



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

BUDGET ESTIMATES 2021-2022 Supplementary Questions

Portfolio Committee No. 6 – Transport and Customer Service

CUSTOMER SERVICE

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Answers due by: 23 November 2021

Budget Estimates secretariat
Phone 9230 2898
BudgetEstimates@parliament.nsw.gov.au

CUSTOMER SERVICE

Questions from the Hon Mark Buttigieg MLC (on behalf of the Opposition)

Service NSW Centres

1. How many Roads and Maritime Services and Service NSW Centres have been closed since March 2011?
2. How many Roads and Maritime Services and Service NSW Centres have been opened since March 2011?
3. At the 2019 election the Government committed to building 10 new Service NSW Centres in growth suburbs across Sydney. How many of these centres have been completed?
 - (a) When does the Government expect to have delivered all 10 new Service NSW centres?
 - (b) In what suburbs have new Service NSW centres been established?
4. How many Roads and Maritime Services and Service NSW Centres have been closed in Greater Sydney since March 2011?
5. How many Roads and Maritime Services and Service NSW Centres have been opened in the Greater Sydney since March 2011?
6. How many Roads and Maritime Services and Service NSW Centres have been closed in regional and rural NSW since March 2011?
7. How many Roads and Maritime Services and Service NSW Centres have been opened in regional and rural NSW since March 2011?
8. How many local government areas do not have a Service NSW Centre located within their boundaries?
 - (a) Which local government areas do not have a Service NSW Centre located within their boundaries?
9. How many NSW state electorates do not have a Service NSW Centre located within their boundaries?
10. Which NSW state electorates do not have a Service NSW Centre located within their boundaries?
 - (a) There are currently 2 Local Government Areas out of 129 in NSW that do not have a Service NSW presence at all, Shellharbour being one of them. Does the Minister find it acceptable that the residents of Shellharbour have been excluded from accessing government services afforded to 98% of the state?

11. Why was the decision made to not establish a Service NSW presence in the Shellharbour LGA and electorate?
12. On the 12 February 2019, it was announced that 10 new Service NSW Centres would be established in growth suburbs across Sydney. What level of customer demand would need to be demonstrated for a Service NSW Centre to finally be established in the Shellharbour electorate?

Star Casino

13. Was the Star's proposal for an additional 1,000 gaming machines unsolicited?
14. On 19 April 2021 and 6 May 2021, you met with 'Foundation Theatres' – a company that operates the Sydney Lyric Theatre and has very close links to the Star Casino – to discuss 'theatre investment'. Who attended that meeting?
 - (a) What was the nature of your discussions with 'Foundation Theatres'?
 - (b) Was there any discussion of their investment in new theatres in return for the Casino acquiring an additional 1,000 gaming machines?
 - (c) Were any commitments made at those meetings?
15. Media reports indicate that the Star has offered to construct two new theatres in return for additional gaming machines. You met with Foundation Theatres on 6 May 2021. In response to questions on notice from the previous estimates hearing, your department advised that the Star submitted their proposal to acquire 1,000 new gaming machines to government on 7 May 2021. Is it a coincidence that the Star's proposal was submitted the very day after your meeting with Foundation Theatres?
16. Have you, or your office, or your department, met with AUSTRAC to discuss their investigation into Star Casino?
17. Were you or your office aware that The Star was under investigation by AUSTRAC for breaches of anti-money laundering legislation when you commenced discussions with the Casino about giving them an additional 1,000 gaming machines?
18. What diligence did you, or your office, or your department undertake into The Star before commencing discussions with them about the additional 1,000 gaming machines?
19. In response to questions on notice from the last estimates hearing, your department advised that the AUSTRAC investigation into the Star is "unaffected by, and has no relationship with, negotiations to allow the Star to operate additional gaming machines". Do you believe that is a credible and appropriate position given what has been reported?

Service NSW App

20. Is the app with the new feature of alerting individuals when they have visited an exposure site, up and running for the public to see in their history?
 - (a) If not, when is this feature due to be available to the public?
21. When did the app start sending the case alerts?
22. How many case alerts have been sent out since Sept 30?
 - (a) Since it launched?
23. Is the app sending push notifications for the case alerts?
 - (a) If not, when will this feature be available?
24. Are the case alerts only being sent to close contacts?
 - (a) If so, was the decision to only send case alerts to close contact based on health advice or limitations of the app?
25. Since the Delta outbreak started and the state entered lockdown on 26 June, how many close contacts have been identified using the QR code system?
26. Since the Delta outbreak started and the state entered lockdown on 26 June, how many casual contacts have been identified using the QR code system?

Vaccine Passport

27. In correspondence dated 18 July 2021, you advised the NSW Government had no plans to incorporate a digital vaccination card into the Service NSW App. On what date did the Government make the decision to incorporate vaccine status into the Service NSW App?
28. When did the NSW Government formally request access to the Australian Immunisation Register?
29. When was the NSW Government granted access to the Australian Immunisation Register?
30. What percentage of Service NSW app users have linked their vaccination status with the Service NSW app?

Home Quarantine App

31. How much has the Government invested in the 'home quarantine' app that will now no longer be used?

Driving Test Wait times

32. What is the average wait time for a driver and rider licence test as of 27 October 2021?
33. At the 27 October 2021, Budget Estimates hearing Mr Damon Rees advised 100,000 – 120,000 people are awaiting a driving test appointment in Sydney. Can you provide a breakdown of those awaiting a driving test appointment via:
 - (a) Local Government Area
 - (b) State Electorate
 - (c) Postcode

E-Conveyancing

34. How many incidents of cyber fraud have occurred under the e-conveyancing system?
35. What essential eight maturity level has the NSW Land Registry achieved?
36. Industry stakeholders have raised concerns over the removal of the Consent or Right to Deal (CoRD) and the potential this has to expose consumers to fraud. Why did the Government pursue the removal of the CoRD despite industry opposition?
37. Why has the Government done nothing to address substantial regulatory deficiencies in the standards of legal work in e-conveyancing compared to similar regulations in the legal field?
38. Which agencies were consulted in designing the information notice under this new system?
39. In your second reading speech you advised an information notice would contain ‘the same information that a person would ordinarily receive had they been issued with a certificate of title’. Yet the information notice does not include a registered proprietors name, why the backflip?
40. As it is the utility of the CoRD has been removed in NSW and it remains to be seen if the efficacy and security of e-conveyancing has been reduced will the CoRD removal be re-examined by the Government at a future date?
 - (a) Will the Government consider the preferred Vic model of the Right to deal, where there is no mortgage and an owner chooses, being retained by the Registrar General?
41. What measures in e-conveyancing, such as a “PEXA” key, or cyber insurance, has the government considered, in conjunction with stakeholders, that may be effective in reducing the growing instances of fraud in the e-conveyancing system?
42. The Courts and the Legal Services Commissioner have both stated that the legal work of conveyancers is the same, they are expected to have the same standards and duty of care, and ought to have the same liability. This is even more important where conveyancers and solicitors

are “the guardians to the gate of the NSW Land Register.” Is the Government going to continue to ignore the emphatic statements of the NSW Supreme Court and the Legal Services Commissioner or as e-conveyancing now necessitates is the Government going to review, with appropriate stakeholders the conveyancers Licensing Act and the regulation of legal work in e-conveyancing?

43. Can Government advise of the number of PI and cyber insurance claims against conveyancers and solicitors arising from cyber fraud and misdirection of monies in e-conveyancing?
44. What measures in e-conveyancing, such as a “PEXA” key, or cyber insurance, has the government considered, in conjunction with stakeholders that may be effective in reducing the growing instances of fraud in the e-conveyancing system?
45. Why did the Government, despite the Office of Registrar General (ORG) comments and industry opposition, pursue the removal of the CoRD?
46. Given the ORG concerns and the stakeholder recommendations will the CoRD removal be reviewed by the Government at a future date?
47. Which Government agencies and private organisations determined what information was to be included or excluded from the Information Notice?
48. The draft Information Notice was universally criticised by industry stakeholders. Is the Minister going to ensure that future Information Notices will be amended to include the names of new Registered Proprietors?
49. As a result of Information Notices not including the information that was formerly provided on Certificates of Title, post settlement, and registration, searches, costing approximately \$15.00-\$25.00 have to be obtained by mortgagees, conveyancers and solicitors. In the last quarter, according to PEXA, there were over 58,000 settlements in NSW. Is the Minister aware of the additional costs and conveyancing work this adds to every e-conveyancing transaction?
50. Is the minister of the view that the additional security of an owner’s caveat is prudent in e-conveyancing?
51. Is the minister aware of aware of the additional, fees costs and legal work involved in obtaining this additional title security in e-conveyancing?
52. Is the Minister aware of an increase in private insurance claims and considered how these increases will lead to additional conveyancing costs?
53. How do these additional fees, work and complexity accord with the Government’s statement on e-conveyancing?

54. Is the Government going to continue to ignore the emphatic statements of the NSW Supreme Court and the Legal Services Commissioner or as e-conveyancing now necessitates, is the Government going to review, with appropriate stakeholders the Conveyancers Licensing Act and regulate conveyancers to the same high standards of solicitors?
55. Does the ORG accept the substantially lower regulatory scheme for conveyancers is appropriate for “guardians on the gate” of the NSW Land Register?
56. Either the regulatory scheme for solicitors is too high or the one for conveyancers too low. Is the regulation of conveyancing solicitors to be reduced to the regulatory standard of conveyancers and regulated by Fair Trading, or the regulatory system of conveyancers to be lifted to the higher standard of solicitors and conveyancers be appropriately regulated as a legal service provider?
57. While the contract is secret, and the government is reduced to having to negotiate to get what would otherwise have been a part of the regulatory frame work, how can the Conveyancing industry retain any confidence in the future of the Torrens system in NSW?
58. Minister, is it not the case that LRSNSW has been forced to conduct an audit of registered and imaged dealings due to many instances of dealings being imaged either with pages, or whole annexures, missing and also in some instances with evidence, which possibly discloses private information, being inappropriately imaged and put on the public record with dealings?
59. Minister is it not the case, that after only two years of operation LRS’s customer satisfaction, as gauged by survey’s had dropped from the high 90s in LPI (government run) times to barely 51%, and LRS has been scrambling to raise it ever since?
 - (a) Is there a new survey being conducted and will you provide the details of that survey?

Cyber Security – Service NSW

60. Service NSW has rolled a new secure data transfer application to move away from using email to share data. I understand it has currently only been rolled out to half of Service NSW Centres, what is the timeline to roll the application out to all Service NSW Centre’s?
61. Considering Service NSW is responsible for administering grants and holds a significant amount of personal information of both individuals and businesses, why did it take a security breach before a secure data transfer application was acquired?
62. Has Service NSW entered into privacy contracts with private partners it is working alongside?

COVID-19 Business Support Rollout

63. The Government received \$2.52 billion worth of applications for the small business grant, yet has paid out just \$2.33 billion. Why has the Government underspent by \$190 million?

64. Currently business owners with a suppressed ABN are unable to access COVID-19 small business grants, this is an issue that has previously been raised with the Minister. These business owners often come from a vulnerable background, how is it these business owners left without support?
65. When will updates be completed to the application process to allow for these business owners to access COVID support grants?
66. In late August, the Government was preparing to make changes to the eligibility criteria for the COVID-19 small business and micros business grants, along with the JobSaver program. Service NSW employees received an internal memo advising them of the changes but they never preceded. Who made the decision not to proceed with these changes?
67. The Government made changes requiring business owners to reconfirm their eligibility for the JobSaver program. Business owners have advised of being kicked off the program due an error in the fortnightly confirmation form. How many businesses have been removed from the program in error?
68. Business owners have reported contacting Service NSW who have acknowledged they were removed from the program an error but there is currently no way to reinstate them into the program. When will this issue be rectified?
69. As these businesses have been left without any financial support, will their payments be backdated?
70. As of 27 October 2021, what is the average total payment received by businesses under the JobSaver program?
71. As of 27 October 2021, what is the average total payment received by businesses under the COVID-19 business grant?
72. As of 27 October 2021, what is the average total payment received by businesses under the COVID-19 micro-business grant?

New South Wales Mouse Control Support Program

73. How much of the \$150 million New South Wales mouse control support program has been allocated to design and build the rebate program overseen by Service NSW?
74. Did Service NSW contribute any funds to the design and build of the program?
 - (a) If so, how much?
75. How much of the \$150 million New South Wales mouse control program has been allocated to the recurrent costs of Service NSW running the program?

76. Do Service NSW contribute any funds to the recurrent costs associated with running the mouse control rebate program?
- (a) If so, how much?
77. What are the total projected recurrent costs associated with the program?

Park n Pay

78. What is the relationship between Duncan Solutions, the Park n Pay app and the Department of Customer Service?
79. Has any Council adopted the Park n Pay app without entering into an agreement with Duncan Solutions to provide the payment gateway?
- (a) If so, which Council's?
- (b) Has any Council adopted the Park'n Pay app without utilising Duncan Solutions to provide the payment gateway?
- i. If so which councils?
- (c) Can Park'n Pay start a parking session and calculate the parking fee itself, independently of Duncan Solutions' PEMS system?
- (d) If the answer is yes, please provide a technical document that details the internal work flow?
80. How much has the NSW Government spent on promoting and advertising the Park n Pay app?
81. How much has the NSW Government spent on promoting and advertising the Park n Pay app?
82. What is the yearly cost of maintaining the app?
83. How much revenue has the Park n Pay app to date generated for the NSW Government?
84. How much revenue does the Park n Pay app generate each year for the NSW Government?
- (a) How much revenue has Park'n Pay collected on behalf of councils?
- (b) What % of that revenue has been paid to Duncan Solutions?
85. Why is Service NSW using taxpayer's money to compete with innovators that are widely available and keen to operate in NSW?

86. Would you agree that Service NSW is creating a monopoly supplier for all parking technologies because other providers – not just of apps, but also meters and enforcement – can't overcome the barrier to entry that Service NSW is creating?
87. The Minister has recently written to all NSW Mayors urging them to adopt the Park n Pay app. How much revenue would the state-wide adoption of the app generate for Duncan Solutions?
88. Prior to this letter have you or any members of your staff lobbied local Council's to adopt the Park n Pay app?
89. Is it appropriate for a Minister to lobby local Council's to effectively create a Government monopoly that would benefit a private company such as Duncan Solutions?
90. Can you confirm that, as part of its exclusive right to sell Park'n'Pay, Duncan Solutions Technology can charge councils for "services" such as payment processing and tariff changes, and that these charges can't be questioned given the absence of a tender process?
91. Does Duncan Solutions Technology retain all revenue from sales to Councils, while Service NSW is paying Duncan Solutions Technology for its exclusive license?
92. Is this not a taxpayer gift to a private company with the endorsement of the Minister?
93. Is there a precedent for this kind of commercial arrangement?

Cyber Security – Cyber Security Policy

94. The Auditor – General has found the cyber security policy is not achieving its objectives of improved cyber governance, controls and culture. Will the Government adopt a minimum level for agencies to achieve in implementing the 'mandatory requirements' or the Essential 8 Strategies to Mitigate Cyber Security Incidents?
95. The NSW maturity model used for the Essential 8 does not fully align with the ACSC's model. Will the NSW Government fully adopt the ACSC model?
96. Seven of the nine participating agencies into the Auditor – General's report into compliance with the NSW cyber security policy, reported levels of maturity against both the mandatory requirements and the essential 8 that were not supported by evidence. What actions will the Government take to ensure levels of maturity are accurately reported?
97. Currently the Department of Customer Service has only recommended, but not mandated the cyber security policy for state owned corporations, local councils and universities. Does the Government plan to expand the cyber security policy to these entities?
 - (a) If not, why not?

Ministerial responses to questions on notice

98. Given that, on 20 October 2021, the Minister representing the Minister for Transport and Roads in the Legislative Council answered questions on notice from the Hon. John Graham MLC numbered 7678, 7679 and 7680, relating to the Government's toll relief program by responding: "This is a matter for the Minister for Customer Service, and Minister for Digital", and further that on 7 October 2021, the Minister representing the Minister for Customer Service, and Minister for Digital in the Legislative Council answered identical questions on notice from the Hon John Graham MLC numbered 7486, 7487 and 7488 by responding "The Minister for Customer Service does not hold this information", and further that on 7 October 2021, the Minister representing the Minister for Customer Service, and Minister for Digital in the Legislative Council answered similar questions on notice from the Hon John Graham MLC numbered 7485 by providing detailed toll burden data,

- (a) Does the Minister responsible for Customer Service hold data that shows the decile distribution of toll burdens across the users of Sydney tollroads?
 - i. If the answer is yes, why did the Minister say he does not hold this information?
 - ii. Will the Minister now provide this information as part of this answer?
 - iii. If the answer is no, which Minister holds this data?
- (b) Does the Minister responsible for Customer Service hold data that shows the percentile distribution of toll burdens across the users of Sydney tollroads?
 - i. If the answer is yes, why did the Minister say he does not hold this information?
 - ii. Will the Minister now provide this information as part of this answer?
 - iii. If the answer is no, which Minister holds this data?
- (c) Does the Minister responsible for Customer Service hold data that shows the average distribution of toll burdens across the users of Sydney tollroads?
 - i. If the answer is yes, why did the Minister say he does not hold this information?
 - ii. Will the Minister now provide this information as part of this answer?
 - iii. If the answer is no, which Minister holds this data?
- (d) Does the Minister responsible for Customer Service hold data that shows the distribution of toll burdens across the users of Sydney tollroads in any format?
 - i. Will the Minister now provide this information as part of this answer?
 - ii. If the answer is no, which Minister holds this data?

Inconsistent provision of toll data

99. Given that, in March 2021, the Minister for Customer Service responded to question notice 5011 from the Hon. Courtney Houssos with respect to 100% and 50% toll burdens data by region, the Minister then provided segregated (100%/50%) data at suburb level, and further that in October 2021, the Minister for Customer Service responded to question on notice 7485 from the Hon. John Graham of precisely similar wording, the Minister said that disaggregated data was not available (that is separate counts of persons accessing 100% registration relief and 50% registration relief), and further, that “Note that postcode data is only available”, and suburb data was not on that occasion provided,
- (a) What changed between March 2021 and October 2021 that means that suburb-level data on toll burdens faced by drivers is now not available?
 - (b) What changed between March 2021 and October 2021 that means that segregated data showing numbers of persons who accessed full registration relief and half registration relief is now not available?
 - (c) Will the Minister now provide data in response to question on notice 7485 in the same format as provided in response to identically worded question on notice 5011?

Aggregate Toll Burden – Sydney tollroads

100. What is the current estimate of the aggregate of tolls paid, or to be paid, by all Linkt consumer account holders using the Sydney tollway network in:
- (a) Financial year 2019-20?
 - (b) Financial year 2020-21?
 - (c) Financial year 2021-22?
 - (d) Financial year 2023-24?
 - (e) Financial year 2024-25?
 - (f) Financial year 2025-26?
101. What is the current estimate of the aggregate of tolls paid, or to be paid, by all Linkt commercial account holders using the Sydney tollway network in:
- (a) Financial year 2019-20?
 - (b) Financial year 2020-21?
 - (c) Financial year 2021-22?
 - (d) Financial year 2023-24?
 - (e) Financial year 2024-25?

- (f) Financial year 2025-26?
102. What is the current estimate of the aggregate of tolls paid, or to be paid, by all Linkt account holders using the Sydney tollway network in:
- (a) Financial year 2019-20?
 - (b) Financial year 2020-21?
 - (c) Financial year 2021-22?
 - (d) Financial year 2023-24?
 - (e) Financial year 2024-25?
 - (f) Financial year 2025-26?

Questions from Ms Abigail Boyd MLC

Land Titles - Online searches

103. Why are the free certificate of title (CT) search and free Plan Inquiry Search functions, previously accessible on the Land Titles NSW Website for over a decade, now not available?
- (a) Have these free online searches been removed as a result of moving to a paperless certificates of title system?
 - i. If so, how can this be justified, given that the digital system should presumably be cheaper and more efficient to run than the paper system?
 - ii. Why has the new paperless CT system left people with no choice but to pay to determine legal title, making the paperless system more expensive than the paper system?
 - iii. Why was this not disclosed during your second reading speech or other communications regarding the legislation to remove paper CTs?
 - (b) Is this a consequence of the Government's decision to privatise the land titles office?
 - (c) Now that CTs are online and paper CTs are of no legal value, wouldn't you agree that these free online searches are more important ?

Questions from Ms Cate Faehrmann MLC

Point of Consumption Tax

104. Why does the NSW government combine the Point of Consumption Tax with the taxation revenue from racing when publishing state tax revenue figures for budget updates and in the budget papers?

NSW Government Shares

105. Does the NSW government own shares in any gambling or gambling-related companies?

Local Impact Assessment

106. As part of the new Local Impact Assessment system, a venue in a Band 1 area applying for 20 or fewer machines does not need to conduct community consultation. The venue sends a Local Impact Statement to organisations in the area who would have been contacted if there had been an LIA. The Local Impact Statement informs organisations of the name and address of the venue and the number of new machines.

(a) What is the purpose of the Local Impact Assessment in this format?

(b) Why is there no community consultation required?

107. The Liquor and Gaming noticeboard provides no information about the number of gaming machines a venue is applying for, how does a member of the public inform their submission to an application without this information?

108. In their application for more gaming machines, the Lake Cathie Tavern states that their senior staff attend monthly Liquor Accord Meetings, but the tavern is not listed as a member of the Accord.

(a) How can the Senior staff attend the monthly meetings if the Tavern isn't a member?

(b) Did a case officer from ILGA check this claim from the LIA application?

(c) If not, why not?

(d) If it is not true that they are members of the Accord, will the Tavern be penalised for making a false declaration?