



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

BUDGET ESTIMATES 2018-2019 Supplementary Questions

Portfolio Committee No. 1 – Premier and Finance

PREMIER

Hearing: Thursday 6 September 2018

Answers due by: Tuesday 2 October 2018

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PREMIER

Questions from the Hon Shaoquett Moselmane MLC (on behalf of the NSW Labor Opposition)

Investigation into Michael Photios

1. Have you been interviewed by, or provided information to, the NSW Electoral Commission as part of its investigation into the conduct of Michael Photios?
2. Have any of your staff been interviewed by, or provided information to, the NSW Electoral Commission as part of its investigation into the conduct of Michael Photios?
3. Will the results and findings of the investigation by the NSW Electoral Commission into Michael Photios be made public?
4. When will the NSW Electoral Commission investigation into Michael Photios be completed?
5. Do you know Michael Photios?
6. Prior to 23 March 2018, how many times did Michael Photios contact you regarding matters relating to the CBD light rail?
7. Prior to 23 March 2018, how many times did Michael Photios contact your staff regarding matters relating to the CBD light rail?
8. Since 23 March 2018, how many times has Michael Photios contacted you regarding matters relating to the CBD light rail?
9. Since 23 March 2018, how many times has Michael Photios contacted you regarding matters relating to the CBD light rail?
10. What is the penalty for breaching the lobbyist code of conduct?
11. When did you become aware of the proposal to provide a \$500 million liquidity facility to ALTRAC?

Australian Multicultural Christian Society

12. Does the failure of the Department of Premier and Cabinet to take legal action, after more than 12 months of consideration, to recover \$10,000 of public money from the Australian Multicultural Christian Society;
 - (a) reflect its fear of taking action against Liberal Party apparatchiks?

- (b) indicate that the integrity of the Department has been debauched by political considerations?
 - (c) expose a lack of resources to complete straightforward tasks?
 - (d) demonstrate its inability to provide frank and fearless professional advice?
 - (e) show that under your administration there is one standard for Liberal Party apparatchiks and another standard for everyone else?
 - (f) confirm that the Berejiklian Government puts the public interest second to partisan political considerations ?
13. Does the Department of Premier and Cabinet expect to complete its consideration of the action it will take regarding the \$10,000 grant to the Australian Multicultural Christian Society before the election in March 2019?

NSW Electoral Commission

14. Does the NSW Electoral Commission have a media protocol for the release of public statements?
- (a) If so, is it available and where?

CBD Light Rail

15. The Auditor General reported that the NSW Government “did not effectively plan and procure the CSELR project to ensure it maximised value for money for New South Wales.” Do you agree with the Auditor General?
16. Has the Auditor General found that it was “not correct” that “huge wins” were responsible for the \$500 million cost increase of the CBD light rail?
- (a) If so, do you accept that your media statement of 14 October 2014 was “not correct”?
 - (b) If so, what action have taken to correct the record?

Urban Growth Development Corporation

17. Question On Notice 7437 directed to you as Premier reads:

How many staff were transferred from Landcom, trading as UrbanGrowth NSW, to the UrbanGrowth Development Corporation in 2017?

How many staff have resigned from the UrbanGrowth NSW Development Corporation as at 8 February 2018?

a. What reasons have been given for the resignation of staff?

Your answer was:

“Staffing levels within NSW government agencies are reported regularly in agency annual reports.”

Information of the kind sought in the question on notice was not contained in the Urban Growth Development Corporation Annual Report 2017, or in Annual Reports of the Department of Premier and Cabinet.

Why did you not provide an answer that was responsive to the question on notice?

18. How many staff were transferred from Landcom, trading as UrbanGrowth NSW, to the UrbanGrowth Development Corporation in 2017?
19. How many of the staff who were transferred to the Urban Growth Development Corporation have since left the Urban Growth Development Corporation?
20. What reasons have been given in exit interviews for these departures?
21. What is the average attrition rate in the NSW Public Service?
22. How do you explain the higher turnover of staff in the Urban Growth Development Corporation?
23. How many of the former Landcom staff that remain at the Urban Growth Development Corporation have been notified that they will be having a pay cut when the two year transition period expires?
24. Are the Chief Executive Officer and the Chief Operating Officer among the staff having their pay cut?
25. Why are staff having their pay cut?
26. Question On Notice 5843 directed to you as Premier reads:

Will existing staff have jobs under the new structure of UrbanGrowth NSW?

Will there be any net loss of pay and conditions for UrbanGrowth NSW staff as a result of the restructure?

Your answer reads:

The terms and conditions of employment of employees transferred to from Landcom to the UrbanGrowth Development Corporation Staff Agency are set out in the State Revenue and Other Legislation Amendment (Budget Measures) Act 2017?

Pages 21-22 of that legislation says transferring staff cannot have their pay and conditions reduced during the transition period as defined, but does not say what will happen to the pay of those staff after the transition period.

Why did you not provide a full and responsive answer to the question?

27. How many of the staff transferred to the Urban Growth Development Corporation who remain employed with the Urban Growth Development Corporation will have a net reduction in pay?
28. How many of the staff transferred to the Urban Growth Development Corporation who remain employed with the Urban Growth Development Corporation will have a net reduction in other conditions of employment?
 - (a) What other conditions will be cut?
29. What are the results of the Employee Engagement Survey 2017 conducted among staff of the Urban Growth Development Corporation?
30. In that Survey, what was the level of confidence that staff had in the management of the UrbanGrowth Development Corporation?
31. In that Survey, what was the level of confidence that staff had in the Chief Executive Officer of the UrbanGrowth Development Corporation?
32. In that Survey, what level of confidence did staff have in the ability of the Urban Growth Development Corporation to manage change?
33. Will you make public the Survey and its results?
34. Will you provide a copy of the Survey and its results to this Committee?
35. Noting that the People Matter survey was not published by 10 September 2018, as indicated on the website:
 - (a) How did the People Matters survey results for the Urban Growth Development Corporation compare with those for the rest of the Public Service?
 - (b) How did the Urban Growth Development Corporation staff rate the management at the Urban Growth Development Corporation in the People Matters survey?
 - (c) How much affordable housing has the Urban Growth Development Corporation delivered since it was separated from Landcom?

Electricity supply to agencies

36. For each agency in your portfolio by name, how much electricity did it consume for each of:
 - (a) 2014-15?
 - (b) 2015-16?
 - (c) 2016-17?

- (d) 2017-18?
37. What proportion of the electricity consumed by each agency in your portfolio by name for those years came from renewable sources? Please name each source of energy (coal, solar, wind, etc) and the proportion of the total electricity used.
38. How much money was spent on electricity for each agency in your portfolio by name in each of the above financial years?
39. What was the name of the energy supplier to each agency in your portfolio by name for those financial years?
40. How much electricity is it estimated that each agency in your portfolio will consume in:
- (a) 2018-19?
- (b) 2019-20?
- (c) 2020-21?
- (d) 2021-22?
41. What proportion of that electricity is it estimated will come from renewable sources, for each year?
42. For each agency in your portfolio by name, please provide the estimated proportion of energy to be used from each kind of energy (coal, gas, solar, wind etc)?
43. What is the name of the energy supplier to each agency in your portfolio for each of:
- (a) 2018-19?
- (b) 2019-20?
- (c) 2020-21?
- (d) 2021-22?
44. For each agency in your portfolio by name, when does the current energy supply contract end? When was it entered into?

Thompson Square, Windsor:

45. How many of the unbroken 'convict' bricks being removed from the site will be saved and referred to a site where they can be preserved appropriately?
46. How many broken 'convict' bricks being removed from the site will be saved and referred to a site where they can be preserved appropriately?

47. Where will the remaining broken and unbroken bricks be removed to, and for what purpose?
- (a) Will the bricks be sold, and if so;
 - i. By whom?
 - ii. When and how will they be sold?

Debt Owed To Councils:

48. When will the Government pay the almost \$813,000 in for legal expenses owing to Lane Cove and Hunters Hill Councils, that it was ordered to pay by the Court of Appeal in July 2017, following the Government's failed forced council merger attempts?

IPART Reports:

49. IPART handed its Report on 'Compliance and Red Tape Review' to the Government in April 2016, and its 'Review of the Local Government Rating System' in December 2016. Why has the Government refused to release or respond to either of these major reports?
50. When will the Government publicly release these major reports and officially respond to them?

Port of Newcastle

51. I refer to the Minister for Roads, Maritime and Freight support of a container terminal at the Port of Newcastle (Budget Estimates 7/9/18), does the Premier support a container terminal at the Port of Newcastle?
- (a) If so, will the Premier remove the anti-competitive cap on containers at the port?
 - (b) If not, why not?
52. Does the port commitment deed restrict the number of containers that can pass through the Port of Newcastle?
- (a) If so, does the Premier agree that this is anti-competitive?
53. Has the Premier, any of her staff or her department been interviewed by the ACCC as part of their investigation into the ports transaction?
54. On which date did the Government inform the Australian Competition and Consumer Commission of its formal decision to invite Newcastle Stevedores Consortium to develop a container terminal at the Port of Newcastle subject to Newcastle Stevedores Consortium making the Government whole for any cost the Government incurred to NSW Ports in respect of this development?

55. Was a decision made in 2012 to require any future operator of a container terminal at the Port of Newcastle to make the government whole for any cost the government incurred from paying the operator of Port Botany in respect of future container capacity development at the Port of Newcastle?
56. Was Newcastle Stevedores Consortium required in 2013 to make the Government whole for any cost the Government incurred from paying NSW Ports in respect of future container capacity development at the Port of Newcastle?
57. Was a decision made in 2013 to require any future lessee of the Port of Newcastle to make the Government whole for any cost the Government incurred from paying NSW Ports in respect of future container capacity development at the Port of Newcastle?
58. Was the lessee of the Port of Newcastle required in 2014 to make the Government whole for any cost the Government incurred from paying NSW Ports in respect of future container capacity development at the Port of Newcastle?
59. Did the Government inform the Australian Competition and Consumer Commission in 2012 that the Government decided not to develop a container terminal at the Port of Newcastle?
60. Why does the Government charge a fee for containers shipped through the Port of Newcastle?
61. Does the Premier consider that this fee is anti-competitive?
62. Will the Premier abolish the anti-competitive fee on containers shipped through the port of Newcastle and allow a container terminal to be built in Newcastle?
63. Does the premier support the development of a container terminal at the Port of Newcastle, which would drive growth, provide local jobs and provide a boost to business in the Hunter and Northern New South Wales?
64. Is the Premier aware of the Australian Competition and Consumer Commission (ACCC) investigation into the Government's anti-competitive cap on container movements at the Port of Newcastle?
65. What is the purpose of the fine charged to the Port of Newcastle for every container shipped over a certain limit?
66. Will the Premier immediately remove this anti-competitive government restriction and allow the development of a container terminal at the Port of Newcastle?

67. Is the Premier aware of the Australian Competition and Consumer Commission (ACCC) investigation into the Government's anti-competitive cap on container movements at the Port of Newcastle?
68. What is the purpose of the fine charged to the Port of Newcastle for every container shipped over a certain limit?
 - (a) Will the Premier immediately remove this anti-competitive government restriction and allow the development of a container terminal at the Port of Newcastle?

Efficiency dividends

69. What is the forecast efficiency dividend saving for each agency within your portfolio in 2018-19?
70. What is the forecast efficiency dividend saving for each agency within your portfolio in 2019-20?
71. What is the forecast efficiency dividend saving for each agency within your portfolio in 2020-21?
72. What is the forecast efficiency dividend saving for each agency within your portfolio in 2021-22?
73. What was the total efficiency dividend that was achieved for each agency within your portfolio between 2011-12 and 2017-18 inclusively?

Ministerial Travel/Meal Allowance

74. How many nights' travel were claimed by the Minister during the 2017-18 period?
75. How many nights' travel were claimed by the Minister's spouse during the 2017-18 period?
76. What was the total amount of travel allowances claimed by the Minister and their spouse (if applicable) during 2017-18?
77. What is the total amount of meal allowances claimed by the Minister and their spouse (if applicable) during 2017-18?

Office Administration

78. How many staff are in your ministerial office?
 - (a) What was the average salary for staff members in your office during 2017-18?
 - (b) What is the estimated average salary for a ministerial staffer in your office in 2018-19 based on current appointments?
79. How many blackberries/iPhone/smart phones are assigned to your staff?
 - (a) For each phone, how much was each bill in 2017-18?

- (b) How many phones have been lost or replaced due to damage in your office?
 - i. What is the cost of replacing those phones?
80. How many iPads or tablets has DPC assigned to your Ministerial office and to whom have they been issued?
- (a) What was the cost of providing iPads or tablets to your Ministerial Office in 2017-18?
 - (b) How many iPads or tablets have been replaced due to lost or damage in 2017-18?
 - i. What was the cost of replacing these devices?
81. Has any artwork been purchased or leased for display in your ministerial office in 2017-18?
- (a) What is the cost of this?
82. Have any floral displays or indoor plants or pot plants been hired or leased for display in your ministerial office in 2017-18?
- (a) If so, what was the cost of these items?
83. Have any floral displays or indoor plants or pot plants been purchased for display in your ministerial office in 2017-18?
- (a) If so, what was the cost of these items?
84. What was the total cost of all subscriptions by you and your staff to online news services, newspapers, magazines, journals and periodicals in 2017-18?
- (a) What are these services/newspapers/magazines/journals/periodicals?
 - i. Who is the subscriber for each of these?
85. What was the total value of all gifts purchased for use by you and your office in 2017-18?
- (a) What were the gifts purchased?
 - i. Who were they gifted to?
86. Do you purchase bottled water or provide water coolers for your office?
- (a) What is the monthly cost of this?
87. What non-standard features are fitted to your ministerial vehicle?
- (a) What is the cost of each non-standard feature?
88. What was the total bill for your office in 2017-18 for:

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

89. Were any planes or helicopters chartered by you or your office and paid for with public money in 2017-18?

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

Agile Workspaces/Activity Based Working/Hot-desking

90. Has your department adopted “agile working environment/activity based working” practices – e.g. hot-desking?

- (a) If not, are there plans to introduce activity based working practices in 2018-19?

91. How much has your department spent in the roll-out of the agile working environment Including laptops, furniture, lockers and other equipment?

Hospitality

92. How much did your ministerial office spend on hospitality, including catering and beverages, in 2017-18?

93. How much did your Department/agency spend on hospitality, including catering and beverages, in 2017-18?

Labour Hire Firms

94. Do any Departments/agencies within your portfolio responsibilities utilise the services of Labour Hire Firms?

95. If yes, please advise in table form for 2017-18:

- (a) The names of the firms utilised
- (b) The total amount paid to each firm engaged
- (c) The average tenure period for an employee provided by a labour hire company
- (d) The longest tenure for an employee provided by a labour hire company
- (e) The duties conducted by employees engaged through a labour hire company

- (f) The office locations of employees engaged through a labour hire company
- (g) The highest hourly or daily rate paid to an employee provided by a labour hire company

Media and Public Relations

- 96. How many media or public relations advisers are employed for each of your portfolio agencies?
- 97. What is the forecast for the current financial year for the number of media or public relations advisers to be employed and their total cost?
- 98. What is the total cost of media monitoring services used by Departments/agencies within your portfolio responsibilities?
- 99. Have you had media training or speech training?
 - (a) If yes, who paid for it?
 - (b) If paid by taxpayers, what was the amount paid in 2017-18?

Facebook

- 100. How much did your ministerial office spend on Facebook advertising or sponsored posts in 2017-18?
- 101. How much did your Department/agency spend on Facebook advertising or sponsored posts in 2017-18?

Overseas Trips

- 102. Were any of your overseas trips in the last financial year paid for in part or in full by using public money?
 - (a) If so, did any of your relatives or friends accompany you on these trips?
- 103. Have you undertaken any official overseas travel that was privately funded?
 - (a) If so, what was the nature of these trips?
 - (b) Who paid for these trips?

Department/Agency Travel

- 104. What was the total expenditure in 2017-18 by Departments/agencies within your portfolio on:
 - (a) Taxi hire
 - (b) Limousine/private car hire
 - (c) Hire car rental

- (d) Ridesharing services

Drivers

105. Are any of the senior executives in the relevant Department provided drivers?
- (a) If so, can you please specify which positions are provided drivers?
 - (b) In total, how many drivers are used by senior executives in the Department?
 - (c) What is the total cost of drivers for senior executives in the Department?

Consulting

106. How much did the Department/agencies under your portfolio responsibility spend in legal costs in 2017-18?
- (a) For what specific purposes or matters was legal advice sought?
107. Have Department/agencies under your portfolio engaged any consultants to provide the following services or advice in 2017-18:
- (a) Social media
 - i. And the cost of these services
 - (b) Photography
 - i. And the cost of these services
 - (c) Acting training
 - i. And the cost of these services
 - (d) Ergonomics
 - i. And the cost of these services

Department/Agency Staffing

108. How many redundancies were processed by Departments/agencies within your portfolio responsibilities during 2017-18?
- (a) Of these redundancies, how many were:
 - i. Voluntary
 - ii. Forced
 - (b) What was the total cost of all redundancies?

109. Have any staff who received a redundancy in the last two years undertaken any paid work or provided any paid services for the agency with which they were formerly employed?
- (a) What was the nature of these works/services?
 - (b) What was the total cost of these works or services?
110. Are any staff formerly employed by your ministerial office now employed by Departments/agencies under your portfolio responsibility?
111. How many staff were dismissed from Departments/agencies under your portfolio responsibilities in 2017-18?
- (a) What were the reason/s for each dismissal?

Smart Phone Accounts

112. Do the Departments/agencies within your portfolio have an iTunes account?
- (a) What was the total expenditure in 2017-18 on iTunes?
 - i. What applications/subscriptions/services were purchased through iTunes?
113. Do the Departments/agencies within your portfolio have an Android account?
- (a) What was the total expenditure in 2017-18 on Android?
 - i. What applications/subscriptions/services were purchased through Android?

Merchant fees

114. Please provide a list of all transactions where customers need to pay a merchant fee on credit and/or debit card payments in your Department/agency.
115. Please provide the percentage and/or amount of the merchant fees applied to all credit and/or debit card payments/transactions in your Department/agency.
116. What was the total amount paid in merchant fees on credit and/or debit card payments in your Department/agency in 2017-18?

Probity Auditor

117. Has your office or department used a Probity Auditor or Probity Advisors, or similar, in the past five years? If so please list the company and/or individual, the project, the engagement dates, and their total remuneration in tabular format.

Domestic Violence Leave Policies, Awareness and Usage

118. For each department, statutory agency and/or other bodies in the Minister's portfolio please report:
- (a) A copy of the entity's policy or web link to the entity's domestic violence leave policy;
 - (b) Date of introduction of domestic violence leave into enterprise agreements/contracts of employment, awards as applicable;
 - (c) Whether or not all employees and/or contractors are eligible for domestic violence leave;
 - (d) Number of days of domestic violence leave that have been taken in each financial year since the introduction of such leave;
 - (e) Number of days available for eligible staff to access domestic violence leave in each financial year;
 - (f) Number of other personal days of leave that have been taken in each financial year since the introduction of domestic violence leave;
 - (g) Number of sick days available for eligible staff to access domestic violence leave in each financial year;
 - (h) Whether or not all staff and/or contractors have access to Employee Assistance Programs?
119. What training has been undertaken with management and administration for those involved in approving and/or processing domestic violence leave on issues such as?
- (a) Privacy and confidentiality of information about domestic violence
 - (b) Access to emotional, psychological, financial and medical support which may be required
120. Who has provided training on domestic violence in the workplace?
121. What percentage of staff in each agency has undertaken domestic violence training?
122. What efforts have been made to ensure that perpetrators (or their accomplices) within the staffing profile are not able to access personal information of victims in order to identify their location, or other information which may assist in committing domestic violence against them, including changing or accessing records in such a way as to disadvantage them financially or legally?

Sexual harassment and Anti-bullying training and awareness programs

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

- (a) Date of introduction of sexual harassment and anti-bullying training and awareness programs and a copy of such documentation.
- (b) Whether or not all employees and/or contractors have received such training?
- (c) Is this course mandatory for all employees/ contractors?
- (d) How long for each session, how many sessions?
- (e) Who delivers it?
- (f) Is the program tailored to take into consideration specific needs of LGBTQIA, ATSI and CALD or other at risk groups?
 - i. How?

124. What percentage of staff in each agency has undertaken sexual harassment and anti- bullying training and awareness programs?

125. How many complaints have been initiated in relation to:

- (a) Sexual harassment
- (b) Bullying
- (c) Workplace violence

Participation of women in Government

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

- (a) What number and percentage of women are employed within the agency?
- (b) What number and percentage of women are employed within the management levels of the agency?
- (c) What number and percentage of women are employed in the top ten leadership positions of the agency?
- (d) How is this data publicly reported on a regular basis?
- (e) What strategies does the agency use to encourage women in to management and leadership positions?
- (f) What is the gender pay gap within your agency?

- (g) Does the agency report participation of women figures to Women NSW on a regular basis?

Energy

127. For each agency in your portfolio by name, how much electricity did it consume for each of:
- (a) 2014-15?
 - (b) 2015-16?
 - (c) 2016-17?
 - (d) 2017-18?
128. What proportion of the electricity consumed by each agency in your portfolio by name for those years came from renewable sources? Please name each source of energy (coal, solar, wind, etc.) and the proportion of the total electricity used.
129. How much money was spent on electricity for each agency in your portfolio by name in each of the above financial years?
130. What was the name of the energy supplier to each agency in your portfolio by name for those financial years?
131. How much electricity is it estimated that each agency in your portfolio will consume in:
- (a) 2018-19?
 - (b) 2019-20?
 - (c) 2020-21?
 - (d) 2021-22?
132. What proportion of that electricity is it estimated will come from renewable sources, for each year?
133. For each agency in your portfolio by name, please provide the estimated proportion of energy to be used from each kind of energy (coal, gas, solar, wind etc.)?
134. What is the name of the energy supplier to each agency in your portfolio for each of:
- (a) 2018-19?
 - (b) 2019-20?
 - (c) 2020-21?

(d) 2021-22?