

# **PORTFOLIO COMMITTEE NO. 5 - REGIONAL NSW AND STRONGER COMMUNITIES**

**Wednesday 4 May 2022**

**Examination of proposed expenditure for the portfolio area**

## **DEPUTY PREMIER, REGIONAL NEW SOUTH WALES, AND POLICE**

**CORRECTED**

**The Committee met at 9:30.**

### **MEMBERS**

The Hon. Robert Borsak(Chair)

The Hon. Adam Searle (Deputy Chair)

The Hon. Lou Amato

Ms Abigail Boyd

Ms Cate Faehrmann

The Hon. Wes Fang

The Hon. Daniel Mookhey

The Hon. Peter Poulos

The Hon. Walt Secord

The Hon. Mick Veitch

### **MEMBERS PRESENT VIA VIDEO CONFERENCE**

The Hon. Scott Barrett

Mr Justin Field

### **PRESENT**

**The Hon. Paul Toole**, *Deputy Premier, Minister for Regional New South Wales, and Minister for Police*

\*Please note:

[inaudible] is used when audio words cannot be deciphered.

[audio malfunction] is used when words are lost due to a technical malfunction.

[disorder] is used when members or witnesses speak over one another.



## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

**Corrections should be marked on a photocopy of the proof and forwarded to:**

**Budget Estimates secretariat  
Room 812  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**



**The CHAIR:** Welcome to the public hearing for the inquiry into budget estimates 2021-2022. Before I commence, I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders past, present and emerging. I celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today. I welcome the Deputy Premier and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolio of Deputy Premier, Regional New South Wales, and Police.

Before we commence, I will make some brief comments about the procedures for today's hearing. Today's proceedings are being broadcast live on the Parliament's website. A transcript will be placed on the Committee's website once it becomes available. In accordance with broadcasting guidelines, media representatives are reminded that they must take responsibility for what they publish about the Committee's proceedings. All witnesses in budget estimates hearings have a right to procedural fairness according to the Procedural Fairness Resolution adopted by the House in 2018. There may be some questions that a witness could only answer if they had more time or with certain documents to hand. In those circumstances witnesses are advised that they can take a question on notice and provide an answer within 21 days. If witnesses wish to hand up documents, they should do so through the Committee staff.

Deputy Premier, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers seated at the table behind you. Finally, could everyone please turn off their mobile phones or at least turn them to silent for the duration of the hearing. All witnesses will be sworn prior to giving evidence. Deputy Premier, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament. I also remind Commissioner Barnes and Mr Hudson that you do not need to be sworn as you have been sworn at an earlier budget estimates hearing before this Committee.

**The Hon. PAUL TOOLE**, Deputy Premier, Minister for Regional New South Wales, and Minister for Police, before the Committee

**Mr SCOTT WHYTE**, Assistant Commissioner, Police Prosecutions and Licensing Enforcement Command, sworn and examined

**Ms GEORGINA BEATTIE**, Deputy Secretary, Mining, Exploration and Geoscience, Department of Regional New South Wales, affirmed and examined

**Mr GARY BARNES**, Secretary, Department of Regional NSW, affirmed and examined

**Ms KAREN WEBB**, Commissioner, NSW Police Force, sworn and examined

**Mr DAVID HUDSON**, Deputy Commissioner, Investigations and Counter Terrorism, NSW Police Force, on former oath

**Mr MICHAEL BARNES**, Commissioner, NSW Crime Commission, on former affirmation

**Mr CHRIS HANGER**, Deputy Secretary, Regional Development and Programs, Department of Regional NSW, affirmed and examined

**Mr DAVID WITHERDIN**, Deputy Secretary, Commercial and Corporate Services, Department of Regional NSW, and Chief Executive Officer, Northern Rivers Reconstruction Corporation, affirmed and examined

**Ms REBECCA FOX**, Deputy Secretary, Regional Precincts, and Chief Executive of the Regional Growth NSW Development Corporation, Department of Regional NSW, before the Committee via videoconference, affirmed and examined

**The CHAIR:** Thank you.

**The Hon. WALT SECORD:** Firstly, Commissioner Webb I congratulate you on your appointment. I know that I conveyed it informally on Friday at the Rotary police awards but I would like to formally do so today. Minister, welcome. I will start with Opposition questions. Minister, or through you to the police commissioner, what is the definition of an urgent call in relation to police response times?

**Mr PAUL TOOLE:** Commissioner?

**KAREN WEBB:** I will have to take that on notice in terms of priority one or two, and that is captured in those calls and response times. They are categorised one, two, three and four. One and two are those urgent and pressing that require a code red response. But in terms of the actual definition, I will take that one on notice.

**The Hon. WALT SECORD:** For the purposes of some further questions, I would be referring to priority one calls. What would be an example of a priority one call?

**KAREN WEBB:** Someone requiring urgent assistance, a call for assistance, whether it is to a violent situation, a domestic, for example, where there are weapons or some other immediate threat to the life of an individual would necessitate an urgent response.

**The Hon. WALT SECORD:** The benchmark for responding to one of those calls is 12 minutes. Is that right?

**KAREN WEBB:** That is right.

**The Hon. WALT SECORD:** In your opinion, is 12 minutes an acceptable time to respond to a life-threatening situation?

**KAREN WEBB:** The average for the State is set at 12 minutes. There are some commands that have much shorter response times and others that are longer because of where they are placed geographically. If you are in Broken Hill, then the response will be longer.

**The Hon. WALT SECORD:** That is understandable.

**KAREN WEBB:** That is the State average that we set for commands and they vary over and above that average.

**The Hon. WALT SECORD:** I have obtained this data under the Government Information (Public Access) Act—freedom of information laws—that 16 of the 20 local area commands, district police areas, with the slowest response times for urgent categories are in western Sydney. I could understand that if you were in rural and regional areas with vast distances, but why are 16 of the 20 slowest response times in western Sydney?

**KAREN WEBB:** I know, for example, that one of the commands that was mentioned was Parramatta, and Parramatta's response times are well under the 12 minutes in any case, going from six to eight minutes. I know, for example, Parramatta has had quite a lot of construction, and the light rail construction, in the last 12 months to two years, which is one factor obviously impacting police response times, noting that the police station is right in the CBD. I have actually asked my deputy commissioners for further advice around that. As an organisation, each command reports on their response times. I have asked for some analysis overarching from an organisational-wide point of view in terms of response times.

**The Hon. WALT SECORD:** Parramatta has the worst response times in New South Wales, followed by Campsie, Liverpool, Leichhardt, Cumberland, Ryde, Blacktown, Blue Mountains, Campbelltown, Fairfield, Hawkesbury, Nepean, Riverstone and Auburn. I could continue, but all of those areas do not have construction.

**KAREN WEBB:** No.

**The Hon. WALT SECORD:** This data relates to the period 2020-21. It was actually taken during the COVID period. I remember during that time the streets were virtually deserted in Sydney for long periods of time. Can you enlighten me why western Sydney—is it resourcing, is it staffing? Times jumped from six minutes to eight minutes in Parramatta.

**KAREN WEBB:** As I said, sir, I have asked for some further analysis of that. However, you may also recall that police played a critical role during COVID in terms of reinforcing public health orders et cetera in highly populous areas in western Sydney, in particular the health order that was specific to 12 LGAs in western Sydney. So that may be a factor, but I will undertake to understand those commands more specifically.

**The Hon. WALT SECORD:** You would be aware that response times in Sydney's east and the North Shore are half of western Sydney, and Sydney's east was not the subject of similar lockdowns. Is there any other reason? Because this is not simply COVID; this is a long-term—I have looked at the data over the last 10 years, and it has been creeping up slowly. Is it a resourcing issue?

**KAREN WEBB:** As I said, sir, I have undertaken to have that reviewed. I can take that on notice to get some better data. I do not want to mislead you today, so I will undertake to understand that better.

**The Hon. WALT SECORD:** This is to the Minister. In the last State election, the Government promised 1,500 police officers. Is it the lack of police officers in not fulfilling that commitment? I understand you have not met that commitment.

**Mr PAUL TOOLE:** When we announced 1,500 additional police officers, I want to make the point that that is probably the largest announcement that we have made in policing in over 30 years. This Government acknowledges that there are more police and more resources going out into our communities. There are around 950 police officers that have already been rolled out as part of that commitment. So there are still another 650-odd to be rolled out as part of that election commitment to be honoured, but that is certainly going to see, in a few months' time, the announcement of where those additional police officers are going.

I want to make the point, as well, even last Friday I know we had the Rotary Police Officer of the Year Awards, which you and I both attended. I want to point out, too, that the commissioner and myself were down in Goulburn. Through that attestation at the police academy, we had another 202 probationary constables that graduated. That is 202 probationary constables that are now starting their career and their journey in the NSW Police Force. Some of them will be in metropolitan areas and in regional areas. Some are going back close to home, where they grew up. A lot of them are going into areas that they are going to for the very first time. We welcome them, and we certainly wish them the very best in their career. They only just started this week.

They started, on Monday of this week, going out to stations right across the State. There were 142 men. There were 60 women that were part of that graduating class. Those men and women, as they are going out to work in these stations, I wish them the very best. They will be working alongside some of the best and most professional men and women in blue right across the State. They have done a pretty tough time, as well, because it took them eight months to do the training because of COVID. It actually extended their training period by an additional three months. As they were bumping out, the next cohort were bumping in. To your original question, the 1,500 police officers—yes, that commitment will be kept. As the police Minister, I am really pleased that that is the largest cohort of police officers rolled out in 30 years by this Government.

**The Hon. WALT SECORD:** So we are going to see 600 more police officers in the next 10 months?

**Mr PAUL TOOLE:** They may not be all completely out into those stations, but it will be announced what stations they will be going to. That will be discussions with the commissioner, discussions with deputy commissioners and looking at where resources are required for those areas.

**The Hon. WALT SECORD:** So you are not going to honour your commitment. You are going to say, "Yes, we promised 1,500, and those 1,500, when they graduate, will be sent to the following locations."

**Mr PAUL TOOLE:** These are full-strength police officers. Let's not get confused with probationary constables. These are full strength. I want to make the point, Mr Secord, that that election commitment will be honoured, and you will have a very clear indication as to where they are going to be placed out across the State. The other thing, too, is having to look at—you speak about resourcing. They will be going to stations where additional police officers are required and are needed. There may be some areas that are already over strength. So it might mean that there are some areas that have gaps, and that is where those officers will be going into those communities. I would be expecting that some of them would be going into metropolitan areas and some of them would be going into regional areas, but those announcements will be forthcoming over the coming months.

**The Hon. WALT SECORD:** What was the description or the qualifier? You said "full"—what was the phrase you used involving police officers?

**Mr PAUL TOOLE:** It is not probationary constables. It is separate—

**The Hon. WALT SECORD:** So 600 full strength or full force—I cannot remember the phrase you used. Not probationary constables.

**Mr PAUL TOOLE:** That is right.

**The Hon. WALT SECORD:** Where are you going to get these 600 officers? Are they at home, not in the Police Force at the moment? Where are you going to find the 600 officers that you just referred to if they are not going to graduate from the academy?

**Mr PAUL TOOLE:** This is on top. The ones at the attestation are on top of.

**The Hon. WALT SECORD:** On top of—

**Mr PAUL TOOLE:** They are not probationary—

**The Hon. WALT SECORD:** No, no. I just want to get the numbers correct. You have promised 1,500 police officers.

**Mr PAUL TOOLE:** Correct.

**The Hon. WALT SECORD:** You say you have 600 more to go. Those 600 are not going to be probationary constables; they are going to be serving police officers. Where are you going to find them? Are they people who are not in the workforce at the moment, that you are bringing back in? Are you getting them from interstate?

**Mr PAUL TOOLE:** They will not be from interstate. They will be police officers that are trained and have finished their time as probationary constables. The beauty of this, Mr Secord, is that we are not talking about probationary constables. We are talking about fully-fledged police officers that are going to be going out there into these commands, and we will continue to have probationary constables still coming through the police academy. What I find is the fact that there is still a strong interest by these men and women who want to be a member of the NSW Police Force. What I think is important is the fact that this Government committed over \$500 million—half a billion dollars—to ensure that those additional 1,500 police officers are going to be rolled out. As I said to you, there are around 950 already that have been assigned as part of this commitment from the New South Wales Government.

**The Hon. WALT SECORD:** I want to take you back to that. In your previous answer you referred to "assigned" and that they would be allocated. Are you counting police officers that do not exist but will go to that station when they arrive? That is what I am hearing from you. You said you are going to use an allocation, so you are counting police officers in this number that do not exist.

**Mr PAUL TOOLE:** There will be 1,500 additional officers, Mr Secord, so do not think that we are going to be—

**The Hon. WALT SECORD:** I am quoting back your answer.

**Mr PAUL TOOLE:** I know what you are saying, but do not twist it. I am not saying that at all which you are referring to. I am actually talking about an additional 1,500 police officers that will be rolled out to commands across the State, which is a commitment that was made by this Government, and it will be honoured. As I travel around police stations, I know—and I speak to the association. I speak with the commissioner. I actually understand exactly where there are requirements and where there are calls for additional police officers into some



of those commands. Obviously they will be discussions that we will continue to have over the coming months, and then I will be announcing where those officers will be going out across the State.

**The Hon. WALT SECORD:** So you guarantee that living, breathing human beings will be in those positions?

**Mr PAUL TOOLE:** Living, breathing human beings. New South Wales police officers—1,500 of them. We will be able to show you, Mr Secord, where they have been stationed and where they have been allocated to because that is a commitment that this Government made. The half a billion dollars that we put towards ensuring that this commitment was honoured is going to occur. Importantly, we are seeing the benefits of those men and women that have already started to roll out to those stations across the State.

**The Hon. WALT SECORD:** Commissioner, how many police officers do we currently have—sworn, operational police officers—in New South Wales at this time?

**KAREN WEBB:** We have 17,673 as of 21 April.

**The Hon. WALT SECORD:** How many civilian operational staff do we have?

**KAREN WEBB:** I cannot delineate operational civilian staff. I can give you the complete number of civilian staff, which is 3,986 as at the same date.

**The Hon. WALT SECORD:** Right. Are you familiar with—you would be familiar with it because of the data you presented. Earlier this year—well, it would be last year now. Let me just check. Yes. The 2020 Federal Government services report on police—it is data that was provided by you. How does New South Wales compare to other jurisdictions when it comes to per-capita policing—the number of police officers per 100,000 people?

**KAREN WEBB:** I do not have the data in front of me. But, from memory, per capita we have a fewer number.

**The Hon. WALT SECORD:** Yes. In fact, we have the lowest per capita in Australia. That is fewer. Would any of your colleagues like to provide any information on that? To assist you, Victoria has 312 operational staff per 100,000 people; Queensland, 285; Western Australia, 291; South Australia, 310; Tasmania, 275; and New South Wales has the fewest number of police officers in Australia at 244 per 100,000 residents. That is your data provided to the Federal Government. Minister, your Premier claims that we have more police officers than any other jurisdiction in Australia. That is not true. This is the own data provided by your police service to the Federal Government.

**Mr PAUL TOOLE:** Look, I will point out, Mr Secord, that this Government made the largest commitment to additional police officers in 30 years. I think 1,500 additional police officers is what we announced. As a part of those 1,500 police officers, that included those who are going to be part of Raptor squads, those who are going to be part of regional enforcement squads, and they were part of the announcement and the election commitment that was given a number of years ago. As the Minister—and I have been in this role now for four months—I will ensure that our election commitments are honoured because I want to ensure that those police numbers and those resources are actually provided to those commands across the State as we said they would be.

**The Hon. WALT SECORD:** Minister, you mentioned operation Raptor.

**Mr PAUL TOOLE:** Correct. I said Raptor squad; you mentioned operation Raptor.

**The Hon. WALT SECORD:** I am talking about gang violence in western Sydney. Why are we in this situation? Are we simply letting the criminals police themselves?

**Mr PAUL TOOLE:** I take a little bit of offence to that because the police are out there working every day, tirelessly, to bring these criminals—to actually stop this criminal activity. Look, I have to say, when I read releases—you know, our police officers feel that that is an attack on them when you are talking about gang wars out there happening in those communities. I went out to Surry Hills last year, and it was the start of the year when I had just become the Minister. In October 2021 there were a number of public shootings. As a part of those public shootings, Operation Hawk was established. That actually saw a large police operation on the ground. In one particular week, there were over a thousand police officers who were out there doorknocking, going to those organised criminal networks, and they actually saw over a hundred arrests. When they saw those hundred arrests—this is actually seizing drugs, taking drugs off the streets. This is about seizing cash; this is about getting firearms. When we talk about firearms in the hands of some of these criminals—

**The Hon. WALT SECORD:** Minister, you can understand why western Sydney families are disappointed in the Government. They have the slowest response times in New South Wales, they have drive-by

shootings, they have criminals shooting each other on our streets and, I am sorry, it is a matter of time before an innocent bystander gets caught in the crossfire. Why are you letting the criminals police themselves? When are we going to see arrests?

**Mr PAUL TOOLE:** That is totally unfair because I just said to you there were over a hundred arrests that actually occurred with Operation Hawk. Look, I want to make the point that it should not be about east versus west. As the Minister, I do not care whether people are in the east, the west, the Far West of the State or regional New South Wales. I want to ensure that people can feel safe. I want to ensure that our police are resourced to be able to undertake the tasks that they do each and every day. I had the opportunity to go out on Monday, and on Monday the commissioner and myself, and Assistant Commissioner Stuart Smith—and I will come back to it later because it is actually an important topic as well—but we actually went and met with the 40 members of Operation Hawk who actually started again on Monday of this week. Now, they are going out into those streets of south-west Sydney to actually deal with this criminal network. If you have a look already, they have seized something like \$2.3 million in cash, \$2 million worth of drugs, over 70 firearms have been captured, 250 people arrested and 800 charges.

These are men and women who have started in this next round from the very first day. Some of them have actually been involved in Operation Hawk for three months, and some were there for six weeks. They came from different commands right across Sydney as well to be a part of Operation Hawk, and I think they are doing an amazing job. I think it is a strong message to any criminal network out there or any organised criminals that we will not stop, we will continue and these operations will continue as long as we need to in order to keep the community safe. If people do not want to change their ways, they are going to get a very rude awakening. They are going to find themselves wearing a set of greens in prison and they will be using plastic cutlery. The message is very simple: We will continue to have these operations running as long as possible, as long as it takes to actually break these networks. And we can come back to it—

**The Hon. WALT SECORD:** We will come back to it.

**Mr PAUL TOOLE:** I know Mr Hudson could provide more to this as well, and the commissioner, because both of us were out there getting briefed as to what the next phase was to be undertaken.

**Ms ABIGAIL BOYD:** Good morning, Minister, and good morning to all of you. Why have you, Minister, broken the promise that was made by your predecessor not to mine on the Liverpool Plains?

**Mr PAUL TOOLE:** I was wondering if I would get a regional question, so thank you.

**The Hon. MICK VEITCH:** You will.

**Mr PAUL TOOLE:** Thanks, Mick. That is why you are here. Look, there are a couple of things that I want to point out. The first one is that this Government made it very clear in our *Future of Gas Statement*. It actually sets out a balanced approach for the future of gas exploration, production and gas supply here in New South Wales. When you look at New South Wales, gas supplies will come from a mix of gas production in New South Wales as well as imports from other jurisdictions and overseas. The statement actually considers that there needs to be a secure, reliable and affordable gas supply to support economic development, to create jobs in the State and the need for certainty around communities around future land use. The New South Wales Government has always been clear, and it has always been clear in its policy positions about where future mining and gas development may occur and will not occur. This has delivered significant outcomes for the community.

**Ms ABIGAIL BOYD:** Can I stop you there because I need to pick you up on two of those comments. The first one is, in the *Future of Gas Statement* it says in the foreword:

The NSW Government will significantly reduce the total footprint of land covered by Petroleum Exploration Licences, resolving historic land use conflict and providing certainty for both gas users and local communities.

That is in the Government's *Future of Gas Statement*, is it not?

**Mr PAUL TOOLE:** Absolutely.

**Ms ABIGAIL BOYD:** In April last year John Barilaro was on various different media channels. He told Ben Fordham on 22 April 2021:

There's no turning back.

This is about banning and ending any chance of mining on the Liverpool Plains.

The government will move to legislate the prevention of any future mining on the land.

It was made very clear to the people of the Liverpool Plains that mining would no longer be a prospect for them, and yet just last month you renewed the petroleum licences for Santos. Why did you do that?

**Mr PAUL TOOLE:** In a moment I will hand over to Ms Beattie to provide some additional information, but I do want to say this: This statement, that actually came from this Government, also indicates that we are reducing the amount of PELs that were across this State by 77 per cent.

**Ms ABIGAIL BOYD:** Half of the Liverpool Plains, Minister, is now covered by PELs.

**The Hon. WES FANG:** Chair, I hate to interject, but the Minister is providing a very detailed answer to what was quite a complex question from Ms Boyd. I think it is reasonable that the Deputy Premier be provided an opportunity to provide his response to that question first before subsequent questions are asked.

**Mr PAUL TOOLE:** I know that the previous Deputy Premier was also indicating that there would be no coalmining and actually ensured that there was an end to coalmining on the Liverpool Plains, and that was through Shenhua.

**Ms ABIGAIL BOYD:** No—

**Mr PAUL TOOLE:** Sorry, as you would be aware, there was a negotiation and a settlement that actually had been sorted in relation to coalmining on the Liverpool Plains.

**Ms ABIGAIL BOYD:** Minister—

**Mr PAUL TOOLE:** We are talking about seven main PELs. There are three that have actually been renewed partially, there are three that have been refused and there is one that is still under assessment. I make the point again that we have actually reduced the number of PELs that were across this State by 77 per cent.

**Ms ABIGAIL BOYD:** Minister, you are not really responding to my question. The former Deputy Premier made it very clear to the people of Liverpool Plains that there would be no mining. Mining, from a government perspective and from a community perspective, is not limited to coalmining; it also includes coal seam gas. You have now approved the renewal of three PELs that cover over half of the 1.2 million hectares of the Liverpool Plains. How is that not a complete reversal of the Government's position?

**Mr PAUL TOOLE:** Again, I say to you in relation to Shenhua, these are exploration licences, as you are aware. So this does not give any guarantee that mining licences will be approved. When you see an exploration licence, that allows them to explore. But I want to make sure that you understand that this is no green light for mining.

**Ms ABIGAIL BOYD:** I understand—

**Mr PAUL TOOLE:** There is a rigorous process that would have to be undertaken for any mining to take place. In a number of cases, a lot of these do not go anywhere. In a lot of cases—

**Ms ABIGAIL BOYD:** Minister, the *Future of Gas Statement* and your response to my question, when I first asked it at the beginning of this session, was that the Government's intention was to provide certainty for communities and corporations alike. What certainty do you think you are giving the people of the Liverpool Plains when you allow exploration licences across half of the land?

**Mr PAUL TOOLE:** I am glad we have cleared that up because now you have actually agreed with me that this is an exploration licence. I am actually glad that you are now agreeing with me that this has not been a green light for mining activity. Now I have actually got you—

**Ms ABIGAIL BOYD:** Again, I understand how the Mining Act works, Minister.

**The Hon. WES FANG:** Chair—

**The CHAIR:** Just allow the question to go on, please. The Minister is dealing with it properly.

**Ms ABIGAIL BOYD:** Is it your evidence then, Minister, that you grant exploration licences in the context of there being absolutely no chance that it will ever actually eventuate into a mining proposal? Is that what you are trying to say? The exploration licence is just an exploration licence; it does not give any indication that that land might be mined in the future. Is that your evidence?

**Mr PAUL TOOLE:** My evidence is that I am not the determining body or factor when it comes to actually approving mines, so let us be very clear about that. There is a process that actually has to be undertaken. But in relation to exploration licences, that is not a green light for mining activities, as I have indicated to you before.

**Ms ABIGAIL BOYD:** Haven't the people of the Liverpool Plains been through enough with all of the previous mining proposals? Haven't they been through enough without now having to also subject them to the renewal of three exploration licences, which threaten half of their land? Haven't they been through enough?

**Mr PAUL TOOLE:** I make the point again to you that this is about ensuring that open coalmining was not going to take place on the Liverpool Plains. That commitment is being honoured. This is also about ensuring that an agreement had been made in relation to Shenhua. We have removed open-cut mining as well, as approved.

**Ms ABIGAIL BOYD:** This is a very slippery response if I may say, Minister.

**Mr PAUL TOOLE:** Slippery because you do not like the response, let us be clear.

**Ms ABIGAIL BOYD:** No, because you are not—

**Mr PAUL TOOLE:** No, because you have come in here and told me that we were mining and then I actually explained to you that it is an exploration licence and then you have now had to agree with where my position was.

**Ms ABIGAIL BOYD:** Can I just take you back because I said to you earlier that John Barilaro told Ben Fordham, "This is about banning and ending any chance of mining on the Liverpool Plains." You have now inserted "coalmining". He said that it is about banning and ending any chance. Is it your evidence that by renewing these exploration licences there is no chance of mining occurring on the Liverpool Plains? That is a ludicrous assertion.

**Mr PAUL TOOLE:** Do not put words in my mouth because that is not what I said. I actually said there was a process that would have to be undertaken. An exploration licence is not a green light for mining activities to occur.

**Ms ABIGAIL BOYD:** But it is a chance of mining on the Liverpool Plains. It is in direct contradiction to the promise that was made by your predecessor to the people of the Liverpool Plains.

**Mr PAUL TOOLE:** You mentioned before about a viable industry. When you have a look at families and businesses out there with the cost of living pressures at the moment, New South Wales has also got to be looking at how it is going to be supplying its own gas without relying on gas from other jurisdictions or from overseas. We also know—

**Ms ABIGAIL BOYD:** So you are now acknowledging that you have a reversal of position when it comes to the Liverpool Plains.

**Mr PAUL TOOLE:** Sorry?

**Ms ABIGAIL BOYD:** You are reversing your position. On one hand you are saying, "No, this is not a green light. There won't be any mining"—

**Mr PAUL TOOLE:** No, I am not reversing my position. My position is what I have already said.

**Ms ABIGAIL BOYD:** So you are then admitting that you are reversing the commitment that was made by John Barilaro that there would be no chance of mining on the Liverpool Plains.

**Mr PAUL TOOLE:** No coalmining, yes.

**Ms ABIGAIL BOYD:** That is not what he said; he said mining.

**Mr PAUL TOOLE:** Sorry, no coalmining.

**Ms ABIGAIL BOYD:** So you are changing the position of the Government?

**Mr PAUL TOOLE:** Our *Future of Gas Statement* makes it very clear as to our position.

**Ms ABIGAIL BOYD:** You are not really complying with the *Future of Gas Statement* either.

**Mr PAUL TOOLE:** I have answered your question.

**The CHAIR:** We will come back to those important question, Ms Boyd.

**Mr JUSTIN FIELD:** Good morning, Deputy Premier, can you hear me?

**Mr PAUL TOOLE:** Yes, I can. Where are you?

**Mr JUSTIN FIELD:** I am down on the South Coast. It is a beautiful day here today. Thank you for your attendance today. I think last time we were here you confirmed that the Government was not going to proceed with making available a coal exploration licence in the Hawkins-Rumker strategic release area. I was wondering, Deputy Premier, if you might have some good news for the people of Rylstone and Mudgee today about the Ganguddy-Kelgoola project, which I know has been going through a PRIA process at the moment.

**Mr PAUL TOOLE:** Thank you for your question, Mr Field. Can I firstly highlight a couple of things before I come back to your question in relation to Ganguddy-Kelgoola? Again, the future of coal statement identifies areas where this Government may actually see a release of a limited number of areas for coal exploration under the Strategic Release Framework. I also affirm the Government's support for operational allocations. The New South Wales Government also recognises that coal will have a finite lifespan as an energy source. This approach strikes a balance between supporting responsible coal development in areas that are suitable for mining, while recognising the need to support and diversify the economies of coal-reliant communities. In respect to this, the New South Wales Government will continue to consider responsible applications to expand or extend existing mine operations.

Also in our future of coal statement, we recognise that there are some areas where coalmining may not be appropriate. We have already said that we have ruled out a large portion of the State's coal regions for proactive release. Last year I actually ruled out the Hawkins-Rumker potential release areas for strategic release, and the New South Wales Government has since considered the appropriateness of some other potential greenfield areas. Mr Field, you would be pleased to know that I am also now ruling out the Wollombi and Ganguddy-Kelgoola potential coal exploration areas from strategic release, as well as the Wollar area, which was previously considered under competitive allocation. These three areas will now be removed from the map related to the *Strategic Statement on Coal Exploration and Mining in NSW*. This position aligns with the recommendations that I have actually received from the Advisory Body for Strategic Release.

Again, Wollombi, as part of that report, is suggested as not being suitable because of significant land-use conflicts, environmental and cultural constraints, and uncertain economic prospects. Ganguddy-Kelgoola is not suitable because of uncertain economic prospects, and significant infrastructure, environmental and cultural constraints. In relation to the Wollar area, it is being removed from further consideration because I have now approved the Wilpinjong operational allocation application, which means that the Wollar area can no longer support a standalone coalmine. This area received limited market interest through a competitive process last year. Now that a more limited area has been approved for exploration under the operational allocation framework, it is appropriate the larger area be ruled out for future greenfield coal exploration, providing certainty to the industry and community. I think this strategic approach strikes the balance between supporting responsible coal production in areas that are suitable for mining and recognising that some areas across the State may no longer be suitable as greenfield sites.

**Mr JUSTIN FIELD:** I am glad I could give some of my time this morning to you for your media statement. You could have just put out a media release and saved us all, but I am sure the community up there appreciates that—maybe not so much those around Wollar, though. We will see the extent of that release.

**The CHAIR:** Sounded like a Dorothy Dixier to me.

**Mr JUSTIN FIELD:** Deputy Premier, would you agree that greenfield coalmining is over in New South Wales?

**Mr PAUL TOOLE:** I think our future of coal statement makes it clear that this is primarily now about expanding and extending existing coalmines, and we have actually found from speaking with industry, as well, that that is going to be primarily the pathway that we see. Mr Field, I think you will find now that coalmines, rather than looking at greenfield sites, will be looking at where existing mine sites are and looking at whether they can extend or expand that site where they currently operate from.

I do want to point out, though, that let us not forget the mining sector is still critical here in New South Wales. It is still critical in relation to providing cheap and sufficient power in this State, but it also is critical in providing a lot of jobs in a number of communities around New South Wales, and it is certainly an economic driver of those communities as well. But we also know that in some cases, as I said, it is a finite resource and it is absolutely critical that we ensure that those communities are supported as well, as they move away from coalmining. That has been indicated by this Government by our Royalties for Rejuvenation bill, which has now been put into the lower House and which I know will go to the upper House for consideration once we return back to Parliament.

**Mr JUSTIN FIELD:** But given there was not a sufficient commercial interest in the Wollar release area broadly—and I think the same thing effectively has happened with Gorman North going through operational release to Whitehaven—the industry has pretty much made the decision here that greenfield coalmining is over in New South Wales.

**Mr PAUL TOOLE:** I think you have actually seen that there is a lot less interest. I think when you have a look at environmental and cultural constraints and the economics around that, it certainly seems that we are heading in a new direction in relation to coalmining here in the future of the State.

**Mr JUSTIN FIELD:** I might come back to Gorman North a bit later if I have time, but I want to ask you about the Hunter expert panel which is being set up to look at the economic transition for that community as coalmining in the valley inevitably winds down. There is real concern about the transparency around how that panel is operating. I think they are due to hold their third meeting shortly, and there is still no information available about the terms of reference. Agendas and minutes have not been published; the information that has been considered by that expert panel is not public. Minister, what is your expectation about transparency around how that panel operates?

**Mr PAUL TOOLE:** When we have panels that have been appointed—let us not forget that when we are talking about the Hunter area, we know that over the next decade and beyond it is going to need to ensure that we look at what those future activities might be within those local communities. That is why with any panel, it is important to still have a range of skills in relation to how the panel is formed. But it is my expectation that we are talking about, importantly, the future of those communities. Whilst we have a panel, I am sure that there are stakeholders and community members that are also going to have a fairly significant say in relation to what is required in those areas. It is not just the Hunter; I will also point out that it will be the Central West and the Illawarra areas as well that will be having expert panels appointed to ensure that those communities are given every opportunity to ensure that there is a strong future within those local areas.

They have an important task. My expectation is that they are looking at the future of those communities as they go into new activities. Again, I do not want to wait until we actually see the end of mining in some of these communities. I want to make sure that we are well and truly ahead of the curve. This is thinking about what needs to happen now, rather than waiting for us to actually get to that point at the very end and then starting to think about what is needed. Even though it might be 10 years or more in some of those communities, let us start the planning now—because that is how long it will take to get the best outcome—start putting in infrastructure and start putting the requirements that are needed for new industry into those communities, leveraging off some of the existing jobs as they start to fall away, as well, for retraining and other purposes.

**Mr JUSTIN FIELD:** I think there is broad agreement about that, Deputy Premier. There are some concerns around its membership, but it is more its operation. People welcome it and think that we need to get ahead of the ball here. But for the community to have trust in it and for it to have legitimacy in its decision-making, it needs to be a transparent process. At the moment none of the minutes, none of the agendas, none of the information being considered nor the terms of reference are available to the public to see. I am after an undertaking from you, Minister, that this panel will be transparent and publish its considerations.

**Mr PAUL TOOLE:** There may be some sensitive stuff and there may be some stuff in relation to commercial interests, as well, that may not be able to be published, Mr Field. But I would certainly be expecting those expert panels to keep the community informed as to some of the directions they will be undertaking into the future for those areas. There are four areas where those expert panels are going to be established, and it is absolutely critical that they come back and actually talk to the community and inform people as to what their direction might be. But I also want to make sure that we are all working on the same page and all wanting the same outcome at the end of the day. I do not want to find that we are sitting there for a couple of years arguing about what is right and what is wrong and then in 10 years we have not moved anywhere. This is about making sure there is a progression here, and we are thinking about the future of those communities and making sure that they are progressive into the future.

**The Hon. WALT SECORD:** Minister, we ended our questions talking about operations in south-west Sydney and western Sydney, and you gave some data and some information about the number of arrests and charges. What percentage of those charges and arrests actually turn into convictions?

**Mr PAUL TOOLE:** I do not have that information in front of me, Mr Secord.

**The Hon. WALT SECORD:** I will tell you why. There is probably a reason you do not.

**Mr PAUL TOOLE:** I am not in charge of the courts as well, but I know that there is nothing more frustrating when our police are out there working tirelessly to keep our community safe. When you go and speak to these men and women and see what they do in those communities—

**The Hon. WALT SECORD:** I do.

**Mr PAUL TOOLE:** I do too, so don't you worry. I have been to many, many stations across this State, walking through and talking to the men and women that work within those places. We need to make sure that when they do make these arrests, it is important that the courts are throwing the book at these individuals who are involved in activities that do not suffice or are not what we want to see in local communities. I actually have no problem with the book being thrown at these individuals who have no care for people's safety. They have no care

for people's lives, and they are disrupting communities. We have got a situation at the moment whereby—and it has been going on for years, so let us not say that it has only been happening in the last couple of years.

I read the other day about one of the family members of someone who was shot. It did not just happen now. I read about one back in 2016 that occurred in a shopping centre. Some of these public shootings have been going on for a while, but I want to—

**The Hon. WALT SECORD:** Sorry, Minister, you are just illustrating my point. You have been in government now coming up to more than 10 years—12 years—and you just pointed to an incident in 2016, so you have to understand the frustration in south-west Sydney and western Sydney when we see gangs shooting each other on the streets. I do not care if they kill each other, but I do care if they shoot an innocent bystander going to work, coming home from work or taking their kid to school. You can understand that western Sydney is very frustrated. When are we going to see a curtailing of gang violence on Sydney streets?

**Mr PAUL TOOLE:** Again, I will hand over to the commissioner in a moment for a response and also Mr Hudson, as I said in our previous questioning, but I do make the point, there were 250 people arrested, there has been 800 charges that have been laid, and let us—

**The Hon. WALT SECORD:** Yes, but how many of those turned into convictions.

**Mr PAUL TOOLE:** Hang on.

**The Hon. PETER POULOS:** Mr Chair.

**The Hon. LOU AMATO:** Point of order—

**The Hon. WALT SECORD:** I am sorry, gentlemen, he throws around figures. You can load up the charges but I want to see people behind bars.

**Mr PAUL TOOLE:** I am not responsible for the courts at the end of the day.

**The Hon. WALT SECORD:** When will we see that?

**The Hon. PETER POULOS:** Mr Chair—

**The Hon. LOU AMATO:** Let him answer the question.

**The CHAIR:** Order!

**Mr PAUL TOOLE:** I am not responsible for the courts; let us be very clear on this. But I also want to make sure that our police are supported, and there is nothing more frustrating when our police go out there and do the incredible work that they do and then we see some of these individuals being let off with a slap on the wrist. I want to see them locked up; that is where they deserve to be. They deserve to be off our streets here in this State. And I also—

**The Hon. WALT SECORD:** Minister, you and I are in agreement on that.

**Mr PAUL TOOLE:** We are on the same page then.

**The Hon. WALT SECORD:** We are on the same page, but I have a question.

**Mr PAUL TOOLE:** Yes.

**The Hon. WALT SECORD:** You are talking about the frustration that police feel about people being let out on bail.

**Mr PAUL TOOLE:** Yes.

**The Hon. WALT SECORD:** Okay, so we share that view.

**Mr PAUL TOOLE:** Yes.

**The Hon. WALT SECORD:** But you are the Deputy Premier of New South Wales. What are you doing to agitate for tougher bail laws in New South Wales? You are the Deputy Premier of New South Wales, so you have the second most senior seat in the Cabinet. You can talk about the revolving door of bail, but what are you doing to toughen bail laws? Yesterday a person was released with an ankle bracelet as a bail condition—a member of a bikie gang. What are you doing as the Deputy Premier of New South Wales to toughen bail laws? I share the frustration of police. What are you doing?

**Mr PAUL TOOLE:** First of all, I make the point that I will back our police in. I might be the Deputy Premier, but I will back our police in. If we can do more here for them, rest assured that when I see the amount of time and effort that they put into the paperwork to actually get these individuals into court and then they actually

get out from time to time, I will actually support them. I note there has been a bail laws review that has been undertaken by the Attorney General and I will support the submissions and I will support the advice that has been given by the New South Wales police in relation to this matter. Again, you speak about gangs and I want to point out that, whilst you might not hear about some of the activities all the time, when you take 70 guns off the street, they are 70 guns that have been taken out of the hands of criminal networks. That is the good work that our police are doing.

**The Hon. WALT SECORD:** Sir, with all due respect—

**Mr PAUL TOOLE:** Hang on.

**The Hon. WALT SECORD:** —70 is a drop in the ocean. You cannot sit hear and simply say, "We have removed 70 guns," and then say—

**Mr PAUL TOOLE:** No, that is not what I said. What I said to you was 70 guns have been taken off the streets now. That is still a lot of firearms that are in the hands of individuals who should not be holding a gun. That is 70 firearms that have been found in people's cars, in people's homes, who actually do not and should not be holding a gun. We also know that when we are talking about these gangs, these are organised crimes. They cost billions of dollars here in the State, but we know that these individuals themselves have no care or respect for law and we will break it. I am telling you now, we will ensure that our police are supported to break these criminal networks and these activities.

Whilst you might have one particular family or individual or organisation or group that actually is taken out, there is always the worry and the concern that there is another organisation and another family group that actually steps up into that place. But the message is strong: We do not care who they are. These operations will last as long as they need to and these operations will continue as long as they have to in order to ensure that we actually stamp out these activities and these behaviours.

**The Hon. WALT SECORD:** Sir, in your answer you have just said "one family group", so you know who these individuals are, who these groups and families are. Why—

**Mr PAUL TOOLE:** They have been highlighted in the media. Their names have actually been out there in the media, so I am not telling you anything, Mr Secord, that is not already out there publicly. I am not going to sit here—

**The Hon. WALT SECORD:** You have to understand—I will ask the question. You have to understand the frustration that families tell me of in western Sydney. If you know who these families are, who these groups are, why are they not behind bars. You are the Deputy Premier of New South Wales; you could even point to them. Why are they not behind bars?

**Mr PAUL TOOLE:** I think, you know—

**The Hon. WALT SECORD:** Maybe the commissioner could answer.

**Mr PAUL TOOLE:** I will get the commissioner to answer in a moment and Mr Hudson if he wishes to as well, but—

**The Hon. WALT SECORD:** It is a very simple question.

**Mr PAUL TOOLE:** Our police are out there working and, yes, we are breaking those networks up out there, but I need to point out to you as well, let us not get into the position where you are saying "just in south-west Sydney". As I said to you, as the Minister—

**The Hon. WALT SECORD:** It is a statewide problem; you are right.

**Mr PAUL TOOLE:** I said to you, as the Minister, I do not want to create this east versus west divide, and that is what you are doing. You are creating an east versus west divide. What I am talking about is—

**The Hon. WALT SECORD:** I am highlighting—

**Mr PAUL TOOLE:** Well that is what it sounds like.

**The Hon. PETER POULOS:** Point of order, Mr Chair.

**Mr PAUL TOOLE:** I am talking about safety across the State.

**The CHAIR:** There is a point of order.

**The Hon. PETER POULOS:** Mr Chair, we—

**Mr PAUL TOOLE:** I will get the commissioner—



**The Hon. WALT SECORD:** Mr Poulos has taken a point of order.

**The CHAIR:** I will listen to the point of order.

**The Hon. PETER POULOS:** Mr Chair, could I just invite your consideration. Mr Secord is very experienced, he asks the question, there is a pause, there is an opportunity for the Minister or any witness to respond accordingly. The interjections during the course of the questioning are unhelpful.

**The CHAIR:** I agree, interjections are disorderly.

**The Hon. WALT SECORD:** Thank you, Mr Chair. On that note, Mr Deputy Premier, you said that I am making it east versus west. I am sorry, the data from your own Government obtained under freedom of information shows that the slowest response times for urgent priority 1 calls are in western Sydney—15, 16 out of 20 police area commands and districts. These are the facts, and we have gangs in western Sydney shooting each other with impunity. It is not east versus west; it is factual. This is what is happening. Why is your Government not responding to this?

**Mr PAUL TOOLE:** We are responding. I think I have answered, but you did ask before if the commissioner wanted to add anything, and I will just ask the commissioner if she wishes to add anything and then I might see if Mr Hudson wants to add any additional info as well.

**The Hon. WALT SECORD:** Thank you, Mr Deputy Premier.

**KAREN WEBB:** Thanks, Mr Secord. Firstly, I would just like to acknowledge all the police officers that are working 24/7 in commands right across this State but particularly, as you highlighted, in western Sydney. They are 24/7 in every command you can think of across every postcode and every suburb, and not just at local area command level but at the regional level where Strike Force Hawk has been established and other operations like it, which forms together general duties, operational, support group officers, raptor officers, detectives and others. That is at that mid level, and then at the serious and organised end Mr Hudson is responsible for State Crime Command and those specialist commands to support major crime investigations.

I just want to acknowledge all the officers who are working around the clock on these issues, and there are a number of strike forces. I will ask Mr Hudson to comment in a moment, but some of those organised crime networks are not just the nucleus of one family but many associates with that—I think as large as 300 individuals, so certainly a number of people. But those tasks and operations that are ongoing around the clock are checking on firearms prevention order compliance et cetera, knocking on doors, making sure that they are complying with the orders that are in place to protect members of the community. We are targeting those individuals to make sure our response is towards those that we consider at risk of offending and associates of those families. I will hand over to Mr Hudson to add to that.

**DAVID HUDSON:** Thank you, Commissioner. Thank you, sir. I share concern in relation to the activity that is going on, and all police officers do. In response to that, we have a lot of proactive operations in existence. What has happened over the last probably two years—and I think there have been 11 organised crime homicides in south-western Sydney, which is unacceptable and we understand that. What needs to be understood, though, is that when people—as you indicated, Mr Secord—say, "There are two families involved; why aren't they under arrest?", there are over 300 individuals linked to these networks. Many particularly violent actions of these groups are outsourced to other people, which extends to those groups. The majority of the activity links back to illicit drug supply.

In a targeted approach, it is not just Raptor, Criminal Groups and, in a response mode, Homicide that relate to these activities. It is also the Organised Crime group, Drug and Firearms Squad and many other units of State Crime that are involved in suppressing the activity by limiting the drug supply that these people have access to. We have conducted major operations over the last two years. We have had, on over two days in late January, over 1,000 police on the street. It is about suppressing the individual's activity before they have an opportunity to commit a violence offence.

We do build up rapport with some of these individuals. I think it has been reported that we actually warned the victim last week of what might be in store for him when he returned from Lebanon. He was approached by the Criminal Groups Squad, who indicated to him that the threat that existed prior to his departure from Australia still existed. He responded that he was in search of an armoured vehicle to protect himself. He responded that he only stayed at certain premises for 15 minutes at a time to diminish the risk, and as soon as Ramadan was over he would be returning to Lebanon. He was only in Australia to collect on debts that were owed to him. The very nature of the activity makes himself a target. We cannot help that.

Being aware of the conflict out there, we had proactive patrols. Raptor is over 100 strong now. They have almost exclusively been tasked to this conflict with some peripheral outlaw motorcycle gang work. Raptor were

the first cars on the scene at that homicide last week and they actually administered CPR before the ambulance arrived. I certainly understand the concerns of residents of western Sydney. I share those concerns. When we see innocents—and it has happened, where we had the murder of an individual leaving the boxing at Hurstville early last year, a mistaken-identity homicide, and also drive-by shootings at childcare centres where the outcomes could have been quite tragic—we are very alert to that. We are well aware of it. I know that I am not the only one in this organisation that loses sleep over this. The people at State Crime and at south-west Sydney, supported by south-west region command in Operation Hawk, are looking at all options in relation to bringing this violence to an end.

**The Hon. WALT SECORD:** Deputy Commissioner Hudson, you used a word that startled me. You said the "conflict".

**DAVID HUDSON:** Yes.

**The Hon. WALT SECORD:** You used the word "conflict". Is it a war on the streets? When you say "conflict", that is an internationally recognised phrase.

**DAVID HUDSON:** "Conflict", to my mind—if I meant war I would have said war, Mr Secord. Conflict, in my mind, is a dispute or escalated dispute. There is certainly conflict between certain groups in Sydney. One of the things that makes it very difficult post-event to investigate some of these matters is that it is not just two warring families that are involved. As I said, many of the jobs are outsourced to others. People in the criminal milieu make a lot of enemies, not just one criminal group. When a homicide happens, it is not that we can only focus on one set of individuals to try and resolve that matter. You have to spread the net very wide and focus—and narrow that focus—onto who we believe might have done it. But we need to eliminate others along that pathway as well. They are exceptionally resource intensive and very complicated, and normally met with a wall of silence. We rely heavily upon our NSW Crime Commission colleagues in relation to that as well.

**The Hon. WALT SECORD:** Sir, you used another phrase. You used the phrase "suppressing". Is that a recognition that all you can do is hope to manage rather than eradicate these groups?

**DAVID HUDSON:** A lot of the activities we engage in across all crime types are in relation to suppression. I liken it to, if you do not tend to your garden, you get weeds. It is tending to your garden. They execute a number of firearms prohibition orders. We try and take out individuals. If we cannot get them for the substantive crime then we will try and arrest them for something else. On many occasions that has been for the protection of the individuals themselves. We have actually arrested people and escalated arrest procedures because they were under threat and they were not taking their own safety seriously. We did arrest a couple of people towards the end of last year for their own safety and, as I said, fast-tracked some investigations into illicit drug supply so that they would not become additional victims of gangland homicide. On a number of occasions we have also prevented homicides. A reprisal was expected in relation to the homicide last week and we became aware of that. We arrested an individual on quite low-level offences to ensure that could not take place.

**The Hon. WALT SECORD:** Sir, what is the reaction when you arrest a hardened criminal to protect them? What is their reaction?

**DAVID HUDSON:** Well, we do not tell them we are arresting them to protect them. We do have a substantive offence which will keep them in custody. It is about fast-tracking those investigations when we become aware of a threat and prioritising them over, perhaps, others when there is a threat involved against that individual.

**The Hon. WALT SECORD:** This is probably to you or the Commissioner: Are there any gaps in the laws at the moment that hinder your response to gangs and gang activity?

**DAVID HUDSON:** I do not think we have any proposals currently before the Government in relation to operational activity. Certainly we have had discussions with the Deputy Premier in relation to legal issues on the periphery of that in relation to unexplained wealth and money laundering, and also in relation to a scourge, which a lot of these groups communicate by, which is a dedicated encrypted device.

**The Hon. WALT SECORD:** Thank you, sir. With the indulgence of the Committee, I would like the Commissioner and the Deputy Commissioner to communicate to officers that this is not an attack on hardworking officers. I am just holding the Government to account.

**KAREN WEBB:** Thank you.

**The CHAIR:** You do not want any speeding fines, is that what you are saying? Just to clarify something, Mr Hudson: Can you please confirm that these gang members who shoot each other in their gang wars, obviously, are not licensed firearms owners?

**DAVID HUDSON:** I can guarantee that, Mr Borsak.

**The CHAIR:** Okay. The firearms that you were referring to—and also I know the Minister was making great play of the fact that there were 70 firearms rounded up in this most recent activity—were not registered?

**DAVID HUDSON:** That is correct.

**The CHAIR:** Thank you. Minister, have you had a chance to visit the registry at Murwillumbah yet?

**Mr PAUL TOOLE:** Not yet. Not in my four months as the Minister. I have been up north, though, as you would be aware, on a number of occasions. Obviously my priority has been visiting those who have been impacted by the floods, but I have also visited a number of police stations within that area around Taree, Foster and Lismore. The registry itself was also flooded so I am keen to go up there on one of my next trips as well.

**The CHAIR:** You do intend to visit the registry soon?

**Mr PAUL TOOLE:** Absolutely. As I go around the State, not only in regional New South Wales, I am visiting as many assets and stations as I can. Obviously the firearms registry will be part of my visits as well as I am travelling around.

**The CHAIR:** You say it was flooded. Has it been fully restored now to full operational capability?

**Mr PAUL TOOLE:** I would have to ask Mr Hudson if that is—

**The CHAIR:** I see you nodding there, Mr Hudson.

**DAVID HUDSON:** Yes, sir. It is back to full capacity but it has also had many COVID issues up there as well.

**The CHAIR:** Yeah. Okay. Thank you. Minister, have you been briefed about persistent problems with the registry—for example, extensive delays in completing internal reviews and all sorts of other issues?

**Mr PAUL TOOLE:** Obviously, one of the briefings I have had is around the Firearms Registry. I have understood that there has been a lot of work that has been undertaken over the past 12 months. I am aware that there was a bit of a backlog. I have to also note that the police did put on additional staff with the Firearms Registry. They also have Gun Safe, which is now an online portal which actually can speed the process up. So whilst we also might say there are some delays, I have to also say that there have been some important measures that have been undertaken to address this as well.

**The CHAIR:** Thank you. Minister, the NSW Police Force has, quite rightly, dedicated and appointed corporate sponsors to support many community activities and groups, including, for example, mental health, domestic violence and so on. Yet I have never seen anyone in the NSW Police Force publicly support lawful, responsible firearm ownership. Will the NSW Police Force appoint a corporate sponsor for the Firearms Registry and come out and publicly support and sponsor safe and responsible firearm ownership use?

**Mr PAUL TOOLE:** I think, first of all, let me just say that my response as the Minister is it is always going to be—I know I always recommend and support responsible ownership. At the end of the day, those who actually have got firearms in their hands I think are responsible whether they be landholders or whether they are farmers. They use them as a tool of trade. Obviously, there are important checks in relation to those that actually carry firearms, but I would actually say that those that end up with a firearm in most cases are responsible firearm holders.

**The CHAIR:** Should it not be in all cases?

**Mr PAUL TOOLE:** I have to say that there is always going to be an exception to the rule and there is always going to be those individuals that we would raise concerns about in relation to holding a firearm. Sometimes that might also be why there are delays in relation to the Firearms Registry. We also know that there are checks that have got to be undertaken on individuals. It might be because of their previous record. It might be because of health as well. So I think we have got to also be mindful that there are some instances around some individuals and members that actually might be applying for a licence that really need to ensure that there are proper balances and checks in relation to that application.

You would also be aware now that—and we have had discussions as well and I have also spoken with many stakeholders—we have also undertaken a review of the Firearms Registry. That review is going to take place over the next three months. You would also be aware that that is going to be led by Geoff McKechnie—someone who has had 33 years of policing experience—and he is also going to be having a look at how the Firearms Registry works today; what are some of the good practices that have been introduced and certainly have made a difference, but what are some of the other things that we could potentially look at as well in improving

the way in which things are being done. That might be things like having a look around the IT that is available. It might also include looking at streamlining it.

We are talking about 245,000 licences here across the State—licensed gun holders—with over a million firearms that are actually been given here as well. That is about looking at what other enhancements can be undertake, what other functions may be able to be done at the Firearms Registry in relation to this matter, IT solutions, what controls and safeguards are in place for handling sensitive information and just having an overall view of the operations of the Firearms Registry and the framework around it.

**The CHAIR:** I think, just getting back to the core of my original question, why is it that certain legal firearms ownership is often characterised by police PR as just another part of the quasi-criminal world and enforcement is the only way that you can deal with legal firearms owners? Why do we not have corporate sponsorship from the police that actually talks about the good and the decent people who have firearms and how they got those firearms licences and retain them?

**Mr PAUL TOOLE:** They had a profession. It is responsible. I know that. I actually say to you again: Landholders and farmers and those that are actually undertaking activity around pest control and dealing with vertebrates—things like wild pigs—I would say that they are responsible firearm and licence holders. At the end of the day, they have an important task to undertake in relation to this area.

**The CHAIR:** Should the police not be confirming that in their interactions? There has definitely been a change in police attitudes when they turn up in people's homes now. It is a very officious, very hard, very unfriendly, and that is a major change in attitude, especially since 2018-19 since the Firearms Registry was put directly in control of sworn officers. It has completely changed. Police turn up in your home and they actively seek to make it an enforcement exercise instead of a PR exercise going through their requirements. It is not as friendly as it used to be, Minister.

**Mr PAUL TOOLE:** Yes. I am taking what you are saying in relation to that, but we also still know that the police have an important role here to undertake in relation to checking on where guns are kept in premises as well.

**The CHAIR:** Certainly—100 per cent right—and that should be continued.

**Mr PAUL TOOLE:** But we can always have a look at that. At the end of the day, we can have a look at that. I do not want to sit here and say that is an assertion over everybody because that might be an unfair comment to make because there are probably some that are quite friendly and responsible in relation to how they handle this as well.

**The CHAIR:** Thank you. Commissioner, just some questions to you relating to officers who have been terminated due to COVID-19 vaccine mandates. Is the NSW Police Force intending to remove the vaccine mandates?

**KAREN WEBB:** Not at this stage, sir. We actually, instead of relying on a public health order at the beginning of the pandemic and in September last year when we made the announcement it was based on our own health and safety risk assessment, which is very thorough. So we required that officers had doses one and two and would strongly encourage dose three because at the time we were faced with Delta. We have since been dealing with Omicron and, whilst it has obviously affected our workforce, it has not caused the level of illness that previous variants have done. So we have adjusted the risk assessment according to the variant and the conditions of the time. Other than removing the requirement, as is our duty, we have a big requirement—a public-facing duty—and I would hate to think that a police officer who was unvaccinated passed on corona to my elderly mother and led to her death. Certainly, we have a responsibility as officers and as a community.

**The CHAIR:** I assume you have this under review all the time?

**KAREN WEBB:** I do.

**The CHAIR:** You do. Okay. Thank you. How many vaccine contraindications were submitted to the NSW Police Force? Of those, how many did the NSW Police Force accept as valid?

**KAREN WEBB:** Yes. I will just get that data for you. I actually do not have it in front of me but I know it is a small number.

**The CHAIR:** Would you like to take it on notice?

**KAREN WEBB:** I will take it on notice, yes.

**The CHAIR:** And if we could get it from someone before we finish today, that will be great, thank you.

**Mr PAUL TOOLE:** I have that if you want me to share it.

**The CHAIR:** You have got it? Yes, thank you.

**Mr PAUL TOOLE:** So the vaccination status of police officers—obviously, the mandate was implemented on 7 September 2021—vaccination rates up until 11 January 2022, police that were exempt was 42 and for administration staff it was 25.

**The CHAIR:** Okay. All right. What has the NSW Police Force done to support the mental health of officers who have been stood down, Commissioner?

**KAREN WEBB:** The officers have the opportunity to—the officers are not stood down; they have taken leave; availed themselves of leave that has been available while they go through the process, and they have a right of appeal to the IRC. Many of those matters are still in the throes of those decisions, so they are still current.

**The CHAIR:** I am sorry. I do not think that answers the question, does it? I mean, what are the police actually doing to support them?

**KAREN WEBB:** So all the services that are available to our officers normally are still available to these officers that are at the workplace. Whether it is corona leave or any leave, there are support services always available to the officers.

**The CHAIR:** Is it leave without pay? Do they get paid while they are going through this?

**KAREN WEBB:** There would be a variety of different cases at different times. Some officers would have quite a bank of sick leave that they have availed themselves of. I would have to take that on notice whether there is any—

**The CHAIR:** Can you tell me please what happens when they have run out of all forms of leave, where they go after that if they are still in the process of being exited from the police? Given that in March 2021 both the New South Wales Police Association and the NSW Police Force stated that vaccines would not be made mandatory, who made the decision to mandate vaccines?

**KAREN WEBB:** That was a decision of the former commissioner based on the risk assessment conducted at the time. When I was the Deputy Commissioner of Corporate Services and in charge of HR and other areas of the organisation, I reaffirmed the need for mandating the second dose based on the change in circumstances, and before the introduction of that there was consultation with the workplace through the union.

**The CHAIR:** How many New South Wales police staff members have been stood down and/or terminated due to mandates, and how many years of experience are estimated to have been lost due to mandates?

**KAREN WEBB:** I do not have the number of years lost, but the number of officers removed was 17 under that removal process. In addition to that, 19 have filed an appeal at the IRC. Others I have just given letters to, and six have resigned.

**The CHAIR:** How much is it estimated to be costing the New South Wales Government in legal costs given that most of those who are terminated are fighting their termination?

**KAREN WEBB:** I will have to take that on notice.

**The CHAIR:** Minister, regarding category D firearms, following the Bankowski decision in mid-2020, I have been trying to get some sensible and meaningful progress on making fit-for-purpose category D firearms available to category D firearms licence holders. Can you tell me if there has been any progress in that matter?

**Mr PAUL TOOLE:** Yes, absolutely. Again, this is a matter that we sat down and discussed in relation to category D firearms. Obviously that decision that was made back in 2020—and it was an NCAT decision—basically overnight saw these firearms being prohibited. So what the Government actually did at the time was put in a temporary exemption to allow those 500 licence holders to be able to continue to operate. In many cases they are men and women that are actually undertaking pest control. They might be landholders as well. I also can inform you that there will be a bill that will be coming to the Parliament very shortly in relation to category D firearms. That will see a change in relation to the Firearms Act and the Firearms Regulation. It will just give the ability of primary producers and pest animal controllers to access and retain fit-for-purpose category D firearms.

We know how important category D firearms are in relation to the controlling of wild pigs and other pest animals across the State. It also highlights the importance of these firearms, as I have said before, as a necessary tool of trade. When you look at these individuals that have these firearms, we will also make reforms so they do not have to apply for the category D firearms every 12 months. They will have a choice in relation to their licence period. They will be able to apply for a two-year or even a five-year option as part of renewing their licences. This

will be coming to the Parliament not too far away. I certainly look forward to the support of the upper House as well.

**The CHAIR:** Well, subject to it, we will see.

**The Hon. MICK VEITCH:** That seems rather pre-emptive.

**The CHAIR:** Can I hand one of these up to the Commissioner and one to the Minister, please? It is a Crime and Justice Bulletin produced by BOCSAR. I want to talk in terms of the Domestic Violence Safety and Assessment Tool that this report talks to. The issue of domestic violence obviously is a very important one, but the way the Firearms Registry, and the tools they have been using, have been administering it has been overly restrictive. I hand you that report from the bureau, which it recently published.

The report shows that the Domestic Violence Safety and Assessment Tool, or DVSAT, used by police since 2015 has only moderate levels of accuracy in predicting repeat victimisation, and only the top five predictors contributed anything to accurately predicting repeat victimisation. Minister or Commissioner, will you commit to reviewing the DVSAT and developing a better tool by removing the irrelevant and weak predictors, including question 18: Does your partner have access to firearms or prohibited weapons? Commissioner, what is your policy position regarding licensed lawful firearms owners and registered firearms?

**KAREN WEBB:** In respect of the DVSAT or in respect of—

**The CHAIR:** In respect of the DVSAT or in respect of it generally.

**KAREN WEBB:** In terms of registered firearms licence holders, like a driver's licence, it is a privilege, not a right. But certainly that element of the community are far and above those that have illegal weapons. Insofar as DVSAT goes, I am aware of the BOCSAR report. We have undertaken to work with Legal Aid who auspice the WDVCS, who were instrumental partners in the 2015 DVSAT tool to reduce that to a working model that both works for police and identifies risk for victims. That work has been committed to. If it is possible to do a pilot whilst having a parallel system in COPS to do it, then I would look to start at 1 July, if that is at all possible.

**Mr PAUL TOOLE:** The only comment I would make there as well is, in relation to the current situation with DVSAT at the moment, there are obviously some obligations that are compelling. Under section 85 (2) of the LEPR, police who enter a dwelling in relation to a DV offence must ask if there are firearms in the dwelling. If told there is a firearm, police must take all reasonable action to search, seize and detain the firearm. Therefore, the police at this point, Mr Borsak, have a statutory obligation under LEPR to ask and to seize firearms when called to a DV incident on private premises.

Also under section 22 (1) of the Firearms Act, the COP must suspend a firearms licence if the COP is aware that the licensee of a firearm has been charged with a DV offence, or, under (2), the COP must suspend a firearms licence if the COP has reasonable cause to believe the licensee has committed or threatened to commit a DV offence. Therefore, again, it is a statutory obligation under the Firearms Act to suspend a firearms licence if the licensee has been charged with a DV offence or threatened to commit a DV offence. But we can have a look at it, and I think the Commissioner has also said that that is something that will take place.

**The CHAIR:** That is fine, thank you. Commissioner, do you have any plans to recommend a statutory limit on the number of registered firearms a licensed holder may own?

**KAREN WEBB:** That is not something that I have been asked to consider but I certainly defer to Mr Hudson or Mr Whyte whether there is any consideration being raised at their level of the organisation, but that is not something I have been asked to consider yet in my tenure.

**The CHAIR:** Mr Hudson, would you like to address that?

**DAVID HUDSON:** It was raised in the audit review of the Firearms Registry and the way we deal with firearms. We did put it out to the consultative committee last year. I do not think the response has been that positive so, in my mind, it will not be progressed.

**The CHAIR:** Have you got anything to add to that, Mr Whyte?

**SCOTT WHYTE:** I agree with the deputy. As far as I know, it is not on the radar.

**The CHAIR:** Thank you. Ms Boyd is gone. I will keep going.

**The Hon. ADAM SEARLE:** We are happy to take the time.

**The CHAIR:** You are always happy to take the time; I know that. Rather than ask another question and push through, we are going to break now and come back at 11.15 a.m.

**(Short adjournment)**

**The CHAIR:** Commissioner Webb, just to finalise my line of questioning, I want to drill down on one of the answers that you gave in relation to officers who have been suspended or sacked for their position in relation to vaccines. How long do they get paid for and how does the payment process last, work through? Do they get paid their normal salary? Do they have to do away with their sick leave first, then their long service leave? Explain to me the whole process and how it occurs.

**KAREN WEBB:** Whilst I am considering their position they avail themselves of leave that they have available and they nominate that leave—sick leave, annual leave, long service leave—and if they exhaust that they will go on to leave without pay to allow that process to finalise. I will let due course and due process happen before there is a determination.

**The CHAIR:** Once they have been through all their leave, even if they have not been terminated yet they just do not get paid?

**KAREN WEBB:** That is right.

**The Hon. WALT SECORD:** Mr Deputy Premier, I want to ask a few questions about the Northern Rivers Reconstruction Corporation.

**Mr PAUL TOOLE:** Yes.

**The Hon. WALT SECORD:** My understanding is that it will formally come into effect on 1 July 2022. Is that correct?

**Mr PAUL TOOLE:** That is correct.

**The Hon. WALT SECORD:** What is in existence at the moment?

**Mr PAUL TOOLE:** We have announced the body, and I point out that we have Mr Witherdin here, who has been appointed as the CEO of the Northern Rivers Reconstruction Corporation. Even with this announcement, there have been a number of different phases that we have gone through in relation to flood recovery. We also know that it is going to take years. It is going to take years for those communities to be able to rebuild. That is why the Northern Rivers Reconstruction Corporation has been established and that is to ensure that we can cut the red tape, get through the planning issues that are required. We are going to need to build the infrastructure, some of the assets in the community that have been destroyed by floods, and also make sure that they rebuild and come back stronger as well. There will be an advisory board that will be appointed in the coming months. We have also said that underneath that there will be another layer, like local advisory boards, to ensure that each of those local government areas that were impacted will ensure that they have a voice fed up into that advisory board as a total body. I do not know if Mr Witherdin wants to comment?

**The Hon. WALT SECORD:** I will ask a few more questions. I am mindful that my colleagues might want to do that. Is it in existence at the moment? Will it include legislation?

**GARY BARNES:** No, it is not at the moment but it is in the process of being stood up under an existing Act around growth centres. It will be a development corporation in the same way as—we already have an existing one called the Regional Growth NSW Development Corporation. There is the Hunter development corporation. So, it is under the same Act. That is going through the process of going through Cabinet to Governor and counsel so that that can be stood up. In the interim, some of the work that Public Works advisory—and Mr Witherdin is also the CEO of Public Works—has already commenced. That includes the creation of a group to look at strategic purchasing of infrastructure, procurement right across the sector, including local government. That work has commenced and it will be rolled into the new corporation.

**The Hon. WALT SECORD:** Where is it based at the moment? Mr Witherdin, are you based here in Sydney?

**DAVID WITHERDIN:** The office will be based out of Lismore. We have got an existing Public Works office there and we expect to have an operational office for the corporation running out of that later this month. That is immediately adjacent to Southern Cross University.

**The Hon. WALT SECORD:** I have one last question. Because this is budget estimates what will be the budget allocation for the corporation from 2021 to 2022, 2022 to 2023 and 2023 to 2024? Are you able to answer that, sir?

**Mr PAUL TOOLE:** I will ask Mr Witherdin.

**DAVID WITHERDIN:** There has been an initial allocation that was set up for the infrastructure coordination office, which is a subset of what the corporation will do. That is the single point of prioritisation for all the recovery projects across New South Wales government agencies and across local government. There is \$11 million there, \$1 million of it within this financial year between now and the end of June, and a further \$10 million thereafter. With the increase in scope with the announcement of the corporation, we are working through reviewing that and then at the time where we get the recommendations from the independent flood inquiry—because that will really set the path forward for the next three to five years—we can revisit the adequacy of that budget at that time. But certainly there is well and truly sufficient funding there to get us up and operational. This is not going to be a big bureaucratic organisation. It is in the order of probably about 30 FTE, 30 to 35. It is that sort of overall coordination role that it will do and delivery will still happen via the normal New South Wales Government-wide agencies.

**The CHAIR:** Through you, Minister, to Mr Witherdin, where does the Commissioner for Resilience fit into all of this now?

**Mr PAUL TOOLE:** The Commissioner for Resilience's part to play was in response immediately. What this corporation is doing is basically providing a front door to government. This is about working with agencies to ensure that we can actually speed up the process of rebuilding. In some cases we may have to acquire land to be able to build—I say infrastructure—homes in various locations as well. They can also be responsible for acquiring and subdividing land. Resilience was there for the response. This is about the rebuilding within those communities. That is why the corporation has been established. The other thing is the corporation sits under me, so it will fit within the Department of Regional New South Wales. The reason for that is because Public Works sits within the premises of the Department of Regional New South Wales.

**The CHAIR:** Where does Resilience sit now then?

**Mr PAUL TOOLE:** Resilience sits with the Minister for Emergency Services, the Hon. Steph Cooke. It still sits there but has played an important role in relation to response and recovery. But this is about the rebuild, this is about a longer phase now as we go forward for those communities when they are coming back from the floods. Anyone who has been up there—there is no doubt at the devastation that has occurred. Having been up there on a number of occasions, to walk out there and see the amount of material that has been pulled out of people's homes—you are talking about everything stripped out, carpet, the gyprock ripped off the walls, all the furniture. When you have seen that in the streets thrown out there, people throwing away their life belongings that they have acquired over years. There have been many steps.

The initial response was making sure that we cleaned up all of that material that was put out into the streets. I think there were over 21,000 truckloads that took material to both Coraki and Alstonville areas. Over 110,000 tonnes of material was put into that area. Just getting that out of the way made people feel better straight away. There have been a lot of emergency service crews and community members across the State who have been up there helping wash the mud out of homes and businesses. Having been up there, as I said on a number of occasions—we have to make sure that we are there for the long haul. We have to make sure that communities in Ballina, Lismore, Coraki, Woodburn, Broadwater and so on have the assistance as they build back. They have to build back better because it is important for those communities.

There have been a number of stages through Resilience as well—your question. Resilience has also been critical in making sure that we respond to issues around finding housing. Housing is the first priority from when we saw those floods. There was emergency accommodation; now we are moving into the phase of temporary accommodation where a number of sites have been identified, putting in pods in various areas. Wollongbar is the first site where some of those houses are being established. We are also making sure amenities and power are connected in those areas.

**GARY BARNES:** Commissioner Fitzsimmons is still running the statewide coordination committee. Underneath him, Deputy Commissioner Mel Lanyon, who is working as part of Resilience, is still on the ground up there, finishing off that part of the response. Ours is a longer-term view; it is about infrastructure provisioning.

**The Hon. MICK VEITCH:** On the North Coast floods, Minister, this morning I came in, got my coffee, went to the Service NSW dashboard and printed off the flood recovery grants for small business—which was updated yesterday, fortuitously. If I could rattle through this for you, as of yesterday, there were 14,553 applications received. Currently 7,352—so 50 per cent, or thereabouts—are undergoing assessment. To date, we have approved 1,814, so 12.5 per cent. We have knocked back 5,387, and we have 545 currently under review for fraud. Minister, so long after the floods, to have about 12.5 per cent of those grants approved—it seems to be a bit slow, getting money out to the small business operators up there that clearly need some support. Do you think that is acceptable eight weeks later?



**Mr PAUL TOOLE:** Having been on the ground on many occasions up there, obviously it is about trying to get money out the door. I want to point out that it is something that I hear within that community, but it also does sit under the Minister for Emergency Services and Resilience as well. But I will comment from the point of view that we are wanting to get the money out of the door as quickly as possible, and I know that Service NSW is looking at ways in which they can speed the process up. We also have to be mindful, though, that unfortunately during these disasters and times of these situations occurring there are people who try to make a buck out of not even being eligible for a grant.

**The Hon. MICK VEITCH:** Yes, 545 are under review for fraud.

**Mr PAUL TOOLE:** Yes. Even in those numbers, out of that 14,000 that you just told me, you still have over 500 people that are now being looked at because of a potential fraud application.

**The Hon. MICK VEITCH:** I might talk more about that a bit later, if I could, because it is a number I have highlighted. Service NSW is involved in this process.

**Mr PAUL TOOLE:** Yes.

**The Hon. MICK VEITCH:** You said they are reviewing it, to expedite it or at least try to get the money out.

**Mr PAUL TOOLE:** Yes.

**The Hon. MICK VEITCH:** The staffing of this for Service NSW—did we provide anyone on secondment from organisations like the RAA to assist Service NSW in getting these grants processed?

**Mr PAUL TOOLE:** It is really a question for Minister Dominello, but I will say this: Whenever we have had natural disasters across this State, whether it has been issues around droughts, floods or even bushfires, we have always asked Service NSW to step up and be that front door, providing grants back out to communities. I think they have been able to scale up where they have needed to in various situations that we have seen across the State. I know that even in this situation the training that has to go into staff by putting on additional staff to deal with the number of applications that are coming in is all part of this. But, as I said, we should never not be looking at ways of trying to get the money out the door to these people. When you talk to business owners, they need that money to help pay wages. It might be paying fees. It might be paying for some of the bills that they still have coming in. That is why it is important that we get that money out the door to them as quickly as possible—

**The Hon. MICK VEITCH:** I think everyone agrees that we should get the money out as soon as we can.

**Mr PAUL TOOLE:** Yes. I think your answer is right. Can we always do better? Yes. Should we be always looking at that? The answer is yes. But as you can also highlight and see, there are unfortunately those people that see a cash grab when it comes to grants that have been provided by the Government. At the end of the day, if we knew that people were going to be up-front and honest, we would pay everyone the money up-front so that they did not have to go through this process. But unfortunately, when you have people who scam the situation and are taking advantage of hardworking business owners, it is unfortunate that we have to do these checks and balances.

**GARY BARNES:** Mr Veitch, just on the RAA, we have had to ramp up staff there—

**The Hon. MICK VEITCH:** I would expect so, yes.

**GARY BARNES:** —because we are pushing out the door the \$75,000 grants for primary producers.

**The Hon. MICK VEITCH:** I want to come to that in a minute, if I could. Deputy Premier, Service NSW are involved in this.

**Mr PAUL TOOLE:** Correct.

**The Hon. MICK VEITCH:** Are they clipping the ticket? How much are we paying them to run this program for us?

**Mr PAUL TOOLE:** That would be a question that you would have to refer to Minister Dominello.

**The Hon. MICK VEITCH:** Okay. As a part of this, do you see yourself as a customer of the Department of Customer Service or whatever it is called—Minister Dominello's department? Are you seen as a customer of that department and Service NSW because the grants are going through Service NSW?

**Mr PAUL TOOLE:** I am a customer of Service NSW whenever I go and ask them for help.

**The Hon. WALT SECORD:** We all are.

**The Hon. MICK VEITCH:** As an individual, yes, but I am talking about the department itself.

**Mr PAUL TOOLE:** When you are talking about grants, we are talking about over \$3 billion that has been given in grants, both from a Commonwealth and a State level. We have asked Service NSW to be the administrator, in many cases, for the grants that are going out the door. Whether it be the business grants, the primary producer grants or the Back Home grants, we have asked Service NSW to be the front door for people making their applications for these kinds of grants. At the end of the day, they are doing a pretty good job under what was an extraordinary natural disaster.

Yesterday I read a letter that came from the Insurance Council of Australia. They are saying the floods and the weather patterns we saw happening in south-east Queensland and on the coast in New South Wales were actually the fifth-worst natural disaster that we have seen in this country. I think it highlights the extent and the damage and the magnitude of the problem that we have right in front of us to deal with, and how we have to work with those communities to be able to rebuild as well.

**The Hon. MICK VEITCH:** Deputy Premier, I want to move on to the Special Disaster Grants, in the time I have left, that are overseen by the Rural Assistance Authority. I just want to quote from correspondence I have received. The correspondents want to remain anonymous because they do not want to influence the processing of their grant.

**Mr PAUL TOOLE:** How do I know it is true?

**The Hon. MICK VEITCH:** I will talk to you about that, because I think it might have gone to your office as well. The quote is this:

Time and timing is critical when your dealing with live stock, do you keep, do you calf them down, do you feed them, can you afford to feed them or do you sell them and lose all the years of breeding.

The biggest loss out side of fencing, years of livestock breeding that has been lost, sheds, road ways and pasture loss, will be the mental damage and strain that this flood has caused, the depression that some people will never recover from.

Many primary producers have paid tax all their life, 40 to 50 years and more and once, just once they need help.

This was in response to the fact their application is taking so long to process, Deputy Premier. Do you think we really need to try to roll this funding out? Anyone on the land knows the generational input into the breeding of your stock, and you lose that in one fell swoop. Can we get the money out to people quicker?

**Mr PAUL TOOLE:** I will get Mr Barnes to talk about it, but there are some components to some of those grants where—some of the grants primary producers have been given up-front, and the remaining has to show with invoices.

**The Hon. MICK VEITCH:** So it is \$15,000 and then \$50,000?

**Mr PAUL TOOLE:** In some of those grants we have been able to get the money out the door as quickly as possible for the reasons you have stated, like when they have breeding cattle that need to be fed. When I was up there, to see the number of helicopters doing fodder drops within the areas where there was stock stranded on the side of a hill, basically going nowhere—

**The Hon. MICK VEITCH:** Minister Saunders and myself spent half a day in the quiet, loading hay on to the backs of trucks for people.

**Mr PAUL TOOLE:** Yes, I did the same. I will get Mr Barnes—

**The Hon. MICK VEITCH:** Are you aware of those delays that these authors are writing about?

**Mr PAUL TOOLE:** I will get Mr Barnes.

**GARY BARNES:** RAA have been, fortunately or unfortunately, doing disaster payments pretty much for the last three or four years, as it relates to primary producers. Anyone that is a primary producer already has all of their details preloaded. My understanding is that as long as they meet the eligibility criteria then DPI, through the RAA, are pretty fast at getting that initial 15 grand out the door. In fact, money was going out the door two days after the application process was opened up. Mr Veitch, if you want to give me the individual details—and I will treat them very confidentially—we will work out exactly what the blockage is, and we did this throughout the droughts, we did it throughout the bushfires. Sometimes there are particular circumstances that we can look at.

This time around, because people told us about the fact that people were earning more of their income sometimes—because they were out driving headers—they missed the eligibility criteria. So we came up with another grant that was about landowners. We are always eager to make this better. If you want to have a yarn with me in the lunchtime break.

**The Hon. MICK VEITCH:** We will talk about this, but there is a frustration here.

**GARY BARNES:** Yes. I will get Scott Hansen to sort it.

**The Hon. MICK VEITCH:** There is a frustration from people. That is just an example of that.

**Mr PAUL TOOLE:** Every time we go there and there are different issues raised, you can rest assured that we raise it with the relevant agency and the relevant Minister to try and speed it up as well. I am happy if you are hearing anything as well to come to us so that we can try and help those people because at the end of the day we just want to make sure that we help those communities rebuild.

**The Hon. MICK VEITCH:** Absolutely. It is this issue about the money. There is a frustration about the money. I understand the fraud perspective.

**GARY BARNES:** We have also talked to the Feds about will they pay a percentage of the remaining on quotes rather than invoice because—

**The Hon. MICK VEITCH:** Yes, there are things you can do.

**GARY BARNES:** —sometimes people are cash poor as well. But, again, we have to get that balance right between making sure there is good governance and money out the door.

**The Hon. MICK VEITCH:** Deputy Premier, I want to move on to the regional skills program and the Regional Skills Relocation Grant program. I have looked at the glossy departmental website and it states:

The Regional Skills Relocation Grant increases the availability of skilled and experienced workers for businesses setting up in, relocating to, or existing in Regional NSW.

So \$10 million has been set aside up to the end of this year, over a four-year period. We are in that final year now I believe. How many grants have been made for this program?

**Mr PAUL TOOLE:** I know there is the \$10 million over the four years and obviously this is about assisting businesses with relocation costs. In relation to that, I would have to have a look and see if we can get that number to you.

**The Hon. MICK VEITCH:** The last time I looked it was 24.

**Mr PAUL TOOLE:** Yes. As of 26 April 2022, 42 skilled worker grants for 27 businesses totalling \$244,000 have been acquitted.

**The Hon. MICK VEITCH:** So a \$10 million program—

**Mr PAUL TOOLE:** We are actually undertaking a strategic review of the program.

**The Hon. MICK VEITCH:** —and \$244,000.

**Mr PAUL TOOLE:** There is a review being undertaken of that particular program and a report will come back to me with recommendations later this year.

**The Hon. MICK VEITCH:** That report comes back to you later this year. Can I just confirm—so 42 across the four years of the program and a total of \$244,000?

**Mr PAUL TOOLE:** That is correct. I will also point out—

**The Hon. MICK VEITCH:** Out of a \$10 million allocation.

**Mr PAUL TOOLE:** I will also point out there have been other programs that have actually assisted in the relocation of businesses as well. That might have been more attractive for some of those individuals who have actually taken up funding that has been provided by the Government. As you would be aware, we have had our Regional Job Creation Fund and I think that has created an even greater opportunity for jobs to be relocated in the bush. I think if you look at that—

**The Hon. MICK VEITCH:** Minister, what I am really getting to here is \$244,000 out of \$10 million. Of the unspent funds, what has happened to those or can we get some sort of a guarantee that those funds are not going to be lost to regional New South Wales and that they are going to be used or even rebadged in some other program to assist the relocation of skilled workers?

**Mr PAUL TOOLE:** We will not be losing them out of regional New South Wales, rest assured.

**GARY BARNES:** Again, we can talk more about this this afternoon, Mr Veitch.

**The Hon. MICK VEITCH:** Yes, we will.

**GARY BARNES:** The special activation precincts, we have six of those—and you have Rebecca online to talk about this. They have really started to kick in now with big companies setting up.

**The Hon. MICK VEITCH:** We have afternoon questions for SAPs, so we can go over them with Ms Fox.

**GARY BARNES:** This was particularly set up to assist those companies to bring in some highly skilled labour, to get their companies away, like Brightmark, because we will not be able to source everyone from within the local area. We want, and we are working with TAFE and with schools and universities, to get as many local people into those companies as they scale up, but they will need to bring in some people sometimes from overseas and interstate. It was a way of saying to people, "The Government is here to help support the growth of jobs in the bush."

**The Hon. MICK VEITCH:** Deputy Premier, the review that you mentioned comes to you later in the year. Who is conducting that review? Is it internal or external?

**Mr PAUL TOOLE:** Mr Barnes?

**GARY BARNES:** We will probably get an external to assist from a good governance perspective.

**The Hon. MICK VEITCH:** It has not commenced yet?

**Mr PAUL TOOLE:** No, we have indicated that we will be undertaking a strategic review of the skills program.

**The Hon. MICK VEITCH:** That review has not commenced yet?

**Mr PAUL TOOLE:** No. The program does not finish until 2022, but rest assured—there are a lot of programs that we run through Regional NSW that are very successful, that have benefited in creating jobs and bringing skills into the region. It might be a better fit to put some of those remaining funds back into those programs or even tailoring it because we know that skills shortage is an issue right across the country. It is a way of ensuring that New South Wales is leading the way, New South Wales is the attractive State when it comes to encouraging people to relocate to the State, but also going out into regional New South Wales.

**Ms ABIGAIL BOYD:** Deputy Premier, do you think that the New South Wales Government was adequately prepared for the floods and the devastation that the floods wreaked in the Northern Rivers?

**Mr PAUL TOOLE:** I think, when you have a look at it, I am not really sure how well prepared you could be for the amount of rainfall that fell out of the sky. We saw record amounts of rainfall, even four or five weeks later after we saw that flooding occur within the area. Even today, if you get heavy rainfall falling in the wrong area, it is not going to take long for those rivers and those areas to see waters rising once again and potentially causing flooding in isolated communities up there. That is still the risk, and that is the risk for a lot of those communities as we go right through until July this year. There are a lot of people who are on tenterhooks at the moment in relation to seeing what is going to happen with the weather over the coming months.

What is important here is the fact that the flood itself was two metres higher than the previous record. When you are talking about a flood that was two metres higher than the previous record, you have people who have done the right thing. They have built their home in an area where they thought they would never flood. There are people who have raised their homes and looked at where the high water mark was previously, but it went beyond that. It went up through the first floor, into the second floor and, in many cases, right up to the ceiling of the second floor. We are talking significant water that went into those properties.

What is important, though, is the fact that there is an inquiry that is underway right now. That is being led by Professor Mary O'Kane. It is also being led by the former commissioner for police, Mick Fuller. They have already started consultations with community. They are looking at the causes, preparedness and how responses can be looked at when we are dealing with floods. I think it is important that we do not pre-empt the outcomes of that report, and I am sure the report itself is going to be an important fact to ensuring that—

**Ms ABIGAIL BOYD:** You are straying from my question a little bit now. I have let you go.

**Mr PAUL TOOLE:** You asked me if the Government is prepared. I have indicated to you that there is an inquiry being undertaken.

**Ms ABIGAIL BOYD:** Climate scientists have been telling us for decades now that these sorts of events will become more frequent and more severe. Governments have been on notice for a long time about the need to prepare for that. Do you think that your Government has been listening to that climate science and preparing the State adequately for these sorts of events?

**Mr PAUL TOOLE:** I think this is a Government that has been doing a lot in this space in relation to dealing with natural disasters. Yes, I think we have been. When I sit here I say to you, it has been a tough number of years.

**Ms ABIGAIL BOYD:** It has.

**Mr PAUL TOOLE:** You asked me if the Government has responded and the answer is yes. The Government has responded in many ways. It has responded in ways of actually dealing with communities that have been impacted by drought. That was the worst drought that we actually saw on record. It was probably some of the toughest times for many of our landholders. Then we saw bushfires that came in off the back of that. We saw some of the largest fires across the State. We saw property lost and lives lost during that particular time, and then you have got these flooding events as well.

**Ms ABIGAIL BOYD:** That is right.

**Mr PAUL TOOLE:** I think it is up to everybody. I think it is up to all tiers of government and it is up to community as well as to how we ensure that we are all better prepared for the natural disasters that we are going to see into the future as well.

**Ms ABIGAIL BOYD:** We have decades of climate scientists telling us that this is something we need to prepare for—

**Mr PAUL TOOLE:** Yes, but some of them also said the dams would never fill again as well.

**Ms ABIGAIL BOYD:** Sorry, I am going to finish my question, Deputy Premier. That is just not true.

**Mr PAUL TOOLE:** Flannery did say that, actually.

**Ms ABIGAIL BOYD:** We have all that and then we have, as you say, severe weather events hitting the State over a number of years. Why then is New South Wales the only State in Australia not to have a statewide climate change adaptation plan?

**Mr PAUL TOOLE:** I have read many reports—and you can actually be very selective in your reports—where the Government has actually been praised for putting the strategies in to even reduce things around emissions.

**Ms ABIGAIL BOYD:** Sorry, you are talking about mitigation; I am talking about adaptation. Why is New South Wales the only State in Australia not to have a climate change adaptation plan, since having promised it in 2016 and saying it would be delivered by the end of 2017? We are now five years down the track and we are the only State in Australia without a climate change adaptation plan. Why is that? How can you say that this Government is adequately prepared for these events in light of the fact it has not even got an adaptation plan yet?

**Mr PAUL TOOLE:** I do not know if there will ever be a plan that will be suitable to The Greens. I will put that on the record. But this Government has responded to those natural disasters. We will continue to adapt and continue to change and continue to put strategic policies in place.

**Ms ABIGAIL BOYD:** When we look at the new Northern Rivers Reconstruction Corporation and what it is responsible for, we have things like restoration of essential public assets, urgent repair and replacement of critical water and sewer infrastructure, regional roads recovery and community infrastructure recovery. These are all things that would be covered in an adaptation plan. A climate change adaptation plan for the State would be looking at how we can make sure that these critical services and infrastructure are not hit as hard in the future. We are not prepared, are we, Deputy Premier, in this State because we do not have a climate change adaptation plan? I am not actually sure that you even know what that is.

**Mr PAUL TOOLE:** That is your opinion. Your question is actually a valid one, but it is also not completely valid to me as well. I will make the point that this Government is looking at adaptation. We are talking about roads and we are talking about some of those communities that have been isolated in the past in relation—

**Ms ABIGAIL BOYD:** There is a lot of talk.

**Mr PAUL TOOLE:** Hang on, let me finish. We talk about roads but it is also about adapting for communities that have been put at risk when during some of those natural disasters there is only one road in and one road out. It is about looking at how you can ensure that those communities can get in and out safely. It is about making sure that we have got support there and other ways that our emergency services can access those communities. That is all part of it.

**Ms ABIGAIL BOYD:** But it is not.

**Mr PAUL TOOLE:** You can be selective in your adaptation of it but, at the end of the day, this Government is and will continue to respond to natural disasters and prepare for future disasters. I hope—

**Ms ABIGAIL BOYD:** Sorry, you are talking for quite a long time as an answer, so I will bring you back to the question.

**Mr PAUL TOOLE:** I am happy if you also want to provide a submission to the flood inquiry.

**Ms ABIGAIL BOYD:** We could have a chat about the fact that we do not really need an inquiry to know what is going on and what has gone wrong with this Government's response.

**Mr PAUL TOOLE:** So you are saying we should not be having an inquiry. I find that—

**Ms ABIGAIL BOYD:** The inquiry is fine.

**Mr PAUL TOOLE:** That is not what you said.

**Ms ABIGAIL BOYD:** What you are doing is hiding behind the inquiry until after the next election, when we all know that the New South Wales Government has dropped the ball on climate adaptation.

**Mr PAUL TOOLE:** The report is coming back to the Premier at the end of the June and there is also the report that comes back with other matters at the end of September. I think if you listen to—

**Ms ABIGAIL BOYD:** I look forward to that report being received and the recommendations actually being followed through with, which is not something this Government is particularly good at.

**Mr PAUL TOOLE:** You have also heard that we are not waiting for a report for some of these measures that have already been undertaken. I think Mr Witherdin indicated that already.

**The Hon. WES FANG:** Chair, I am going to raise a point of order for the benefit of Hansard. It is impossible for Hansard to capture all of this. I think Ms Abigail Boyd should perhaps allow the Deputy Premier to complete his answers before she interjects on him continuously.

**The CHAIR:** I will rule on that.

**Ms ABIGAIL BOYD:** Probably both ways, right? He could perhaps not interject.

**The Hon. WES FANG:** The point of order was to you, Ms Boyd.

**The CHAIR:** Order! All debate goes through the Chair. We have had that point of order a number of times. It is not a point of order as far as I am concerned. The Minister is more than able to deal with this questioning himself.

**Ms ABIGAIL BOYD:** I will change topic. Deputy Premier, were you consulted or was the NSW Police Force consulted during the drafting of the Roads and Crimes Legislation Amendment Bill 2022?

**Mr PAUL TOOLE:** I would have to ask the commissioner. Is this for the protesters?

**Ms ABIGAIL BOYD:** Yes.

**Mr PAUL TOOLE:** Absolutely. I was Acting Premier, too. That is the one. I know this one.

**Ms ABIGAIL BOYD:** So the operation of those laws, the way that they would work from an operational perspective, was run past the NSW Police Force?

**Mr PAUL TOOLE:** Absolutely. It went through the proper process. It went through Cabinet and it came to the Parliament. I actually think that if you are going to have these pests that want to disrupt community lives and want to behave in this reckless behaviour, stringing themselves up to poles and creating congestion on roads and putting our emergency services lives at risk—

**Ms ABIGAIL BOYD:** Could you just answer the question? Was the Police Force consulted about the operational issues involved?

**Mr PAUL TOOLE:** The answer is yes.

**Ms ABIGAIL BOYD:** You are under oath.

**Mr PAUL TOOLE:** When they want to glue themselves to a road, these are just numbskulls at the end of the day that do not care about the individuals—

**Ms ABIGAIL BOYD:** I will pick it up with the commissioner.

**Mr PAUL TOOLE:** I cannot wait.

**Ms ABIGAIL BOYD:** It is fascinating the response you have to this peaceful protest versus the anti-lockdown protesters—

**Mr PAUL TOOLE:** They are not peaceful protesters; they are illegal protesters.

**The Hon. WES FANG:** Will somebody think of Hansard? That is all I am asking.

**Ms ABIGAIL BOYD:** Will somebody think of the children?

**The CHAIR:** Hansard can walk and chew gum at the same time, I am sure. It is now my turn for a little while. Minister, the structure of the Firearms Registry has changed again recently following the major structural change in August 2019. I understand the organisation chart in April 2022 shows 84 employees, yet the organisation chart in 2020 showed 83 plus 10 Policelink employees. Has there been a net reduction in the registry staff levels?

**Mr PAUL TOOLE:** I might ask Mr Hudson if he is able to provide an answer to that question, if that is all right.

**DAVID HUDSON:** The staffing has not reduced. The Policelink personnel were previously temporary positions. They are now permanent. They are permanently engaged at Policelink dealing with firearms issues. There was one additional staff out of the last allocation to the registry, so the numbers there are now 84.

**The CHAIR:** It appears that the dedicated dealers and clubs unit at the registry has disappeared when we look at the organisation chart. Is that correct?

**Mr PAUL TOOLE:** I might ask Mr Hudson if he can comment on that one.

**DAVID HUDSON:** Without the organisational chart in front of me, I did see it some time ago when it was reviewed. The second review you refer to, Mr Borsak, was conducted at my request in conjunction with the previous commander of police prosecutions Scott Cook. In my mind, even though it had only been changed on the cusp of us taking it over, it was not functioning and it was not aligned and the delegations that were in place were not appropriate to make appropriate decision-making. We had an expert, in my mind, who used to run Policelink come down and defer his retirement temporarily to conduct that review. He is very good at functional alignment and functional analysis. He did that review. That is the current structure we had. I am not too sure if Mr Whyte has the current organisational structure in front of him. I would be surprised if he did. But I cannot tell you.

**The CHAIR:** We have had one made available on request. That is where the questioning comes from.

**DAVID HUDSON:** I know there is one, sir, but I am not too sure if I have got it here.

**The CHAIR:** There is a specialty requirement, in our view, to deal with firearms dealers and also clubs, especially in relation to ranges and things like that. That just does not appear as a unit on your organisation chart.

**DAVID HUDSON:** It may have been renamed. Yes, sir, I am not sure.

**The CHAIR:** Do you want to take it on notice?

**SCOTT WHYTE:** It is the case that it is a different name, but it still remains a team that is dedicated to dealers' and clubs' requirements, and it remains in place. There is also an additional upgrade of a range officer position that falls within that team. It is a naming convention, I understand, but it still remains in place.

**The CHAIR:** I think the reality is that at this stage the range governance area is massively undermanned, understaffed or whatever you want to call it. There are a lot of issues in relation to that, as far as I understand. Can the Committee get a copy of the registry's current organisation chart, showing all the positions and work groups? I will hand this up to you—this is a copy of the one I have. I can see Mr Secord is interested in it, so I will organise for you to get a copy too. This is public information; it is not something that is being hidden by anybody. Certainly the police are not hiding it.

**Mr PAUL TOOLE:** Yes, we can provide that.

**The CHAIR:** Yes, please. Minister, in October last year I was advised that Senior Constable Sachin Raj and Senior Constable Michael Matic were referred to the Professional Standards Command after it was found that they had made false and misleading statements under cross-examination in the case of *Kammoun v Commissioner of Police NSW Police Force* [2021] NSWCATAD 273. What was the outcome of the investigations by the Professional Standards Command? Keep in mind that I had asked a question in the House in September and I have an answer here, which I will also hand up to you. I am looking for a development or a bit more information.

**DAVID HUDSON:** Sir, I can add something to that. My understanding is that the matter is still under investigation. It has not been an investigation conducted by the Professional Standards Command, which comes

under my control, but is being conducted by South West Metropolitan Region professional standards. But my advice as of yesterday was that the matter is still under investigation.

**The CHAIR:** Commissioner Webb, in December 2020 the Firearms Registry ceased publishing its quarterly performance measures. They called it simply a dashboard, and it was quite a useful tool in showing users, customers and everyone how the registry was going on a whole bunch of measures—processing time, for example, and other things. Will the registry recommence publishing a quarterly dashboard report?

**KAREN WEBB:** Yes, in short. The quarterly reports go up now and the last one went up last week. But the dashboard itself was taken down in December 2020 because of some errors in it, and it will be reinstituted in the very near future.

**The CHAIR:** When, sorry?

**KAREN WEBB:** The very near future.

**The CHAIR:** Is that one week?

**DAVID HUDSON:** It is almost ready, sir.

**SCOTT WHYTE:** Within weeks.

**The CHAIR:** Regarding prohibited weapon suppressor permits, how many permits for firearm suppressors—they are called silencers in the Act—have been issued since 2015 for business purposes or employment as a genuine reason?

**KAREN WEBB:** I will defer to Mr Whyte on that. We have that data available.

**SCOTT WHYTE:** There was a total of six suppressor permits for 2022 and in 2021 there was a total of 58. That is calendar years.

**The CHAIR:** What changed in administration for it to drop from 58 to six?

**KAREN WEBB:** We are only counting up to the end of April, so it is only part way through the year. It is a calendar year—January to December.

**The CHAIR:** You still have a long way to go.

**KAREN WEBB:** Yes.

**SCOTT WHYTE:** Yes, there are still a number of applications that are being processed. But again, they are adjudicated from the stance that each application is assessed on its individual merits under the legitimate reason test. There are still a number to be assessed for this year.

**The CHAIR:** How long are those permits issued for—12 months, two years, three years?

**SCOTT WHYTE:** I will take that on notice unless the commissioner knows.

**The CHAIR:** How many have been issued for the purposes of recreational hunting and vermin control, as permitted by law as a genuine reason?

**SCOTT WHYTE:** I will take that on notice too, if I could, Mr Borsak.

**The CHAIR:** Of all suppressor permit holders, how many have been charged with criminal offences involving the use of suppressors?

**SCOTT WHYTE:** I will take it on notice.

**The Hon. MICK VEITCH:** Minister, just a quick question to take on notice for me for this afternoon, if it is possible: Flowing on from the special disaster grants at the RAA, how many applications have been received as of today? How many have been approved as of today.

**GARY BARNES:** We can do that. Scott Hansen has got back to me and said at the moment the applications are rolling out or being resolved, on average, 18 days after they are received. He has put an extra 15 people on and is hoping to get it down to below two weeks.

**The Hon. MICK VEITCH:** If you get those numbers, that would be handy.

**GARY BARNES:** Yes.

**The Hon. MICK VEITCH:** Minister, I want to go on to a series of questions about Eraring Power Station. When did you first learn that Eraring Power Station was going to close?



**Mr PAUL TOOLE:** I do not quite recall but, obviously, there were some issues raised—I do not know if it was early in my tenure as the Deputy Premier or certainly at the end of last year that there were some rumours in relation to the future of Eraring.

**The Hon. MICK VEITCH:** Were you aware that the Treasurer was conducting an eight-month modelling exercise regarding the closure of Eraring?

**Mr PAUL TOOLE:** I have had discussions with the Treasurer, obviously, around the fact that this is a large employer in regional New South Wales and that we also need to be looking at what the future is for those communities as they move away from those jobs, and how we can ensure that those communities are going to be given jobs of the future for those workers. We do not want to see them packing up and leaving without being given an opportunity in whatever that future industry might look like within the area, if they are to close as well.

**The Hon. MICK VEITCH:** That is the power workers. Does that also include the workers in the mines?

**Mr PAUL TOOLE:** Yes, absolutely, and I have met with both. I have met with the mining guys as well. I have met with them, and they have obviously raised concerns. We have been talking about the power station, but we also know that there is the flow-on impact of needing both the coal and the coalmining activities to take place to actually feed to the power station. There are a significant number of jobs that are associated with the mine as well.

**The Hon. MICK VEITCH:** Do we have an idea or a bit of a picture of just how many of the jobs in the mining sector might be—

**Mr PAUL TOOLE:** I did. When I spoke to the company they did indicate how many, but I cannot recall exactly what the number was.

**The Hon. MICK VEITCH:** Do you want to take that on notice and come back to us about that? Not today, but I just want to get a picture of what it will look like.

**Mr PAUL TOOLE:** Yes.

**GARY BARNES:** Mr Veitch, the mines that are impacted are actually looking at pivoting to take some of the coal offshore. I know that my department has been looking at options, when the power station comes off, for something like that.

**Mr PAUL TOOLE:** It is Centennial Coal that I have actually met with in relation to it.

**The Hon. MICK VEITCH:** So you have met with Centennial?

**Mr PAUL TOOLE:** I have met with Centennial in relation to this matter, the number of workers and the suggestion that they might also look at exporting coal as well.

**GEORGINA BEATTIE:** Mr Veitch, if I could just add there, it is around 750 coalmining jobs that may be impacted as a result of the closure. But as Mr Barnes said, Centennial Coal is working with Origin Energy around access to some of their infrastructure and looking at pivoting their operations towards an export market.

**Mr PAUL TOOLE:** The idea is to use some of the existing assets. Obviously, there are conversations around looking at some of the existing assets and infrastructure that are already in place, as well—whether that can be utilised.

**The Hon. MICK VEITCH:** So Centennial have spoken to you in relation to their view of the future use of that infrastructure.

**Mr PAUL TOOLE:** Correct—very early days, though, I must say. It is still only very early days in that discussion.

**The Hon. MICK VEITCH:** Your dialogue with them, then, is ongoing. Are you personally having regular meetings with them? I would have checked your diary, and others would know that I do like reading ministerial diaries, but it actually has not been posted yet. I suspect it may get posted tomorrow, just in time.

**Mr PAUL TOOLE:** Yes, but I also have a connection with Centennial anyway because they run the mines in my community of Lithgow as well. I also have that relationship there with them through Centennial.

**The Hon. MICK VEITCH:** Is there modelling of the local and broader regional impacts of the changes at Eraring?

**Mr PAUL TOOLE:** Some of that work is being done. It is being done and looked at by Treasury at this point, but there are still discussions ongoing at the moment as to exactly when that closure is going to take place. It is also about looking at what the wider regional impacts might be for that area.

**The Hon. MICK VEITCH:** I have had it put to me that there are potentially about a thousand other jobs that will be impacted upon, so that is just not the 750 that Ms Beattie—

**Mr PAUL TOOLE:** No, that is right. That is it. We all know that it is not only the direct jobs that are impacted; it is also the indirect jobs. I will go back to a previous question here today when I talked about the importance of mining. If you actually close the mine down overnight, it does have a huge economic impact not only in that local town, that community, but right across the region. It is not just the direct jobs; it is also the impact on indirect jobs within those regional areas as well.

**The Hon. MICK VEITCH:** The number that Ms Beattie gave us, the 750 mineworkers, just to be clear, they are the mineworkers you were talking about?

**GEORGINA BEATTIE:** Yes, that is coalmining jobs.

**The Hon. MICK VEITCH:** Okay, thank you. Of those 750 that will be impacted—the word "impacted" is an interesting word to use. Can you, Deputy Premier, give us a bit of colour to that? What does impacted mean? Does it mean they are going to lose their jobs? Does it mean they are going to be transitioned to another job? What does impacted actually mean?

**Mr PAUL TOOLE:** It is hypothetical still at this point because it is still an unknown, and it is an unknown as to what Centennial is going to be looking at as part of its future and what the workforce is going to look like as they may change their operations to exporting. We do not know that yet; we do not know what the clear impact might be with numbers. Whether it is part-time or whether it is full-time equivalents, that work is still to be undertaken by Centennial. That is why it is important that we continue with that dialogue because obviously I want to make sure that the Government has a real understanding as to what the impact might be within that region if anything is to change or happen as well.

**The Hon. MICK VEITCH:** That is the local and regional impacts. There is clearly also a Federal impact. Have you had conversations with Minister Taylor about this or Minister Pitt?

**Mr PAUL TOOLE:** No, but I am aware that the Treasurer has been having dialogue with Federal Ministers in relation to this matter as well.

**The Hon. MICK VEITCH:** You have not injected yourself as the Deputy Premier?

**Mr PAUL TOOLE:** Not at this point.

**The Hon. MICK VEITCH:** Do you see that there may be a point where you need to inject yourself on behalf of Regional NSW into this discussion?

**Mr PAUL TOOLE:** Absolutely.

**The Hon. MICK VEITCH:** So you will. When do you think that might—

**Mr PAUL TOOLE:** I think we will wait and see the Federal election first to find out who I am talking to afterwards. That will be important, but obviously the relevant Minister from a Federal perspective, they will be critical in linking up what needs to happen going forward. I do not think it should just be a State responsibility alone. I think the Federal Government has a part to play here as well.

**The Hon. MICK VEITCH:** I think everyone would agree that they do have a part to play.

**Mr PAUL TOOLE:** Correct.

**The Hon. MICK VEITCH:** Can I just say, Deputy Premier, you said the Treasurer has been having conversations with, I think, Minister Taylor. Has there been any dialogue with Minister Pitt?

**Mr PAUL TOOLE:** That is a question for the Treasurer. I am not aware, but that is a question for the Treasurer.

**The Hon. MICK VEITCH:** You may not know this, but how long have you been aware of those discussions or conversations between the Treasurer and Minister Taylor?

**Mr PAUL TOOLE:** I am not exactly sure who he has been talking to, but if I said to you I was made aware of it probably anywhere between four to six months ago, that is probably the extent of it. Who he is actually having the conversation with, I cannot recall, but I know he has been talking with the Commonwealth.

**The Hon. MICK VEITCH:** You have not been responsible in this space for the entirety of this journey, so to speak, but once you became the Minister, were you then made aware of the modelling exercise that the Treasurer had been undertaking?

**Mr PAUL TOOLE:** I am not aware of it. I just know that there were potential impacts on jobs. I want to see that impact lessened in those communities. As the Minister for Regional New South Wales I have a clear interest here. When there is even talk of losing jobs of that number in the area, we need to make sure that there is an opportunity to upskill these workers and to ensure that they find suitable employment. We also want to make sure that that employment is kept within the local areas as well. I am focused on supporting mining jobs, and I will continue to focus on that and support those jobs.

**The Hon. MICK VEITCH:** Have you seen or sighted that modelling that was conducted by the Treasurer?

**Mr PAUL TOOLE:** No.

**The Hon. MICK VEITCH:** Have you asked for it?

**Mr PAUL TOOLE:** Not at this point.

**The Hon. MICK VEITCH:** Often sometimes not seeing it does not mean you did not ask for it.

**Mr PAUL TOOLE:** Not at this point.

**The Hon. MICK VEITCH:** Will you be asking for it?

**Mr PAUL TOOLE:** Yes. When it is finished being modelled and it is reviewed, I am sure then will be the appropriate time to see it and it will be the appropriate time for Regional NSW to also run their eyes over it to actually see what the impact might be.

**The Hon. MICK VEITCH:** I would not mind going on to the Resources for Regions for gas communities. I have a quick couple of questions about this, Minister. The Resources for Regions website states, "Further details about the additional funding, including timing and LGA eligibility, will be made available in 2022." This is around communities that have gas exploration. When will that Resources for Regions for gas communities commence, or at least an invitation be sent out?

**Mr PAUL TOOLE:** I might just ask Mr Hanger to reply to that question, Mr Veitch.

**CHRIS HANGER:** Thank you, Deputy Premier. That program is part of the current budget negotiations, so we would expect once those are concluded that the next round of the program will be announced later this year.

**The Hon. MICK VEITCH:** So it is part of the budget process and "later this year". I was at some councils yesterday and they would like to get bit of an idea because they are doing their budgets as well. They just would like to get a bit of an idea I guess to start sharpening their applications.

**CHRIS HANGER:** As you would be aware, that program has run eight rounds and \$420 million for 242 projects has been committed to date. In the last round, round eight, \$75 million has been committed to projects through Resources for Regions. As you have indicated, there are additional gas-impacted LGAs that need to be included in the design of the next round of the program. As I have indicated, the funding for that next round is part of the budget negotiations.

**The Hon. WALT SECORD:** Deputy commissioner Hudson, I would like to take you to counterterrorism and surveillance of extremist groups in New South Wales. Since the war in Ukraine, has New South Wales police focused on ultra nationalist groups in New South Wales involved or interested in the conflict?

**DAVID HUDSON:** Thank you, sir, for the question. We have been monitoring and we are alert to the situation. It is something we have spoken to our Commonwealth law enforcement and intelligence partners about as well. We did think we identified a number of individuals who were trying to leave Australia to go and join the conflict; that turned out not to eventuate. I am aware of a number of people who have done that. It is no offence to actually go over and join that conflict. It is different to the declared terrorist zones that we have seen in Syria. We are very alert to monitoring the environment, but we have not seen anything actually eventuate that would cause us concern at this stage.

**The Hon. WALT SECORD:** Sir, are you familiar with a group that has labelled themselves Australian Cossacks operating in Sydney?

**DAVID HUDSON:** No, I am not.

**The Hon. WALT SECORD:** There have been postings on social media of these pro-Putin groups in New South Wales. Are you aware of that?

**DAVID HUDSON:** I received some advice in relation to pro-Russia posts a couple of weeks ago and we were following that up. I do not have the result of that outcome. But it is no offence to post certain things in

support of regimes—it is about what actually eventuates on the ground in relation to some type of activity that we can monitor—if the social media posts were within the bounds, which I am told they were, of acceptability.

**The Hon. WALT SECORD:** Sir, are you aware of reports of people with links to Russian organisations harassing homes that were flying Ukrainian flags?

**DAVID HUDSON:** I have not been informed of that, no.

**The Hon. WALT SECORD:** I would like to ask a few questions to the NSW Crimes Commissioner. Earlier today we asked a number of questions about criminal gangs, international gangs. What work is being undertaken that you can share with us in relation to unexplained wealth and international gangs?

**MICHAEL BARNES:** Whenever the Crime Commission receives a reference from its management committee, which is a prerequisite to it exercising its coercive powers, the opportunity for proceeds confiscation is one of the matters that is addressed. All of the crimes that the commission investigates are serious and/or organised crime. The opportunity to seize assets is always considered as part of that process.

**The Hon. WALT SECORD:** There was mention earlier today of following unexplained wealth. How much of your activity is in that area?

**MICHAEL BARNES:** "Unexplained wealth" is a generic term that might apply to any of the orders sought under the CARA Act under which we bring proceedings. There is also a specific order for unexplained wealth. I have not got the breakdown with me today of which ones were activated in the last 12 months or within that period.

**The Hon. WALT SECORD:** Could you take that on notice and provide it for the last calendar year?

**MICHAEL BARNES:** Certainly.

**The Hon. WALT SECORD:** Police Commissioner, I would like to take you to the area of 3D weapons. I understand that there was legislation in the pipeline involving 3D weapons. What is happening at the moment?

**KAREN WEBB:** I will hand to Mr Hudson, I think. I understand that that was being considered. That is certainly an issue that is concerning for us, that weapons could be produced through a 3D printer, and something we needed to act on.

**The Hon. WALT SECORD:** Mr Hudson?

**DAVID HUDSON:** Thank you, sir. I think Mr Borsak would probably have a better idea of where it went to in committee. There was a committee—

**The CHAIR:** Which committee?

**DAVID HUDSON:** There is one that Mr Walton gave evidence at.

**The Hon. WALT SECORD:** It was 3D weapons, Rob.

**The CHAIR:** Oh, okay.

**DAVID HUDSON:** The proposed legislative change that was put up impacted upon some licensed firearm dealers in relation to the modification of weapons. Part of what we are seeking—I think it was about two or three years ago now—was the tooling and the blueprints that were utilised to manufacture the weapons. That crossed over into some of modifications or maintenance that licensed firearm holders—

**The CHAIR:** I might help you with that, yes. I know the question is not addressed to me.

**The Hon. WALT SECORD:** No, it is not, Mr Chair! I am going to rule you out of order, Mr Chair.

**The CHAIR:** I am not going to rule myself out of order. It is an area of vital concern. I think the way the proposed legislation was being drafted was too wide. The fact that you had a copy, either on your computer or not, for the making of or parts of firearms—blueprints, for want of a better word—would have impacted anyone who was either a licensed dealer or who made parts or repaired parts. It made it virtually impossible for them to do the job.

**The Hon. WALT SECORD:** Thank you.

**The CHAIR:** If the Government wants to do this stuff, it needs to think more closely about how they handle it.

**The Hon. WALT SECORD:** Mr Hudson, what are people actually—I am not talking about the actual plans but actually making. What are people actually making, or trying to make, with these 3D weapons? Are they

making actual firearms themselves or are they modifying the weapons? Are they creating silencers? What are they actually doing? I know that a person was arrested in the Central West and they had 3D printing plans.

**DAVID HUDSON:** It varies, sir. The original 3D-printed firearms were more or less one shot and they disintegrated because they were totally 3D generated. The weapons being manufactured now are much more sophisticated. They incorporate lawful firearm parts into them, in some cases, allowing magazines to be inserted into them. Multiple shots can be fired from these 3D-manufactured weapons. They are getting a lot more sophisticated in their development and my advice is that the plans are becoming more readily available.

**The Hon. WALT SECORD:** We are not talking about a person just getting on the web; we are actually talking about sophisticated plans to manufacture things?

**DAVID HUDSON:** Yes.

**The Hon. WALT SECORD:** Is that to get around firearms laws? What is the reason? Why would do you something like this?

**DAVID HUDSON:** It is to get around firearms laws and to manufacture weapons which most usually would be prohibited in relation to their multiple firing capacity.

**The Hon. WALT SECORD:** What is the current state of play? If you are found with a 3D weapon, something that you have manufactured, is that an offence?

**DAVID HUDSON:** It is a prohibited firearm.

**The Hon. WALT SECORD:** Thank you, sir.

**The CHAIR:** We will have a few questions from Mr Field.

**Mr JUSTIN FIELD:** Thank you, Chair, and thank you, Deputy Premier. I just wanted to go back to this question around the transparency of the decision-making of the Hunter Expert Panel. I just wanted to give you another opportunity to clarify your position or expectation around transparency. Do you expect that the agendas and minutes of the meetings of the Hunter Expert Panel would be made public?

**Mr PAUL TOOLE:** I would expect a summary but, as I said before, there may be some commercial-in-confidence things discussed at that meeting. I do not think we could give an advantage to a competitor in some way. Just remember, we are going to be talking about some sensitive issues in relation to what is going to go through the expert panel. But I would see that from time to time there would be a summary at least being provided to ensure that the community has confidence in those expert panels and the work that they are undertaking. Those panels are talking about the future of those areas and what are going to be the future industries in some of those communities. I have no issues in relation to some of that information being circulated, but there will be time to time when some of it will be confidential and not all of it will be able to be disclosed completely to the public.

**Mr JUSTIN FIELD:** At this point they are about to hold their third meeting and neither the terms of reference nor any agendas or minutes—even a summary—have been published. Would you be prepared to make that direction to ensure that the panel is publishing a summary, or at least an agenda, so that the public knows about the topics—not necessarily the full consideration but at least the direction that the panel is taking?

**Mr PAUL TOOLE:** Yes, absolutely. That will be my expectation not only of the Hunter Expert Panel but also the establishment of the other three that will be set up across the State. Definitely, Mr Field; I will certainly take that matter on board. I will raise it and ensure that at least, at a minimum, there is a summary provided so that the community can understand exactly what the expert panel is dealing with and discussing, and so that actually there is some level of transparency being shown in relation to this matter.

**Mr JUSTIN FIELD:** I appreciate that, Minister. Thank you. I want to now move to the Gorman North strategic release area. I think at this stage you are moving ahead with an operational release of that area. There have been concerns raised that an operational release of that size does not fulfil the requirements of the Government's Strategic Release Framework. Are you aware of those concerns, and what is your response to that?

**Mr PAUL TOOLE:** In a moment I will get Ms Beattie to provide further comment, but my understanding is that that actually is the Narrabri Coal project. My understanding is that it is actually under assessment at this point in time. But I just might go to Ms Beattie and see if she can provide some additional information in relation to this matter.

**GEORGINA BEATTIE:** Thank you, Deputy Premier. Yes, Mr Field, I can confirm that Narrabri Coal has recently submitted two exploration licence applications for operational allocation which are adjacent to the Narrabri coalmine. This, as I mentioned, is under the operational allocation framework, which is different to the

Strategic Release Framework, which is the Gorman North area that you referred to. The future of coal statement has a number of areas identified for potential consideration for strategic release for a standalone mine. As the Deputy Premier mentioned this morning, three of those areas will now be removed from the map. The Gorman North area is also an area identified for potential strategic release, but that Strategic Release Framework runs alongside and is separate to the operational allocation framework, which is the exploration licence applications that have been received and are currently under assessment.

It is important to note that they are two quite different assessments and frameworks. The operational allocation framework is very limited. The applications must be adjacent to an existing mine. It is limited in terms of the size that can be applied for exploration and it is limited in terms of its purpose. It is really to consider the extension of an existing operation or improved mine design and so it is quite different to the strategic release framework, which is about considering a larger area that would be for a standalone mine.

**Mr JUSTIN FIELD:** Thank you, Ms Beattie. I think that is one of the concerns, that the operational release applications are in excess of the size that would meet the requirements of an operational release and instead it should have been considered under the strategic release framework and go through the full pre-ap process. Is it the case that the size of the application is in excess of what should be considered under operational release?

**GEORGINA BEATTIE:** Yes. I am aware that there have been concerns about that. At this stage the department's view is that the applications that have been received are consistent with the operational allocation guidelines. There are two applications that have been received and each of those is linked to a separate title. One of them is linked to the mining lease. The other one is linked to an existing exploration lease. Our understanding at this stage of the assessment, noting that the applications are under assessment, is that they are within the size requirements in the guidelines, which are that it can be no greater than 33 per cent of the existing titles.

In terms of the Gorman North area, I might just add that the process for operational allocation includes testing the market interest for those areas. In the case of these applications, because they do sit over the Gorman North strategic release area, the market interest test that is available at the moment is being undertaken for the whole of the Gorman North area, and that process is underway and will close in a couple of weeks.

**Mr JUSTIN FIELD:** Okay. So these two processes are running concurrently, effectively. Am I right in understanding that?

**GEORGINA BEATTIE:** There is only one process, which is the assessment of the applications that have been submitted under the operational allocation framework, but the frameworks do exist concurrently—strategic release and operational allocation—and there are no plans to look at the Gorman North area and releasing that at this point. But because the operational allocations have been received at this point, we are doing the market interest test over the larger area.

**Mr JUSTIN FIELD:** Would you expect that, if the operational release was approved, it would effectively then rule out the ability to further release of the Gorman North because a standalone mine on that much-reduced area would be unviable, or no call has been made about that?

**GEORGINA BEATTIE:** Yes, that is possible. At the moment we need to assess the applications and the market interest test will really give us quite clear indication about whether there is interest in that larger area. So, that process is underway at the moment and is open for another couple of weeks.

**Mr JUSTIN FIELD:** If there was interest in the larger area but that interest depended on not losing access to those areas where there are operational release applications from Whitehaven, would that be a consideration? You potentially would then not approve an operational release, but would open up the full process.

**GEORGINA BEATTIE:** Yes, potentially. The market interest test is open at the moment, and if there was market interest received and the market interest was from suitable, interested parties, the Government would then need to make a decision about the next steps.

**Mr JUSTIN FIELD:** On that point about the size, I think we should be able to make a pretty clear determination as to whether or not it fits the size consideration. We know the hectares of each of the proposals and the hectares of the existing mining licence area—my understanding is that combined, it covers 70 per cent, but even one of those exploration licence applications is, in itself, 33 per cent of the existing mining licence. It does seem like it is outside of the conditions or the criteria for being considered for operational release.

**GEORGINA BEATTIE:** The advice that I have is that the operational allocation applications are less than the required 33 per cent and I think the point here is that there are two applications that have been submitted and each one is linked to a separate title. One of them is linked to the mining lease and the other one is linked to an existing exploration licence. The advice that the department is giving me is that both of those applications are within the requirements of the guidelines.

**Mr JUSTIN FIELD:** It seems like some people are using different calculators.

**Mr PAUL TOOLE:** But I also point out, Mr Field, that, as you would notice, in a number of our areas—and you have seen this reflected as well—whilst in some cases we have ruled out areas for mining, there are situations whereby—and even today with Wilpinjong being allowed, I have actually indicated to you that the map for the area being allocated is going to be a lot less, and that will be reflected in the maps as we go forward as well.

**Mr JUSTIN FIELD:** I appreciate that, Minister. Thank you.

**Ms ABIGAIL BOYD:** In April last year for Coroner made 24 recommendations as part of the inquest into the murders of Jack and Jennifer Edwards, all of which were supported or supported in principle by the New South Wales police. I note that there was the announcement yesterday of the review into the Firearms Registry's processes around the licensing of firearms. Will that review consider those Coroner's recommendations as part of that process?

**Mr PAUL TOOLE:** First of all, let me just say that this is more about the operations of the Firearms Registry itself, so this is about looking at practices that are undertaken at the Firearms Registry. As I said, there have been a number of changes that have been made that have actually worked. Can we do it differently? That is exactly what the McKechnie review is going to be undertaking over the next three months. This will, again as I said, look at whether we can streamline it. We will be looking at our IT systems. It will be actually looking at what controls and safeguards are also in place when handling sensitive information. In relation to the coronial inquest, that is outside of the terms of reference that have been put forward for the McKechnie review into the Firearms Registry. But in relation to that, I might just see if the commissioner has some comments to make in relation to those recommendations that were made at the time.

**KAREN WEBB:** Thank you, Minister. As you mentioned, there were a number of recommendations made—24, in fact—relating to that very tragic death of those two children at the hands of their father. The recommendations for police related around operations, training and resources, which have already been or are being implemented, as reported, and reporting back to the Coroner. There has been a discussion already around the Firearms Registry and the improvements made there, including the improvements in IT. We have been engaging with the Family Court in relation to better enabling us to share information where there are family law court orders, et cetera, to be passed on to the registry. There has been some additional training for the registry staff around adjudication and decision-making. The first of those training sessions were held in May last year and they continue, and we established—

**Ms ABIGAIL BOYD:** I am sorry to cut you off because we might come back to this this afternoon.

**KAREN WEBB:** Right.

**Ms ABIGAIL BOYD:** Would it be perhaps easier if you could provide on notice a list of the recommendations and then where we are up to?

**KAREN WEBB:** Yes.

**Ms ABIGAIL BOYD:** I note that there are some in relation to firearms but there are also a number in relation to domestic violence processes within the Police Force. But while we are on that, Commissioner Webb, I know that recently there was quite a shocking story put out by the ABC in relation to the numbers of police perpetrators of domestic violence who are still employed within the Police Force, and I note your comments at the time in relation to that. What is your plan going forward for dealing with that situation?

**KAREN WEBB:** In addition to my comments at that time, there were six officers still employed in the organisation who had been charged with domestic violence. Four of those officers were charged, convicted and with no conviction recorded. So, that is, I guess, problematic in terms of any consideration for their removal if there is no conviction recorded. And for the two that are remaining, I have asked for further information so I have full insight. I did say at that time and I certainly have been at pains to talk about it at meetings with my senior executives around taking action as soon as we can, if officers are charged with domestic violence and not waiting for the conclusion of court matters if the evidence is quite strong. So, I have a very strong position about it. I have not had to adjudicate on a dismissal but I certainly have a very strong position about it.

**Ms ABIGAIL BOYD:** My understanding is that there are a higher number of no convictions recorded against police officers because of the potential ramification on their job. Is it your view that, so long as the facts have been made out, those sorts of serious domestic violence offences should lead to an officer losing their job?

**KAREN WEBB:** Certainly the requirement of the IRC and any decision I make around 181D removal is that I have to consider each matter on its merits, and there is plenty of case decision around that. So I must

consider all the circumstances but, as I said, I certainly have very strong views that there would want to be a compelling case why someone should remain if they have been charged and/or convicted.

**Ms ABIGAIL BOYD:** Do you have any powers to go back and look at those police officers who are currently still employed post that adjudication process?

**KAREN WEBB:** I do not necessarily, because the delegated officer at that time has made a decision on whatever those circumstances were, but I have asked for insight so I can actually look at the full circumstances to try and understand how we arrived at that decision.

**Ms ABIGAIL BOYD:** Another issue I have raised in estimates previously is in relation to the practice of police officers investigating fellow station officers' allegations. I will rephrase that. Someone has come in and made a domestic violence related complaint about a police officer and then the ordinary practice, as I understand it, is that you can have police officers within that same station then investigating that matter. I understand it is perhaps up to the—

**KAREN WEBB:** Delegate?

**Ms ABIGAIL BOYD:** Yes. My question to you is do you think that that is a practice that should continue and do you have any plans to change the way that that is dealt with?

**KAREN WEBB:** There are two ways that it could be investigated. Serious matters could be referred to an external command or to Professional Standards Command but the process for an internal investigation for any matter, including a DV or assault or something else in a local area command or district or command, is that the complaints management team, which includes the senior executive of that command, oversees the investigation from beginning to end. Officers, if they are allocated to investigate, have to declare any conflict of interest et cetera. If that cannot be managed, then that investigation has to be given to another officer. That might mean that it is given to another command or adjoining command or someone else.

**Ms ABIGAIL BOYD:** But that is all at the discretion of the—I am sorry, I am not going to get the position right.

**KAREN WEBB:** The delegate.

**Ms ABIGAIL BOYD:** The delegate, who is the person within that station. Is that correct?

**KAREN WEBB:** Which would be a commander.

**Ms ABIGAIL BOYD:** Right.

**KAREN WEBB:** So a very senior officer.

**Ms ABIGAIL BOYD:** But the person who is being accused—it is within their station. So it is someone that they know, presumably.

**KAREN WEBB:** Possibly, depending on their length of service et cetera. But the other thing is that all our complaints that go onto our system, IAPRO recording system, are available to an oversight by Professional Standards Command. So those documents go onto the system and will be recorded and are available to our oversight agencies. But certainly we have invested over the years heavily in commanders and senior management team training for complaint management team training. There are many processes of governance and gatekeeping to ensure that the command team oversees the investigation and it is not merely up to the allocated investigator.

**Ms ABIGAIL BOYD:** Given our emerging understanding of domestic abuse, particularly in relation to coercive control, given the circumstances in which a police officer is able to engage perhaps more easily in systems abuse than some other accused, do you think that there is a case for treating domestic violence offences by police officers in a different way and having a more independent process to ensure that there is no potential for the perpetrator to basically get a more favourable treatment?

**KAREN WEBB:** As I said, serious matters can be referred to Professional Standards Command for oversight. I know other jurisdictions have set up their own specialist unit for internal DV offending. I think the cohort of citizens of New South Wales we need to look after is large, and let us get a better handle on that before I tackle the police issue. But if I, in consultation with the Minister, need to look at that, I will. Certainly there are qualified detectives and investigators at local area commands and at Professional Standards Command and other places that are skilled to do serious investigations. So I believe that we have the skill sets to do it. Like I said, for those six matters that I referred to, I have not had the chance of reviewing those.

**Ms ABIGAIL BOYD:** One of the critical aspects of responding to domestic violence abuse and allowing victim-survivors to come forward is faith in the police to actually be able to handle their matter sensitively and



fairly. Don't you think that all the time we have processes within the police that can at least be perceived to favour police officers when they are DV perpetrators, we need to make sure that those processes within the police are incredibly robust and fair, in order to then be dealing with that larger cohort across New South Wales?

**KAREN WEBB:** Yes. As I said, the way we manage our complaints system is very transparent, with lots of governance around it. Officers need to complete an investigation plan and conflict of interest disclosures. So I am comfortable that we have a lot of governance and process around that and that officers who come forward, whether it is a member of the public who is married to a police officer or if it is another officer, are dealt with appropriately with the appropriate sensitivities.

**The Hon. MICK VEITCH:** Deputy Premier, clearly by the number of people you have present today, you have some very important—in fact, in some cases, extremely important—portfolios for New South Wales.

**Mr PAUL TOOLE:** They are all important.

**The Hon. MICK VEITCH:** That is essentially what I am saying. I am just curious as to how you are managing the time between the important portfolio of Police and the important portfolio of Regional New South Wales. Clearly there has to be some effort there to manage it. How do you do that?

**Mr PAUL TOOLE:** When I am in the city I try and visit stations in the city, when I am actually based here. So I have been out to Bass Hill and been to Surry Hills. When I am travelling into the regions for various things, I also ensure that I pop into police stations as well, like Deniliquin, Taree, Forster, Bourke and Broken Hill. The list goes on and on. Not only am I there for Regional New South Wales but I am also the police Minister. It is about making sure that I am briefed across the portfolios. I am very fortunate that I have two very good departments to be able to work with. A lot of stuff is operational within Police so it is about briefing, and I will make sure that they are resourced and backed in each and every day.

For the people of regional New South Wales, I will certainly ensure that we are fighting for them. But let's not forget there are a lot of similarities here with Regional New South Wales and Police. You have police officers who are men and women in blue but they are part of the community. They have kids that go to the schools. They are people who play sport. I have played with quite a number of officers over the years who have actually been the local police officers in the town, so they are very much a part of our communities. I want to make sure that, again, we actually do that.

**The Hon. MICK VEITCH:** I am just trying to work out how you do this. The briefings you receive from the two respective departments—how often are you looking at? Is it a weekly briefing in the Police case? Is it daily? How are you receiving your briefings?

**Mr PAUL TOOLE:** It is definitely weekly from both, but it might change. Sometimes it might be a briefing or it might actually be a phone call as well. So they vary from week to week. Rest assured, Mr Veitch, I am getting plenty of information.

**The Hon. MICK VEITCH:** But my issue here is these are both very important portfolios and we need to satisfy ourselves that you are actually across your brief.

**Mr PAUL TOOLE:** Yes, absolutely.

**The Hon. WES FANG:** I am satisfied.

**The Hon. MICK VEITCH:** My good friend over here has Police, and he has obviously prosecuted a number of very important issues this morning. I have Regional New South Wales. There are also a number of really important issues there as well. If something is elevated to more than a weekly briefing, what is the process within the department to do that?

**Mr PAUL TOOLE:** Sometimes it will be what activity may have occurred overnight in relation to police. It might even be in relation to an operation that is about to take place. In some of these cases as well we cannot actually talk about some of the information that has been undertaken because, if we are going to go out there and tell everyone about what is occurring, then basically we are alerting the criminals to know exactly what our movements are being. I think we have to be very sensitive here as well about what those briefings are and what information is shared with the public. Again, on the flip side, regional New South Wales is pretty exciting at this point as well. Whilst there are challenges there, we also note there are a lot of people moving into regional New South Wales. I have been telling people for decades how great a place it is and all of a sudden some light bulb moment has occurred during COVID and they have all decided they want to pack up and move to the regions. They realise they can work from home, live there, invest and do businesses, and it creates a pretty good lifestyle for people. It is exciting and, as I said, there are a lot of synergies between the two of them as I travel around and work across the State.

**The Hon. WALT SECORD:** On that point, during the Bega by-election the Premier went to Bega and did a sod turning on the Bega police station. What work has taken place other than the sod turning and putting up a fence around the site?

**Mr PAUL TOOLE:** I would have to come back to exactly what the status of that is, Mr Secord. There are a number of police stations across the State.

**The Hon. WALT SECORD:** No, I am asking about the Bega police station.

**Mr PAUL TOOLE:** I know the one you are talking about, yes. I remember I spent a lot of time there in the electorate of Monaro, right next door.

**The Hon. WALT SECORD:** I am not asking about Monaro, I am asking about Bega police station.

**The CHAIR:** Why don't you take it on notice?

**Mr PAUL TOOLE:** I will take it on notice.

**The Hon. WALT SECORD:** I will ask Commissioner Webb, have you updated yourself on the status of the Bega police station and has any construction work actually begun?

**KAREN WEBB:** I am certainly aware that the sod turn happened. There was an arrangement with the occupier of that land to lease back to maintain employment of that employer and while we were gearing up ready to start construction. Again, I will take on notice how far construction is away.

**The Hon. WALT SECORD:** From the photograph that I have here of the sod turning, it was a Ford dealership. Is that correct?

**KAREN WEBB:** Some sort of car yard, yes.

**The Hon. WALT SECORD:** One of your advisers behind is nodding. Is there a note that maybe she could provide to you to update us on that situation?

**Mr PAUL TOOLE:** Might be able to do it this afternoon, when they come back.

**The Hon. WALT SECORD:** But, Minister, you made a big song and dance about it; your Government, the Premier made a big song and dance about it. It would be a cruel hoax on the community if all you did was turn the sod and nothing occurred. It would be a cruel hoax on the community.

**Mr PAUL TOOLE:** We are not into hoaxes; we are actually about delivery.

**The Hon. WES FANG:** Chair, could I inquire, I note there is typically 15 minutes reserved for the Government. Now, looking at the time—

**The CHAIR:** We have come to the end of questioning, yes.

**The Hon. WALT SECORD:** A good little tactic.

**The Hon. WES FANG:** Not a tactic. I just wanted to indicate to the Chair to Mr Veitch's point that the Government is very much satisfied that the Deputy Premier has been over all of his portfolios and has very much indicated his extreme knowledge of all areas and so we have no questions at this time.

**The CHAIR:** Thank you very much, Mr Fang. That is a good summary. Thank you, Minister Toole. We will now break for lunch.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**The Hon. ADAM SEARLE:** Deputy Commissioner Hudson, you might recall on a previous occasion I asked you some questions about an operation conducted by the fixated persons unit involving the arrest of Mr Kristo Langker. Do you remember that?

**DAVID HUDSON:** Yes, sir, I do.

**The Hon. ADAM SEARLE:** You would be aware that that matter was ultimately withdrawn by the police and the police had to pay fixed costs in the order of about \$12,000?

**DAVID HUDSON:** That is correct, sir, yes.

**The Hon. ADAM SEARLE:** Are you also aware on 16 March at another estimates hearing I tabled some video footage of a court proceeding, another case brought by the fixated persons unit, which appeared to show an officer potentially coaching witnesses while they were giving evidence in the witness box and waiting to give their evidence?

**DAVID HUDSON:** Yes, sir, I did see that.

**The Hon. ADAM SEARLE:** Are those matters under investigation to your knowledge, either by the Professional Standards Command or by the Law Enforcement Conduct Commission?

**DAVID HUDSON:** Sir, they are currently under investigation by the Professional Standards Command under Strike Force Lissiana. The issues they are investigating are related to a number of criminal allegations in relation to perjury and interfering with a witness.

**The Hon. ADAM SEARLE:** When was that strike force established?

**DAVID HUDSON:** I became aware of the video I think the day after or the day of the estimates hearing. I spoke to Mr Walton, the Counter Terrorism and Special Tactics Commander, and suggested to him that it be initiated that day. He contacted the commander of professional standards and my understanding is it was initiated that day.

**The Hon. ADAM SEARLE:** Whatever the outcome, these are serious matters and worthy of investigation?

**DAVID HUDSON:** The way it has been approached they are criminal allegations, yes, sir.

**The Hon. ADAM SEARLE:** Given that it is an ongoing investigation I will not press you further. Could I ask this question: Does that strike force and that investigation extend to the conduct of either the unit or that particular officer in relation to the aborted prosecution of Mr Langker?

**DAVID HUDSON:** No, sir, it does not. It is specific to that video and the circumstances surrounding that matter, which I think were in 2018.

**The Hon. ADAM SEARLE:** In relation to that earlier aborted prosecution of Mr Langker, given how that matter ended up—with the police withdrawing the prosecution—the publicity, the appearance that the police were being deployed against a critic of the Government, or the then Deputy Premier, is that something that you will get across as to how this matter was brought forward and whether there was a sound basis for it?

**DAVID HUDSON:** My understanding is, sir, that it was viewed by the investigator as a component of an escalating series of events by Mr Langker and Mr Shanks. I think I have said previously that the process was not followed in a previous estimates hearing and I questioned that at the time and provided advice back to the command that I wanted to ensure that the process as signed off by the executive was followed in the future. My advice at the time was, even though the process was not followed of referral to the fixated threat assessment committee before allocation, that the outcome would have been the same, and that advice came from counter terrorism and also police prosecutions.

On the basis of that the matter proceeded up until a point when Mr Shanks was—there was some process initiated for contempt in relation to some videos that Mr Shanks posted by the fixated persons unit and the Police Prosecutions Command. I questioned that when I became aware of it. There was some criticism in relation to the process and it was adjourned for a later date. I asked or we needed to get Crown Solicitor advice in relation to that matter, the Shanks matter, for contempt. I also directed Scott Cook and Mark Walton to get independent advice in relation to the Langker matter.

**The Hon. ADAM SEARLE:** I think this was a matter that was also canvassed at a previous estimates hearing, including the basis upon which that suppression order was sought.

**DAVID HUDSON:** Yes.

**The Hon. ADAM SEARLE:** I think at the time I expressed the view that it seemed to be pretty thin. That was the legal advice you got, was it not?

**DAVID HUDSON:** The legal advice we obtained was more or less that, yes.

**The Hon. ADAM SEARLE:** But given that the original matter, the prosecution against Mr Langker, had to be abandoned by the police in such public terms, are you not concerned about whether or not the Police Force proceeded appropriately on that occasion?

**DAVID HUDSON:** My viewing of it, sir, is that I do not think there was any corruption involved. I think there were mistakes made by the investigator. Without in any way condoning the behaviour that caused it to happen by Kristo Langker, I think the investigator thought it was a component of something that was escalating that we were already seeking legal advice on, and this was the last straw in relation to that escalating series of events in relation to this group and Mr Barilaro. So I do not think there was corruption involved, but in hindsight I would have preferred it to follow the appropriate process, as I have already indicated, as soon as the arrest was made to the counterterrorism command. I think the legal advice we obtained—and there is still a thought within both prosecutions and counterterrorism that the matter could have proceeded to hearing; however, the senior prosecutor we had review the matter identified that we would have trouble proving intent in the charge that was preferred. On that basis, the matter was withdrawn.

**The Hon. ADAM SEARLE:** In light of your current investigation into the person who I think was the investigating officer in the Langker matter—that is correct, is it not?

**DAVID HUDSON:** Correct, yes.

**The Hon. ADAM SEARLE:** That does not cause you to have some concerns about that first investigation?

**DAVID HUDSON:** I have seen the video that was posted and played at budget estimates. There are a few questions in my mind in relation to whether the video has been modified in any way. I am not sure. That will be part of the investigation that plays out.

**The Hon. ADAM SEARLE:** Shortened, I think.

**DAVID HUDSON:** I think that is reasonable. When a video is played, we do not know the true sources of it, so I really need to see the outcome of that investigation.

**The Hon. ADAM SEARLE:** Sure. You will have access to the full court CCTV?

**DAVID HUDSON:** The last advice I got is that we were still in consultation with the sheriff's office to get that.

**The Hon. ADAM SEARLE:** I might put a pin in this conversation and perhaps ask Commissioner Webb this: The Legislative Council passed a call for papers asking for all the information or the documents relating to the establishment and operation of Strike Force Wyagan. Very little was actually produced to the Legislative Council. Is that because the police, on legal advice, took the view that these matters fell within the administration of justice? Is anybody here able to answer that question?

**DAVID HUDSON:** I have about a million strike force names in my head, so if you could clarify what the matter was—

**The Hon. ADAM SEARLE:** Strike Force Wyagan was apparently to investigate Mr Shanks and Mr Langker for—I do not know what. Are you aware of that strike force?

**DAVID HUDSON:** It would be the fixated persons unit investigation.

**The Hon. ADAM SEARLE:** Okay, so that would be that one. How is a strike force established? What are the mechanics?

**DAVID HUDSON:** Depending upon the resources deployed to a particular matter, it is normally within the State Crime Command or the counterterrorism command. Strike forces are created on the current investigation management platform that we call Eagle Eye so that all documents and records can be captured in that IT system. As part of that process, a strike force name is allocated.

**The Hon. ADAM SEARLE:** In relation to this particular strike force—if you cannot say, obviously you can take questions on notice—what were the resources allocated to this? How many officers?

**DAVID HUDSON:** I would have to take that on notice. I think the team is five detectives, with Detective Sergeant McQueen in charge, but I will take that on notice.

**The Hon. ADAM SEARLE:** Were you aware whether or not the police Minister at the time was briefed about the existence of that strike force? Or are these things not usually briefed to the Minister?

**DAVID HUDSON:** I would be surprised, sir, because I did not know about it.

**The Hon. ADAM SEARLE:** Again, I am happy for you to take that on notice. Do you know whether or not the strike force engaged in any in-person surveillance or phone tapping?

**DAVID HUDSON:** I do not know. Not that I am aware of. I would be surprised.

**The Hon. ADAM SEARLE:** Could you take that on notice?

**DAVID HUDSON:** Yes.

**The Hon. ADAM SEARLE:** Was the former police commissioner aware of it? Was the commissioner at the time aware of all strike forces, and this one in particular?

**DAVID HUDSON:** Before the point of charge?

**The Hon. ADAM SEARLE:** At any point?

**DAVID HUDSON:** He would have been aware, as I became aware at the time, that the charges against Kristo Langker were preferred. Prior to that, I am unsure. I would be surprised.

**The Hon. ADAM SEARLE:** Is approval of strike forces at the deputy commissioner level or lower than that?

**DAVID HUDSON:** Approval of strike forces is normally at the superintendent level.

**The Hon. ADAM SEARLE:** Commissioner, I am happy for you to take this on notice about the reasons why very few documents relating to the strike force were returned to the Legislative Council, if you could take that on notice.

**KAREN WEBB:** I will take that on notice, thank you.

**The Hon. ADAM SEARLE:** That would be very much appreciated. I will put a pin in this conversation and move on to a different topic. I will start with you, Commissioner. Are you or any of the officers with you aware of Strike Force Wigan?

**KAREN WEBB:** I have heard of it, but it predates me. I do not know whether Mr Hudson can answer any questions about that, or I can take that on notice.

**The Hon. ADAM SEARLE:** Can anyone here tell us what Strike Force Wigan was or is about?

**DAVID HUDSON:** I certainly can, sir. It was about me.

**The Hon. ADAM SEARLE:** It was about you?

**DAVID HUDSON:** It was about me. It was an historical professional standards investigation which came out of an environment of quite extreme conflict within the police executive officers about eight or nine years ago. It made certain allegations about me, which were fully investigated with no misconduct identified.

**The Hon. ADAM SEARLE:** Okay. I am not going to ask any questions about you. Was any other officer the subject of that strike force?

**DAVID HUDSON:** Just me.

**The Hon. ADAM SEARLE:** Just you. All right, those are my questions.

**The Hon. WALT SECORD:** I hope memory serves me correctly. Deputy Commissioner Hudson, this morning you mentioned that there were 11 homicides in relation to gang-on-gang violence in western Sydney. Is that correct?

**DAVID HUDSON:** That was my evidence, yes, sir.

**The Hon. WALT SECORD:** Those 11 homicides were over what period?

**DAVID HUDSON:** I think they began at the end of 2020.

**The Hon. WALT SECORD:** And this includes the homicide last week?

**DAVID HUDSON:** Yes.

**The Hon. WALT SECORD:** What is the status of the investigation of those 11?

**DAVID HUDSON:** They are all at varying stages of investigation. Charges have been preferred in a number of them. I think five are being investigated by the Homicide Squad and I think six by the criminal group squad at the State Crime Command. They have all been taken over by State Crime Command, but they are at varying stages of investigation.

**The Hon. WALT SECORD:** Just to get this accurate, five have involved charges being laid?

**DAVID HUDSON:** Five are being investigated by Homicide. Many of those task forces have charges laid within them, not for the actual homicide. I think all of them have had charges preferred against individuals under those strike force names for possession of weapons, drug supply and a number of other criminal matters. But I think three of them have—I will have to take it on notice. Three of them have actually been cleared by a charge.

**The Hon. WALT SECORD:** If you could take on notice—of the 11 homicides, without going into specific details, give me a number of how many involved charges involving the homicides.

**DAVID HUDSON:** Specific to the homicide?

**The Hon. WALT SECORD:** Yes.

**DAVID HUDSON:** Yes.

**The Hon. WALT SECORD:** Thank you, sir. What would be the resolution? How would a resolution of this gang upon gang—will there ever be a resolution?

**DAVID HUDSON:** Sir, we are working towards a resolution, which I cannot go into for obvious reasons in relation to investigations. But to resolve the matter we need to remove the cause of the conflict, and that is illicit drugs.

**The Hon. WALT SECORD:** Is it a territorial market dispute?

**DAVID HUDSON:** Largely.

**The Hon. WALT SECORD:** By removing it or resolving it, are you talking about the removal of the drugs or are you talking about the removal of the individuals?

**DAVID HUDSON:** We have ongoing investigations in relation to all of those homicides that you referred to—the 11—plus we have Operation Hawk, which I think the commissioner referred to earlier today, which piggybacks the proactive operations around those homicides that are being conducted for the suppression. I think it would be inappropriate if I actually articulated what is currently underway, but we have significant operational activity underway every day.

**The Hon. WALT SECORD:** Commissioner Webb, these questions will probably all be taken on notice unless you have any information at hand. This morning you will be aware I asked about the Bega police station. What is the status of the Goulburn police station being built at the academy and when will it start operating?

**KAREN WEBB:** I will answer the Bega question because I have that information. The tenants who were permitted to stay because of employment in the town have vacated, and construction is about to commence in three weeks. Similarly for Jindabyne, Goulburn is currently, through the planning process, at the planning and design and development application approval process.

**The Hon. WALT SECORD:** What is the targeted operational date?

**KAREN WEBB:** I will take that one on notice.

**The Hon. WALT SECORD:** You mentioned the Jindabyne one. That is on my list. The first sod was turned in Jindabyne. I think it was on the same visit as the Bega visit. When will that police station begin operating? This is Jindabyne.

**KAREN WEBB:** Yes. So 2023, as I understand, but I can firm up those dates.

**The Hon. WALT SECORD:** Now, a similar question on the Singleton police station.

**KAREN WEBB:** Yes, Singleton. I will take that one on notice.

**The Hon. WALT SECORD:** A commitment was made in 2007, and in 2019 it was reaffirmed, to have a 24/7 police station at Murwillumbah. What is the status of making Murwillumbah police station a 24/7 police station?

**KAREN WEBB:** To go to Goulburn—due for completion December 2023. Jindabyne, due for completion in June 2023. I do not have a position on Mullumbimby or Murwillumbah as you asked, so I will take that one on notice.

**The Hon. WALT SECORD:** If you could also tell me about the Gunnedah police station. What are the plans to have 24-hour policing at Gunnedah?

**KAREN WEBB:** I will take that one on notice.

**The Hon. WALT SECORD:** This morning there were questions about category D—

**The CHAIR:** Firearms.

**KAREN WEBB:** That is the issue around "of a kind". I think the Deputy Premier spoke to that commitment from government.

**The CHAIR:** Yes.

**The Hon. WALT SECORD:** I was out of the room.

**The CHAIR:** Do you have more questions?

**The Hon. WALT SECORD:** I do have more questions on it but I do not want to repeat questions if I was out of the room. I understand that changes are being mooted. What are those changes and what is the timetable?

**KAREN WEBB:** Without speaking for the Deputy Premier, I think he said that it was very shortly that he was bringing it before Cabinet and going to the upper House, where he was looking for support.

**The CHAIR:** I think he said it was imminent.

**The Hon. ADAM SEARLE:** Crime Commissioner, in your annual report at page 52 you refer to proposals for legislative change that have been discussed with government. I know on a number of occasions your predecessor briefed the oversight committee on those matters. Are you able to update the Committee on any recent discussions you have had and what the results of those have been?

**MICHAEL BARNES:** Yes, the changes that came out of the statutory review were eight in number. They were all accepted by the Government and they are moving towards implementation. The most significant, from the Crime Commission's perspective, is the creation of a regime for administrative forfeiture for the proceeds of crime. If an asset, most typically a large amount of money, is found in the vicinity, everyone runs in opposite directions. Currently we would have to bring an application to the Supreme Court and get an order to forfeit it. Under the administrative forfeiture arrangement we would need to advise anyone who might reasonably have a claim to it and, if they do not respond, then the money can be forfeited. That is the outstanding matter that is still being worked through because there are number of different models and a number of different safeguards that need to be put in place to ensure that that does not unfairly disadvantage those who might not know of a seizure or something to that effect. Otherwise, the recommendations have been accepted and are moving towards implementation.

**The Hon. ADAM SEARLE:** By that you mean legislation?

**MICHAEL BARNES:** Yes, I understand so.

**The Hon. ADAM SEARLE:** I will come back to that.

**The CHAIR:** I have a couple of questions perhaps to Mr Whyte, through you, commissioner. Is it true that the Firearms Registry has ceased issuing work authority permits to businesses involving the handling and use of firearms? In talking with small business owners like vertebrate pest controllers and licensed firearms dealers, we seem to be getting that feedback.

**SCOTT WHYTE:** Sir, they are actually called employee authority permits. I think it is allowing an employee to use a class of kind of weapon.

**The CHAIR:** That is right.

**SCOTT WHYTE:** We have issued a number. There have been a couple that there were delays on. Predominantly any delay has been in regard to the to-and-fro of correspondence between the employer and the registry. They are still issuing them, absolutely.

**The CHAIR:** Can you tell me the reason for the nine-month delay in issuing employee authority permits for Shawmack Industries' three employees in February, June and November 2021?

**SCOTT WHYTE:** Yes, sir. My understanding is that this matter relates to an application by Mr Dan Shaw. The application required additional information. This was not produced originally in the applied-for permits. There were also a number of other circumstances in relation to information sharing that led to these delays in approving these permits.

**The CHAIR:** On 22 March 2022 Illawarra Feral Animal Control sent an email to the registry requesting assistance for obtaining an employee authority permit for an employee to use a prohibited weapon—in this case a silencer. He received an automated response referring him to all manner of issues, but nothing regarding what he had asked for. He sent another email on 31 March 2022 and received the same automated, non-helpful response. Given that this is a small business owner who relies on timely advice from the registry to keep his business running, what is he to do to get the assistance he requires? How do you get on to someone or get a response from someone?

**SCOTT WHYTE:** I will take that on notice, sir, if I may, to delve into it because I agree that customer service is a priority for us, and especially those people who are being held up on adjudication or issuing permits and who require them for employment. We certainly are prioritising that as part of our day-to-day business. I will look into the specific circumstances of this one on notice.

**The CHAIR:** Can I have an update on what is happening with the Firearms Registry Consultative Council, please?

**SCOTT WHYTE:** Yes. Sir, if this is sufficient—otherwise I will get further detail on notice—the Firearms Registry Consultative Council has been formed and met twice—I believe in April and September last year. That is my information. It is continuing to meet. I have started to go around and meet with the individual members of the council. In the two weeks that I have been in the role, I have already met with two of them. It will be an ongoing consultative body that will assist in myself taking a full briefing to the commissioner on issues pertaining to the management or the administration of the Firearms Act.

**The CHAIR:** My understanding is that all police employees have to make a conflict of interest declaration every year. Is this correct, commissioner? Not correct?

**KAREN WEBB:** Not all employees. They are asked to make a declaration if they need to make one. The senior executive members of the organisation need to declare annually.

**The CHAIR:** Does that requirement deal with employees at the Firearms Registry?

**KAREN WEBB:** If there are employees at the Firearms Registry, and they are not in the senior executive service, they would make their own nominations or declarations as required.

**The CHAIR:** They do not have a requirement to make a declaration of conflict of interest; it is a voluntary one. Is that what you are saying?

**KAREN WEBB:** The declaration of conflict of interest is upon the individual to make the declaration, rather than the organisation checking the homework. Whether or not there is a different process in place for the Firearms Registry, there is a different process for senior executives.

**The CHAIR:** Mr Whyte, maybe you could take that on notice. We have had an ongoing issue with certain employees at the registry who, we believe, are demonstrating anti-firearms, anti-hunting and anti-shooting sentiments, and these people have been acting as adjudicators in the past. I am not going to quote any names, but I think people with those sorts of sentiments should not be employed at the registry at all, if the registry is going to offer fair and proper service to the customers of the registry. Can you explain to me the role of principal strategy and policy manager at the Firearms Registry? That is probably to you, Mr Whyte. After two weeks you should be across all of this.

**SCOTT WHYTE:** I will not be able to provide it verbatim, but I certainly will on notice, sir.

**The CHAIR:** I will leave that question then for you to answer on notice.

**Ms ABIGAIL BOYD:** I have a few questions for you, Ms Beattie, if I may, picking up on some of the questions that Mr Field was asking earlier in relation to the expert panel overseeing the Hunter region's diversification away from coal. I know that there was some discussion about the transparency over their proceedings, but I am also interested in whether there was a fit and proper person test conducted at the time that these people were appointed to the panel.

**GARY BARNES:** I might kick that off because it actually does not sit in Georgina's area.

**Ms ABIGAIL BOYD:** Apologies.



**GARY BARNES:** Firstly, a Hunter expert panel is an interim panel. The reason for that is we cannot confer status to that until the legislation passes through the upper House. Mr Hanger, who looks after regional development and has been working on transition arrangements from one economic reality to another, might be able to provide some additional advice.

**CHRIS HANGER:** That panel is meant to be representative of the community in the Hunter. It draws from a range of different community groups that have an interest in what is occurring in the Hunter.

**Ms ABIGAIL BOYD:** Is there a fit and proper person test applied to the applicants for that panel? Have the people on that panel passed some sort of fit and proper person test?

**CHRIS HANGER:** They were reviewed by the department and recommendations were put up to the Deputy Premier.

**Ms ABIGAIL BOYD:** If there was a person who had been subject to an ICAC investigation and had had adverse findings made against them, would they be allowed to sit on the panel?

**CHRIS HANGER:** I am not aware of anyone that meets that criteria, but if you have got those details—

**Ms ABIGAIL BOYD:** Perhaps you could take it on notice to have a look. My understanding is that there is one person. Out of fairness, I will not name them here. But I have been informed, and I have done my own research, that a person with adverse findings having been made against her by ICAC is sitting on that panel.

**CHRIS HANGER:** I will investigate and come back.

**Ms ABIGAIL BOYD:** This question may be for you, Ms Beattie, but we will see how we go. Again, I am picking up on some of the questions that Mr Field was asking about the Gorman North area. I understand that Whitehaven Coal had to go through a process to be allowed to apply for the operational allocation exploration licence. But Whitehaven Coal has been prosecuted in recent years by at least three different government agencies for a range of environmental offences. What is the threshold for the department to reconsider whether a company is still fit to hold a mining title in New South Wales?

**GEORGINA BEATTIE:** Thank you, Ms Boyd, that one is for me. As we talked about this morning, the two operational allocation applications that are with the department are currently under assessment. As part of that assessment the department looks at the previous record of the proposed applicant and that is considered along with all of the other criteria as part of the operational allocation guidelines.

**Ms ABIGAIL BOYD:** So it is at that point of the process. Are there any hard guidelines for just how bad a company needs to be before it is not allowed to hold a mining licence again, or is it discretionary?

**GEORGINA BEATTIE:** It is discretionary. We take advice from the Resources Regulator. There are a number of different parts of the department that provide input into the assessment of those applications and they are looked at on a case-by-case basis. But the previous history of an applicant is always taken into account.

**Ms ABIGAIL BOYD:** In the budget update there was an announcement of \$110 million over 10 years for the Legacy Mines Program. Are you able to tell me how much of that money has been allocated so far?

**GEORGINA BEATTIE:** If you just bear with me for a second, please. In the budget there was \$107.7 million allocated over 10 years. The work that the department has been doing since then has been working out a program to remediate the highest risk sites. There are 10 sites that have been identified as part of that new budget allocation. I should add that the Legacy Mines Program tracks over 600 legacy and abandoned mine sites. This new mining is significant to allow us to focus on the highest risk sites, both for safety and for environmental risks. Of that \$107 million, there is \$47.7 million over the first four years. In terms of the works, we have currently been undertaking works at the Ottery Mine site. Those works concluded in March this year. I am just trying to find the details. I might have to take it on notice and come back. The exact answer to the amounts is here somewhere, so I might just find that and come back.

**Ms ABIGAIL BOYD:** Thank you, that would be very useful. If you could tell us the list of the 10 sites that have been identified as being the most urgent for rehabilitation as well.

**GEORGINA BEATTIE:** Absolutely.

**Ms ABIGAIL BOYD:** I will go now to you, Commissioner Webb, in relation to the anti-protest laws that were passed at the end of the last sitting week. I did ask the Minister but I will also ask you, were you personally consulted during the drafting of that bill and how it might apply from an operational perspective?

**KAREN WEBB:** I had some conversation with the Deputy Premier about it. Obviously it moved very quickly at that time, so I would have to take on notice whether there was actually written correspondence. But I certainly had a conversation with him in the lead-up to that going before Parliament.

**Ms ABIGAIL BOYD:** Once the laws had come into place and we had the regulations passed in order to give it full effect, what happened internally within the Police Force in terms of briefing people and making sure that officers knew what the new laws meant?

**KAREN WEBB:** I will take that on advice, just to make sure.

**Ms ABIGAIL BOYD:** I understand that some parts of that legislation are potentially unclear, and that understanding is based on the responses from the Attorney General during the debate. The main area where there was some concern was over the interpretation of the need to get police approval, basically, in order to protect yourself from the consequences of that new offence, and how that overlapped with the process now with putting a form in to the police to notify that you are doing a protest. I think that the Attorney General expressed that he was not 100 per cent sure on that, is my recollection. But the majority of the lawyers I have spoken to have said that they believe that the need for express approval from the police sort of trumps that form in this respect. Is that your interpretation?

**KAREN WEBB:** I will take that on notice. My understanding is that the Form 1 process is still a requirement, and the new Act gives more effect to the punishment for breaching the form or not submitting a form et cetera. But I do not want to mislead you, so let me take that on notice.

**Ms ABIGAIL BOYD:** The question really is, if you have gone through the usual process of putting your form in, whether that gives you protection from the consequences of the bill given that the legislation itself refers to the need for express approval rather than just having notified. It would be great if you could come back on notice. I have also heard from a number of people who have been organising these sorts of protests that there has been some confusion from some police officers as to what these laws actually mean, with some unusual responses in relation to wanting to limit numbers of people or locations et cetera, which is not necessarily everybody's interpretation of the law. If you could come back with information on that, that would be fantastic.

**KAREN WEBB:** Sure.

**Ms ABIGAIL BOYD:** Are you able to tell me how many people have been charged under the new laws?

**KAREN WEBB:** No, I will take that on notice.

**Ms ABIGAIL BOYD:** And also what their sentence has been. Also, how many people were charged during those violent anti-lockdown protests on 24 July? I think we all remember the police horse being struck.

**KAREN WEBB:** Last year?

**Ms ABIGAIL BOYD:** Yes.

**KAREN WEBB:** Okay.

**Ms ABIGAIL BOYD:** If you could let me know how many people were charged during that and what their sentence was, that would be very useful.

**The Hon. ADAM SEARLE:** Mr Hudson, turning briefly back to Operation Wigan, my understanding is that it was established to investigate 17 officers, not just one. I will ask my questions to Commissioner Webb, and if no-one can answer them then I am happy for them to be taken on notice. Why was it established? What did it investigate? What findings were made? Have there been any efforts by New South Wales police to prevent any stories about Strike Force Wigan being discussed in the media? In particular, has any arrangement been reached with any media organisation to not publish any articles about the matter? I am happy for them to be taken on notice.

**KAREN WEBB:** Sure.

**The Hon. ADAM SEARLE:** I want to ask Mr Barnes and Mr Witherdin some questions about the Northern Rivers Reconstruction Corporation. Correct me if I am wrong, but I think you indicated that in the current financial year it has a budget of \$1 million and then it will have a budget of \$10 million in the next financial year. Is that correct?

**DAVID WITHERDIN:** That is correct, yes.

**The Hon. ADAM SEARLE:** How many staff does it have and will it have?

**GARY BARNES:** You start, David, and I will jump in.

**DAVID WITHERDIN:** It does not come into formation until 1 July, but it has got public works staff that are working in what we refer to as the infrastructure coordination office. That has got that line of sight across State Government and local government in terms of all the reconstruction projects. You look at transport infrastructure, health, education and so on, as well as local government. There are probably between about six and eight staff working on that at the moment. Once we set the corporation up, they will move across and be part of the corporation, although employees of the Department of Regional NSW. We are yet to finalise the structure of the corporation but, indicatively, I would expect around 30 people and probably no more than 35 people. We may well embed people in there for pieces of work from other agencies such as Infrastructure NSW, and similarly from Planning, and expect that a lot of what we do will be buying expert advice through private sector consultancies and so on for things like hydrology, flood modelling and risk assessments.

**The Hon. ADAM SEARLE:** Tell me if my understanding is wrong, but it sounds like it is partly coordinating a whole-of-government response to the North Coast disaster, but also driving a lot of the recovery—that is, the rehabilitation and the reconstruction of the infrastructure. Is that a correct understanding?

**DAVID WITHERDIN:** Yes, there are two parts to it. One is that coordination piece for a whole lot of work that is happening already at the moment. There have been various funding packages rolled out through ERC. If you look at the flood property assessment program, it is an opt-in program where home and small business owners can get a full structural assessment done of their property to give them a scope of works as to whether it can be recovered and then give them the opportunity, similar to what happened following the bushfires, to have that demolished as well. That is an example of work that is already underway but will be overseen by the corporation through the infrastructure coordination office—similarly in terms of recovery of water and sewer systems, landslips, bridge repairs and all that sort of stuff. But the key component that will follow on will be after the outcomes of the independent flood inquiry, so the recommendations there will really drive what happens.

**The Hon. ADAM SEARLE:** That will be your charter, you think?

**DAVID WITHERDIN:** Yes, that will set out all those land use planning issues. I think it is highly likely that as an outcome of that, we will identify places there where we say from a risk point of view—risk to life and limb—that people should no longer live there, and we can countenance things like land swaps and so on. There will be that really key coordination role for the corporation in terms of working across the seven LGAs that that covers and then coordinating across the other parts of government—Planning and so on—and there will be the ability for the corporation, as other growth centre corporations have, to acquire and develop land as part of that.

**The Hon. WALT SECORD:** Mr Witherdin, can I take you up on that? There has been discussion of land swapping in Lismore. I understand in other jurisdictions that when this was floated, there was land speculation and people inflating the price of the land in the areas that were going to be swapped. What discussions have you had already? Have you had any consideration of what protections will be put in place to prevent carpetbaggers or speculators from taking over?

**DAVID WITHERDIN:** Yes, I think that is a valid concern. In terms of early engagement, certainly, we have had that with Professor Mary O'Kane in terms of the work she is doing. We established contact with the Queensland Reconstruction Authority, and we are looking to visit them with Professor Mary O'Kane later this month. I think Grantham in 2011 is a great example of that. We are really keen to get up there, and they are willing to give those shared learnings. We can leverage off them and adopt them into the work that the corporation takes forward, but we do not have a clear pathway at the moment. That will become clearer as we get those preliminary recommendations at the end of June. Everything is on the table, as the Premier said when he announced this, so we do not want to rule anything in or out. There are some really complex and challenging issues around this.

**The Hon. WALT SECORD:** Where do Resilience NSW and Shane Fitzsimmons fit in with you guys?

**GARY BARNES:** I might answer that one. Resilience NSW at the moment, through the commissioner, is undertaking the chairing of the statewide recovery committee. I have got a couple of people that sit on that committee, including Chris Hanger, who looks at industry recovery. There is agriculture recovery on there, as well, and Scott Anson.

**The Hon. WALT SECORD:** Okay, but I am interested in Shane and Resilience NSW. Are they doing anything?

**GARY BARNES:** Shane is coordinating that statewide committee, and there is a housing taskforce that is getting the pods up there and purchasing temporary housing. That committee is very important, and Deputy Commissioner Mal Lanyon has been seconded by Resilience NSW. Mal is on the ground dealing with the day-to-day, immediate issues of recovery in the Northern Rivers. Resilience, and their role once all the recovery

packages have been resolved, will eventually step out and the longer-term build back will be taken over by the new corporation. We expect once we get Professor O'Kane's report that we will bring forward a new policy proposal for consideration. It will be very early in the new financial year. But, as David said, we have a power of work we have to do right now through public works and that will be then blended into the work of the new corporation.

Last time in the 2017 floods, and Janelle Saffin will tell you, our team worked with the council up at the Tweed to do land swaps at Murwillumbah to incentivise businesses to move out of the flood plain and to relocate up into an industrial park that we provided the trunk services for. It is something that we are sort of alive to and used to engaging in.

**The Hon. WALT SECORD:** Mr Barnes or Mr Witherdin, if one of the options is land swaps, what will happen to South Lismore if in fact you do a land swap? What will be there? Just vacant land?

**GARY BARNES:** We will not need to put the cart before the horse and listen carefully to what Professor O'Kane is going to bring back. She was actually in the Northern Rivers last night at a public meeting, and David and I are catching up with Janelle on Monday. We are listening to local members. We are listening to the LGAs. We are listening to the community groups themselves. We want them to be part of this solution, not a bunch of folks sitting in Sydney saying, "This is what's good for you." It would be improper for us to speculate at the moment.

**The Hon. WALT SECORD:** Deputy Commissioner Hudson, I would like to return to some questions I have asked at previous estimates. You would be familiar with extreme right-wing religious extremists and things like that and terrorist groups. Last year the Federal Government fully listed Hezbollah and Hamas, two organisations in the Middle East. With the Federal listing of those two bodies, what has been the impact or the flow-on effect on New South Wales policing? How does that engage into your field?

**DAVID HUDSON:** It has not been significant; we have not seen significant reaction to it. Obviously Hamas and Hezbollah have supporters within New South Wales, but that has not transferred into—

**The Hon. WALT SECORD:** Does that translate into an increased ability to track and surveil their followers in New South Wales?

**DAVID HUDSON:** We have not seen that. They have not been particularly problematic within New South Wales historically. Obviously there are supporters, but it has not translated into any increased threat that we can see or any increased activity.

**The Hon. WALT SECORD:** Commissioner Webb, last year there was quite a bit of community debate, and police officers expressed concern, about having to enforce the public health orders. What is the current status? Are police continuing to enforce COVID public health orders or has that fallen to the wayside?

**KAREN WEBB:** That has fallen to the wayside and we have returned to business as usual, back to policing as we normally would.

**The Hon. WALT SECORD:** When you say things are back to normal and that, there was data released from BOCSAR and other organisations showing that crime levels in New South Wales dropped during COVID in certain categories.

**KAREN WEBB:** Most, yes.

**The Hon. WALT SECORD:** What has happened in the area? Has, as you said, service returned to normal so to speak, unfortunately, to coin a phrase? What has happened to crime levels, particularly in western Sydney, south-western Sydney and across New South Wales now that COVID is still here but we are carrying on as normally as we can?

**KAREN WEBB:** Most of the crime categories in the property violence space have gone down across all areas of New South Wales. There has been a steady increase in the domestic violence, sexual assault, child abuse type responses. At most of the local area commands and police districts that I visit and talk to staff, domestic violence, for a number of reasons, takes up quite a bit of police time. We respond to over 140,000 calls for service a year, or around 400 matters per day, across New South Wales. There is plenty of work to do out there.

**The Hon. WALT SECORD:** What about reports of low-level theft, robbery and things like that that, with the lifting of Federal Government support and State Government support and that, there has been an increase in low-level crime, robbery, theft, shoplifting and things like that?

**KAREN WEBB:** I would have to come back to you with the hard data. I have not seen systemic widespread change in those categories, but I certainly can take on notice whether we are seeing it in particular areas.

**The Hon. WALT SECORD:** Commissioner, earlier this year we heard in State Parliament that civil payments by New South Wales police last year amounted to \$32.9 million and in the last five years \$148 million. What are those payments in relation to?

**KAREN WEBB:** There are a number of different things that claims can be made in relation to, whether it is failed prosecution or a statement of claim for something that has occurred. The number of claims are going up; the cost per claim is not going up commensurate with that. It is something that we contend with.

**The Hon. WALT SECORD:** Can you give me an example? The amount of \$32.9 million indicates that quite a few claims were made against New South Wales police. What would those be in relation to? Is that people being injured or is that wrongful—

**KAREN WEBB:** Could be wrongful arrest.

**The Hon. WALT SECORD:** Wrongful arrest, prosecutions.

**KAREN WEBB:** Could be a number of things, failed prosecutions, as I say, or where a prosecution has fallen over for some reason et cetera. There are a number of issues. Mostly they have been around some difficulties like not complying with section 99 of LEPR et cetera, which has been changed to make the safeguards easier et cetera for officers. There has been a lot of work done in terms of improving the *Person Search Manual* and other things. Where there were systemic areas with need for improvement, we have mitigated that.

**The Hon. WALT SECORD:** Have any training programs or initiatives been put in place to assist police officers? If you are saying a failed prosecution, the person in fact may not be innocent but it could actually be a bungled process and things like that.

**KAREN WEBB:** That is right.

**The Hon. WALT SECORD:** Are there systems in place—training in place, education in place—so that officers are actually able to properly do their job?

**KAREN WEBB:** That is right and, to that point, those areas that I mentioned we have spent considerable time improving our practices and training and education around that, particularly in the area of face-to-face training for person searches et cetera. That was an area of concern for us. Section 99 of LEPR is quite convoluted in terms of explaining the reason why someone is under arrest and the certain steps in that process. There have been a number of things that we have done to improve that, and it will always be an ongoing piece of work where we identify trends. That is the purpose of events that are submitted by officers, checked and verified by supervisors where we can identify those issues before hopefully a statement of claim comes in. But if a statement of claim is lodged, then it automatically becomes a complaint and will cause a review through that process.

**The Hon. WALT SECORD:** On COVID and the Goulburn police training academy, what has been the impact on the training of probationary constables and what is the status of the training facility at the moment?

**KAREN WEBB:** Having been there a couple of times, it remains almost a bubble. We were down there last week for attestation and there are still mandatory masks in place when you are indoors and outdoors on the facility and the students that are in to become police officers basically to this point have been quarantined. They are basically cocooned away from the virus. A couple of staff members have brought COVID in but it has not spread widely. We have preserved that, unlike other areas of New South Wales, to protect students.

**The Hon. WALT SECORD:** What is the rationale behind that?

**KAREN WEBB:** Just to make sure that we keep the students well and they are engaged in that four-month training process without interruptions to their learning.

**The Hon. WALT SECORD:** So it is a complete bubble?

**KAREN WEBB:** It has been.

**The Hon. WALT SECORD:** Has that impacted on the training in any physical sense or involving outcomes?

**KAREN WEBB:** They have just spent their time down there being trained with training staff, who are equally in a bubble and with precautions and mitigations in place, so that they get the full range of training without interruption. I spoke to a number of students on Thursday and Friday who were attesting. They had not seen their family for four months, but that was a commitment to make sure that they remained well and healthy and did not

have to drop out of a class and then come back. That was the risk assessment that we had undertaken to make sure we protect that cohort.

**The Hon. WALT SECORD:** Has it affected the ability to train the numbers going through the facility?

**KAREN WEBB:** We had six who were not able to attest—they were in isolation—but they will be attested on Monday. Relatively, we have actually managed 200 students quite well with a concurrent class overlapping at the same time. There are up to 400 students in the academy at one time, as well as other police officers in for learning.

**The Hon. WALT SECORD:** What about the instructors, the people engaging in the training?

**KAREN WEBB:** Yes.

**The Hon. WALT SECORD:** It applies to them too?

**KAREN WEBB:** They do not necessarily live on campus but they certainly have all the mandatory requirements, plus sanitisers and face masks. Unlike the rest of the community, where face masks are not required, we are still using face masks at Goulburn.

**Ms ABIGAIL BOYD:** I will just ask a couple of additional questions of Commissioner Webb in relation to domestic violence. Could I clarify your evidence from when we were talking before about the idea of having police basically investigate people within their own command who have been accused of domestic violence offences? Were you saying you did not think that that was a thing you needed to work on right now? Or is it something that you are—

**KAREN WEBB:** I committed to have a look at it if I need to. The way we manage our complaints, as I explained before, is through a senior complaints-management team committee—that is, a commander and the leaders of that command—to oversee investigations. They actually direct and lead the investigation plan and case management around the investigation, particularly something of that nature. Part of any initiation of a complaint will necessitate an investigator being allocated, and part of that process is that the investigator needs to identify whether they have a conflict of interest in terms of any of the involved parties, whether it is the subject officer, witnesses or any other subject person involved in that matter. If that cannot be mitigated, in terms of some of those controls, then the command would look to reallocate that investigation to another investigator to exclude that conflict—whether that means going to some other officer in that command, a neighbouring command, a neighbouring region or referral to Professional Standards Command for their assistance, particularly if it is a serious matter.

**Ms ABIGAIL BOYD:** Last month the New South Wales Auditor-General released the report to Parliament in relation to the effectiveness of police responses to domestic and family violence. Page 36 of that report states:

The NSW Police Force acknowledges that there can be a perceived or actual conflict of interest in managing complaints of domestic violence at the workplace of either party. To this end, it is in the process of reviewing the domestic violence standard operating procedures.

It goes on to state that the NSW Police Force is currently considering a proposal to address two areas of concern, including:

The introduction of procedures to address the issue of who should investigate allegations of domestic violence against police officers or police employees. In particular, it is proposed that Commands/Districts should not investigate matters involving subject officers or employees who are part of the same Command/District.

**KAREN WEBB:** We have agreed to review all of those recommendations that came out of that report and that will form part of that. That work has not started yet.

**Ms ABIGAIL BOYD:** Okay. I guess from your response, though, I am concerned that this is now not going to necessarily happen or will not happen any time soon.

**KAREN WEBB:** Oh, it will.

**Ms ABIGAIL BOYD:** Okay.

**KAREN WEBB:** I have certainly committed, and we have met as an executive team to—I have named and listed my five priorities for the organisation moving forward, and domestic violence, including all domestic violence, but if it includes members of my organisation as well, then we need to up our response to domestic violence. Part of that review and escalating our response to domestic violence will include the Audit Office review and its recommendations.

**Ms ABIGAIL BOYD:** You are not necessarily endorsing the recommendations but you are saying that you will review the recommendations. Is that correct?

**KAREN WEBB:** I said this to the Auditor-General herself, that the report gives us an opportunity to consider those things that she has recommended in that report. If I have the opportunity to review that and I can make improvements—in the metropolitan area it is not so difficult, but I guess the concern in some of the regional areas is that if I am allocating a DV police investigation to a neighbouring command who might be 200 kilometres away, how do I manage my victim support, my victim care?

**Ms ABIGAIL BOYD:** That is also the situation in which the victim tends to be the most isolated and vulnerable as well, so it is something that needs to be addressed, I would argue, even more so in those circumstances. In your response to the Auditor-General's report that you signed on 24 March, you state that you accept the recommendations in the report, you note the time frame to implement the recommendations and you state that you will work towards implementing the recommendations within the time frame nominated. Does that mean that you will be working towards having a more independent process for investigating police?

**KAREN WEBB:** Amongst a whole range of things in that DV space. But as we just discussed, that area—and I think with domestic violence, like a lot of personal violence crimes, we need to consider the needs and wishes of the victim. For me to say, "Oh well, it needs to go to a neighbouring command that is 200 kilometres away," that is not considering the needs of the victim. I do not think that is appropriate. But I think I have certainly undertaken to take on the Audit Office report and review that, as well as other opportunity for improvement in the space that is internal or external to the organisation.

**Ms ABIGAIL BOYD:** Just to clarify, the recommendation is not that it be investigated by a different command district necessarily but just that it should not be done within the same district. It could be at a separate, independent entity or some other sort of unit, I guess.

**KAREN WEBB:** It is about proximity and victim support, really. But yes, I understand the point you are making.

**Ms ABIGAIL BOYD:** Thank you. That is all I have for now, Chair.

**GEORGINA BEATTIE:** Sorry, Ms Boyd, I can answer your earlier question, if that is okay?

**Ms ABIGAIL BOYD:** Yes, please.

**GEORGINA BEATTIE:** Or I can do it later?

**The CHAIR:** Please go ahead. We are always looking for voluntary answers.

**GEORGINA BEATTIE:** In relation to the Legacy Mines Program, as I said, there is \$47.7 million over the first four years. They will focus on 10 projects that are at an advanced stage of planning. You asked what those projects were. They include projects at Lake George, Leadville, Cow Flat, McKinnons, Mount Royal, Hebburn, Webbs Consol, Temora and Ottery, which I mentioned earlier. It is the Ottery one where the main works have been completed, so it is almost finalised.

**Ms ABIGAIL BOYD:** Excellent. Thank you.

**GEORGINA BEATTIE:** You asked one more question, which was the—

**Ms ABIGAIL BOYD:** Bring it on!

**GEORGINA BEATTIE:** I am trying to answer them all. It was about the spend to date. The program has spent \$7.4 million as of April this year. There are a number of works underway and planning for those other 10 sites. We are expecting to get close to \$10 million by the end of this financial year.

**Ms ABIGAIL BOYD:** Excellent. Thank you.

**The CHAIR:** I have got some questions but I cannot think of what they are; can you give me some answers? Mr Barnes? Commissioner?

**The Hon. WALT SECORD:** Ms Webb or Mr Hudson, I wondered if you could give us an update on the status of the Easter Show stabbing? What is the status of the investigation? I understand if you cannot go into details, but what is the status? I have had requests from the community wanting to know what is going on.

**KAREN WEBB:** Of course. That incident is awful. It is a focus of the Homicide Squad in conjunction with the local area command. Homicide has sent out an appeal for additional information and any phone footage or other footage that is available. I am not privy to or can't discuss where that is up to, but it is a very much alive,

ongoing investigation. Hopefully we can see a resolution at some point, but given the crowds and what has been said publicly about a lack of cooperation of some witnesses—

**The Hon. WALT SECORD:** Do you find it frustrating that there has been a wall of silence?

**KAREN WEBB:** Well, of course, particularly from a young cohort of people. But, as I said, the Homicide Squad are working on it and there are probably a lot of facets to that investigation that I cannot discuss today. But, Mr Hudson, is there anything else you wish to add?

**DAVID HUDSON:** It probably is the frustration, sir, in relation to people who are associated with the deceased not being willing to assist us, but we are working through that. We are quite confident that we will get to the line on it, but it is going to take some time. It is one of those complex matters when you do not have witnesses forthcoming.

**The Hon. WALT SECORD:** Ms Webb, can I get some comments from you on recent data that has shown there has been a spike in drug driving in fact actually surpassing drink driving. What is your response to that? What strategies can be put in place? Do you feel any frustration or do you know ways that you wish the Government could respond to that, or the community?

**KAREN WEBB:** I think I had the pleasure of leading the traffic and highway patrol for 12 months who basically owned the responsibility around that, although the drug testing kits were sent out to regions to enforce. It is quite startling to think that there are more drug drivers than there are drunk drivers. Some of the return rates are much higher than RBT rates. I think in some places it was one in 10 and then RBT is like one in 250 or something.

**The Hon. WALT SECORD:** Say that again. What was the breakdown in the ratio?

**KAREN WEBB:** In some areas it is like one in 10.

**The Hon. WALT SECORD:** One in 10?

**KAREN WEBB:** One positive out of every 10, or it could be more narrow than that, and then RBT, on average, I think is a one in 250 return rate. But it is certainly an area of concern because people are driving impaired. Well, we assume impaired; there is a whole other section around what is illicit drugs versus impaired because the RDT only tests for the four illicit drugs, not for all drug types, because then you would need an opinion on every single test. But certainly for the four illicit drugs that we test for on RDT, random drug testing, it is concerning.

**The Hon. WALT SECORD:** This leads me to a question about during COVID when there was quite a big spike in arrests and detection of cocaine in Waverley and Bondi. What has been the policing response to the spike in the appearance of cocaine in Sydney's east?

**KAREN WEBB:** I do not think it is new, sir, and I think that the water testing shows that it is not new in that area. But the tasking and deployment model from the Traffic and Highway Patrol Command and others using RDT as one of the strategies along with RBT certainly has yielded high results.

**The Hon. ADAM SEARLE:** Getting back to Mr Barnes and Mr Witherdin about the North Coast reconstruction commission, at the moment it is all part of Regional NSW and you are going to establish it as some kind of corporation under an existing piece of legislation.

**GARY BARNES:** Yes.

**The Hon. ADAM SEARLE:** What powers or capacities will that confer on this body and its operations? Are you considering separate legislation for it specifically to make sure that it has all the tools that it might need?

**GARY BARNES:** At the moment it is established, as I said, as per other development corporations under the growth centres Act, which I will let David Witherdin and/or Rebecca Fox who—

**The Hon. ADAM SEARLE:** Because that will fit with some of its functions but not others.

**GARY BARNES:** Correct, yes. The issue around whether the corporation is fit for purpose in terms of the powers that it has, we will have to wait and see what comes from the report that is going to be delivered. But, certainly, I believe that a combination of the powers that are afforded a development corporation, such as capacity to acquire land and the like, along with some very good collegial work we have been doing with Planning around the potential to create a SEPP specifically to look at faster planning solutions in the seven impacted LGAs, will allow us to get things moving. But, David and/or Rebecca, did you want to talk about the powers of development corporations?



**DAVID WITHERDIN:** I will come in and Rebecca can come in over the top of that. But Mr Barnes is correct. I think the key mechanism that the growth centres Act will enable the corporation with is that sort of acquisition and development of land. In terms of its planning powers, it still has to work in conjunction with both local government and State Government in terms of planning powers.

**The Hon. ADAM SEARLE:** Just on that, it will not be seeking to take over the planning approval powers that otherwise reside elsewhere within government?

**GARY BARNES:** Not at the moment.

**DAVID WITHERDIN:** Not at the moment but we could certainly do that with the development of a SEPP which covers those seven LGAs. It looks fit for purpose at this stage, but it will depend on what the recommendations of the flood inquiry are and whether we need more from that. But, clearly, the corporation will only be successful if it really works in strong collaboration and with the local government entities and the community there. So it is about doing things with them rather than to them, you know?

**The Hon. ADAM SEARLE:** As a former resident of the North Coast and a former shadow Minister for the area, I am very keen on this being a successful innovation. Just in relation to the issue of mobile homes, I know there was a lot of talk with 3,000 homes being rendered uninhabitable and many others being very badly damaged. There was talk of providing mobile homes and places where mobile homes could be established. Is that a role for Regional NSW and this corporation?

**GARY BARNES:** So, again, it would be us working in collaboration with the planning department and in some cases the Department of Communities and Justice. And just on what we might call interim housing, which might be there for three to five years, David's crew at the moment, public works, are the ones that will go to market, and have gone to market, to get transportable housing flowing. The planning department is looking at identifying suitable sites with local government, and they have done that. They have identified five sites that are fit for purpose across the relevant LGAs. Then it is Justice that will look at the mix and balance of affordable and social housing and how that plays into maybe an opportunity to potentially keep that housing in play as we move forward.

**The Hon. ADAM SEARLE:** Just to be clear, you have identified five sites where this temporary housing, portable housing, could be located?

**GARY BARNES:** Yes. Planning has done that.

**The Hon. ADAM SEARLE:** Have any of those sites been made operational? Do any of them currently have such housing with people in it operating now?

**DAVID WITHERDIN:** Wallamba, the sort of sports field there, is in the process of that at the moment. I note that the North Coast Community Housing group, as a sort of community housing coordinator, was appointed yesterday to manage that—the allocation of residents to those and so on.

**The Hon. ADAM SEARLE:** Okay. I am not being critical but, just to be very clear, at the moment no residents are living in portable housing on site, but you are in the process of establishing that.

**DAVID WITHERDIN:** Yes, but residents are certainly in caravans that have been procured, in sort of mobile homes and then in the Minderoo pods, which are quite a minimalist thing in terms of a shipping container type of design used after the bushfires. Then there is quite an array of housing up to two- or three-bedroom homes that will facilitate full disability access and so on. But that is happening at a great pace there.

**The Hon. ADAM SEARLE:** How many of those housing units, if I can use that term, have been acquired so far?

**DAVID WITHERDIN:** I will take the absolute detail of that on notice. But it is certainly in excess of 60 at the moment—well in excess of that.

**The Hon. ADAM SEARLE:** I am happy for you to take this on notice: How many people are needing housing across those seven LGAs?

**GARY BARNES:** We will take that on notice.

**The Hon. ADAM SEARLE:** It is in the thousands, isn't it?

**DAVID WITHERDIN:** It is in the order. We will take it on notice but certainly in the order of about 2,000 people.

**GARY BARNES:** As Public Works, through a third-party provider, are going in and doing the assessments—and we have had nearly 1,500 people volunteer to have their premises both commercial and

residential assessed—we will get a greater notion of whether those people can build back their existing home or whether they might need to rethink the value of doing that. But as that work is unfolding—and it is happening right now—we will be able to scale up quite quickly the number of homes that we make available to people, as I said, for that three- to five-year-type window.

**The Hon. ADAM SEARLE:** This is my last question. We have got 2,000 people needing housing. You have acquired about 60 of these pods or portable homes. How many more will you acquire and what is the time frame for that? And, outside of that housing type, what other mixes of housing are you going to try and use to make sure that everybody gets a roof over their head? Again, I am happy for you to take that on notice.

**GARY BARNES:** I will take it on notice. The one thing with the housing money that has been made available is that there was an acknowledgement and an assumption that maybe there was already a deficit of social housing up in the North Coast. So that has been factored in as well, and that might impact on the overall number of new housings in the mix and type of them, as we put that alongside of the houses that we put in there to accommodate people who have lost their homes and cannot move back quickly. But we will get that for you. We will talk to our colleagues in DCJ and get that information.

**DAVID WITHERDIN:** There has been some sort of detailed modelling around that, so we would be happy to produce that.

**The Hon. ADAM SEARLE:** Happy to see that.

**The CHAIR:** At this stage, Commissioner Webb, the Committee do not have any more questions for you or your advisers. The same for you, Commissioner Barnes. I note that you have taken a number of questions today on notice. You have 21 days. The secretariat will be in contact. Thank you very much for coming today. All the police and related people can go, and Mr Barnes and his crew can stay for a little longer.

**(Mr Scott Whyte, Ms Karen Webb, Mr Michael Barnes and Mr David Hudson withdrew.)**

**The Hon. MICK VEITCH:** Thanks for allowing the constabulary to leave us. Mr Barnes, I have got a series of questions around SAPs which I will do now, and hopefully we can get through them in the 10 minutes before the afternoon tea break, which means you might be able to allow Rebecca to go as well.

**GARY BARNES:** Yes, sure. Why don't we crack on and ask Rebecca those.

**The Hon. MICK VEITCH:** Ms Fox, just so I get it clear, SAPs when they are created—that land is taken out of the local environment plan and there is a master plan or a delivery plan that is developed as a part of the process. Is that correct?

**REBECCA FOX:** Yes, both of those documents—a master plan and a delivery plan, usually. The Snowy Mountains Special Activation Precinct is slightly different. There are three different planning delivery mechanisms used there. And Williamstown SAP is also slightly more complicated, but generally we use a master plan and a delivery plan.

**The Hon. MICK VEITCH:** So any development that is approved under the master plan or delivery plan is taken as a complying development?

**REBECCA FOX:** That is right. Those two documents [audio malfunction] wider complying development pathway for most developments in those locations, yes.

**The Hon. MICK VEITCH:** So that would include things like height limits and whatever else. That is all picked up in those documents?

**REBECCA FOX:** Right.

**The Hon. MICK VEITCH:** Do the master plans and delivery plans also set out land use restrictions such as allowable development, for instance? Can you build an apartment building in the middle of a SAP, for instance?

**REBECCA FOX:** Only if it has been anticipated in the master plan and the delivery plan and the kind of special activation precincts that we are building. Again, Snowy Mountains is slightly different. No, you could not generally build an apartment block and, if you could, the specifications would be set out in those documents.

**The Hon. MICK VEITCH:** There is a mix of land use within these SAPs, so what is the government's role in actually owning land within the SAPs?

**REBECCA FOX:** The government owns land in order to facilitate the orderly and economic development of the Special Activation Precincts. That purpose is clearly set out through the relevant legislation,

which is the just terms acquisition legislation, and that refers to the purpose of the SAP, which is the orderly and economic development.

**The Hon. MICK VEITCH:** Okay, thank you. The Williamtown SAP statement from the Liberal candidate for Port Stephens, I believe, in the 2019 election said that the Williamtown SAP will be a positive permanent solution for the PFAS situation. Is that actually going to be the case?

**REBECCA FOX:** The PFAS situation in Williamtown is quite complicated and PFAS is primarily the responsibility of the Department of Defence. But, having said that, we are working very closely with defence, and the technical studies that we have done so far and continue to do in Williamtown make sure that the SAP can be developed and the development can manage that PFAS contamination effectively. So it is one consideration and part of the economic development of the SAP.

**The Hon. MICK VEITCH:** As a part of those considerations then, Ms Fox, is there potential for an increase in the PFAS levels in Williamtown? Is that a part of the consideration?

**REBECCA FOX:** No. The master plan and the special activation precinct in Williamtown will not increase PFAS contamination.

**The Hon. MICK VEITCH:** The Williamtown SAP—as I understand it, the Government is looking at a State-significant development for the SAP. When you said it is a bit different to the other SAPs, is that what you were referring to?

**REBECCA FOX:** Yes, that is right. A delivery plan by itself removes insufficient constraints in order to facilitate economic development in Williamtown. So we will do a State-significant development process at the same time simultaneously with a delivery plan so that we are removing as many barriers and providing as many opportunities as we can for good development in Williamtown.

**The Hon. MICK VEITCH:** Have we done this with any other SAP or is Williamtown the lead SAP for this situation?

**REBECCA FOX:** Williamtown will be the only special activation precinct where we run a State-significant development process as well, and that is because of the additional constraints that exist in Williamtown.

**The Hon. MICK VEITCH:** There is obviously going to be infrastructure development in Williamtown SAP. How much of that will be private as opposed to how much will be public spend? Do we have those numbers?

**REBECCA FOX:** No, I do not yet, but that is what we need to determine as we build our business case, which we are doing at the moment for that development. Our aim in all special activation precincts is to promote both private investment and government investment and get as much economic development and jobs as we can into those locations.

**The Hon. MICK VEITCH:** How much have we the taxpayers spent on the Williamtown SAP to date?

**REBECCA FOX:** I might take that one on notice. I am sure it is in my notes somewhere.

**The Hon. MICK VEITCH:** Is there a budget cost for Williamtown SAP as a part of this process? Have we actually created a funding envelope?

**GARY BARNES:** The money that comes for all of the special activation precincts is an allocation between the \$4.2 billion Snowy Hydro Legacy Fund. Rebecca is right: Government cannot attach money to the provision of economic enabling infrastructure in the SAP until it gets through the gate process of NSW, which means that it needs to have a final business case that determines that it will generate a benefit. To date all of the SAPs that have been through the process have delivered a benefit and money is in the process of being attached, if not been attached, to all of them. The three projects or SAPs that are up and underway are Parkes, as you know, Wagga Wagga and Moree, and we are very close on the Snowys. Then the next cab off the rank will be Williamtown, followed by Narrabri.

**The Hon. MICK VEITCH:** I want to finish with the Williamtown SAP, Ms Fox. How much of the Williamtown SAP do we expect will be privately owned?

**REBECCA FOX:** I cannot answer that at the moment. What we will do as we work through the business case is identify economic activation opportunities and then we will put together a commercial strategy with all key stakeholders to determine the best way to take that to market. Sometimes that might be government-led development and more investment from the Government, and sometimes it might be an open market process whereby a private developer undertakes that. That is the same process that we are undertaking in all the special activation precincts.

**The Hon. MICK VEITCH:** Thank you for that. Really my last question on SAPs follows on from Mr Barnes' most recent statement. Is it possible to get a status report on each of the SAPs, essentially where they are up to in their process, how much money has been spent? If I can get a status report, because there is clearly movement in different places, that would be good.

**GARY BARNES:** Yes.

**The Hon. MICK VEITCH:** Chair, that has me wrapped up on SAPs. I do not have any other questions, if you want to let Ms Fox go?

**The CHAIR:** Do you have any more questions for Regional NSW?

**The Hon. MICK VEITCH:** I have the snowy fund but I am certain Mr Barnes can take those.

**GARY BARNES:** I can take those.

**REBECCA FOX:** Sorry, Chair, if I could just answer the question, we have spent \$3.1 million to date on the Williamstown Special Activation Precinct as at 30 March this year.

**The Hon. MICK VEITCH:** Mr Barnes, you took on notice in the morning session a question around the REAs, the number of applications and how many have been processed with regard to—I forget which funding it was now.

**GARY BARNES:** It was the primary producers. As of midnight there were 2,236 applications received. Forty per cent of these applications were new applicants, which meant that RAA had no prior dealing with them. So that means we have to create a profile for all of those people. Of the applications received 710 have been completed and of those 710 some 656, so 92 per cent, were approved; 44 were refused, 6 per cent; and 10 were withdrawn, which is 1 per cent.

**The Hon. MICK VEITCH:** Sorry, of the 710 completed, what was the first number?

**GARY BARNES:** Of the 710 that were completed applications, 656, or 92 per cent, were approved. In relation to the matter that you raised with me, appreciating the confidence around withholding the name of those constituents, Scott Hansen is meeting you on Monday to brief you on another matter and he has asked to give you an update at that time if that works for you.

**The Hon. MICK VEITCH:** Excellent. Thank you.

**The CHAIR:** We might have afternoon tea and release Ms Fox, unless Mr Field has a question for her after the afternoon tea break?

**Mr JUSTIN FIELD:** No, that is okay, Chair. Thank you.

**GARY BARNES:** Did you have any questions about ICT?

**The Hon. MICK VEITCH:** No, I don't think I did.

**GARY BARNES:** No, I am not asking you to.

**The Hon. MICK VEITCH:** Would you like me to?

**GARY BARNES:** No. It is just that if you did, Rebecca knows about that.

**REBECCA FOX:** I would like to answer one about digital connectivity.

**The Hon. MICK VEITCH:** Not for these estimates, no. I have other questions relating to other matters.

**(Ms Rebecca Fox withdrew.)**

**(Short adjournment)**

**The CHAIR:** We will resume questioning with Mr Field.

**Mr JUSTIN FIELD:** My questions are primarily to Mr Barnes and they relate to the exchange that we had in the last round of budget estimates hearings with regards to the defamation action brought by the former Deputy Premier against friendlyjordies and Google. At one stage you indicated that the department—I might quote you directly if that is all right. You said, "We are not providing any departmental resources in relation to any case that he has." Is that still your position?

**GARY BARNES:** Certainly, the Department of Regional NSW did not provide any financial resources to support the Deputy Premier. I believe that the Deputy Premier's office asked some questions in relation to a matter concerning a group that was formerly with the Department of Industry and it was called Jobs for NSW.

We provided some advice about where his office could find information about Jobs for NSW, which he was previously the responsible Minister for. So that is the extent of—

**Mr JUSTIN FIELD:** Can you explain how that relates to the friendlyjardies matter, this request of Jobs for NSW?

**GARY BARNES:** At the time I was not aware it directly related to that but I later became aware that there were questions asked in relation to decisions that the Deputy Premier had made, the then Deputy Premier had made, in relation to some allocations to private firms within the then Jobs for NSW.

**Mr JUSTIN FIELD:** Just so I understand this, there were questions raised about grant allocations of moneys that related to Jobs for NSW and as a result of being able to respond to them the Deputy Premier's office asked questions of some departmental officers to confirm information about that. Do I understand that correctly?

**GARY BARNES:** They asked questions about where they could find that information, given that I think Jobs for NSW probably in its form did not exist any more, and I gave some information about where they could reach out and find information about Jobs for NSW.

**Mr JUSTIN FIELD:** You indicated in your answer just before there were no financial resources. But in the last estimates round you were quite clear in saying, "We are not providing departmental resources." Can I just get you to clarify the language? Obviously you have indicated no financial resources, but were there any staff resources or time devoted by staff to responding to lawyers or to Google or to any matters related to these private defamation actions by the Deputy Premier?

**GARY BARNES:** No, not to Google and not to lawyers. I asked my staff to find out where the Deputy Premier—his office asked a reasonable question about a program that he previously had oversight of, but that was never within my department and never sat with me. They asked where he could find that information and that is the extent of it.

**Mr JUSTIN FIELD:** You also took a question on notice in our previous exchange. I asked whether or not the department had a process for reimbursement being sought for any legal costs. You answered on notice that the department complies with the Premier's memorandum M2019-01, *Guidelines for the Provision of Ex-Gratia Legal Assistance for Ministers, Public Officials and Crown Employees*. Are you aware whether or not former Deputy Premier John Barilaro made a request for ex gratia legal assistance?

**GARY BARNES:** I am not aware of that, no.

**Mr JUSTIN FIELD:** So I could take it that the department has not paid any monies to Mr Barilaro as a result of any application for ex gratia legal assistance under those guidelines. Would that be correct?

**GARY BARNES:** That would be correct. I am sure that my general counsel would have made me aware if that were the case. To the best of my knowledge, no. As I said previously, no financial assistance was provided. In fact, our department did not have an active part to play.

**Mr JUSTIN FIELD:** No, I am not suggesting that. You provided that answer on notice. Having read that guideline now myself, it is clear that in the event that an application was made and if it was approved, it would be required to be paid by the department that that Minister was responsible for. I am sure if it was, you would have been aware of it. I am just asking you if that had happened. If I hear you correctly, you are saying that no such money has been paid and you are not aware of any application having been made at this point.

**GARY BARNES:** Correct.

**Mr JUSTIN FIELD:** Could you take on notice whether or not there is a limitation? It is not clear to me in the guidelines whether or not there are limitations on timing. Obviously these matters have not been finalised in the courts. Can you take on notice whether or not there are any limitations on Mr Barilaro making such an application at some stage in the future relating to these matters?

**GARY BARNES:** I can take that on notice.

**The Hon. MICK VEITCH:** Mr Barnes, in the last parliamentary sitting week the Labor Party moved an amendment to the Mining and Petroleum Legislation Amendment Bill 2021 that would have ensured that the Minister could only distribute funds from the proposed Royalties for Rejuvenation fund following written advice and a recommendation from the departmental secretary. I cannot ask your opinion on that, but what I would like to know is if were you consulted by the Government about this amendment?

**GARY BARNES:** Through Mr Hanger, who was actively involved in the passage of that bill through the lower House, yes.

**The Hon. MICK VEITCH:** And you were consulted about the impacts, one way or the other, of that amendment?

**GARY BARNES:** Yes.

**The Hon. MICK VEITCH:** I want our side of politics to get an understanding about what the process is for you, as the secretary, to provide the Minister with advice regarding projects to be funded from a fund such as the Royalties for Rejuvenation fund. There would clearly be a process for this.

**CHRIS HANGER:** Yes, absolutely, and a range of different funds. We will send up advice if the Deputy Premier is the final approver of funding out of a particular fund, such as Royalties for Rejuvenation, but there are others. The department will undertake an assessment process. That will be documented in a brief and that will then go up to the Deputy Premier.

**The Hon. MICK VEITCH:** And that is a part of the normal process for—can you give some examples of other funds like royalties for regions?

**CHRIS HANGER:** Sorry. There is Resources for Regions and Royalties for Rejuvenation.

**The Hon. MICK VEITCH:** Resources for Regions, yes.

**CHRIS HANGER:** In Resources for Regions the decision-making process has changed because that was originally funded out of Restart, so approval was by the Treasurer but typically through ERC. That has subsequently changed now to be a ministerial approval process and there are a range of other programs that are like that. Typically the departments will prepare advice about the applications that have been submitted, with recommendations either to ERC, if that is the approving body, or to the Minister to sign those off. In some instances, some grants are approved under financial delegation within the department.

**The Hon. MICK VEITCH:** The decision to no longer take Resources for Regions funding allocations or projects to ERC arises from a recent review of that program. Is that what happened?

**GARY BARNES:** It is probably more to the point that the decision-making powers around the expenditure of those funds sit within the gift, I guess, of the Deputy Premier. He has the appropriation for the expenditure of those funds. The guidelines were taken, I believe, through ERC. Therefore, I think there was a determination made, not just for that fund but for a number of others, that if the guidelines were followed and good governance was applied then Ministers could make those determinations.

**The Hon. MICK VEITCH:** So essentially there is a global allocation, usually as part of the budget, and then a number of projects against that allocation.

**GARY BARNES:** Yes.

**The Hon. MICK VEITCH:** In the past, if I am correct, those individual projects would also go to ERC for approval. What happens now is that for some funds that will not be the case. It will be upon your recommendation to the Minister.

**GARY BARNES:** Yes.

**The Hon. MICK VEITCH:** So that process for your developing the brief and then recommendations—is that an overly burdensome process within the department?

**CHRIS HANGER:** It will depend on the volume of applications that you get. Across the Regional Growth Fund we have over 2,700 projects that are currently being managed. I would have said in excess of probably 5,000 to 6,000 applications will have gone through. Obviously they are at various scales, from relatively small grants in the tens to low hundreds of thousands of dollars right up to, in some instances, tens of millions of dollars. The resourcing required to analyse a project of the scale of several millions of dollars or more is clearly going to be a lot more intense than it would be for relatively straightforward payments that are going out at relatively low values. We are building, and have got, quite a significant regional programs team to facilitate those assessments and the administration of the grants once they have been awarded.

**The Hon. MICK VEITCH:** Mr Barnes, that was the Resources for Regions fund, but you said there may be other funds that have moved away from an ERC approval process to the new process.

**GARY BARNES:** Yes.

**The Hon. MICK VEITCH:** Are you able to provide on notice to the Committee which funds they are?

**GARY BARNES:** Yes. There are some funds—for example, the grants program that relates to the Regional Job Creation Fund, which provides money to businesses for jobs creation—that the Deputy Premier has

delegated to me. So it is not just ERC for some and the Minister for others. But because I have a relevant appropriation he can delegate it to me, so some of them have come to the department.

**The Hon. MICK VEITCH:** Does the department have a list of probity advisers that you would use for some of or all of these projects?

**GARY BARNES:** We do.

**The Hon. MICK VEITCH:** How long does a probity adviser or their company stay on that list before they are reviewed?

**CHRIS HANGER:** We have a range and, like all procurement processes, we want to make sure that the services that are being provided are appropriate for what the department needs. Over time we will rotate the probity advisers who are used on particular programs. It is fair to say, with the volume of program activity—probity advisers are a relatively niche professional service, and there is a lot of activity across government as well. But, yes, we do look at who are the probity advisers that are being used? And do we have breadth across the service provision? Yes, we do look to rotate them intermittently.

**The Hon. MICK VEITCH:** The process for selecting which probity adviser or advisers you would use, is it a taxi rank system or is it based on skills and knowledge around the particular program?

**CHRIS HANGER:** We are looking obviously for experience in providing probity advice specific to grant administration.

**The Hon. MICK VEITCH:** That is for probity advisers. Is it the same process for probity auditors?

**CHRIS HANGER:** It would be. You want people with the relevant qualifications.

**The Hon. MICK VEITCH:** Are you able to provide a list of the probity advisers and/or probity auditors that the department may have used in the last couple of years?

**CHRIS HANGER:** Yes.

**The Hon. MICK VEITCH:** And, if you can, which programs they were used for. I do not want to know all the dollars; I just want to know who they were for.

**CHRIS HANGER:** Who oversaw what or who was involved in which programs, yes.

**The Hon. MICK VEITCH:** That would be really good. I want to go to the Snowy fund, which was originally \$4.2 billion. Trying to get a track of just how much has been spent and committed against the Snowy fund is becoming a bit problematic. I dare say the next State budget will make it even more difficult. Is it possible for the department to provide us, again, not all of the projects but—

**GARY BARNES:** Yes. In fact, Rebecca, who was on earlier, has oversight of all of the funding as well as the profile for the Snowy Hydro Legacy Fund. I am more than happy to (a) get a breakdown and (b) invite her to brief you during sittings in the next couple of weeks.

**The Hon. MICK VEITCH:** That would be fantastic.

**GARY BARNES:** As I have said previously, now that the SAPs—which is a big chunk of the \$4.2 billion—are really starting to take off in terms of INSW allowing Treasury to attach money to projects, expenditure is starting to happen. Likewise, private sector revenue is starting to really kick in. I mentioned this morning a \$240 or \$250 million international company—well, an international company in Brightmark—that is setting up plastic recycling at Parkes off the back of faster planning and a capacity to know how to traverse what sometimes is a hard planning system to get through.

**The Hon. MICK VEITCH:** With regard to the Snowy fund, what I really would appreciate—I am not sure if you can do this, but I think you probably can—is the funding allocated from the respective funds but by electorate. Do you keep a track of where the money goes by electorate?

**GARY BARNES:** Happy to do that.

**The Hon. MICK VEITCH:** If it is possible. If it is not possible, let us know.

**The Hon. ADAM SEARLE:** I think he is saying, "If it is possible."

**GARY BARNES:** I know the Shooters, Fishers and Farmers Party out at Orange have the biggest chunk because we have allocated—and the Independent at Wagga. But I am happy to do that. That is fine.

**The Hon. MICK VEITCH:** I am keen to chase down how much these characters are getting.

**The CHAIR:** Yes? Keep it secret.

**The Hon. MICK VEITCH:** So for the projects that receive funding under Resources for Regions or whatever the others funds may be, councils are now saying—and the western councils raised this with me as well—that because of the Federal and State stimulus funding, they are having issues with managing their own works program. They have a works program and there is funding for this. They get the funding and they bump their works program around to accommodate what is there. They are getting to the point now where even they cannot manage their own works programs because things that they had prioritised are now bumped down the list because government funding creates a new priority for them. If some of these projects do not start, have we sought to get the dollars back?

**GARY BARNES:** We rarely do that. What we try to do is work with the local government to provide assistance so that we can assist with project management, and sometimes even with taking things to market. Public Works are provided to smaller councils to assist them to get the projects away but, you are right, for about 40 per cent of all of the projects that are currently in train, we have received requests from councils to extend the time lines on milestones on the deeds of agreement. Chris and his team have been going through and working out how we can do that. We have done that, of course, for all of the seven councils up in the Northern Rivers. It would be unfair of us to expect them to hit milestones around government infrastructure projects when they are rebuilding roads and bridges that have been washed away. We very rarely would take money off a local government authority, but we do and have done that when obviously the project is not going to be delivered in certain circumstances.

**The Hon. MICK VEITCH:** The other issue that was raised with me—I am not sure whether Mr Barrett was in the conversation with me at the time it was raised—is also now getting staff or contractors to do the work as well as materials. There is an issue now about winning gravel as well. There is a real issue now about staffing and workforce issues in regional New South Wales. Some of this is around they just cannot get work crews, which pushes back even further the time lines on their projects—even their own projects not funded by State or Federal government. Are we working with councils around how to better utilise what is available within the regions?

**GARY BARNES:** Yes, we certainly are. David might comment in a minute, but that is one of the reasons we stood up an infrastructure coordination group with Public Works. That will end up being picked up in the corporation because it is no good seven different government departments going out and seeking the same set of skills at different times. We would be far better off to make sure that, when we secure skills in a hot labour market, we do it in a coordinated fashion so that we can optimise not only government spend but to make sure we can get the skills that we need. To be honest with you, COVID has knocked us around a little bit, but the amount of stimulus funding and money that we have had as a consequence of droughts, floods, fires et cetera has put a bit of a burden in terms of the smaller LGAs. Sometimes when they take it to market the cost escalates as well, so we are very mindful of those things and we have been working through them. The Deputy Premier is aware of it, but we want the projects to go ahead because a lot of them are community amenity projects that are so important, particularly for the towns and villages and we do not want them not to proceed.

**The Hon. MICK VEITCH:** I go now to fraud investigation. It was raised this morning in regard to a number of the grants, in particular the North Coast flooding grants. Mr Barnes, the RAA, do they have their own internal fraud investigation unit?

**GARY BARNES:** I would have to take that on notice. Scott Hansen is obviously listening and he will probably text me the answer in 35 seconds.

**The Hon. ADAM SEARLE:** No pressure.

**The Hon. MICK VEITCH:** I can ask another question.

**GARY BARNES:** I know that it is a requirement on people who are administering grants that they undertake audits and make sure that people who are attempting to play or rort the system are discovered, but Scott can give us the answer to that one.

**The Hon. MICK VEITCH:** I just want to know whether the RAA have their own internal fraud investigation unit. My gut feeling is that generally the RAA grants are going to people, as you say, that are generally already known to the RAA, and so it is probably not as big an issue as, say, relief grants such as the flood relief grants or the like. That is my gut feeling, but I could be wrong. I just want to know. Mr Barnes, programs like the Regional Skills Relocation Grant that I raised with the Deputy Premier this morning, clearly this program has not rolled out or ventured out as per expectation. I mean, \$244,000 out of \$10 million is a pretty low uptake rate. With those sorts of numbers, does the department undertake a review as to why there was such a small uptake?



**GARY BARNES:** I might let Chris talk about that.

**CHRIS HANGER:** We have, and I do have some additional information that the team has followed up.

**The Hon. MICK VEITCH:** Excellent.

**CHRIS HANGER:** You are absolutely right. The uptake on that grant has not been what we were expecting, given the opportunities that are present in regional locations and you have just talked about the skills shortages that exist. If we need to do things better and improve programs, we absolutely will. The department inherited that Regional Skills Relocation Grant from the Department of Education or Training Services NSW. It was in Education. We picked that up in 2021 and, you are right, the uptake has not been as strong as it should be. We have engaged a consultant who has worked not only with staff within the department to review how that program was stood up but, importantly, to talk with potential job seekers and others to understand why the uptake has not been as strong. That is going to inform advice to government.

As we talked about, we do know that we need to get the skills into regional locations. As best we can we will train people locally, but you cannot always get all of that workforce immediately. So we are going to provide advice to government on how to improve that program and where to next. We have engaged a consultant to assist us in that process, particularly to understand why it was not as effective in the market as we were expecting.

**The Hon. MICK VEITCH:** Is that an external consultant?

**CHRIS HANGER:** Yes.

**The Hon. MICK VEITCH:** There was a review for the Resources for Regions program. When was that review conducted, Mr Barnes or Mr Hanger?

**CHRIS HANGER:** That was before round seven. I am going to say 2019 or 2020. Maybe 2019. I can get the exact date.

**The Hon. MICK VEITCH:** That is okay.

**CHRIS HANGER:** The review is on the website. I might even be able to find it while—

**The Hon. MICK VEITCH:** No, that is okay. After every couple of rounds or thereabouts there is a bit of a review of the process and often the criteria changes as to how it is going to be allocated. It has been my experience that from where the criteria started out to where it is now it is quite different. We have explored at previous estimates that where councils have missed out, they are considered in the next round and they do not have to reapply—they get brought in. For this next round—which is going to be, as you said, in the next budget—is that going to be the same process after that review, that councils that have missed out in the previous round will be brought forward?

**GARY BARNES:** The latest iteration of Resources for Regions that came out of the review has a formula that we liaised with LGAs on and others and it allocates money to an LGA that is mining impacted. So that money is known to the LGA and, as long as they bring forward projects that meet the criteria, they can undertake those projects. There is no particular—as I understand it, Chris—reason why if they do not expend all of their money out of one allocation that they cannot put it with the next allocation to do a bigger project. I talked to all of the people, including Pete Vlatko from Cobar and other impacted folk, at that conference at Western Division, including the new mayor, Tom, out at Broken Hill as well—

**The Hon. MICK VEITCH:** Yes, Tom Kennedy.

**GARY BARNES:** —and they are delighted with the new arrangements because it takes all of that stuff out of it. One of the reasons that we were able to do this is that the money that we allocated for the last couple of rounds has come out of ConFund, not out of Restart. We still apply a cost-benefit analysis but not a BCR—a benefit-cost ratio. Because the money had previously come from Restart, it needed a BCR. In some of these very small communities you just cannot get a BCR unless you build a road, and they had finished building the roads and bridges that they needed to repair.

**The Hon. MICK VEITCH:** It is the bane of their existence, the BCR. The regional councils raise it on a very regular basis with all of us, I think.

**CHRIS HANGER:** That review was completed in 2019. It is available online.

**The Hon. MICK VEITCH:** I think it has been captured in a set of documents in an SO 52 here as well. I will keep going. Deloitte conducted a review into the Mine Safety Technology Centre, I think, in about 2018 or thereabouts. Can I just ask: How much did that report cost to produce? Do we know?

**GEORGINA BEATTIE:** Sorry, the review?

**The Hon. MICK VEITCH:** Yes, into the Mine Safety Technology Centre.

**GEORGINA BEATTIE:** I will have to take that on notice, Mr Veitch.

**The Hon. MICK VEITCH:** That is okay. As I understand it, that report talked about that the MSTC was exposed to perceived and actual conflicts of interest due to the fact that it was providing commercial services to the industry while also assisting the regulator to set requirements for industry. What has been put in place to better manage those perceived or potential conflicts of interest since that review?

**GEORGINA BEATTIE:** Thank you for the question. We did undertake a review of the alignment of the Mine Safety Technology Centre and the services that it delivered to the mining industry. As a result of that review, it was decided to cease the operations of the MSTC and so the MSTC, which was part of Mining, Exploration and Geoscience within the department, stopped operating in April. It was, as you are probably aware, offering a commercial service to the industry of specialist testing and certification. As you said, there was a real and perceived conflict of interest with the Resources Regulator because they, also within the department, have the responsibility for regulating the customers that the MSTC was serving and they also licensed and regulated the MSTC itself. As a result of the closure, the services have now been picked up through a legal agreement with Coal Services. Those new services have been available since 2 May to the market.

**The Hon. MICK VEITCH:** So Coal Services is now essentially doing the safety and technical testing that was previously done by MSTC.

**GEORGINA BEATTIE:** Most of the services, yes.

**The Hon. MICK VEITCH:** Previously, as I understand it, MSTC was funded through the coal levy. Will Coal Services now also receive that coal levy equivalent for that work?

**GEORGINA BEATTIE:** No, it was funded by the mine safety levy.

**The Hon. MICK VEITCH:** Sorry, the mine safety levy.

**GEORGINA BEATTIE:** Yes, that is right. Given that they are commercial services, Coal Services will be running most of those testing services and the mine safety levy will be staying within the department.

**The Hon. MICK VEITCH:** As a matter of interest, how much of the mine safety levy was actually going to the MSTC?

**GEORGINA BEATTIE:** I will have to take that on notice. It was around \$2 million. I should say that since the closure of the mine safety levy, it will result in an annual reduction of \$2 million. Obviously it was a commercial service, so that is the amount that—with the closure, that will no longer be required to draw on from the mine safety levy.

**The Hon. MICK VEITCH:** Mr Barnes, you might want to take this question on notice. It relates to the bushfire recovery. How many people do we still have in temporary accommodation?

**GARY BARNES:** That is one that I can find out for you, but that is a Resilience question. Happy to take that on notice. Also, I do not know whether Mr Field is still online.

**The CHAIR:** No, he is not.

**GARY BARNES:** Right. Just in relation to the matter that he raised with me about the former Deputy Premier being able to apply to me to seek reimbursement for legal costs, I have just been advised that that is only people in my own department and that members of Parliament and Ministers apply to the Attorney General. I will find a way to get that put on the record.

**The Hon. MICK VEITCH:** Was there anything else that you wanted to clean up out of today? I have now exhausted my questions, thank you.

**GARY BARNES:** I have got one. Scott Hansen has got back to me. RAA has its own internal fraud team, the duties of which include ongoing business assurance and random sampling of applications. RAA is also subject to a regular program of independent audits by the New South Wales Audit Office and others on behalf of the Commonwealth Government and Resilience as the co-funders of those programs. Just to confirm, Mr Field probably read the response to the Standing Order 52 questions and misinterpreted that response. It is only employees of my department who come to me. Mr Barilaro, if he were so inclined, would have had to go to the Attorney General, and I do not know whether he has done that or not. It is not my business.

**The CHAIR:** We have come to the end of questioning today. Thank you very much for coming. I note you have taken a number of questions on notice. Responses will be due within 21 days, and the secretariat will be in contact.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**