Survey and Spatial Information Services continued to provide the Sydney Harbour Foreshore Authority with expertise in computerised property asset management. Using Google Earth, Survey and Spatial Information Services developed a property information system that enables the Sydney Harbour Foreshore Authority's staff to access a graphical interface on the Internet to obtain plan and title information for all property assets held by the Authority.

Survey and Spatial Information Services continued its successful electronic delivery of building asset data for the Department of Education and Training.

#### **Environmental water data**

Manly Hydraulics Laboratory has been at the forefront of electronic delivery of environmental water data for the past decade. This year it continued to improve data delivery via the internet to local government and to transfer data in near real-time to the CSIRO and Bureau of Meteorology. This data is used in coastal zone flood and storm warnings and to verify the performance of ocean wave forecast models.

Data delivery was enhanced with provision of flood information via voice (over the phone) along with SMS, fax and email media.

Manly Hydraulics Laboratory also provided a wind wave warning system that allows scenario modelling of the impact of wind waves to be examined via the internet.

#### **Modelling software**

In the dam engineering field, NSW Water Solutions acquired a state-of-the-art capability with MIKE 21 modelling software, which is a two-dimensional computer model for dam break and surface flow analysis. This very much improves NSW Water Solutions' value to government and clients in the science of and solutions for the design of headwork structures.

The pipeline design process was improved by using a software package developed in-house, which allows transfer of field survey data directly to the design, minimising human errors and the time required for the design.

In Wastewater Services, a monitoring pilot project was initiated to confirm hydraulic parameters within sewage treatment plants, and their variation under varying operating conditions. This project will provide a better understanding of these parameters, which are critical in the designs undertaken by Commerce using steady state and dynamic modelling. This will optimise both the design and operation of treatment systems, with consequent cost savings for NSW communities.

Manly Hydraulics Laboratory has been using a suit of hydrological and hydrodynamic numerical models for various investigations based mainly in the coastal and estuarine environment. A few of these projects include modelling the impact of water extraction on the salinity migration in estuaries, examining the impact of tidal variations on wetlands and optimising delivery of excess flood water into the Koondrook-Pericoota Forest (off the Murray River) via man-made channels.

Survey and Spatial Information Services developed pressure pipeline design software to provide a digital interface between the surveyors' field instruments through to the final pipeline design and construction drawings. The process can now be applied to conceptual pipeline design from digital terrain data collected using aerial laser scanning technology. The accuracy of the terrain data enables a more accurate assessment of various pipeline routes and estimation of quantities.

### *Project Management*

Project Management maintains and develops asset.gov a suite of web enabled software applications that combine document management and reporting systems and use the convenience of web access for project collaboration and communication across project teams. A key benefit is the ability for all project stakeholders, including the community, to work collaboratively in real time on on-line project document, designs and reports. This has significantly enhanced the flow of project information and contributed to stronger and more effective project communications.

asset.gov is used extensively within the Office of Public Works and Services by project teams, clients and community for the sharing of information and knowledge, for management reporting, and for key performance indicator monitoring. It is also used by Treasury, the Department of Health and other New South Wales government agencies.

### *Facilities Management*

FMWeb is a property information system for government agencies. It includes several modules such as an asset register, maintenance, essential urgent repairs, demountables relocations (Department of Education and Training), programmed maintenance, preventive and statutory maintenance, Treasury Managed Fund and insurance works. There is also a variety of reporting functions so agencies can plan, monitor, control, analyse and report on all aspects of asset management.

## StateFleet

### *StateFleet's new fleet management system*

StateFleet introduced Bynx, a new fleet management system that replaced the 16-year-old Ausfleet.

Benefits of the Bynx system include decreased risk of system failures, conformance with Commerce ICT objectives and better system function to minimise fleet management risk across New South Wales Government.

The Bynx system enabled StateFleet to offer flexible lease terms and conditions to the clients as well as improved reporting.

### *SmartPool*

In 2007/08 StateFleet launched SmartPool- an online car pool booking system and fleet utilisation management tool. It provides NSW Government fleet managers with the necessary information to rationalise the fleet and monitor fleet use.

The system was launched at NSW Health. StateFleet is providing consultancy to area health services in designing the pool structure.

### *E-Toll Management*

StateFleet introduced E-Toll Management for select clients of its fleet management service during the reporting year. A trial with Department of Education head office began in November 2007 and in April 2008, E-Toll Management for NSW Health commenced. This facility will be offered to more clients in the next year.

## Appendix 9 – Freedom of Information (FOI) statistics

### Section A – New FOI applications

How many FOI applications were received, discontinued or completed?	Number of applications					
	Personal		Other		Total	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
A1 New	17	10	187	213	204	223
A2 Brought Forward	2	1	15	14	17	15
<b>A3 Total to be processed</b>	<b>19</b>	<b>11</b>	<b>202</b>	<b>227</b>	<b>221</b>	<b>238</b>
A4 Completed	18	11	166	185	184	196
A5 Discontinued	1	0	21	36	22	36
<b>A6 Total processed</b>	<b>19</b>	<b>11</b>	<b>187</b>	<b>221</b>	<b>206</b>	<b>232</b>
A7 Unfinished (carried forward)	0	0	15	6	15	6

### Section B – Discontinued applications

Why were FOI applications discontinued?	Number of discontinued FOI applications					
	Personal		Other		Total	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
B1 Request transferred out to another agency (s.20)	0	0	8	9	8	9
B2 Applicant withdrew request	1	0	8	20	9	20
B3 Applicant failed to pay advance deposit (s.22)	0	0	5	7	5	7
B4 Applicant failed to amend a request that would have been an unreasonable diversion of resources to complete (s.25(a)(a1))	0	0	0	0	0	0
<b>B5 Total discontinued</b>	<b>1</b>	<b>0</b>	<b>21</b>	<b>36</b>	<b>22</b>	<b>36</b>

Note: If request discontinued for more than one reason, select the reason first occurring in the above table. The figures in B5 should correspond to those in A5.

**Section C – Completed applications**

What happened to completed FOI applications?	Number of completed FOI applications					
	Personal		Other		Total	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
<b>C1</b> Granted or otherwise available in full	14	10	91	126	105	136
<b>C2</b> Granted or otherwise available in part	3	1	40	24	43	25
<b>C3</b> Refused	1	0	35	17	36	17
<b>C4</b> No documents held	0	0	0	18	0	18
<b>C5 Total completed</b>	<b>18</b>	<b>11</b>	<b>166</b>	<b>185</b>	<b>184</b>	<b>196</b>

Note: A request is granted or otherwise available in full if all documents requested are either provided to the applicant (or the applicant's medical practitioner) or are otherwise publicly available. The figures in C5 should correspond to those in A4.

**Section D – Applications granted or otherwise available in full**

How were the documents made available to the applicant?	Number of FOI applications (granted or otherwise made available in full)					
	Personal		Other		Total	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
<b>All documents requested were:</b>						
<b>D1</b> Provided to the applicant	10	10	90	125	104	135
<b>D2</b> Provided to the applicant's medical Practitioner	0	0	0	0	0	0
<b>D3</b> Available for inspection	0	0	0	0	0	0
<b>D4</b> Available for purchase	0	0	0	0	0	0
<b>D5</b> Library material	0	0	0	0	0	0
<b>D6</b> Subject to deferred access	0	0	0	0	0	0
<b>D7</b> Available by a combination of any of the reasons listed in D1-D6 above	4	0	1	1	1	1
<b>D8 Total granted or otherwise available in full</b>	<b>14</b>	<b>10</b>	<b>91</b>	<b>1</b>	<b>105</b>	<b>136</b>

Note: the Figures in D8 should correspond to those in C1.

**Section E – Applications granted or available in part**

How were the documents made available to the applicant?	Number of FOI applications (granted or otherwise available in part)					
	Personal		Other		Total	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
<b>Documents made available were:</b>						
E1 Provided to the applicant	3	1	38	21	37	22
E2 Provided to the applicant's medical Practitioner	0	0	0	0	0	0
E3 Available for inspection	0	0	0	0	0	0
E4 Available for purchase	0	0	0	0	0	0
E5 Library material	0	0	0	0	0	0
E6 Subject to deferred access	0	0	0	0	0	0
E7 Available by a combination of any of the reasons listed in E1-E6 above	0	0	2	3	0	3
<b>E8 Total granted or otherwise available in part</b>	<b>3</b>	<b>1</b>	<b>40</b>	<b>24</b>	<b>37</b>	<b>25</b>

Note: The Figures in E8 should correspond to those in C2.

**Section F – Refused FOI applications**

Why was access to the documents refused?	Number of refused FOI applications					
	Personal		Other		Total	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
F1 Exempt	1	0	35	17	36	17
F2 Deemed refused	0	0	0	0	0	0
<b>F3 Total refused</b>	<b>1</b>	<b>0</b>	<b>35</b>	<b>17</b>	<b>36</b>	<b>17</b>

Note: The Figures in F3 should correspond to those in C3.

**Section G – Exempt documents**

Why were the documents classified as exempt?	Number of FOI applications (refused or access granted or otherwise available in part only)					
	Personal		Other		Total	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
<b>Restricted documents:</b>						
G1 Cabinet documents medical (Clause 1)	0	0	3	2	3	2
G2 Executive Council documents (Clause 2)	0	0	0	0	0	0
G3 Documents affecting law enforcement and public safety (Clause 4)	1	0	6	12	7	12
G4 Documents affecting counter terrorism measures (Clause 4A)	0	0	0	0	0	0
<b>Documents requiring consultation:</b>						
G5 Documents affecting intergovernmental relations (Clause 5)	0	0	0	0	1	0
G6 Documents affecting personal affairs (Clause 6)	3	1	31	13	34	14
G7 Documents affecting business affairs (Clause 7)	0	0	24	10	24	10
G8 Documents affecting the conduct of research (Clause 8)	0	0	1	0	1	0
<b>Documents otherwise exempt:</b>						
G9 Schedule 2 exempt agency	0	0	0	0	0	0
G10 Documents containing information confidential to Olympic Committees (Clause 22)	0	0	0	0	0	0
G11 Documents relating to threatened species, Aboriginal objects or Aboriginal places (Clause 23)	0	0	0	0	0	0
G12 Documents relating to threatened species conservation (Clause 24)	0	0	0	0	0	0
G13 Plans of management containing information of Aboriginal significance (Clause 25)	0	0	0	0	0	0
G14 Private documents in public library collections (Clause 19)	0	0	0	0	0	0
G15 documents relating to judicial	0	0	0	0	0	0

functions (Clause 11)						
G16 Documents subject to contempt (Clause 17)	0	0	0	0	0	0
G17 Documents arising out of companies and securities legislation (Clause 18)	0	0	0	0	0	0
G18 Exempt documents under interstate FOI Legislation (Clause 21)	0	0	0	0	0	0
G19 Documents subject to legal professional privilege (Clause 10)	0	0	4	0	4	0
G20 Documents containing confidential material (Clause 13)	0	0	1	0	1	0
G21 Documents subject to secrecy provisions (Clause 12)	0	0	1	1	1	0
G22 Documents affecting the economy of the State (Clause 14)	0	0	0	0	0	0
G23 Documents affecting financial or property interests of the State or an agency (Clause 15)	0	0	0	0	0	0
G24 Documents concerning operations of agencies (Clause 16)	0	0	0	0	0	0
G25 Internal working documents (Clause 9)	0	0	4	1	4	1
G26 Other exemptions (eg. Clauses 20 22A and 26)	0	0	0	2	0	2
<b>G27 Total applications including exempt documents</b>	<b>4</b>	<b>1</b>	<b>75</b>	<b>41</b>	<b>79</b>	<b>42</b>

Note: Where more than one exemption applies to a request select the exemption category first occurring in the above table. The figures in G27 should correspond to the sum of the figures in C2 and F1.

**Section H – Ministerial Certificates (s.59)**

How many Ministerial Certificates were issued?	Number of Ministerial Certificates	
	(previous year)	(current year)
H1 Ministerial Certificates issued	0	0

**Section I – Formal consultations**

How many formal consultations were conducted?	Number	
	(previous year)	(current year)
I1 Number of applications requiring formal consultation	312	299

I2 Number of persons formally consulted	Not recorded	179
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Note: Includes all formal offers to consult issued irrespective of whether a response was received.

**Section J – Amendment of personal records**

How many applications for amendment of personal records were agreed or refused?	Number of applications for amendment of personal records	
	(previous year)	(current year)
J1 Agreed in full	0	0
J2 Agreed in part	0	0
J3 Refused	1	0
<b>J4 Total</b>	<b>1</b>	<b>0</b>

**Section K – Notation of personal records**

How many applications for notation of personal records were made (s.46)?	Number of applications for notation	
	(previous year)	(current year)
<b>K1 Applications for notation</b>	0	0

**Section L – fees and costs**

What fees were assessed and received for FOI applications processed (excluding applications transferred out)?	Assessed costs		Fees received	
	(previous year)	(current year)	(previous year)	(current year)
L1 All completed applications	\$20,733	\$20,728	\$10,170	\$7,503

**Section M – Fee discounts**

How many fee waivers or discounts were allowed and why?	Number of FOI applications (where fees were waived or discounted)					
	Personal		Other		Total	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
M1 Processing fees waived in full	0	0	0	0	0	0
M2 Public interest discounts	0	0	0	1	0	1
M3 Financial hardship discounts – pensioner or child	0	1	7	7	7	8
M4 Financial hardship discounts – non profit organisation	0	0	1	0	1	0
<b>M5 Total</b>	<b>0</b>	<b>1</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>9</b>

**Section N – Fee refunds**

How many fee refunds were granted as a result of significant correction of personal records?	Number of applications for notation	
	(previous year)	(current year)
N1 number of fee refunds granted as a result of significant correction of personal records	0	0

**Section O – Days taken to complete request**

How long did it take to process completed application (Note: calendar days)	Number of completed FOI applications					
	Personal		Other		Total	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
O1 0-21 days – statutory determination period	14	9	82	98	96	108
O2 22-35 days – extended statutory determination period for consultation or retrieval of archived records (S.59B)	1	0	45	48	46	48
O3 Over 21 days – deemed refusal where no extended determination period applies	2	0	25	16	27	16
O4 Over 35 days – deemed refusal where extended determination period applies	1	2	14	23	15	24
<b>O5 Total</b>	<b>18</b>	<b>11</b>	<b>166</b>	<b>186</b>	<b>184</b>	<b>196</b>

Note: Figures in O5 should correspond to figures in A4.

**Section P – Processing time: hours**

How long did it take to process completed applications?	Number of completed FOI applications					
	Personal		Other		Total	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
P1 0-10 hours	16	10	124	157	140	167
P2 11-20 hours	2	1	15	11	17	12
P3 21-40 hours	0	0	20	13	20	13
P4 Over 40 hours	0	0	7	4	7	4
<b>P5 Total</b>	<b>18</b>	<b>11</b>	<b>166</b>	<b>185</b>	<b>184</b>	<b>196</b>

Note: Figures in P5 should correspond to figures in A4.

**Section Q – Number of reviews**

How many reviews were finalised?	Number of completed reviews	
	(previous year)	(current year)
<b>Q1 Internal reviews</b>	8	5
<b>Q2 Ombudsman reviews</b>	1	0
<b>Q3 ADT reviews</b>	7	2

**Section R – Results of internal reviews**

What were the results of internal reviews finalised?	Number of internal reviews Grounds on which the internal review was requested					
	Personal		Other		Total	
	Original Agency Decision					
	Upheld	Varied	Upheld	Varied	Upheld	Varied
R1 Access refused	0	1	4	0	4	1
R2 Access deferred	0	0	0	0	0	0
R3 Exempt matter deleted from documents	0	0	0	0	0	0
R4 Unreasonable charges	0	0	0	0	0	0
R5 Failure to consult with third parties	0	0	0	0	0	0
R6 Third parties views disregarded	0	0	0	0	0	0
R7 Amendment of personal records refused	0	0	0	0	0	0
<b>R8 Total</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>4</b>	<b>1</b>

## Appendix 10 - Funds granted to non-government community organisations

### Government Chief Information Office

#### *About NSW*

GCIO worked closely with the NSW Ministry for Arts and the state's cultural institutions to provide better access to the State's collections online.

In particular, GCIO continues to work in close partnership with the Powerhouse Museum on a whole-of-government web project called About NSW. About NSW is a pilot initiative that provides public access to digital materials from a range of cultural institution collections as well as interpretative and contextual information about NSW across a broad range of subjects, including history, geography, flora and fauna of suburbs or towns.

In 2007/08, GCIO contributed \$150,000 towards a further six months development of the project until its review and public launch, scheduled for late 2008. The project stemmed from a joint Ministerial Commerce and Arts Online Access and Digitisation review in 2007 which identified a growing public demand for better online access to the State's significant and substantial cultural and scientific collections.

### Office of Public Works and Services

#### *Government Architect's Office*

The Government Architect's Office supported the Venice Biennale International Architecture Exhibition through a sponsorship grant of \$5,000 to the Royal Australian Institute of Architects. The \$5,000 sponsorship was provided from the Government Architect's Office budget.

### Office of Fair Trading

Fair Trading provides grants to not-for-profit organisations for the provision of community education, advice and advocacy services for tenants, retirement village and residential parks residents and consumers who need assistance with dealing with personal financial difficulties. In line with the New South Wales Government's social justice policy, these grants promote the principles of access, equity and diversity. Other grants programs target the home building and property services industries. Under these programs, funds are provided to undertake research or training which will enhance the professionalism of those industries and in turn, enhance outcomes for their consumers.

During 2007/08 there continued to be an increase in people seeking assistance from dedicated financial counselling services for help and advice. This has been attributed to the continuing rise in interest rates, personal debt increases due to credit over commitment and spiralling living costs. Fair Trading provided additional funding for the Financial Counselling Services Program to assist in meeting the increased demands for New South Wales consumers experiencing financial distress.

The Co-operatives Development Grants Program is designed to assist the NSW co-operative sector grow and remain a viable sector of the New South Wales economy. The Motor Vehicle Repair Industry Authority also provided funding to assist employment training in the NSW automotive industry.

*Program: Tenants Advice and Advocacy Program (TAAP) 2007/08*

Funded organisations	Purpose	Funding \$
Tenants' Union of NSW Co-operative Limited	Tenants' Union of NSW	\$553,853.54
Combined Pensioners And Superannuants Association of New South Wales Incorporated	Older Persons' Tenancy Service (OPTS)	\$191,378.79
Combined Pensioners And Superannuants Association of New South Wales Incorporated	Park & Village Service (PAVS)	\$200,281.70
Dtarawarra Pty Ltd	Aboriginal Resource Service	\$150,873.62
Tenants' Union of NSW Co-operative Limited	Aboriginal Legal Officer	\$124,727.53
Tenants' Union of NSW Co-operative Limited	Residential Parks Solicitor	\$85,834.55
Redfern Legal Centre Limited	Inner Sydney Tenants' Advice Service	\$253,768.40
Eastern Area Tenants Service Incorporated	Eastern Area Tenants Service Inc (EATS)	\$256,184.36
Marrickville Legal Centre	Inner Western Sydney Tenants Service	\$261,620.28
Northern Area Tenants Service Incorporated	Northern Area Tenants Service (NATS)	\$354,340.05
Canterbury Bankstown Migrant Resource Centre Incorporated	Southern Sydney Tenants Advice & Advocacy Service	\$394,181.27
Macarthur Legal Centre Incorporated	South West Sydney TAAS	\$321,496.25
UnitingCare NSW.ACT	Western Sydney Tenants' Service (WESTS)	\$584,452.77
Central Coast Tenants Advice and Advocacy Service	Central Coast TAAS	\$250,748.46
Central Coast Tenants Advice and Advocacy Service	Central Coast TAAS - additional position	\$83,424.11
Hunter Region Neighbourhood Centres Forum Incorporated	Hunter Tenants Advice & Advocacy Service	\$361,222.73
Illawarra Legal Centre Incorporated	Illawarra Tenancy Service	\$286,486.95
Port Macquarie Neighbourhood Centre Incorporated	Mid Coast TAAS	\$295,672.07
Northern Rivers Community Legal Centre Incorporated	Northern Rivers Tenants Advice and Advocacy Service	\$295,672.07
Central West Community College Limited	South Western NSW Tenants Service (ACE)	\$776,425.60

Funded organisations	Purpose	Funding \$
North & North West Community Legal Service Inc	New England & Western NSW Tenants Service	\$465,680.49
Inner West Aboriginal Community Company Ltd	Greater Sydney Aboriginal TAAS	\$266,452.20
Kulai Preschool Aboriginal Corporation	Northern NSW Aboriginal Tenants Advice Service	\$373,918.22
Management And Advisory Services Aboriginal Corporation	Southern NSW Aboriginal Tenants Service	\$422,215.32
Murdi Paaki Regional Enterprise Corporation	Western NSW Aboriginal Tenants Advice & Advocacy Service	\$468,178.14
TAAP Special Purpose Fund	Fund provides for ad-hoc projects and interpreter & translator costs for services funded under the TAAP.	\$290,552.45
<b>Total</b>		<b>\$8,369,641.90</b>

*Program: Credit Counselling Program 2007/08*

Funded organisations	Purpose	Funding \$
Consumer Credit Legal Centre (NSW) Inc	Consumer Credit Legal Centre -Hotline	\$296,268.53
Redfern Legal Centre Ltd	Redfern Legal Centre	\$28,651.29
Anglicare North Coast	Anglicare North Coast - Coffs Harbour Service and Grafton Outreach	\$42,026.28
The Trustees of the Roman Catholic Church for the Diocese of Lismore	Centacare Port Macquarie	\$40,160.97
Consumer Credit Legal Centre (NSW) Inc	Consumer Credit Legal Centre -Legal Services	\$173,410.74
The Uniting Church in Australia Property Trust (NSW)	Wesley Creditline Financial Counselling - Fairfield	\$66,924.40
The Uniting Church in Australia Property Trust (NSW)	Wesley Creditline Financial Counselling Creditline Inner Sydney	\$119,363.38
The Uniting Church in Australia Property Trust (NSW)	Lifeline Financial Counselling Service- Newcastle & Hunter	\$41,010.10
Granville Multicultural Community Centre Inc	Granville Financial Counselling Service	\$39,297.30
Illawarra Legal Centre Inc	Illawarra Legal Centre	\$33,673.73
Illawarra Legal Centre Inc	Illawarra Legal Centre - Financial Counselling Service	\$33,673.73
Macarthur Legal Centre Inc	Macarthur Legal Centre	\$41,155.75
Lismore & District Financial Counselling Service Inc	Lismore Financial Counselling Service & Mullumbimby & Byron Bay Outreach	\$76,273.88

Funded organisations	Purpose	Funding \$
The Salvation Army (NSW) Property Trust	Moneycare Financial Counselling Service - Taree/Wingham	\$26,085.77
San Remo Neighbourhood Centre Incorporated	San Remo Financial Counselling Service	\$40,885.57
The Salvation Army (NSW) Property Trust	Moneycare Financial Counselling Service Campbelltown	\$37,168.37
<b>Total</b>		<b>\$1,136,029.82</b>

*Program: Other Funded Community Services 2007/08*

Funded organisations	Purpose	Funding \$
The Aged-care Rights Service Inc.	Advice and advocacy to retirement village residents	\$375,000
<b>Total</b>		<b>\$375,000</b>

*Program: Financial Counselling Trust Fund 2007/08*

Funded organisations	Purpose	Funding \$
Murwillumbah Community Support Centre Inc.	Murwillumbah Financial Counselling Service	\$31,172.58
Eastlakes Family Support Service Inc.	Eastlakes Family Support Financial Counselling Service	\$22,284.85
C.A.R.E. Incorporated	Care Inc - Queanbeyan	\$44,511.97
Lifeline Broken Hill Inc	Far West Credit Counselling Service	\$72,310.00
Mission Australia	Mission Australia Creditworthy Wollongong	\$40,160.97
Kempsey Neighbourhood Centre Inc	Kempsey Financial Counselling Service	\$55,953.76
The Trustees of the Anglican Diocese of Armidale	Anglican Counselling Service (Diocese of Armidale)	\$51,650.00
Anglicare South East	Anglicare South East Financial Counselling Service	\$37,049.58
Creating Links Co-operative Ltd	Creating Links Co-operative	\$39,795.06
Christian Community Aid Service Inc	CCAS Financial Counselling Program	\$39,297.30
The Uniting Church in Australia Property Trust (NSW)	Lifeline South Coast - Creditline Nowra Financial Counselling Service	\$42,097.24
The Uniting Church in Australia Property Trust (Vic)	St Davids Uniting Care Financial Counselling Service	\$33,162.55
Lifeline Central West Incorporated	Creditline - Central West Financial Counselling Service	\$68,807.40
The Uniting Church in Australia Property Trust (NSW)	Wesley Creditline Financial Counselling Penrith - (Includes Quakers Hill,	\$113,630.00

Funded organisations	Purpose	Funding \$
	Hawkesbury, Blacktown Outreach Services)	
Woodrising Neighbourhood Centre Inc	Lake Macquarie Financial and Gambling Counselling Service	\$39,795.06
Eurobodalla Family Support Service Inc	Eurobodalla Financial Counselling Service	\$51,381.42
Gosford City Community Information Service Ltd	Gosford/Wyong Financial Counselling Service	\$68,178.00
Financial Counselling Hunter Valley Project Inc	Hunter Valley Project Financial Counselling Service	\$46,427.59
The Salvation Army (NSW) Property Trust	Moneycare Financial Counselling Service - Campsie	\$44,909.68
The Salvation Army (NSW) Property Trust	Moneycare Financial Counselling Service - Forster/Tuncurry	\$25,825.00
The Salvation Army (NSW) Property Trust	Moneycare Financial Counselling Service – Lethbridge Park	\$41,339.63
The Salvation Army (NSW) Property Trust	Moneycare Financial Counselling Service – Parramatta	\$41,328.26
Mission Australia	Mission Australia Campbelltown	\$41,737.00
The Trustees of the Society of St. Vincent De Paul (N.S.W.)	St Vincent De Paul Broken Bay Financial Counselling Service	\$26,085.77
The Salvation Army (NSW) Property Trust	Moneycare - Hurstville	\$9,813.50
Mission Australia	Mission Australia - Wagga Wagga	\$42,828.18
Mission Australia	Mission Australia - Griffith	\$42,828.18
<b>Total</b>		<b>\$1,214,360.54</b>

*Program: Home Building Grants Program 2007/08*

Funded organisations	Purpose	Funding \$
Timber Development Association (NSW) Limited	Termite Management Education and Self Awareness Website	\$36,000.00
Deltacorp Consulting Pty Ltd	An Introduction to Home Building Contracts in NSW" Training Course	\$14,000.00
MBA Newcastle Group Training Pty Limited	Newcastle MBA Group Training & Personnel	\$55,000.00
Construction Industry Training Advisory Board	Construction Education & CPD Support & Reference Centre	\$70,000.00
National Electrical and Communications Association New South Wales Chapter	Electrical Safety Education Program	\$50,000.00
The Master Plumbers & Mechanical Contractors	Dealing Fairly with Customers	\$45,000.00

Association of NSW		
Pointsbuild Pty Ltd	Basic Legal and Financial Training Cert IV for Pool Builders	\$45,000.00
Macquarie Legal Centre - Home Building Advocacy Service (HoBAS)	Home Building Advocacy Service	\$81,666.64
<b>Total</b>		<b>\$446,666.62</b>

*Program: Property Service Grants Program 2007/08*

Funded Organisations	Purpose	Funding \$
MigrantLINK Australia Ltd	Finding a home in Northern Sydney - Support for Migrants & Refugees	\$20,616.00
Australian Property Institute	CPD Program for Valuers, Agents & related property professionals	\$50,000.00
NSW Property Services Industry Training Advisory Board	NSW Property Services Support Line	\$70,442.00
Australian Livestock & Property Agents Association Ltd	The ALPA Professional Development & Education Program	\$80,000.00
Australian Institute of Conveyancers (NSW Division)	Online Continuing Education Program	\$13,960.00
Australian Resident Accommodation Managers Association (NSW) Inc	Management Rights - The Way of the Future	\$2,000.00
<b>Total</b>		<b>\$237,018.00</b>

*Program: Co-operatives Development Grants Program*

Funded Organisations	Purpose	*Funding \$
Association to Resource Cooperative Housing (ARCH)	The Social Outcomes of Co-operative Housing for tenants and their Families in NSW	\$17,000.00
Co-operative Federation of NSW Ltd	Living Co-operatively Symposium (Travel Costs for Keynote Speaker)	\$6,000.00
The Bangalay Tree Food Co-operative	Feasibility Study into the creation of a community food co-operative	\$7,500
Zig Zag Railway Co-op Ltd	Design and commission of a new website and logo	\$4,130.00
Tooraweenah Prime Lamb Marketing Co-operative Ltd	Funding towards developing a five year strategic plan for Tooraweenah Prime Lamb Marketing Co-operative Ltd	\$13,750.00
<b>Total</b>		<b>\$48,380.00</b>

*Program area: Motor Vehicle Repair Industry Authority*

Funded Organisations	Purpose	Funding \$
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Automotive Training Board of NSW	Assist systematic training for employment in the NSW automotive industry	50,000.00
<b>Total</b>		<b>\$50,000.00</b>

## Appendix 11 - Government and Related Employees Appeals Tribunal & Transport Appeals Boards

### *Public Sector appeals process*

The Government and Related Employees Appeals Tribunal (GREAT) and the Transport Appeal Boards (TAB) fall within the area of responsibility of the Minister for Industrial Relations.

GREAT hears and determines appeals against decisions relating to the discipline and promotion of NSW public sector employees and employees of certain other statutory authorities. GREAT also hears promotion appeals and Hurt On Duty Claims by members of the New South Wales Police Service. The Transport Appeal Boards are independent bodies that determine appeals by employees against disciplinary or promotion decisions made by public sector transport authorities.

During 2007/08, 1,289 appeals were before GREAT. This represents an increase of 368 appeals on the previous year's total of 921, while 842 appeals went before TAB, representing a decrease of 143 on the previous year's total of 985. The number of appeals lodged with both GREAT and TAB relates directly to the volume and frequency of recruitment campaigns undertaken by New South Wales public sector employing authorities. This is reflected in the sometimes large fluctuations of total appeals lodged from year to year in both GREAT and TAB.

### *Promotion appeals*

Both the GREAT and TAB are independent bodies and are the only bodies that review the application of the 'test of merit' against recruitment and selection outcomes in the NSW public sector.

Merit selection for the NSW public sector and its purpose are articulated in the Public Sector Employment Management Act 2002 at section 19 and the NSW Personnel Handbook at section 2.

Merit selection is a long standing cornerstone of selection and recruitment processes for the NSW public sector. The GREAT and TAB were set up by their respective enabling legislation in 1980 to contribute to the transparency of recruitment and selection processes of the NSW public sector by reviewing decisions made on behalf of department heads to ensure that the most meritorious employee for the position is appointed to the contested position.

Promotion appeals are generally listed for hearing within 35 days of the expiration of the closing date to lodge an appeal. Tribunal and Board decisions on promotion appeals are almost always made on the day of the merit hearing and then followed by a written decision within 14 days of the hearing.

The previous three year financial year average for the period 2004/05 to 2006/07 for appeals lodged with the GREAT was 333 and for the TAB 478. However, for financial year 2007/08 promotion appeals to GREAT totalled 736 and to the TAB 756. In effect the GREAT was up more than 50 per cent on the previous three year average while TAB activity was up approximately 60 per cent on the previous three year average.

### *Disciplinary appeals*

#### **Outcomes - Public sector disciplinary appeals**

For the year 2007/08 the GREAT received 59 appeals in this category compared to 52 in 2006/07. Thirty one have been finalised of which 19 were withdrawn by the appellant after conciliation and prior

NSW Department of Commerce Annual Report 2007/08 ISSN 1832-1232

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to hearing as a result of settlements between the parties. Nine were withdrawn prior to being listed for conciliation and 3 progressed to a formal hearing where 2 were allowed and 1 disallowed. Of the remaining 28, 16 are before the GREAT for conciliation, 3 are settled and waiting for withdrawal by the appellant, and the remaining 9 have formal hearing dates set for the second half of 2008.

**Conciliation of public sector disciplinary appeals**

Of the 59 appeals lodged with the GREAT during 2007/08, 31 have progressed through the conciliation stage of which 19 were settled and withdrawn by the appellant and a further 3 settled pending withdrawal representing a 70 per cent success rate.

The continued success of conciliation has resulted in savings across the public sector as it is less resource intensive both from the participating agencies and unions' perspective and the Tribunal's. These matters not progressing to hearing means agencies and unions do not have to supply the Tribunal with a Tribunal Member to sit on the hearing for its duration.

**Transport Appeal Boards discipline appeals**

During the reporting period, 87 disciplinary appeals were lodged with the TAB. Of these 69 have been finalised and the remaining 18 currently have hearing dates in July and August of 2008. Of the 69 finalised 29 were withdrawn prior to hearing, nine were withdrawn during the hearing, four struck out, 12 disallowed, three allowed, two disallowed with modified penalty and ten allowed with modified penalty.

**Education**

During 2007/08 the GREAT conducted three seminars on the promotion appeal process, including the impetus for publication of appointments. The seminars were attended by 63 industrial officer and human resource staff from 29 public sector organisations.

**Website**

During 2006/07, disciplinary and jurisdiction decisions of the TABs were added to the TAB website for the first time and became accessible to users of the TAB for reference and research purposes. During 2006/07 visitors to the TAB website totalled 1,876 and for 2007/08 visitors totalled 5,800 representing a trebling of traffic since decisions were added.

The website for both the GREAT and TAB are scheduled for upgrading in accordance with New South Wales public sector guidelines by the end of 2008.

*Performance results*

**Outcome: Maximum compliance with regulatory requirements**

Measure GREAT	04/05	05/06	06/07	07/08	Target 08/09
Number of appeals received	826	683	921	1289	850

Measure TAB	04/05	05/06	06/07	07/08	Target 08/09
Number of appeals received	322	267	985	842	650

## Appendix 12 – Heritage Asset Management Strategy

The Commerce Heritage Asset Management Strategy, required under the *NSW Heritage Act 1977*, was approved by the NSW Heritage Council in May 2007. The Heritage Asset Management Strategy set out the heritage management initiatives already undertaken by Commerce, identified the Heritage Asset Management Systems within the Department and committed the Department to an action plan to enable it to meet the requirements of the Heritage Act by the end of 2009. The major requirement is the preparation of a Heritage and Conservation Register under Section 170 of the Heritage Act, and this is currently underway.

The Government Architect's Office was engaged to prepare the Commerce Section 170 Heritage and Conservation Register. The first stage of the project, the identification of potential heritage items held by Commerce and the preparation of Commerce's Thematic History, was completed in 2007. The second stage, the preparation of the Register, will be completed later in 2008.

The information in the Register will identify the Department's heritage assets, describe why they are important and provide guidance for the ongoing management. The Register will assist Commerce to meet its other obligations as required under the Heritage Act, including annual reporting for heritage assets and ongoing property management maintenance and conservation works.

## Appendix 13 - Price determination

Commerce sought no price determinations from the Independent Pricing and Regulatory Tribunal in 2007/08.

## Appendix 14 – Inclusion of other annual reports

Provisions within the *Community Land Management Act 1989*, the *Strata Schemes Management Act 1996* and the *Residential Tenancies Act 1987* require the Commissioner for Fair Trading to prepare a report to Parliament on the respective operations of the Commissioner (including as Tenancy Commissioner) under these Acts. The Commissioner's actions or activities relating to these Acts are not conducted in isolation – but are fully integrated across all of Fair Trading's operations. The annual reporting obligations for the three acts are therefore discharged by the inclusion of the following information in this Department of Commerce Annual Report in accordance with section 6 (Inclusion of other reports in annual reports) of the *Annual Reports (Departments) Act 1985*.

### *Community Land Management Act 1989*

The following information addresses section 109G of the Act in connection with annual reporting of the operations of the Director-General (Commissioner for Fair Trading) in the areas of resolving complaints and disputes, investigating alleged breaches of the Act, taking legal action, providing information on community schemes and reporting on any other matter, including those referred to the Commissioner by the Minister.

#### Resolving complaints and disputes

Community land management enquiries and dispute mediations are counted jointly with strata scheme enquiries and mediations - see next section on *Strata Schemes Management Act 1996*.

#### Legal action taken

	03/04	04/05	05/06	06/07	07/08
Community land	0	0	0	0	0

management prosecutions					
Community land management penalty notices	0	0	0	1	0
Community land management civil litigation	0	0	0	0	0

**Community land management information**

Community land management information was available through the Fair Trading website at: [http://www.fairtrading.nsw.gov.au/Tenants\\_and\\_home\\_owners/Community\\_and\\_neighbourhood\\_schemes.html](http://www.fairtrading.nsw.gov.au/Tenants_and_home_owners/Community_and_neighbourhood_schemes.html). Fair Trading also provides the following community scheme publications for proprietors, occupiers, associations, managing agents and members of the public:

- Living in a community scheme
- Strata and community disputes
- Strata and community mediation

**Other matters**

The Community Land Management Act 1989 was reviewed and a report is being finalised that will recommend a number of amendments to the Act. The amendments were developed following extensive stakeholder consultation. The proposed amendments will update the law and enhance existing provisions. The main purpose of the review is to increase consistency between community schemes management legislation and strata schemes management legislation, as there are many similar and mirror provisions. Relevant information will be available on the Fair Trading website before the changes commence.

***Strata Schemes Management Act 1996***

The following information addresses section 216 of the Act in connection with annual reporting of the operations of the Director-General (Commissioner for Fair Trading) in the areas of resolving complaints and disputes, investigating alleged breaches of the Act, taking legal action, providing information on strata schemes and reporting on any other matter referred to the Commissioner by the Minister.

**Resolving complaints and disputes**

	03/04	04/05	05/06	06/07	07/08
Strata scheme enquiries	38,058	38,858	35,580	32,464	33,955
Strata scheme dispute mediations	1,027	1,185	1,153	1,194	1,380

**Legal action taken**

	03/04	04/05	05/06	06/07	07/08
Strata scheme prosecutions	0	0	0	0	0
Strata scheme penalty notices	0	0	0	0	0
Strata scheme civil litigation	0	0	9	5	0

## Mediation

Mediation continues to be a successful way for parties to settle strata and community scheme disputes. People can resolve their disputes without the need for formal adjudication and many side issues are resolved along with the main dispute.

During 2007/08, 539 applications did not proceed as one or more party did not agree to mediation. 283 cases were successfully managed prior to mediation. Of the remaining 386 applications, 69 per cent were successfully mediated.

## Strata schemes information

A range of strata schemes information was also available through the Fair Trading website at: [http://www.fairtrading.nsw.gov.au/Tenants\\_and\\_home\\_owners/Strata\\_schemes.html](http://www.fairtrading.nsw.gov.au/Tenants_and_home_owners/Strata_schemes.html). During the year, the following strata scheme publications were available for members of the public, owners, occupiers, owners' corporations, lessors of leasehold strata schemes and strata managing agents:

- Changes to strata laws
- Buying into a strata scheme
- Strata and community disputes
- Strata and community mediation
- Strata living – in English, Arabic, Chinese and Vietnamese
- Strata scheme sinking funds.

## Other matters

Following the release of a discussion paper in late 2007 and an extensive period of public consultation that included the release of draft exposure bills, the *Strata Management Legislation Amendment Act 2008* was passed by Parliament on 18 June 2008. The existing caretaker provisions in the Act will be extended to persons who fall within the description of caretaker regardless of their job title. This will close a potential loophole in the current Act. Developers will lose the right to make exclusive use by-laws about parking on common property during the initial period of a scheme. The owners' corporation will be responsible for such long-term decisions. Developers and persons connected with developers will be prohibited from using proxy votes and powers of attorney obtained as a condition of a contract for the sale of a lot within the scheme. This will prevent strata lot owners from being involuntarily deprived of their right to vote at meetings of the owners' corporation.

Strata scheme executive committee members and candidates for election to strata scheme executive committees will have to disclose any connections they have with the developer or caretaker. This will enhance the transparency of executive committee elections and their operations. Individual lot owners in strata and community schemes will be able to invite Fair Trading building inspectors onto common property to investigate building defects or other structural problems. Previously only owners' corporations had this authority.

## *Residential Tenancies Act 1987*

The following information addresses section 119E of the Act in connection with annual reporting of the operations of the Tenancy Commissioner (Commissioner for Fair Trading) in the areas of research into tenant/landlord relationships, resolving tenancy disputes, taking legal action, providing information, reporting on other matters, including those referred to the Commissioner by the Minister, as well as providing assistance to agencies and individuals who provide tenancy advice and information and carry out research into relationships between tenants and landlords.

**Resolving complaints and disputes**

	03/04	04/05	05/06	06/07	07/08
Tenancy enquiries	155,000	143,000	126,000	117,200	121,250

Note: tenancy disputes are determined in the independent Consumer, Trader & Tenancy Tribunal

**Legal action taken**

	03/04	04/05	05/06	06/07	07/08
Residential Tenancies Act prosecutions	0	1	1	0	0
Residential Tenancies Act penalty notices	0	0	0	0	0
Residential Tenancies Act civil litigations	0	0	0	0	0

**Residential tenancy information**

Residential tenancy information was available for tenants and landlords through the Fair Trading website at: [http://www.fairtrading.nsw.gov.au/Tenants\\_and\\_home\\_owners.html](http://www.fairtrading.nsw.gov.au/Tenants_and_home_owners.html).

Fair Trading also provided the following publications for tenants and landlords:

- The Renting Guide (22 community language versions)
- Tenant databases (tenant and landlord editions)
- Using an agent to manage your rental property
- Living there – information for renters
- Moving in – information for renters
- Moving out – information for renters
- Discrimination and renting.

**Assistance and funding for tenancy services**

In 2007/08, the 22 community organisations funded under the Tenants Advice and Advocacy Program provided advice and advocacy to 31,295 tenants across New South Wales. Almost 1,800 people living in residential parks were provided with advice about their rights and responsibilities by Tenants Advice and Advocacy Program services.

There has been a significant increase in client contacts resulting from an increase in mortgagees taking possession of premises from tenants. The Residential Tenancies Act protects tenants from mortgagee possession until there is a court order. However, many tenants who are unaware of their rights are being pushed out of the premises at the demand of mortgagees.

This year, 4,464 tenants around the State received assistance to prepare for a Consumer, Trader and Tenancy Tribunal hearing or with representation at a hearing.

**Other matters**

A strategic review of residential tenancies legislation has been carried out. On 22 September 2007 a report called Residential Tenancy Law Reform - A New Direction was released. This report explained over 100 proposed changes to the law and enabled people to provide feedback on them. Some 1,500 responses from individuals and groups, including tenants, landlords and real estate agents, were received in the form of letters, online survey responses, and comments via an online blog. In addition, 915 people attended face-to-face sessions conducted in regional and metropolitan areas, another important way of gathering feedback directly from the community. As a result of the feedback gathered through consultation, Fair Trading is better able to understand community preferences and the diverse views of stakeholders. All submissions were assessed and analysed and a reform package is being developed for introduction to Parliament.

## Appendix 15 – Land disposal

In 2007/08 Commerce disposed of the following properties:

- Part of 47-49 Bourke Road, Alexandria      \$16,050,000
- 86 Gipps Street, Bega      \$420,000

## Appendix 16 – Legislation administered

### Commerce

The Minister for Commerce has joint administration of all Acts listed for the Minister for Fair Trading (which are not listed again below), and the following Acts

- *Architects Act 2003 No 89*
- *Bennelong Point (Parking Station) Act 1985 No 189*
- *Border Railways Act 1922 No 16*
- *Building and Construction Industry Security of Payment Act 1999 No 46*
- *Contractors Debts Act 1997 No 110*
- *Glen Davis Act 1939 No 38, Part 4 (remainder, the Minister for Local Government)*
- *Government Telecommunications Act 1991 No 77*
- *Land Acquisition (Charitable Institutions) Act 1946 No 55*
- *Land Acquisition (Just Terms Compensation) Act 1991 No 22*
- *Partnership Act 1892 55 Vic No 12* in so far as it relates to the functions of the Registrar of the register of limited partnerships and incorporated limited partnerships and to the setting of fees to be charged for maintaining that register, jointly with the Attorney General and the Minister for Fair Trading (remainder, the Attorney General)
- *Public Sector Employment and Management Act 2002 No 43, Chapter 7* (jointly with the Treasurer; remainder, Premier)
- *Public Works Act 1912 No 45* (except section 34 (3) and (4), the Minister for Water)
- *State Brickworks Act 1946 No 16*
- *State Records Act 1998 No 17*

### Office of Industrial Relations

- *Annual Holidays Act 1944 No 31*
- *Banks and Bank Holidays Act 1912 No 43* (except part, the Treasurer)
- *Broken Hill Trades Hall Site Act of 1898 No 31*
- *Broken Hill Trades Hall Site Extension Act 1915 No 42*
- *Builders Labourers Federation (Special Provisions) Act 1986 No 17*
- *Coal Industry (Industrial Matters) Act 1946 No 44*
- *Employment Protection Act 1982 No 122*

- *Entertainment Industry Act 1989 No 230*
- *Essential Services Act 1988 No 41* (except parts, the Premier)
- *Funeral Services Industry (Days of Operation) Repeal Act 2000 No 14*
- *Government and Related Employees Appeal Tribunal Act 1980 No 39*
- *Hairdressers Act 2003 No 62*
- *Industrial Arbitration (Special Provisions) Act 1984 No 121*
- *Industrial Relations Act 1996 No 17* (except parts, the Attorney General)
- *Industrial Relations (Child Employment) Act 2006 No 96*
- *Industrial Relations (Ethical Clothing Trades) Act 2001 No 128*
- *Long Service Leave Act 1955 No 38*
- *Long Service Leave (Metalliferous Mining Industry) Act 1963 No 48*
- *Shops and Industries Act 1962 No 43*
- *Shops and Industries Act 1962 No 43* [Repealed 1 July 2008]
- *Shop Trading Act 2008 No 49* [Commences 1 July 2008]
- *Transport Appeal Boards Act 1980 No 104*

## Office of Fair Trading

The Minister for Fair Trading has joint administration of the following Acts with the Minister for Commerce

- *Associations Incorporation Act 1984 No 143*
- *Business Names Act 2002 No 97*
- *Community Land Management Act 1989 No 202*
- *Consumer Claims Act 1998 No 162*
- *Consumer Credit Administration Act 1995 No 69*
- *Consumer Credit (New South Wales) Act 1995 No 7*
- *Consumer, Trader and Tenancy Tribunal Act 2001 No 82*
- *Contracts Review Act 1980 No 16*
- *Conveyancers Licensing Act 2003 No 3*
- *Co-operative Housing and Starr-Bowkett Societies Act 1998 No 11*
- *Co-operatives Act 1992 No 18*
- *Credit Act 1984 No 94*
- *Credit (Home Finance Contracts) Act 1984 No 97*
- *Electricity (Consumer Safety) Act 2004 No 4*
- *Fair Trading Act 1987 No 68*
- *Fitness Services (Pre-paid Fees) Act 2000 No 95*
- *Funeral Funds Act 1979 No 106*
- *Gas Supply Act 1996 No 38, section 83A* (remainder, the Minister for Energy)
- *Holiday Parks (Long-term Casual Occupation) Act 2002 No 88*

- *Home Building Act 1989 No 147*
- *HomeFund Commissioner Act 1993 No 9*
- *HomeFund Restructuring Act 1993 No 112, sections 14, 15, 16 and Schedule 2 (remainder, the Minister for Housing)*
- *Landlord and Tenant Act 1899 No 18*
- *Landlord and Tenant (Amendment) Act 1948 No 25*
- *Landlord and Tenant (Rental Bonds) Act 1977 No 44*
- *Motor Dealers Act 1974 No 52*
- *Motor Vehicle Repairs Act 1980 No 71*
- *Partnership Act 1892 55 Vic No 12 in so far as it relates to the functions of the Registrar of the register of limited partnerships and incorporated limited partnerships and to the setting of fees to be charged for maintaining that register, jointly with the Attorney General and the Minister for Commerce (remainder, the Attorney General)*
- *Pawnbrokers and Second-hand Dealers Act 1996 No 13*
- *Price Exploitation Code (New South Wales) Act 1999 No 55*
- *Prices Regulation Act 1948 No 26*
- *Property, Stock and Business Agents Act 2002 No 66*
- *Registration of Interests in Goods Act 1986 No 37*
- *Residential Parks Act 1998 No 142*
- *Residential Tenancies Act 1987 No 26*
- *Retirement Villages Act 1999 No 81*
- *Strata Schemes Management Act 1996 No 138*
- *Trade Measurement Act 1989 No 233*
- *Trade Measurement Administration Act 1989 No 234*
- *Travel Agents Act 1986 No 5*
- *Valuers Act 2003 No 4*
- *Warehousemen's Liens Act 1935 No 19*

## Appendix 16 - Legislative changes

### Office of Fair Trading

#### *Strata schemes management*

Following the release of a discussion paper in late 2007 and an extensive period of public consultation that included the release of draft exposure bills, the *Strata Management Legislation Amendment Act 2008* was passed by Parliament on 18 June 2008. The existing caretaker provisions in the Act will be extended to persons who fall within the description of caretaker regardless of their job title. Developers will lose the right to make exclusive use by-laws about parking on common property during the initial period of a scheme. The owners' corporation will be responsible for long-term decisions. Strata scheme executive committee members and candidates for election to strata scheme executive committees will have to disclose any connections they have with the developer or caretaker. This will enhance the transparency of executive committee elections and their operations. Individual lot owners

in strata and community schemes will be able to invite Fair Trading building inspectors onto common property to investigate building defects or other structural problems. Previously only owners' corporations had this authority. The changes will commence in August 2008.

### *Demolition work*

From 2 May 2008 demolition work is no longer regulated under the Home Building Act. The change is part of the Government initiative to remove the need for contractors to be licensed by more than one agency for similar work. WorkCover is now the sole licensing agency for approximately 350 persons undertaking demolition work in NSW.

### *Cancellation of incorporated associations*

Following the review of the *Associations Incorporation Act 1984*, work has been under way to make extensive amendments to the Act. It was originally anticipated that this would be done in one large Amendment Bill. However, it was decided to put through a minor Amendment Bill to improve the cancellation procedures for incorporated associations immediately. Consequently the *Associations Incorporation Amendment (Cancellation of Incorporation) Act 2007* commenced on 29 October 2007. The amendments streamline the processes involved in the cancellation of inactive associations and introduce a provision which allows the incorporation of associations to be re-instated if they have been cancelled in error. Work continues on redrafting the Act in line with the remaining recommendations from the review.

### *Consumer credit*

Fair Trading is active in protecting disadvantaged consumers from excessive fees and interest charged by some short term lenders. In 2006, changes to the *Consumer Credit (New South Wales) Act 1995* required all fees and charges to be included in the calculation of the maximum rate allowed to be charged in this state. Some lenders sought to avoid this requirement by using bills of exchange – a financial instrument generally used for commercial purposes and exempted from the Consumer Credit Code, which regulates all consumer credit. Since 30 November 2007 any consumer credit provided by way of a bill of exchange is now subject to regulation by the Code, except in the area of overlap with the Commonwealth, and in NSW the maximum rate is inclusive of fees and charges.

### *Retirement Villages*

Following a statutory review of the *Retirement Villages Act 1999* regulating retirement villages, a package of significant reforms was developed. As the proposed reforms were extensive and complex in their scope, and would have significant impact on both residents and operators alike, the Government decided to make available a consultation draft Bill before formally introducing the legislation into Parliament. Feedback on the draft Bill was received from a range of organisations and individuals throughout 2007 and early 2008. All written submissions were analysed and assessed. Both the Minister and Fair Trading staff met with resident and operator groups on a number of occasions to discuss their views in detail and a number of refinements were made to Bill arising from the extensive consultation process. The Bill was introduced into Parliament on 26 June 2008.

### *Consumer, Trader and Tenancy Tribunal*

Over the last eighteen months the Tribunal underwent a thorough and independent operational review that followed a statutory review of the *Consumer, Trader and Tenancy Tribunal Act 2001*. The changes are being introduced by the Consumer, Trader and Tenancy Amendment Bill 2008, which was passed by Parliament on 24 June 2008.

On commencement of the amendments the Tribunal's Deputy Chairperson (Determinations) will need to be legally qualified, while ability or experience in alternative dispute resolution procedures may be a selection criterion for new Tribunal members. The Chairperson will be able to give more extensive

procedural directions and authorise the Registrar and Deputy Registrar to exercise certain functions of the Tribunal. New limits to the period for recommencing proceedings will be introduced and a second application for a rehearing will be possible if significant new evidence comes to light. More time will be allowed for a written statement of reasons for a decision to be prepared, and sound recordings of all hearings will be made, as far as is reasonably practicable. In acknowledgement of the specific needs and circumstances of social housing clients, there will be a new Social Housing Division. It is anticipated that the new amendments will commence in late 2008.

### *Motor dealer reforms*

A number of recommendations for reform of the *Motor Dealers Act 1974* were made after a review that involved consultation with the motor vehicle retailing and services sector. Changes to the Act were approved by Cabinet in October 2007, and amendments to the Motor Dealers Regulation 2004 were drafted. When the amendments commence the red tape burden on motor dealers will be lessened by treating demonstrator motor vehicles like other second-hand vehicles, reducing the number of forms a motor dealer must keep, and making a number of improvements in the layout of several forms to make them easier to comprehend and use.

### *Consumer claims*

Amendments to the *Consumer Claims Act 1998* commenced on 1 March 2008 following a statutory review. The amendments made a number of changes to the Act to clarify its jurisdiction and improve dispute resolution processes for consumers applying to the Consumer, Trader and Tenancy Tribunal. The time period for applying to the Tribunal was extended and the general jurisdiction limit of the Tribunal was increased to \$30,000.

### *Trade measurement*

The *Trade Measurement Legislation Amendment Act 2007* was given assent on 1 November 2007. It is part of the uniform trade measurement legislation and identical amendments are progressively being implemented by the other states and territories. The amendments include licensing arrangements for public weighbridge and servicing licensees, improved consumer protection by clarifying how the volume of firewood may be measured, amendments to definitions and other technical matters to improve the administration of the legislation.

### *Product safety*

The Fair Trading Amendment (Prams and Strollers) Regulation 2008 commenced on 1 July 2008 - the same date as the complementary Commonwealth standard. Both standards make reference to the Australian/New Zealand Standard AS/NZS 2088:2000 Prams and Strollers – Safety Requirements. The standard particularly addresses requirements for brakes, safety restraints, tether straps, testing procedures and labelling.

To prevent or reduce risk of injury, the Fair Trading Amendment (Monkey Bikes) Regulation 2007 was introduced on 14 December 2007. It requires these bikes to meet certain safety requirements in relation to their throttle (accelerator), braking systems, foot pegs, steering head system, and supplemental engine stop or cut-out switch. The Regulation is a result of extensive consultation with other State and Territory safety regulators to ensure that a harmonised outcome was achieved Australia-wide.

### *Bills assented to*

- *Associations Amendment (Cancellation of Incorporation) Act 2007*. Assented to 29 October 2007.
- *Consumer Claims Amendment Act 2007*. Assented to 7 December 2007.
- *Fair Trading Amendment (Funeral Goods and Services) Act 2007*. Assented to 4 July 2007.

- *Motor Dealers Amendment Act 2007*. Assented to 29 October 2007.
- *Trade Measurement Legislation Amendment Act 2007*. Assented to 1 November 2007.
- *Strata Management Legislation Amendment Act 2008*. Assented to 18 June 2008.

### *Statute law revision*

Under the Statute Law Revision program, a Bill is introduced in each Session of Parliament to deal with a range of minor and uncontroversial legislative amendments. A number of amendments were made to fair trading legislation under this program during 2007/08. During the Spring Session of 2007 the following amendments were made:

- *Fair Trading Act 1987 (Section 44A , Schedule 4A)*
- *Home Building Act 1989 (Schedule 1)*
- *Residential Parks Act 1998 (Section 88)*
- *Conveyancers Licensing Act 2003 (Section 95)*
- *Property, Stock and Business Agents Act 2002 (Sections 5, 47, 60, 64, 128, 153)*
- *Property, Stock and Business Agents Regulation 2003 (Clause 11).*

### *Subordinate legislation review*

On 1 September 2007, the following regulations were remade under the staged repeal provisions of the Subordinate Legislation Act 1989:

- *Community Land Management Regulation 2007*
- *Consumer Claims Regulation 2007*
- *Consumer Credit (NSW) Special Provisions Regulation 2007*
- *Fair Trading Regulation 2007.*

## Office of Industrial Relations

### *Industrial and Other Legislation Amendment (APEC Public Holiday) Act 2007*

The main purpose of this Act was to amend the Industrial Relations Act 1996 to deem 7 September 2007 to be a paid public holiday under State industrial instruments for those employees who worked within the designated APEC public holiday areas of the Sydney metropolitan area. To complement these provisions the *Long Service Leave Act 1955* was amended to ensure that the APEC public holiday was treated the same as any other public holiday falling within an employee's period of long service leave.

The Act also amended the *Shops and Industries Act 1962* to enable the Minister for Industrial Relations, if required, to close general shops in the central business district on the APEC public holiday. Regulation making provisions were also inserted in the *Banks and Bank Holidays Act 1912* to clarify the public holiday in terms of its effect as a business day, a public holiday or a working day for the purposes of any Act or any statutory instrument.

[Commencement: 4 July 2007 (GG No. 90, 13/07/07, p. 4485)]

### *Public Sector Employment and Management Amendment Act 2008*

This Act amends section 19 of the *Government and Related Employees Appeal Tribunal Act 1980* to provide that the notice of appointment that a public sector employer is required to publish can appear

on the NSW Government's recruitment website. A notice is deemed to be distributed on that website if the website is made available to employees of the public sector employer.

[Commencement: 16 May 2008]

### *Shop Trading Act 2008*

The purpose of this Act is to repeal the *Shops and Industries Act 1962* to de-regulate shop trading hours while restricting shop trading on Good Friday, Easter Sunday, ANZAC Day (but only until 1.00pm), Christmas Day and Boxing Day. Small shops and specified other shops will be permitted to trade on those days. The Director-General of the Department of Commerce will be permitted to grant exemptions to other shops from the trading restrictions. Provisions relating to weekend bank trading will be transferred to the *Banks and Bank Holidays Act, 1912*.

[Commencement: 1 July 2008]

### *Miscellaneous Acts Amendment (Same Sex Relationships) Act 2008*

This Act amends the *Industrial Relations Act 1996* to extend parental leave to female employees in connection with the birth of children to their same sex partners. A female employee's child is presumed to be the child of the employee by virtue of amendments to the parenting presumptions to be included in the Status of Children Act. The provisions will apply to leave taken before the commencement of the Act provided the leave is taken within 12 months of a child's birth.

The Act also amends the definition of employee in section 5 of the *Industrial Relations Act 1996* to exclude a person who is employed or engaged by his or her de-facto partner from being an employee.

[Assented to on 11 June 2008. Awaiting proclamation]

### *Legislative changes - Regulations*

#### **Banks and Bank Holidays Regulation 2007**

This Regulation provides that the APEC public holiday of 7 September 2007 is taken not to be a business day for the purposes of Part 4 of the Dust Diseases Tribunal Regulation 2007.

[Commencement: 7 September 2007 GG No 116 of 7.9.2007, p 6879]

#### **Shops and Industries Regulation 2007**

The object of this Regulation is to remake, without substantial alteration, the Shops and Industries (Trading) Regulation 2002 which was repealed on 1 September 2007 by section 10(2) of the *Subordinate Legislation Act 1989*.

[Commencement: 1 September 2007 (GG No 108 of 31.8.2007, p 6517)]

#### **Industrial Relations (General) Amendment (Fees) Regulation 2007**

This Regulation provides for an increase in certain fees that the Industrial Relations Commission charges in relation to the conduct of matters before it. The fee increases are consistent with fee changes for other NSW courts.

[Commencement: 1 July 2007]

#### **Industrial Relations (Child Employment) Amendment Regulation 2007**

This Regulation amends the Industrial Relations (Child Employment) Regulation 2006 to provide that an appeal against the issue of a compliance notice under the *Industrial Relations (Child Employment) Act 2006* is to be conducted in accordance with the Industrial Court rules made under section 185 of the *Industrial Relations Act 1996*.

[Commencement: 30 November 2007]

## Appendix 17 – New South Wales Government Telecommunications Authority

The vision of the NSW Government Telecommunications (Telco) Authority, as outlined by the *NSW Government Telecommunications Act, 1991* (the Telco legislation) is to improve the integration of the Information and Communications Technology (ICT) capabilities and assets of New South Wales for the betterment of New South Wales Government telecommunications and the community.

### Functions of the Board

- to determine the policies and long term strategic plans of the Authority
- to oversee the effective, efficient and economical management of the Authority
- to advise the Minister on any matter relating to the telecommunications requirements of the Government or on the commercial advantages available to the Government with respect to the State.

### Aims and objectives

- to use the provisions of the Telco legislation to better integrate information and communications technology capabilities
- to use its functions, including the ability to conduct any business connected with telecommunications, to the best advantage of the State.

### Membership

The Government regularly reviews the role of the Board and its relevance to current telecommunications strategies and policies. A number of options are currently under consideration.

### Administration

As provided for under the Telco legislation, the acting Managing Director is currently assisted on an as needs basis by the Government Chief Information Office, an administrative area of the Department of Commerce.

### Report on operations

During the reporting year Telco operations have been confined to an investment role on behalf of the NSW Government.

Telco is a majority shareholder in the Australian Centre for Advanced Computing and Communications (ac3), a private company incorporated on 10 November 2000. The other equity holders are eight NSW universities.

Online service delivery activities were undertaken by ac3 (see Appendix 3).

Corporate support services to Telco are provided by the Department of Commerce. All payments required to be made by Telco are processed by the Department on its behalf, with a minimal number of payments made in 2007/08. These payments are reflected in the payment performance indicators published in the Department of Commerce Annual Report.

For all other administrative procedures, policies and processes for this report please refer to the other Department of Commerce annual report appendices.

## Appendix 18 - Other supported entities

Officers of the State Records Authority, NSW Businesslink, the Consumer, Trader and Tenancy Tribunal, the Rental Bond Board, the Motor Vehicle Repair Industry Authority, the Fair Trading Administration Corporation and the Building Insurers' Guarantee Corporation are included in Commerce staff numbers (see page 65) but are independent of Commerce in respect of funding and annual reporting arrangements.

The functions of the Festival Development Corporation were removed from Commerce on 1 August 2007 and transferred to the Department of Lands.

## Appendix 19 - Overseas travel

In 2007/08, fourteen officers travelled overseas on government business, some at minimal or no cost to government.

### **Peter Poulet – New Zealand**

Purpose: Provide a series of presentations to industry professionals in New Zealand.

Benefits: Opportunity to demonstrate and promote the NSW Government's commitment to environmental design, sustainable applications and reduction of greenhouse gas emissions.

### **Lyn Baker and Rod Stowe – New Zealand**

Purpose: Attend the Standing Committee of Officials of Consumer Affairs meeting in New Zealand.

Benefits: Opportunity to provide input and comments regarding a number of consumer affairs and fair trading matters of national significance. Fair Trading was the lead agency on a number of key agenda items aimed at the development of a consistent approach to those issues of national significance.

### **Kirsten Thorpe – New Zealand**

Purpose: Presentation of a paper on the record keeping needs of Indigenous Australians.

Benefits: The convention provided an opportunity to showcase the important contribution of Indigenous archivists to the scheme.

### **Bruce Pettman – Taiwan**

Purpose: Keynote speaker and forum moderator at the Conference on the Science of Conservation of Cultural Properties (Ancient remains, historic settlements and landscapes).

Benefits: Provided an opportunity to maintain and promote Commerce and New South Wales in the field of heritage conservation.

### **Brian Cooper – New Zealand**

Purpose: Provision of contract services regarding expert peer review of the safety arrangements associated with the Mahinerangi Dam in Waipouri, New Zealand.

Benefits: Provided the opportunity to demonstrate Commerce's expertise, knowledge and reputation to a major New Zealand-based infrastructure utility.

### **Dene Jamieson – New Zealand**

Purpose: Attend the 2007 Australian national Committee on Large Dams Conference.

Benefits: Opportunity to gain current knowledge and expertise in the specialised areas of dam engineering including safety performance, assessment of economic and community needs and the application of state of the art dam technology.

### **Rod Stowe – Hong Kong**

Purpose: Guest speaker at Asian Symposium on direct selling.

Benefits: Opportunity to participate in the Symposium and to showcase New South Wales approach to direct commerce regulation and regulatory reform, collaboration on regulatory projects, including developing a better understanding of the impact of the direct selling industry in Asia Pacific region.

#### **Sonya Thompson – New Zealand**

Purpose: Attend Electrical Regulators Authorities Council meeting in Wellington, New Zealand.

Benefits: Opportunity to complete Fair Trading's obligations to the Council and to discuss progress on the NZ Gas Appliances review project.

#### **Jack Domis – New Zealand**

Purpose: To attend the 4th International i-Rec Conference in New Zealand.

Benefits: Opportunity to gain expert knowledge in the field of disaster recovery strategies and processes to ensure Commerce's preparedness to meet any future major disaster incidents.

#### **Lyn Baker and Susan Dixon – New Zealand**

Purpose: Attend the Standing Committee of Officials for Consumer Affairs and the Ministerial Council of Consumer Affairs meetings in Auckland, New Zealand.

Benefits: Opportunity to participate in high level discussions on issues of national significance about the regulation of finance brokers, in which Fair Trading is the lead agency, and consideration of proposals regarding the lending practices of credit providers.

#### **Mark Upton – New Zealand**

Purpose: To witness the treatment process used at a major water treatment plant in Waikato, New Zealand, that is using technology planned for the new Bray Park Water Treatment Plant for Tweed Shire Council.

Benefits: Completion of contractual obligations to the Tweed Shire Council regarding the delivery of design proposals for the Bray Park Water Treatment Plant.

#### **Cassandra Findlay – New Caledonia**

Purpose: Presentation of a paper to the "Ready Set Go Digital Readiness in Archives Institutions" to the Pacific Regional Branch Conference of Archivists that was held in Noumea, New Caledonia.

Benefits: Opportunity to showcase the work of the New South Wales Government in the field of digital recordkeeping, learning techniques and approaches that will directly assist the current project to develop digital archiving solution, explore possibilities for reducing the costs of shared digital recordkeeping and archiving research.

## **Appendix 20 – Publications**

### **Office of Fair Trading**

Office of Fair Trading publications are available from:

- the Fair Trading website ([www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au))
- any one of 24 Fair Trading Centres located throughout New South Wales (see Appendix 24 Commerce offices for contact details)
- the NSW Government Online Bookshop.

### **Government Chief Information Office**

A range of publications and guidelines about information and communications technology are available on the GCIO website ([www.gcio.nsw.gov.au/](http://www.gcio.nsw.gov.au/))

## Office of Industrial Relations

The Office of Industrial Relations has the following policy documents available for inspection and/or purchase:

- Corporate Plan
- Charging and Pricing Guidelines
- Various policies and procedures relating to work specification and operational matters, including:
  - Guidelines for Accepting Industrial Complaints
  - Workplace Targeting Policy & Procedures

Note: Where copies of policy documents are required, a photocopy fee of 20 cents per sheet is payable. However, in all cases, documents are only charged for when the total value of an individual request is \$10.00 or more.

The OIR also has a variety of current brochures, pamphlets, newsletters and booklets containing information on New South Wales industrial relations matters available to interested members of the public which are provided free of charge.

A full list of these publications is available on the OIR website ([www.industrialrelations.nsw.gov.au](http://www.industrialrelations.nsw.gov.au))

## NSW Procurement

A range of publications can be found on the following websites:

### **Government procurement policy and strategy**

[www.dpws.nsw.gov.au/Government+Procurement/Government+Procurement+Publications/Government+Procurement+Publications.htm](http://www.dpws.nsw.gov.au/Government+Procurement/Government+Procurement+Publications/Government+Procurement+Publications.htm)

### **Construction Procurement Publications**

[www.dpws.nsw.gov.au/Government+Procurement/Government+Procurement+Publications/Construction+Procurement+Publications.htm](http://www.dpws.nsw.gov.au/Government+Procurement/Government+Procurement+Publications/Construction+Procurement+Publications.htm)

### **Procurement System for Construction**

[www.dpws.nsw.gov.au/Government+Procurement/Procurement+System/Procurement+System.htm](http://www.dpws.nsw.gov.au/Government+Procurement/Procurement+System/Procurement+System.htm)

### **Service Provider Prequalification Schemes**

For Prequalification Schemes for contract works of various types and value ranges

[www.dpws.nsw.gov.au/Tenders/Construction+Suppliers/Prequalification+Schemes.htm](http://www.dpws.nsw.gov.au/Tenders/Construction+Suppliers/Prequalification+Schemes.htm)

### **Security of Payment Act Information Package**

[www.dpws.nsw.gov.au/Government+Procurement/Security+of+Payment/Security+of+Payment.htm](http://www.dpws.nsw.gov.au/Government+Procurement/Security+of+Payment/Security+of+Payment.htm)

### **Goods and services procurement**

For goods and services period contracts and related guideline documents

[www.contractservices.nsw.commerce.nsw.gov.au/Home.htm](http://www.contractservices.nsw.commerce.nsw.gov.au/Home.htm)

### **Electronic Tenders**

<https://tenders.nsw.gov.au/commerce/index.cfm>

### State Contracts Control Board

<http://www.dpws.nsw.gov.au/Government+Procurement/State+Contracts+Control+Board/State+Contracts+Control+Board.htm>

Note: NSW Procurement introduced a new website in September 2008 (outside the reporting period). Publications can also be found here at [www.nswbuy.com.au/publications.aspx](http://www.nswbuy.com.au/publications.aspx)

### Office of Public Works and Services

A number of publications are available for purchase. A list of them can be found on the website <http://www.dpws.nsw.gov.au/About+Us/Publications/Public+Works+and+Services+Publications.htm>

### Strategic Communications and Government Advertising

NSW Government Advertising Guidelines

<http://www.advertising.nswp.commerce.nsw.gov.au/Advertising/Government+Advertising+Guidelines/Government+Advertising+Guidelines.htm>

## Appendix 21 – Research and development

### Government Chief Information Office

GCIO liaises with a number of research and development organisations where research and development activities and information are relevant to government ICT planning and services. In 2007/08, this included working closely with National ICT Australia (NICTA) and Smart Services Cooperative Research Centre.

NICTA - a Research Institute and Centre of Excellence in science and technology innovation that brings together many of Australia's and the world's top researchers in ICT. NICTA combines excellence in research, education, commercialisation and collaboration.

Smart Internet Technology Cooperative Research Centre (Smart Internet) - an incorporated joint venture between industry, leading universities and state governments. Its key purpose is to develop new technologies in the Smart Internet arena, carrying out world-class research into internet technologies that have global commercial opportunity.

### Office of Industrial Relations

#### *Parental leave in Australia – Access, utilisation and efficacy*

The project is an Australian Research Council linkage project to which the OIR has provided funding. The three-year project was undertaken by Queensland University and had three stages involving the Parental Leave in Australia Survey of 3,500 mothers from the Longitudinal Survey of Australian Children, case studies of eight medium to large organisations and follow up household interviews. The purpose of this research was to fill gaps in the reconciliation of work and family responsibilities to assist further policy development.

#### *Negotiating caring and employment – Impact on carers' wellbeing*

This is an Australian Research Council linkage project being undertaken by the Social Policy Research Centre at the University of New South Wales. The two year study was completed in 2007. The purpose of the research was to collect information on the barriers to continuing employment or re-entry into the labour market on account of caring responsibilities for ageing or disabled family members. The final draft report was provided to the OIR in June 2008 and is due for release in October 2008.

NSW Department of Commerce Annual Report 2007/08 ISSN 1832-1232

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### *The impact of national work regulation on low paid women workers in New South Wales*

In 2006 the Women in Social and Economic Research at Curtin University conducted a national research project examining the effects of Work Choices on low paid women to which the OIR contributed funding. The first stage of research produced the Women's pay and conditions in an era of changing workplace regulations: Towards a 'Women's Employment Status Key Indicators' database. The New South Wales component of the research was undertaken by the Women and Work Research Group, Faculty of Economics and Business at the University of Sydney which produced the resultant report *Down and Out: The Impact of Work Choices on the Work and Lives of Women in Low Paid Employment* which was released in July 2007.

### *Study of international parental leave models*

In 2008 the Women and Work Research Group at University of Sydney was commissioned to investigate the successful operation and funding of paid maternity, paternity and parental leave schemes in other OECD nations. The aim of the research was to inform the OIR's policy research and development in the area of paid parental leave. A final background briefing paper was completed in July 2008.

The Centre of Full Employment and Equity at the University of New South Wales provided advice about cost implications for the OIR's policy development.

### *Flexible working entitlements for mature age workers with caring responsibilities*

The OIR has commissioned the Work and Organisational Studies Unit of the Faculty of Economics and Business at the University of Sydney to examine the under researched area of flexible working arrangements for mature age workers with responsibilities for ageing family members and will also consider the precariousness of this group's attachment to the workforce. The project aims to remedy gaps in the current research and is expected to be completed in October 2008.

### *The interaction of existing anti-discrimination legislation with the Federal Government's National Employment Standards*

The Women, Work and Research Group at the University of Sydney has examined the interaction of federal and New South Wales discrimination laws with the federal government's National Employment Standards for family related leave. The draft research report, *Interaction of the Sex Discrimination Act 1984 (Cth), the Anti-Discrimination Act 1977 (NSW) and the National Employment Standard 'Rights to Request* was submitted to the OIR in July 2008. The findings of the research will inform the New South Wales Government response to the federal government's proposed new work and family policies.

### *Inquiry into options for a new national industrial relations system*

In August 2007 the New South Wales Government announced it would conduct an inquiry into options for a new national industrial relations system. The Inquiry was chaired by eminent constitutional expert Professor George Williams, the Anthony Mason Professor and Director of the Gilbert and Tobin Centre of Public Law at the University of New South Wales. Professor Williams delivered his final report in November 2007, *Working Together: Inquiry into Options for a new National Industrial Relations System*. In addition to paying for Professor Williams' time and travel as well as associated costs such as printing and mailing of the issues paper and final report, the OIR provided office, secretarial, research and other support services to Professor Williams.

### *Enforceable rights project*

The Workplace Research Centre was commissioned by the OIR to accurately identify changes in employment conditions from a base of state and federal awards to new collective agreements under the Work Choices legislation. The results of the research project were published in *Lowering the standards: from awards to Work Choices in retail and hospitality collective agreements* in September 2007. The results provide valuable information about the impact of the former federal government's workplace relations model which has informed policy development aimed at ensuring that there are fair employment standards and safeguards in New South Wales.

### *Employer greenfield agreements*

The Work and Employment Rights Research Centre at Monash University was commissioned to analyse 105 Employer Greenfield Agreements lodged by New South Wales employers with the Office of Employment Advocate (now the Workplace Authority). Similar to the Enforceable Rights Project, the Employers Greenfields survey provides valuable information about the impact of the former federal government's workplace relations model and has thus informed policy development to ensure fair employment standards and safeguards in New South Wales. The final report *Employer Greenfield Agreements under Work Choices* was released in August 2007.

### *Industry research notes for award modernisation*

The Workplace Research Centre at the University of Sydney prepared analyses of the metal manufacturing, retail, hospitality and clerical industries at the request of the OIR to inform the New South Wales Government's submissions to the award modernisation process currently being conducted by the Australian Industrial Relations Commission. The key research components driving the analysis were the employment and industrial relations characteristics of employees affected by the award modernisation process and the industrial arrangements of employees working in retail, hospitality, metal manufacturing and private sector clerical work. The analysis draws on data from the Australia at Work study and the Eastern Seaboard Workplace and Industrial Relations Survey. A background briefing paper was completed in July 2008.

### *Best practice industrial arrangements for training*

The Workplace Research Centre at the University of Sydney was commissioned to identify best practice industrial arrangements that support vocational education and training. The research was a response to the lack of transparency in individual bargaining arrangements under Work Choices and how arrangements designed to facilitate skills development, in particular for apprentices and trainees, were subsequently undermined. The research also examines possible changes to existing award provisions through the award modernisation process being undertaken by the Australian Industrial Relations Commission. The final report, which was submitted in June 2008, informed the New South Wales Government's submission to the Australian Industrial Relations Commission on the award modernisation process.

### *Ethical excellence in the New South Wales public sector*

This is an Australian Research Council linkage project being undertaken by the School of History and Philosophy at the University of New South Wales. This three stage project will involve an inquiry into public sector organisations in order to ascertain current opinions and impressions within these organisations with respect to indicators of ethical performance, particularly ethically excellent performance, policies currently in place to develop, promote, and maintain ethical practices, and ambitions in the public sector to progress further in this area. The final report is due in June 2009.

### *Economic and Labour Relations Review Symposium*

The OIR provided support to the Industrial Relations Research Centre at the University of New South Wales and the Workplace Research Centre at the University of Sydney for a symposium which was held on 16 June 2008, entitled 'Remaking Industrial Relations'. The OIR's Deputy Director-General, Ms Pat Manser, introduced the day where a number of speakers, including academics, practitioners and representatives from state industrial relations agencies addressed the question 'what should an industrial relations system seek to achieve in contemporary Australia, and how can we get there?'

### *Weekly individual income for selected occupations in New South Wales*

The Australian Bureau of Statistics has provided information from the 2006 Census on the weekly income of individuals from selected occupations to inform research and analysis currently being undertaken by the OIR.

### *Sponsorship of the 15th International Industrial Relations Association World Congress 2009*

The International Industrial Relations World Congress 2009 is to be held in Sydney in August 2009. The event is being organised by the Industrial Relations Society of Australia and is expected to attract 1200 delegates from across the industrial relations sector. The OIR has taken out a Silver Sponsor Package with the aim of promoting debate and contributing to current discourse on industrial relations issues as well as highlighting to conference participants the ongoing contribution of New South Wales to the development of industrial relations in Australia.

## Office of Public Works and Services

### *NSW Water Solutions*

NSW Water Solutions, in conjunction with fish biologists, continued research and development of fish passage designs to improve functionality at reduced construction costs. Latest developments are expected to provide the best value for money fish passage structures and have the potential to save up to \$1 million in construction costs per major fish passage structure.

NSW Water Solutions also continued its membership of the New South Wales Dams Safety Committee and the New South Wales Dams Surveillance Sub-committee for the research, review and preparation of guidelines for dam safety in NSW.

NSW Water Solutions is also a member of the specialist Australian National Committee on Large Dams group revising the national design guidelines for concrete gravity dams. These guidelines will provide a much improved basis for the analysis of existing concrete gravity dams and the design of new ones.

NSW Water Solutions strengthened partnerships with research establishments including:

- Newcastle University Urban Water Research Program
- Cooperative Research Centre for Water Quality and Treatment; involving water quality modelling of storages and reservoirs.

Surveying and Spatial Information Services developed a web based information system for the Sydney Harbour Foreshore Authority using Google Earth which has opened a new platform to deliver mapping projects to clients.

Manly Hydraulics Laboratory has continued to contribute to research and development in Algal Bloom Warning System Development (Berowra Council), saltwater ingress in sewers (Sydney Water and Interflow), development of non-urban water meter standards (Commonwealth), research and development of environmental data transfer directly from field and laboratory data loggers by wireless means to provide near real-time data.

NSW Water Solutions became a founder general member of the new research company Water Quality Research Australia P/L.

NSW Water Solutions continued a project initiated in 2006/07, which was based on in-situ monitoring of hydraulic parameters within operational sewage treatment reactors. The project's aim is to confirm/update parameters conventionally adopted in design, to allow optimisation of reactor configuration and hence maximum practical economy. Investigations undertaken in conjunction with the Environmental Biotechnology CRC highlighted the impact of septage discharges on these parameters and the need for their adjustment at locations where these discharges are significant.

### *Project Management*

Project Management continued to enhance and implement the Early Contractor Involvement process for engagement of contractors on eight projects in 2007/08, following its original development in 2006 on the \$100 million the Shannon Creek Dam project near Grafton. This process leads to significant improvement in risk identification and risk allocation on complex projects. Benefits include improved certainty of pricing, a reduction in unforeseen risks and greater certainty of project delivery on time and within budget. This process will be further developed and more broadly implemented during 2008/09

## **Appendix 22 – Significant judicial decisions**

### Office of Industrial Relations

#### *State Wage Case 2008 (27 June 2008)*

The Industrial Relations Commission of NSW handed down its 2008 State Wage Case decision on 27 June 2008, increasing award wages and work related allowances by four per cent per week. The OIR prepared submissions and supported the position of the Minister and the Government. For the first time, the Commission established a state minimum wage for adult employees (currently \$552.70) who are subject to its jurisdiction and whose employment is not determined by an industrial instrument. The decision to create a state minimum wage will be reviewed in December 2008.

## **Appendix 23 - State Contracts Control Board**

### Legislative powers

The NSW State Contracts Control Board was established under chapter 7 of the *Public Sector Employment and Management Act 2002* (The Act) as the sole body to arrange supply of goods and services for the public sector service. The Board's role and functions are set out in the Public Sector Management (Goods and Services) Regulation 2000 (Regulation).

In April 2007, the Public Sector Management (Goods and Services) Regulation was amended to broaden its scope from "public service" only to extend to the "public sector service". This affected the role of the State Contracts Control Board, extending its scope of responsibilities, to all agencies, departments and bodies under the term "public sector service" as defined in the Act.

### Membership

Membership of the State Contracts Control Board includes representatives from central, budget and non-budget agencies. Members are appointed by the Minister, at least five of whom are appointed to represent public sector agencies that use goods and services supplied in accordance with chapter 7 of the Act and the Regulations made under it.

Membership to the Board is for a term of three years. In February 2008, membership was renewed for a term up to 31 January 2011.

*Members and Deputies at 30 June 2008*

Full Members	Deputies
Mr John Lee, Chairman, Dept of Commerce	Mr David Callahan, Alternate Chair, Dept of Commerce
Mr Stephen Brady, NSW Treasury	Mr Stephen Chong, NSW Treasury
Mr David Gates, Dept of Health	Mr Ken Barker, Dept of Health
Mr Paul Hopkins, Dept of Education and Training	Mr Ben Escudero
Dept of Education and Training	
Ms Fran McPherson, NSW Police	Mr John Karaboulis, NSW Police
Ms Rosemary Milkins, Dept of Premier and Cabinet	Mr Darren Mitchell, Dept of Premier and Cabinet
Mr David Morrison, Integral Energy	N/A
Mr Emmanuel Rodriguez, (Strategic ICT Adviser) Dept of Commerce	N/A
Ms Janine Ricketts, Dept of State and Regional Development	Mr Michael O'Sullivan, Dept of State and Regional Development
Mr Tim Rogers, Dept of Environment and Climate Change	Ms Roz Hall, Dept of Environment and Climate Change
Mr Rod Tout, Roads and Traffic Authority	Mr David Ebert, Roads and Traffic Authority

**Meetings**

The Board meets once a month and, if required, the SCCB Operations subcommittee meets a fortnight after each full Board meeting to review submissions pertaining to procurement strategies, proposed contract extensions or to activate options under existing contracts, and contract awards. In 2007/08, there were 13 full Board meetings, one of which was a special meeting held on 19 December 2007. Only three subcommittee meetings were required during the year.

**Strategic priorities and achievements**

*Contract utilisation*

All agencies are required to purchase from State Contracts Control Board contracts where they are available (Premier's Memorandum 2006-11 NSW Procurement Reform).

*In 2007/08 the top 10 contacts based on sales data were:*

Contract Number	Description	*Sales 2007/2008
653	Acquisition of Motor Vehicles	\$614,790,000

366	Fuel & Associated Products	\$390,191,250
DITM 2000-01 & 2360	Telecom Service Agreement	\$213,782,999
1078	Labour Hire – Admin, Finance, Specialist	\$203,792,182
881	IT Contracting Personnel	\$201,138,717
603	Vehicle Disposal	\$190,537,600
901 & 902	Pharmaceuticals	\$119,713,649
2000 & 2007	PCs, Notebooks, Servers & Assoc.	\$104,911,408
777	Retails Supply of electricity	\$91,553,256
801	Food Service	\$81,991,149

\*Sales figures in the above table are the latest available at this report's date of publication and are subject to change as outstanding sales reports are progressively advised to the SCCB by suppliers.

### *Oversight of strategic procurement activities*

A number of decisions were exercised by the State Contracts Control Board based on submissions received from NSW Procurement for both state contracts and client specific contracts.

### SCCB tendering complaints handling function

The Chairperson of the State Contracts Control Board deals with complaints about all NSW Government tenders. The Chairperson investigates complaints to determine whether any tenderer has been treated unfairly and to examine whether the procurement process was appropriate and in accordance with New South Wales Government procurement policies and procedures.

During the year, the Chairperson received 15 complaints under the State Contracts Control Board tendering complaints handling procedures, in relation to tenders for the procurement of goods and services. All complaints were investigated and agencies advised where any departures from New South Wales Government procurement policies or procedures were identified. None of the complaints involved a significant departure from NSW Procurement policies and procedures.

### Statutory reporting requirements

The State Contracts Control Board has a statutory requirement to report:

- details of investigations relating to competitive neutrality tendering complaints referred to it by the relevant Minister
- details of any directions given to the State Contracts Control Board by the Minister under the Public Sector Management (Goods and Services) Regulation 2000.

During 2007/08 no competitive neutrality tendering complaints were referred to the State Contracts Control Board for investigation.

The State Contracts Control Board, as an extension of its complaint handling process, is the complaints handling body that reviews competitive neutrality complaints about tendering for government business. The Board deals with any competitive neutrality tendering complaints referred to it by the relevant Minister.

During 2007/08 there were no directions given to the State Contracts Control Board by the Minister under the Public Sector Management (Goods and Services) Regulation 2000.

## Appendix 24 - Commerce Offices

### Department of Commerce

McKell Building  
 2-24 Rawson Place  
 Sydney NSW 2000  
 Tel: (02) 9372 8877  
 Fax: (02) 9372 7070  
 Business Hours: 8.30am – 5.30pm  
[www.commerce.nsw.gov.au](http://www.commerce.nsw.gov.au)

### Government Chief Information Office

Level 21 McKell Building  
 2-24 Rawson Place  
 Sydney NSW 2000  
 Tel: (02) 9372 8278  
 Fax: (02) 9372 8299  
 Email: [info.gcio@commerce.nsw.gov.au](mailto:info.gcio@commerce.nsw.gov.au)  
[www.gcio.nsw.gov.au](http://www.gcio.nsw.gov.au)

### State Records Authority of New South Wales

Western Sydney Records Centre	Sydney Records Centre	Government Records Repository
143 O'Connell Street Kingswood NSW 2747	2 Globe Street The Rocks NSW 2000 Tel: (02) 9673 1788 Fax: (02) 9833 4518 Email <a href="mailto:records@records.nsw.gov.au">records@records.nsw.gov.au</a> <a href="http://www.records.nsw.gov.au">www.records.nsw.gov.au</a>	143 O'Connell Street Kingswood NSW 2747 Tel: (02) 9673 1788 Fax: (02) 8805 5306 Email <a href="mailto:grr.nsw.@records.nsw.gov.au">grr.nsw.@records.nsw.gov.au</a> <a href="http://www.records.nsw.gov.au/grr">www.records.nsw.gov.au/grr</a>

## Corporate Services & Review

<p><b>Department of Lands Building</b></p> <p>23 – 33 Bridge Street                      Sydney NSW 2000                      Switchboard (02) 9228 6111</p>	<p><b>Parramatta</b></p> <p>Level 8, 9 &amp; 13,                      10 Valentine Ave Parramatta                      NSW 2124                      PO Box 3720                      Parramatta NSW 2124                      Switchboard (02) 9895 6211</p>	<p><b>Orange</b></p> <p>161 Kite Street                      Orange NSW 2800                      Tel: (02) 6391 3480                      Fax: (02) 6391 3329</p>
<p><b>Newcastle</b></p> <p>Level 2-3, 26 Honeysuckle Drive                      Newcastle NSW 2300                      PO Box 2213                      Dangar NSW 2309                      Tel: (02) 4904 2550                      Fax:(02) 4904 2501</p>	<p><b>Grafton</b></p> <p>76 Victoria Street                      Grafton NSW 2460                      Postal Locked Bag 10                      Grafton NSW 2460                      Tel: (02) 6641 6512                      Fax: (02) 6641 6641</p>	<p><b>Tamworth</b></p> <p>155 - 157 Marius Street                      Tamworth NSW 2340                      Po Box 550                      Tamworth NSW 2340                      Tel: (02) 6701 9632                      Fax: (02) 6701 9682</p>
<p><b>Sydney</b></p> <p>2-24 Rawson Place                      SYDNEY NSW 2000                      Tel: (02) 9372 8877                      Fax: (02) 9372 7070                      Business Hours: 8.00am - 5.30pm</p>	<p><b>Sydney</b></p> <p>Level 2, 3 &amp; 11, Bligh House                      4-6 Bligh Street                      SYDNEY NSW 2000                      Business Hours: 8.00am - 5.30pm</p>	<p><b>Sydney</b></p> <p>Level 15 Governor Macquarie                      Tower                      1 Farrer Place                      Sydney NSW 2000                      Tel: (02) 9228 3400                      Fax: (02) 9228 3292                      Business Hours: 8.00am - 5.30pm</p>
<p><b>Wagga Wagga</b></p> <p>Level 1 Govt Offices                      43-45 Johnston Street                      Wagga Wagga                      PO Box 10 Wagga Wagga NSW                      2650                      Tel: (02) 6701 9632                      Fax: (02) 6701 9682</p>	<p><b>Queanbeyan</b></p> <p>Suite 107 Level 1                      Riverside Plaza                      131 Monaro Street                      Queanbeyan                      NSW 2620                      PO Box 189                      Queanbeyan NSW 2620</p>	<p><b>Wollongong</b></p> <p>Level 3 Block G                      84 Crown Street Wollongong                      NSW 2520                      PO Box 867                      Wollongong NSW 2520                      Tel: (02) 4224 9620                      Fax (02) 4224 9650</p>

## Office of Fair Trading

Head Office	Register of Encumbered Vehicles	Registry of Cooperatives & Associations
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For information and enquiry, call 1300 135 399 or 9641 6521 for the hearing impaired TTY. The Consumer, Trader and Tenancy Tribunal. Registry locations are:

1 Fitzwilliam Street Parramatta NSW 2150 Tel: (02) 9895 0111 Fax: (02) 9895 0222 www.fairtrading.nsw.gov.au	1 Fitzwilliam Street Parramatta NSW 2150 Tel: 13 32 20 (7 days) Fax: (02) 9891 5135	154 Russell Street Bathurst NSW 2795 Tel: (02) 6333 1400 or 1800 502 042 Fax: (02) 6333 1444
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### Standards Laboratory

Bradfield Road  
Lindfield West NSW 2070  
Tel: (02) 8467 4400  
Fax: (02) 8467 4444

### Aboriginal Tenancy Information

Tel: 13 32 20 or 1800 500 330

### Fair Trading Centres

Fair Trading Centres are located at the following addresses. Call 13 32 20 for all Fair Trading enquiries. If you are located outside the Sydney metropolitan region you can contact the Fair Trading Centre nearest you on 13 32 20. Calls to this number from within the Sydney metropolitan region and from all mobile telephones will be received at our Fair Trading Information Centre.

Albury 490 David Street Albury NSW 2640	Armidale 85 Faulkner Street Armidale NSW 2350	Bathurst 154 Russell Street Bathurst NSW 2795
Blacktown Level 3 22 Main Street Blacktown NSW 2148	Broken Hill 32 Sulphide Street Broken Hill NSW 2880	Coffs Harbour 22 Park Avenue Coffs Harbour NSW 2450
Dubbo 50 Wingewarra Street Dubbo NSW 2830	Gosford Level 2, 237 Mann Street Gosford NSW 2250	Goulburn 39 Goldsmith Street Goulburn NSW 2580
Grafton 50 Victoria Street Grafton NSW 2460	Hurstville Level 3 4-8 Woodville Street Hurstville NSW 2220	Lismore Suite 5 17 Conway Street Lismore NSW 2480
Liverpool Shop 1R 33 Moore Street Liverpool NSW 2170	Newcastle Level 5 400 Hunter Street	Orange 184-186 Lords Place Orange NSW 2800

	Newcastle NSW 2300	
Parramatta 1 Fitzwilliam Street Parramatta NSW 2150	Penrith 518 High Street Penrith NSW 2750	Port Macquarie 143 Horton Street Port Macquarie NSW 2444
Queanbeyan Shop T7 Citylink Plaza Morisset Street Queanbeyan NSW 2620	Sydney CBD McKell Building 2-24 Rawson Place Sydney NSW 2000	Tamworth Cnr Kable Ave & Darling Street Tamworth NSW 2340
Tweed Heads 43 Wharf Street Tweed Heads NSW 2485	Wagga Wagga 8 Baylis Street Wagga Wagga NSW 2650	Wollongong 63 Market Street Wollongong NSW 2500
<b>Consumer, Trader and Tenancy Tribunal</b>		
Hurstville Level 3, 4-8 Woodville St, Hurstville NSW 2220	Liverpool Level 3, 33 Moore St, Liverpool NSW 2170	Newcastle Level 1, 175 Scott St, Newcastle NSW 2300
Parramatta Level 2, 10 Valentine Ave, Parramatta NSW 2150	Penrith Level 1, 308 High St, Penrith NSW 2750	Sydney Level 12, 175 Castlereagh St, Sydney NSW 2000
Tamworth 3-5 Kable Corner Complex, Cnr Kable Ave & Darling St, Tamworth NSW 2340	Wollongong Level 3, 43 Burelli St, Wollongong NSW 2520	

## Office of Industrial Relations

Head Office	Award Enquiry Service
Level 23 McKell Building 2-24 Rawson Place Sydney NSW 2000 Tel: 131 628 Fax: (02) 9020 4700 <a href="http://www.industrialrelations.nsw.gov.au">www.industrialrelations.nsw.gov.au</a> Business hours: 8.30am to 5.00pm	Tel: 131 628 (from anywhere in NSW) 1800 356 648 (from outside NSW) Fax: (02) 9020 4741

### Office of Industrial Relations Centres

Sydney CBD Level 23 McKell Building 2-24 Rawson Place Sydney NSW 2000 Tel: 131 628 Fax: (02) 9020 4700	Penrith 518 High Street Penrith 2750 Tel: 131628 Fax: (02) 9020 4739	Bankstown Suite 1 Main Court Capital Centre 41-45 Rickard Rd Bankstown NSW 2200 Tel: 131 628 Fax: (02) 9782 3099
Coffs Harbour Suite 49 Jetty Village Shopping Centre Cnr Orlando and High Streets Coffs Harbour NSW 2450 Tel: 131 628 Fax: (02) 6652 2863	Newcastle Level 3 97 Scott St Newcastle NSW 2300 Tel: 131 628 Fax: (02) 4929 1180	Wollongong Level 2 Block F 84 Crown Street Wollongong NSW 2500 Tel: 131 628 Fax: (02) 4251 1888

### Government & Related Employees Appeal Tribunal & Transport Appeals Board

Level 2 1 Oxford Street Darlinghurst NSW 2010 Tel: (02) 9020 4750 Fax: (02) 9020 4790
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## Office of NSW Procurement

Client Support Centre	StateFleet	StateFleet Repairs Hotline
<p>Tel: 1800 NSW BUY (679 289)</p> <p>Email: nswbuy@commerce.nsw.gov.au</p> <p>Fax: +612 9372 8333</p> <p>Fax: +612 9372 8687</p> <p><a href="http://www.nswbuy.com.au">www.nswbuy.com.au</a></p>	<p>Level 12 McKell Building</p> <p>2-24 Rawson Place</p> <p>Sydney NSW 2000</p> <p>Tel: +612 9372 7740</p> <p>Fax: +612 9372 7722</p> <p><a href="http://www.statefleet.opws.nsw.gov.au">www.statefleet.opws.nsw.gov.au</a></p>	<p>Tel: 1800 801 523</p> <p>Business Hours: 8.00am – 5.30pm</p>
<p><b>Mailing Address:</b></p> <p>Level 15 McKell Building</p> <p>2-24 Rawson Place</p> <p>Sydney NSW 2000</p>		
State Contracts Control Board	Tendering complaints	
<p>Level 15 McKell Building</p> <p>2-24 Rawson Place</p> <p>Sydney NSW 2000</p> <p>Tel: (02) 9372 8910</p> <p>Fax: (02) 9372 7533</p>	<p>Level 15 McKell Building</p> <p>2-24 Rawson Place</p> <p>Sydney NSW 2000</p> <p>Tel: (02) 9372 8910</p> <p>Fax: (02) 9372 7533</p>	

## Office of Public Works and Services

Government Architect's Office	NSW Water Solutions	Manly Hydraulics Laboratory
Level 19 McKell Building 2-24 Rawson Place Sydney NSW 2000 Tel: (02) 9372 8411 Fax: (02) 9372 8499 Business Hours: 9.00am - 5.00pm	NSW Water Solutions Level 14 McKell Building 2-24 Rawson Place Sydney NSW 2000 Tel: (02) 9372 7960 Fax: (02) 9372 7999	110b King Street Manly Vale NSW 2093 Tel: (02) 9949 0200 Fax: (02) 9948 6185
Project Management		
<b>Business &amp; Resource Branch</b>	<b>Project Services Branch</b>	<b>Programs Branch</b>
Level 17 McKell Building 2-24 Rawson Place Sydney NSW 2000 Tel: (02) 9372 8671 Fax: (02) 9372 8866 Business Hours: 9:00am - 5.00pm	Level 5 234 Sussex St Sydney NSW 2000 Tel: (02) 9367 0777 Fax: (02) 9367 0728 Business Hours: 9:00am - 5.00pm	Level 20 McKell Building 2-24 Rawson Place Sydney NSW 2000 Tel: (02) 9372 8560 Fax: (02) 9372 8566 Business Hours: 9:00am - 5.00pm
<b>Heritage &amp; Building Services Group</b>	<b>Essential Repairs and Services</b>	<b>Heritage Services (Stoneyard)</b>
Level 4 2 Burbank Place Baulkham Hills NSW 2153 Tel: (02) 9852 0064 Fax: (02) 98520091 Postal Address PO Box 8320 Baulkham Hills BC, NSW 2153 Business Hours: 8:30am - 5.00pm	Level 4 2 Burbank Place Baulkham Hills NSW 2153 Tel: 1800 422 110 (24 Hour Service) Tel: (02) 98520000 Fax: (02) 98520011	92 Burrows Road Alexandria NSW 2015 Tel: (02) 9565 9000 Fax: (02) 9516 2919 Business Hours: 9:00am - 5.00pm

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**Project Management regional offices**


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**Sydney**

Regional Office	Hornsby
Level 5	16-20 Edgeworth David Avenue
2 Burbank Place	Hornsby NSW 2077
Baulkham Hills NSW 2153	Tel: (02) 9472 7900
Tel: (02) 9852 0275	Fax: (02) 9477 3356
Fax: (02) 9852 0266	Business Hours: 8:30am - 4.30pm

**Postal Address**

PO Box 8320  
 Baulkham Hills BC, NSW 2153  
 Business Hours: 8.30am - 5.00pm

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**Hunter/New England**

Regional Office	Tamworth
117 Bull Street	454-456 Peel Street
Newcastle West NSW 2309	Tamworth NSW 2340
Tel: (02) 4908 4999	Tel: (02) 6768 4222
Fax: (02) 4908 4954	Fax: (02) 6768 4233
Business Hours: 8.30am - 4.30pm	Business Hours: 8:30am - 5.00pm

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**North Coast**

Regional Office	Coffs Harbour	Port Macquarie
120 Dalley Street	359 Harbour Drive	Maher Street
Lismore NSW 2480	Coffs Harbour NSW 2450	Port Macquarie NSW 2444
Tel: (02) 6626 5600	Tel: (02) 6648 5911	Tel: (02) 6586 7800
Fax: (02) 6626 5666	Fax: (02) 6648 5905	Fax: (02) 6586 7811
Business Hours: 8.30am – 5.00pm	Business Hours: 8.30am – 5.00pm	Business Hours: 8.30am – 5.00pm

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**Taree**

Shop 17 Valley Fair Centre  
 112 Victoria Street  
 Taree NSW 2430  
 Tel: (02) 6592 6755  
 Fax: (02) 6592 6767  
 Business Hours: 8:30am-4:30pm

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**Riverina/Western**

140 William Street Bathurst NSW 2309 Tel: (02) 4908 4999 Fax: (02) 4908 4954 Business Hours: 9.00am – 4:30pm	Dubbo 34 White Street Dubbo NSW 2830 Tel: (02) 6885 9333 Fax: (02) 6885 9300 Business Hours: 9:00am – 5:00pm	Hay 414 Moppett Street Hay NSW 2711 Tel: (02) 6993 1208 Fax: (02) 6993 2137 Business Hours: 8:30am - 4.30pm
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Broken Hill Sulphide Street Broken Hill NSW 2880 Tel: (08) 8087 9366 Fax: (08) 8087 9365 Business Hours: 8.00am - 4.30pm	Wagga Wagga 2-6 Coleman Street Wagga Wagga NSW 2650 Tel: (02) 6938 2880 Fax: (02) 6925 2087 Business Hours: 8:30am- 5:00pm
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**South Coast**

Regional Office Block E Level 3 84 Crown Street Wollongong NSW 2500 Tel: (02) 4226 8500 Fax: (02) 4226 8534 Business Hours: 9:00am - 5.00pm	Goulburn Level 1 RTA Building 211 Bourke Street Goulburn NSW 2580 Tel: (02) 4822 2311 Fax: (02) 4822 2315 Business Hours: 7.30am - 4.00pm	Moruya 66 Campbell Street Moruya NSW 2537 Tel: (02) 4474 7555 Fax: (02) 4474 7544 Business Hours: 8:00am - 4.30pm
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**Strategic Communications and Government Advertising****Communications and Advertising**

Level 9 McKell Building 2-24 Rawson Place Sydney NSW 2000 Tel: (02) 9372 8959 Fax: (02) 9372 7422 <a href="http://www.advertising.nswp.commerce.nsw.gov.au">www.advertising.nswp.commerce.nsw.gov.au</a>	<b>Advertising</b> Tel: (02) 9372 7603 <b>Government Gazette</b> Tel: (02) 9372 7407 <b>Public Sector Notices</b> Tel: (02) 9372 7412	<b>Jobs.nsw</b> Tel: (02) 9372 7435 <a href="http://jobs.nsw.gov.au">http://jobs.nsw.gov.au</a>
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