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QUESTION – COVID 19

The Hon. WALT SECORD: You mention that Ms Foy has involvement in it [cultural institutions]. Ms Foy, what organisations have you met with?

Ms FOY: I have met with all of the heads of the cultural institutions. As the secretary said, we have set up a management response team. As the secretary said, this is a group within the cluster of Department of Premier and Cabinet that was activated with the bushfires. We have re-activated for COVID-19. Yesterday I had a teleconference with the heads of the agencies to talk through any of the matters that were raised to make sure that business continuity plans are in place and can be activated if and should it be required. We will continue to hold those regular meetings with all of the heads of cultural institutions.

The Hon. WALT SECORD: Under those protocols, when have you determined that a cultural event such as a film festival, the opera, the Art Gallery, the Sydney Opera House—when would be the trigger point?

Ms FOY: As the secretary said, this is a NSW Health-led matter. We would take advice from the health experts and we would take direction from the State Emergency Operations Centre under the leadership of New South Wales police

The Hon. WALT SECORD: Would you be able to do a close down within 12 hours?

Ms FOY: I would have to take that on notice. I am certain that each of the agencies with their business continuity plans—but we are able to activate any decision that the Government takes through the Health portfolio and under the direction of the State Emergency Operations Committee.

ANSWER:

Each of the Cultural Institutions is implementing their respective business continuity plans and the Department of Premier and Cabinet is working closely with them.

QUESTION – COVID 19/Sydney Opera House

The Hon. WALT SECORD: Ms Blondin, can you tell me what is happening at the Opera House? How many people visit the Opera House on a daily basis?

Ms BLONDIN: On a daily basis, I will have to take that on notice

ANSWER:

According to a 2018 Deloitte report, almost 11 million people are estimated to visit the Opera House precinct annually (over 30,000 on average each day).

QUESTION – Coronavirus

The Hon. WALT SECORD: If you were instructed by NSW Health to close your doors, could you do it within a 12-hour period?

Ms BLONDIN: I will have to take that on notice, but we do have business continuity plans that we have in place and that will continue to monitor and evolve.

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ANSWER:

Yes.

QUESTION – Powerhouse Museum

The Hon. WALT SECORD: How large is the locomotive that is being moved to the Parramatta site?

Ms HAVILAH: I would have to take that on notice.

The Hon. WALT SECORD: Bigger than a bread box? Is it as big as this room? How large?

The Hon. NATALIE WARD: As big as a train. Train size. Locomotive size.

The Hon. WALT SECORD: Locomotive size, is that correct?

Ms HAVILAH: Do you mean metres or weight?

The Hon. WALT SECORD: Weight, metres. I am trying to get a sense of scale.

Ms HAVILAH: I would have to take that on notice. I could not give you an accurate answer on that.

ANSWER:

The total length of the train including Locomotive No.1, the tender, 1st class, 2nd class and 3rd class carriage from buffer to buffer is 34.1 m.

Locomotive No.1 weighs 40,000kg and its length is 7.15 metres. The Tender weighs 7,520 kg (empty) and its length is 5.9 metres. The three carriages weigh an estimated 10,000kg each. The length of the three carriages is seven metres each.

QUESTION – Chris Keely

The Hon. WALT SECORD: Ms Foy, you referred to a restructure. How many positions were removed, reduced or taken away in the restructure?

Ms FOY: We are still working that detail through. Now that we have Chris Keely on board it is

The Hon. WALT SECORD: How many positions have been removed?

Ms FOY: I would have to take that on notice.

ANSWER:

The structural review of Create NSW has been initiated.

QUESTION – Elizabeth Scott

The Hon. WALT SECORD: I will cut to the chase and save time here. She was appointed to a senior position [Elizabeth Scott], she served a year and her position was restructured or no longer existed.

Ms FOY: Yes.

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The Hon. WALT SECORD: Did she receive a termination payout?

Ms FOY: I would have to take any questions on notice regarding any matter of any individual.

ANSWER:

It is not appropriate to confirm the existence of payments to individuals.

QUESTION – Powerhouse Museum

Mr DAVID SHOEBRIDGE: To move to a different matter, the Powerhouse. Have you done an historical flood study of the site?

The Hon. DON HARWIN: We are happy to answer all these questions for a second time.

Mr DAVID SHOEBRIDGE: I have had notes of what the Hon. Walt Secord asked in my absence. I am asking you a specific question about an historical flood study.

The Hon. DON HARWIN: We might have to take this on notice. I do not want to waste the Committee's time by Ms Foy having to give the same answer a second time.

ANSWER:

Yes.

QUESTION – Powerhouse Museum

Mr DAVID SHOEBRIDGE: Why are you shutting the Powerhouse on 1 July?

The Hon. DON HARWIN: What I said very clearly was that the procurement process for a builder will start later in the year and that we will have that indicative date when we have the builder, and I would imagine, although I would have to check this and get back to you, we will have the builder before the museum shuts.

ANSWER:

The Powerhouse Museum (the Museum) will remain open until June 2021 with a staged closure commencing from July 2020. Following 2021, a targeted community and regional program will allow the Museum to continue to engage with the people of NSW. The care and preservation of the Museum's collections is of the highest priority during this project. Teams of collection management experts are developing a carefully considered transport and storage strategy to support the start of the physical relocation of exhibits and collection items. The procurement process for a builder for Powerhouse Parramatta will start later this year, with engagement of a builder expected in early 2021.

QUESTION – Powerhouse Museum

Mr DAVID SHOEBRIDGE: I am asking about the north annex, which I think is on the Powerhouse site.

Ms HAVILAH: It is, yes.

The Hon. DON HARWIN: On the Ultimo site or the Parramatta site?

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Mr DAVID SHOEBRIDGE: On the Ultimo site.

The Hon. DON HARWIN: That is different entirely. I could have perhaps had a go at that.

Mr DAVID SHOEBRIDGE: What is the cultural industry space?

Ms HAVILAH: The north annex is a building that is adjacent to—

The Hon. DON HARWIN: The freeway, is it not?

Ms HAVILAH: Yes, it is that building. That was an under-utilised building—it was not being used by the museum—so we made a decision to provide subsidised space to members of the creative industries to operate during the period we are open for the next 18 months.

Mr DAVID SHOEBRIDGE: It is effectively privatised, that section?

The Hon. DON HARWIN: With respect, what has happened—

Mr DAVID SHOEBRIDGE: I am trying to work out what you are doing. Is it a privatisation of the space?

The Hon. DON HARWIN: And I am very happy to answer it. I have walked through the north annex building, I have looked at it. The building was basically unused and what we have done is made it available to arts organisations to use its space, just like we do at any number of other facilities such as at Lilyfield and such as the Arts Exchange and the Gunnery and also the facility at Callan Park and the Canal Road film studios.

Mr DAVID SHOEBRIDGE: Can you provide us on notice with the policy settings for that and who will be occupying, as far as you know at the moment, the cultural industry space?

Ms HAVILAH: Yes

ANSWER:

The inaugural Powerhouse NSW Creative Industries Residency Program, located at the Powerhouse Museum in Ultimo, provides subsidised work space for NSW-based creative industry practitioners and organisations from diverse practices. EOIs to be part of the program opened on 14 August 2019 and attracted 631 EOIs. 130 artists visited the site and 68 completed applications were submitted to be part of the program.

All successful applicants are operating under a licence agreement with the Museum.

There are currently 9 artists in the North Annex, working in fashion design, illustration, architecture, design and sound design.

QUESTION – Industrial Relations Chief Commissioner

The Hon. ADAM SEARLE: Minister, it was publicly revealed in budget estimates last year on 30 August that you had decided by that date to not extend the term of office of the industrial relations chief commissioner, Peter Kite, SC. Will you indicate when did you, as Minister, form the view that you would not extend his term of office? I know he is at the statutory retirement age, but there is a power in the legislation to appoint him for an extra period of time; you chose not to.

The Hon. DON HARWIN: Obviously it was prior to that date, but I just do not recall when it was.

The Hon. ADAM SEARLE: Did you have a direct conversation with the chief commissioner about those matters?

The Hon. DON HARWIN: No.

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The Hon. ADAM SEARLE: In your answer recently in the Parliament you indicated that an advertisement was placed in October seeking expressions of interest. Will you tell us where that was published and how often the advertisement appeared?

The Hon. DON HARWIN: I would have to get the secretary to answer that.

Mr REARDON: I am happy to take specifics on notice in terms of where we advertise for the role.

The Hon. ADAM SEARLE: And how often?

Mr REARDON: I am happy to take that on notice as well because we have various distribution channels, whether it is the Jobs for NSW website, which is probably now the single largest source of people applying, but the nature of the roles—and I apologise, Mr Searle, I have undertaken a fair bit of recruitment in the recent past, so I will have to take the specifics of what we did for this role on notice—a normal recruitment was run, we had an external recruitment agency run the process and myself and my deputy secretary, Kate Foy, were involved in the recruitment.

The Hon. ADAM SEARLE: Who was the recruitment agency that handled the matter?

Mr REARDON: I even have to take that on notice. I have just been doing a lot of recruiting lately. I can furnish it to you, but I do not recall.

ANSWER:

An Expression of Interest advertisement was published in the Australian Financial Review on Friday 4 October and the Weekend Australian on 5 October respectively. These publications were selected for their broad reach as nationally syndicated newspapers online and in hard copy. Additionally, digital advertisements were also featured on the *I Work for NSW*, Seek websites and Government Social Media channel (DPC LinkedIn).

QUESTION – Industrial Relations Chief Commissioner

The Hon. ADAM SEARLE: The Minister has indicated to Parliament that following the expressions of interest [EOI] process a number of candidates were identified for interview. Can anyone tell us how many people were interviewed?

Mr REARDON: I will not provide that to you now. I will determine what I can provide to you firstly. I can assure you we interviewed multiple people, but I will only provide you with what I can in terms of a recruitment process—the confidentiality of people may have been involved.

ANSWER:

A two-stage interview process was adopted. Following a first round of interviews, three candidates were identified for a follow up interview before a final selection was made.

QUESTION – Industrial Relations Chief Commissioner

The Hon. ADAM SEARLE: I am not going to go into anything that is confidential, but in relation to the recruitment firm can you tell us what expertise that firm has in industrial relations and, in particular, the practice of industrial relations in New South Wales?

Mr REARDON: I will take it on notice. In terms of a recruitment, there was a standard recruitment process throughout. Myself and Ms Foy got underway with that as quickly as we could so we could

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do it in an appropriate way, but certainly we wanted to make sure that we tested the market and had the recruitment firm do exactly that. We do rely on external recruiters to test the market appropriately. That was certainly done to the extent that we were advised of who was on long lists and short lists and we just followed the standard steps of a long list and a short list.

ANSWER:

Korn Ferry was selected as the executive recruitment agency to manage a comprehensive and transparent talent identification and EOI process. Korn Ferry was chosen in light of its previous (recent) experience in undertaking similar processes underpinning the successful selection and appointment of the former Chief Commissioner, Peter Kite SC which was undertaken in late 2016.

QUESTION – Industrial Relations Chief Commissioner

The Hon. ADAM SEARLE: Sure, but you would accept, would you not, that, depending on what you are recruiting for, some expertise in the relevant field would be useful?

Mr REARDON: There is a range of expertise in those senior recruitment agencies, whether it is across construction, whether it is infrastructure, whether it is industrial relations and a whole range of other areas.

Ms FOY: I am sorry, I do not have the name off the top of my head but I can say that that was the company that did the recruitment of the previous chief commissioner.

The Hon. ADAM SEARLE: I understand. In terms of the short list and the long list, you said you will take on notice how many people were interviewed.

Ms FOY: Yes.

The Hon. ADAM SEARLE: Who conducted the interviews?

Mr REARDON: The panel was myself as chair of that panel and Ms Foy. Again, I apologise because I have been in a lot of rooms doing a lot of recruitment. I can provide what I can in terms of other information on it.

ANSWER:

Following a review of the long list, an initial round of interviews was conducted, which produced a short list of three candidates who were interviewed for a second time.

QUESTION – Industrial Relations Chief Commissioner

The Hon. ADAM SEARLE: Minister, given that you knew when the chief commissioner's term of office expired and you obviously knew that you were not going to extend the term of office of the incumbent chief commissioner, why has it taken you five months to make a substantive appointment? Why did the recruitment process not get underway earlier so you could have a seamless transition last December or early in the new year?

The Hon. DON HARWIN: I will have to take that on notice. I thought we proceeded pretty much as soon as I had made that determination. But I will check to see if there was anything that intervened.

The Hon. ADAM SEARLE: Just for your assistance, you confirmed to Parliament on 30 August that you were not going to extend Mr Kite's term.

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The Hon. DON HARWIN: Correct, yes.

The Hon. ADAM SEARLE: As far as I am aware, the position had not changed—nothing had changed in terms of the statute or its powers or responsibilities. The ad did not go out until October; you have only made the appointment a week or so ago.

ANSWER:

The recruitment process was initiated as quickly as possible. The timing of the recruitment and appointment process occurred during a period of transition following machinery of government changes, at which time the former NSW Industrial Relations transferred out of NSW Treasury and into the Department of Premier and Cabinet as Employee Relations from 1 July 2019.

QUESTION – Industrial Relations Chief Commissioner

The Hon. DON HARWIN: The ad went out when?

The Hon. ADAM SEARLE: In October.

The Hon. DON HARWIN: I will check the date in October—

The Hon. ADAM SEARLE: I do not see why it would take you six weeks to get an ad placed.

The Hon. NATALIE WARD: While this is fascinating, the appointment has been made.

The Hon. DON HARWIN: I am happy to look into that, but I do not think there was any particular reason; it is just the wheels sometimes move slowly.

ANSWER:

EOI advertisements were published in the Australian Financial Review on Friday 4 October 2019 and in The Weekend Australian on the weekend of 5 and 6 October 2019.

QUESTION – Industrial Relations Chief Commissioner

The Hon. ADAM SEARLE: So you have now got a chief commissioner and there are three other full-time commissioners and I think you have got a 0.4 of a full-time equivalent [FTE] commissioner in Newcastle—that is Commissioner Stanton. Will you now proceed to fill the vacancy arising from the appointment of Chief Commissioner Constant?

The Hon. DON HARWIN: I will take that on notice.

ANSWER:

The Government is considering potential next steps in relation to this matter.

QUESTION – Industrial Relations Chief Commissioner

The Hon. ADAM SEARLE: Apart from Commissioner Murphy, in the last nine years in terms of new appointments to the commission, your Government, or the Government that you are now a part of, has not appointed any person whose substantial practice or experience was in representing workers or unions. Is that something that you are likely to address in future appointments?

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The Hon. DON HARWIN: I will take that question on notice too.

ANSWER:

When considering appointments to the Industrial Relations Commission the Government is committed to attracting a wide pool of talented applicants that are suitably qualified, and ensuring that the assessment process is rigorous and that successful candidates have demonstrated the appropriate capabilities to undertake the responsibilities and accountabilities of the role of Commissioner with distinction.

QUESTION – Pay Gap

The Hon. ADAM SEARLE: I think in the Workforce Profile Report the indications are that the causes of the blowout in the pay gap were driven by the appointment of more women at lower pay. Can you expand on that?

Mr JOHNSTON: When we are talking about averages it means how does the distribution of remuneration for men and women change? For last year—I will provide a more detailed response on notice—the number of men at lower levels changed as well, which created a point where there were less men at that point, which shifted the average remuneration higher.

ANSWER:

The increase in the gender pay gap from 2018 to 2019 was largely due to differential growth for males and females in lower salary bands. The proportion of females paid below the median salary grew by 6.4% from 2018, while the proportion of males paid below the median salary grew by 2.3%, 4.1 percentage points lower than for females.

The largest increases in females paid below the median salary were an additional 3,029 general clerks in schools and an additional 2,713 school teachers.

While the 2019 headcount of females increased more than that for males in the higher salary ranges, the differential growth was not sufficient to counteract the more sizeable differential growth in the lower salary bands.

QUESTION – Powerhouse Museum

The Hon. WALT SECORD: Mr Steinberg is no longer on the board [Powerhouse Museum], is that correct?

Ms HAVILAH: That is correct. He resigned in August 2019.

The Hon. WALT SECORD: He was appointed April 2018, is that correct?

Ms HAVILAH: I would have to take that on notice, but yes, that is my understanding.

ANSWER:

Darren Steinberg's term of appointment as a Trustee of the Museum of Applied Arts and Sciences commenced on 1 January 2019.

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QUESTION – Powerhouse Museum

The Hon. WALT SECORD: I take you back to that 19 July 2019 meeting where you resolved to brief him, single him out as a board member on the market sounding documents for the Ultimo site prior to their release. That is a direct quote from the minutes I have tabled under freedom of information. Why did a property developer, one of the largest property developing bodies—why were you asked to give a personal private briefing?

Ms HAVILAH: That is a matter for the trust, because it was an action—

The Hon. WALT SECORD: But you attended that meeting. There was discussion in that meeting. Do you not think it is extraordinary that they would single out a property developer, one of the largest property developers, to get a briefing on "market sounding documents for the Ultimo site"?

Ms HAVILAH: I can take that on notice.

The Hon. WALT SECORD: I acknowledge that Ms Havilah has agreed to take it on notice. So that we receive the answer to the question, I would like to know who requested that he be briefed on the market sounding on that?

ANSWER:

The members of the Museum of Applied Arts and Sciences Trust requested that the Museum's Chief Executive conduct the briefing. The briefing did not take place.

QUESTION – Contingent labour

The Hon. ADAM SEARLE: Sure, but most people want a reliable income, they want to know that they have got work next week, next month. Flexibility is fine, but what you have not answered is why there seems to be this shift towards insecure work—temporary, casual, contingent—rather than part-time but permanent and ongoing. You have not answered that; no-one has answered that question.

Mr JOHNSTON: I could add—

Mr REARDON: Sorry, Mr Johnston, I was part way through and I can provide Mr Johnston another opportunity. As we discussed last year as well, there are significant amounts of people who are being employed on the infrastructure program—that has grown again now to over \$90 billion over the four-year forward estimates, in a range of areas. We were discussing one of the projects just earlier, being the Powerhouse. There are very large numbers of contingent workforce on those programs because they are temporary in nature, they have surge capacity requirements. I was simply talking about more broadly a lot of other areas where people are choosing to work differently, but that coupled with the amount of the infrastructure pipeline are two probably fairly key examples. If we have more we can either provide it to you out of the state of the sector report, but I think you have a copy in front of you.

The Hon. ADAM SEARLE: I do but it does not explain why there is this shift in the way in which the public sector is engaging people. Flexibility is great, but the issue is insecure work here. It seems to be that there has been a shift towards choosing insecure work engagements over permanent work engagements.

Mr REARDON: That is your term in terms of employment policy, and I am not going to comment on—

The Hon. ADAM SEARLE: A 26 per cent increase in contingent labour force is more insecure work. The public sector could have chosen to employ people on more permanent employment,

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even if that was part-time and flexible, but the public sector has chosen insecure work. Why has that been chosen?

Mr REARDON: The public sector employees are across every way that there is to employ people. There is no distinct shift one or the other; we still employ—

The Hon. ADAM SEARLE: A 26 per cent increase in contingent labour is a pretty significant change in one year.

The Hon. DON HARWIN: I think a \$90 billion infrastructure program is quite significant as well, and the idea that we would not look towards those sorts of arrangements for project staff I think probably would not be the best use.

The Hon. ADAM SEARLE: What percentage of that is related to that infrastructure project and what is for the regular business of government?

Mr REARDON: We can provide you any further detail if we can

ANSWER:

It is not possible to determine the percentage that is related to the \$90 billion infrastructure program in the data held by the Public Service Commission.

QUESTION – Employee relations/COVID 19

Mr DAVID SHOEBRIDGE: My question is: What are you doing to ensure that they have the sick leave needed so that if they get sick they will not come to work and will not be a potential agent for infection of the remaining staff?

Mr REARDON: The business continuity plans consider the entire workforce that we have, regardless of engagement; they have to consider that. Mr Johnston just indicated though that there are certain things that are the obligations of their employer, where that is the recruitment agency, et cetera and we have to work hand in glove with that.

Mr DAVID SHOEBRIDGE: Are you taking steps to understand whether or not those contingent labour staff have sufficient sick leave, because if they do not, you have got yourself a problem. Would you agree?

Mr REARDON: We are taking many steps at the moment in respect of—

Mr DAVID SHOEBRIDGE: I am asking about this specific step, not about many steps.

The Hon. NATALIE WARD: Let him answer.

Mr REARDON: Just because you speak over me quite often, I will just take it on notice

ANSWER:

Contingent workers are not employed by the Government and they should discuss available leave with their employer if they become sick.

QUESTION – Employee relations/COVID 19

Mr DAVID SHOEBRIDGE: We are about to go into a potential pandemic and you are not willing to share with this Committee what steps you are taking to ensure that the growing contingent labour

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force in the New South Wales public sector has sufficient sick leave so that they will not become a public health issue? You are refusing to answer that question to this Committee.

The Hon. TAYLOR MARTIN: That is not what happened at all.

The Hon. NATALIE WARD: I do not think that is a fair characterisation.

Mr DAVID SHOEBRIDGE: You are taking it on notice. Is that seriously the position we are getting to?

The CHAIR: The question has been asked. Can we now have a bit of quiet so we can actually hear the answer. Mr Reardon?

The Hon. NATALIE WARD: The quiet should be coming from Mr David Shoebridge.

Mr DAVID SHOEBRIDGE: Mr Reardon?

Mr REARDON: I indicated to you that each cluster and each agency has to have business continuity plans in place. We are enacting parts of that now, but we are only doing it methodically, step by step. This will unfold. I indicated before you arrived about the NSW Health lead and the support by the State Emergency Operations Centre that actually coordinates across all of government, including employment arrangements, including every other aspect of this that you can imagine. I will take on notice your specifics and provide any advice I can furnish back to you, because I do not have any more detail right at this point in time.

ANSWER:

Contingent workers are not employed by the Government and they should discuss available leave with their employer if they become sick.

QUESTION – 250th anniversary Captain Cook

Mr DAVID SHOEBRIDGE: Minister, is the New South Wales Government spending any funds on the colonial re-enactment of James Cook's landing—I would suggest invasion—some 250 years ago at Botany Bay? It is about funds, Minister.

The Hon. DON HARWIN: I am just checking which parts of this are relevant. Obviously, it would be wasting your time and the rest of the Committee's if I read a whole lot of things that are not relevant. The Commonwealth and New South Wales governments have committed to a \$50 million redevelopment of Captain Cook's landing site within the Kamay Botany Bay National Park. The redevelopment will include a new visitors centre, cafe and exhibition space and ferry wharves at La Perouse.

Mr DAVID SHOEBRIDGE: Minister, I do not mean to cut you off. I am aware of the general nature of the redevelopment proposal. I am asking you how much of it is going to be State money?

The Hon. DON HARWIN: I would have to take that on notice. I do not have that in the note in front of me.

ANSWER:

The Encounters 2020 project, which includes a national travelling exhibition and sailing of the HMB Endeavour replica around Australia, is a Commonwealth program managed by the Australian National Maritime Museum. The NSW Government has not funded this program.

The NSW and Commonwealth Governments have each contributed \$25 million towards the Kamay 2020 project in the Kamay Botany Bay National Park.

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Kamay 2020 acknowledges the 250th anniversary of the first encounters between Aboriginal Australians and the crew of the HMB Endeavour in Kamay Botany Bay on 29 April 1770.

This significant project has been informed by the Kamay Botany Bay National Park Kurnell: Master Plan and Plan of Management, as well as extensive consultations with Aboriginal and local communities and stakeholders. It includes a new visitor centre, exhibition space, café, disability access and ferry wharves at La Perouse and Kurnell, which will be completed by 2022.

The Kamay 2020 project also includes a commemorative installation featuring three sculptures designed by Aboriginal artists.

QUESTION – Parramatta Female Factory

Mr REARDON: Thanks, Minister. There are ongoing discussions with the University of Sydney. They are commercial discussions, as you would imagine, in a direct discussion. As the Minister pointed out, the unsolicited proposal guidelines that we work under, and/or any other direct deal that we discuss, those matters are put to Cabinet on a regular basis and that is where they are dealt with. They are dealt with through a committee that is pulled together. Depending on whether it is a transport project or any other type of project, you bring in the relevant experts from the clusters. It is the same as we have done for a whole range of projects. For this one at Cumberland we are in discussions with the University of Sydney right now, and they continue.

The Hon. ADAM SEARLE: Is there any time frame for the conclusion of those, or is it just open ended?

Mr REARDON: I will take that on notice because we have been in some commercial discussions for some time, but I will take it on notice.

The Hon. ADAM SEARLE: Will the community be consulted about the proposal? If so, how and when?

Mr REARDON: Again, I will take that on notice.

ANSWER:

- Direct deal discussions are by their nature complex. They are also commercially sensitive and confidential.
- It is not appropriate to commit to deadlines for concluding a direct deal as this risks compromising commercial outcomes for NSW taxpayers.
- There will be opportunities for community consultation as the Government's plans for Parramatta North progress.

QUESTION – Sydney Opera House

The Hon. WALT SECORD: What was the last enterprise or project or projection onto the Opera House?

Ms BLONDIN: I will have to take that on notice. We had Lunar New Year in February but I will have to check if there have been any since that time.

ANSWER:

The Opera House sails were last lit to celebrate Australia Day on 26 January 2020.

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QUESTION –

The Hon. WALT SECORD: Are you aware of the number of requests, approvals and rejections made to the Opera House in the last financial year?

Ms BLONDIN: I will have to take that on notice

ANSWER:

16 requests proceeded to a formal proposal being submitted for consideration. Fourteen of these were approved (with 13 proceeding) and two were declined.

QUESTION – Procurement of labour

The Hon. WALT SECORD: Are you aware of the number of similar contracts that are underway or in place in the public service at the moment? I think they are called SCM 007 contingent workforce contracts. **Mr JOHNSTON:** I would have to take that on notice to come up with the number.

The Hon. WALT SECORD: If you could take that on notice, because I asked quite a lengthy 12-part question on notice and I got a simple answer referring me to financial statements and the annual report. I seek leave from the Committee to have Mr Johnston actually answer the question, rather than simply referring me to non-existent reports, so I can get a thorough answer to all my questions.

The Hon. BEN FRANKLIN: Point of order: Witnesses are entitled to answer questions—

The Hon. WALT SECORD: I could just read the—

The Hon. BEN FRANKLIN: Could I make my point of order, please? My contention is that witnesses are entitled to answer their questions in any way that they would like. If the Hon. Walt Secord would like to ask questions, of course the witness can answer. If he would like to put further questions on the Notice Paper, then he can do that too.

The Hon. WALT SECORD: Or I could simply read this entire question into Hansard and ask them to take it on notice.

The Hon. BEN FRANKLIN: Entirely up to you.

Mr DAVID SHOEBRIDGE: To the point of order: Perhaps one way forward is to table that, and then we can get an answer to the tabled document.

The CHAIR: Both of those things are fine. It is correct that the witness is entitled to answer how he wishes to answer.

The Hon. WALT SECORD: I would like to table this as part of the proceedings and then get an answer to every one of my questions that were blocked.

Mr JOHNSTON: It is relevant that the Public Service Commissioner does not maintain this information. There is sharing of information across the public sector.

The Hon. WALT SECORD: I think you would be able to find this information.

Mr JOHNSTON: Potentially.

The Hon. BEN FRANKLIN: He may need to take it on notice.

Mr JOHNSTON: That is why I need to take this on notice.

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ANSWER:

I refer to you the answer to Question on Notice 1022.

QUESTION – Aboriginal monuments

Mr DAVID SHOEBRIDGE: Minister, last year you made a very positive statement acknowledging the fact that there is scope for better representation of First Nations peoples when it comes to public displays and monuments acknowledging our nation's history. Apart from what we have seen in Gundagai, which is the last place I can recall a statue of a First Nations person being constructed since we last spoke about this, can you point to any other statues?

The Hon. DON HARWIN: I will take that question on notice and get a proper response.

ANSWER:

The Government continues to advocate for representation of First Peoples monuments and statues and has asked the State Library to consult the Metropolitan Local Aboriginal Land Council regarding a monument in the Sydney CBD.

QUESTION – Statue at Bungaree

Mr DAVID SHOEBRIDGE: I know metro land council have indicated it wants to be involved with this. Will you arrange to meet with metro land council to progress this?

The Hon. DON HARWIN: I see metro land council all the time and I will be very happy to raise it with them the next time I see them in respect of their possible involvement. I would be surprised if John Valance was not already doing that, but I will check with him.

ANSWER:

The Government is working with the State Library to explore the possibility of commissioning a sculpture to be erected in the CBD.

QUESTION – Wage gap

The Hon. ADAM SEARLE: But do we know where in the public sector the problem is greater or better? In the report it is global, and that is great. Is the problem worse in Treasury but better in Education or better in Communities?

Mr JOHNSTON: It in part depends on what work is being done there. The differences are fairly similar across the sector. It is more related to the make-up of each workforce. What we see is in, say, information and communication technology [ICT] roles there is a wage gap, but there is also a wage gap in human resources roles where the difference between men and women employing in those areas is different. What our strategy to that point is thinking more macro across the sector about how can we influence and share information about how decisions are being made, which was to the secretary's point. If you know what the impact of a decision is on the gender pay gap, you might make a different decision, otherwise treating every decision on its oscillation.

The Hon. ADAM SEARLE: I am just wondering whether anyone at the table knows what the gap is across the different clusters. Is it just a flat \$2,000 everywhere?

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Mr JOHNSTON: No, it is not.

Mr REARDON: We will take it on notice. I understand the question you are asking, whether it was nurses, whether it was police, teachers, any other category.

The Hon. ADAM SEARLE: I just want to know.

Mr REARDON: We do not have that information in front of us.

ANSWER:

The gender pay gap ranges across clusters.

QUESTION – Wage gap

The Hon. ADAM SEARLE: There have been three equal pay cases under the New South Wales legislation. The most recent one was resolved on 1 November last year involving non-teaching, non-general assistants in the public school system. Congratulations to the parties, the union and the Government for sorting that out. The decision of the full bench said in paragraph 41, and I think this is worth repeating: A question arises as to whether there might be a need for legislative and/or bureaucratic solutions to ensure that all Pay Equity Cases that should be, are brought before the Commission. That was in the context of such cases being very resource intensive and noting that the only applicants hitherto have been trade unions. What is the Government's policy response to that observation by the full bench of the commission? Or is it yet to be considered?

The Hon. DON HARWIN: It would be fair to say that that is yet to be considered.

The Hon. ADAM SEARLE: Now that I have raised it with you, you will consider it and get back to me?

The Hon. DON HARWIN: I will take the question on notice

ANSWER:

Within each industrial instrument, there is only one rate of pay for male and female employees undertaking work of equal or comparable value. As required by section 23 of the *Industrial Relations Act 1996*, whenever the Industrial Relations Commission makes an award, it must ensure that the award provides equal remuneration and other conditions of employment for men and women doing work of equal or comparable value.

QUESTION – Aboriginal land claims

The Hon. ADAM SEARLE: You do not need to answer it now but I would not mind a breakdown of the relative age of the claims—five years, ten years. I would be happy if you take that on notice.

Ms COURTMAN: I am happy to take that question on notice because it is quite a complicated exercise. In terms of figures, as at 31 January the total number is 50,599 land claims in the State. I have figures of land claims granted by the Minister for Crown lands—3,071. We also have claims refused by the Minister for Crown lands at 8,832. In terms of incomplete, what we mean there is either undetermined or partially undetermined claims. As mentioned by the Minister earlier, currently at 31 January—I can provide more up-to-date statistics on those areas—

The Hon. ADAM SEARLE: On notice is fine

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ANSWER:

Age of outstanding Aboriginal land claims (by five year increments):

- 20 years: 138 claims
- 15 years: 480 claims
- 10 years: 13,188 claims
- 5 years: 25,979 claims

QUESTION – Aboriginal Affairs

The Hon. ADAM SEARLE: And is Aboriginal Affairs subject to the efficiency dividend? If so, how much?

Ms FOY: I beg your pardon?

Mr REARDON: I will respond to that. It was a question about the efficiency dividend. The cluster is subject to an efficiency dividend. How we then allocate it is a matter for myself, working with my executive. The community engagement group has Aboriginal Affairs within it, and has Heritage et cetera. So at the community engagement level, as in the deputy secretary's level, she has an efficiency savings target as to other areas within the agency and she allocates as she sees fit, based on priorities.

The Hon. ADAM SEARLE: And what is that efficiency target or dividend?

Mr REARDON: For the entire cluster?

The Hon. ADAM SEARLE: For that part that is coming out of Aboriginal Affairs.

Ms FOY: The efficiency dividend is largely allocated on a pro rata basis across the cluster and then I have a share of that. I will take on notice the exact number.

The Hon. ADAM SEARLE: Please do.

Ms FOY: I think it is in the order of around \$20 million.

Mr REARDON: Sorry. Just so we are clear, the entire cluster would be at that level and there would be a component of that for community engagement and a smaller component of that Aboriginal Affairs.

The Hon. ADAM SEARLE: That is okay. If you could, that would be fine.

ANSWER:

The cost savings target allocated by Treasury to the Premier and Cabinet Cluster for 2019-20 is \$20.7m.

QUESTION – Powerhouse Museum

The Hon. WALT SECORD: Several weeks ago there were some questions in the Parliament about a heritage listing involving the Powerhouse Museum. Was he on the Heritage Council when that nomination was made?

The Hon. DON HARWIN: When?

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The Hon. WALT SECORD: I think it was last Wednesday there was an advertisement for a nomination involving part of the Powerhouse Museum. Was he on the Heritage Council when that nomination was made?

The Hon. DON HARWIN: No, because the nomination of the Powerhouse Museum was submitted by the National Trust. I would have to check, but I think it was several years ago in fact and he certainly was not on the trust then.

ANSWER:

18 November 2015.

QUESTION – Aboriginal education

The Hon. ADAM SEARLE: Would you give the same response, then, to the question around early childhood education benchmarks? The national benchmark is 95 per cent. I think the national average is a bit over 86 per cent, but New South Wales was below 76 per cent. Again, why did we fall below the national average and what are we doing about it?

The Hon. DON HARWIN: I will see if the deputy secretary or the secretary want to add anything on that. Otherwise, I will take the question on notice.

Ms FOY: No.

The Hon. DON HARWIN: We will take the question on notice and get back to you with a more detailed response.

The Hon. ADAM SEARLE: Perhaps you could also turn your mind to the gap that remains in employment outcomes and life expectancy. We are not on track to meet either of those benchmarks.

The Hon. DON HARWIN: We shall do so.

The Hon. ADAM SEARLE: School attendance rates for Aboriginal students have fallen in New South Wales consecutively from 2014 to 2019.

The Hon. DON HARWIN: I would add, just on that point, that there is a Premier's Priority that we have set down in terms of HSC attainment. We consider that to be very important. All of them are important, but that is one that the Premier has nominated as a particular priority that she wants emphasis given to.

The Hon. ADAM SEARLE: Just on that, South Australia, Western Australia and the Territories are on track to meet the year 12 high school attainment target, but New South Wales is not. Could take on notice why we have not met the target and what we are doing about it?

The Hon. DON HARWIN: Thank you.

The Hon. ADAM SEARLE: Australian Bureau of Statistics data indicates retention rates for Aboriginal students in New South Wales has fallen in the year to 2019. Again, what are the drivers of that and how are we going to meet that?

The Hon. DON HARWIN: We will check on that for you and take that on notice as well.

ANSWER:

Early Childhood Education

This is a matter for the Minister for Education and Early Childhood Learning.

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Employment

In 2018-19, NSW was the best performing jurisdiction in terms of increasing the proportion of Aboriginal and Torres Strait Islander people in employment.

Life Expectancy

As reported in the 2020 Prime Minister's Report for Closing the Gap, the gap in life expectancy between Indigenous and non-Indigenous Australians is not closing, largely due to improvements in both Indigenous and non-Indigenous mortality rates.

School attendance rates

This is a matter for the Minister for Education and Early Childhood Learning.

Year 12 attainment and retention

This is a matter for the Minister for Education and Early Childhood Learning.

QUESTION – Thompson Square (Windsor Bridge)

The Hon. ADAM SEARLE: We will do that. Have you been invited to meet with the Defenders of Thompson Square?

The Hon. DON HARWIN: Invited by whom?

The Hon. ADAM SEARLE: Presumably by the Defenders of Thompson Square.

The Hon. DON HARWIN: Have they written to me seeking an appointment?

The Hon. ADAM SEARLE: I imagine they have. I believe they have.

The Hon. DON HARWIN: I would be pretty sure that I have been written to seeking a meeting, but we will take that on notice and check.

ANSWER:

A representative from the Defenders of Thompson Square wrote to Mr Harwin on 21 October 2019 to raise matters pertaining to the Windsor Bridge. A response was sent on 12 December 2019.

QUESTION – Arts Grants

The Hon. DON HARWIN: All of the arts grants are free of political interference. All of the grants from the Arts portfolio, nevertheless, are recommendations from the relevant body that makes those recommendations to me. I make the final decision and then they are awarded, because I am the one who comes here and you can ask me questions about it. That is the way it works and it is the way it has always worked in the Arts portfolio. The CASP funding—from memory, it is the RADOs that make the decisions. I might have to take that on notice.

The Hon. WALT SECORD: Ben, maybe you can assist—not that you would be involved in the selection of any of the programs.

The Hon. DON HARWIN: Ben probably could answer this. With a lot of the devolved funding programs, others make the decisions and I sign the letters. I am pretty sure it is the same for CASP as well, but I will see if I can check that and get the answer for you before the end of the hearing. There are staff members in the room who can do that, but I am pretty sure that is how that one works as well.

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The Hon. WALT SECORD: What is the definition of "country" as a geographical area for the CASP?

The Hon. DON HARWIN: I probably will have to take this on notice to check all of the details. The RADOs have defined areas of operations, as you would be aware. You know what I mean when I say RADO. Obviously, all of their areas of operation are considered to be country. I have in mind also that we take applications from other areas because the RADOs do not cover all of what would be considered regional under, for example, the definition of "regions" used for the Regional Growth Fund. For example, Nowra does not have a RADO covering it and yet Nowra, upon anyone's reckoning, is country. Therefore, I am pretty sure regional arts have a process for covering those areas like Nowra that are not covered by a RADO. I will take that on notice and get you a response on that. If there is a specific matter that you would like me to follow up, please ask the question and we will do the same.

ANSWER:

Country Arts Support Program (CASP) is a Small Grants Program (Devolved) delivered by Regional Arts NSW (RANSW) on behalf of the NSW Government. The aim of CASP is to support community arts and cultural development in regional NSW. Under the CASP guidelines, regional (country) is described as all areas of NSW outside Sydney Metro, Western Sydney & Blue Mountains, Central Coast, Newcastle and Wollongong. Applications from areas not serviced by the relevant Regional Arts Board (RAB) are assessed by a central state panel coordinated by RANSW. This panel comprises an independent arts worker, an Executive Director from a RAB and a RANSW Board Member. The State panel also approves final recommendations from each regional panel.

QUESTION – Willow Grove

The Hon. ADAM SEARLE: Which company undertook the heritage report into Willow Grove and the other Heritage-listed buildings soon to be demolished to make way for the relocated MAAS to Parramatta? Was it the company Advisian?

The Hon. DON HARWIN: Could you just repeat the question so that I can be sure?

The Hon. ADAM SEARLE: Which company undertook for heritage report into Willow Grove and St George's Terrace.

The Hon. DON HARWIN: The report that would have been prepared as part of the business case work?

The Hon. ADAM SEARLE: Yes. I want to know if it is Advisian.

The Hon. DON HARWIN: We will have to take that on notice and get back to you.

ANSWER:

A report considering the potential impact to heritage items including Willow Grove and St George's Terrace was prepared by Advisian in 2016 for the Final Business Case.

QUESTION – GovConnect

The Hon. ADAM SEARLE: Mr Reardon, how much is the Government spending on GovConnect?

Mr REARDON: GovConnect, for other members, is the Information and Communication Technology program that covers a lot of our corporate areas and our human resources areas as

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an ICT project across Premier and Cabinet, across NSW Treasury and across the Customer Service cluster. So there are three clusters together; that is a good pooling of resource. I am assuming you are not talking about the build. You are talking about recurrent costs to actually run it now. Is that the question?

The Hon. ADAM SEARLE: Yes. I will come to the build as well.

Mr REARDON: That is fine. I will take it on notice because I do not have the details in front of me.

The Hon. ADAM SEARLE: That is okay. How much is the build? I would like to know that.

ANSWER:

Total cost of DPC services for HR, Finance, ERP, SMO, IT Services = \$3,918,802.

Total cost of DPC, PCO, GSC, INSW for HR, Finance, ERP, SMO, IT Services = \$4,900,941.

QUESTION – GovConnect

The Hon. ADAM SEARLE: I am happy for you to take this on notice but I would like to know who the relevant service providers are, exactly what services are provided to which cluster and what the recurrent costs are to each cluster by year that it has been engaged. Is it true that it charges about \$6,500 per staff member to log on? Is that a correct figure?

Mr REARDON: You are pointing to a matter of detail that I do not have. I cannot acknowledge the number because I do not—

The Hon. ADAM SEARLE: I am happy for you to take that on notice. That is something I would like to know.

Mr REARDON: Sure. I will respond as best I can. I do not know where the coining of that "per staff member" is from, so I will bring it back to you as best I can in language that we would talk about in terms of delivery of the service.

The Hon. ADAM SEARLE: Yes. We can always do a supplementary hearing around it. Also, whether it charges or there is a charge per staff member to make an inquiry. I have been told it could be \$50 or \$100 every time a staff member rings GovConnect to sort out an issue. There is an additional charge. I would like to know whether that is correct and, if so, what it is.

Mr REARDON: When you finish your questions I just want to respond with a few things, just for a bit of clarification.

The Hon. ADAM SEARLE: Sure. On GovConnect, what level of customer satisfaction have you investigated from across the clusters? Have you got any feedback about whether staff of the clusters are satisfied with the level of service that GovConnect has been providing? What have the different clusters done in response to that feedback?

Mr REARDON: GovConnect as a program across those three clusters was initiated by the former Finance, Services and Innovation cluster. That has rolled through to the Customer Service cluster now. They take the lead with the contractor. So the Premier and Cabinet cluster and Treasury work with the Customer Service cluster, but the Customer Service cluster takes the lead as the client representing all of us. There is governance in place on that. There are three secretaries directly engaged in that, in more recent times. We without doubt have had many ICT projects. There are always areas where it needs to improve. In terms of customer feedback I will get you what I can in terms of some of that detail. Because of the short-term, temporal nature of ICT services, we are always looking for continuous improvement in those back end processes. We are always looking for new ways of doing things, whether that is cloud or whether that is incremental improvement. Suffice to say, across those three clusters it is a good thing to have back end across

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three clusters like that for sharing of corporate ICT—that we get that right. We are fairly determined to get that right, but we are looking at that right at the moment.

ANSWER:

Within the current GovConnect offering, the following service providers include Infosys, Unisys and Department Customer Services.

Cost per staff member for: DPC = \$4,767 / PCO = \$6,039 / GSC = \$6,972 / INSW = \$3,555.

QUESTION – GovConnect

The Hon. ADAM SEARLE: Just to my last question on GovConnect specifically, can you indicate how long you are contractually obliged to maintain that service provider or that group of service providers?

Mr REARDON: I have a broad idea but I want to make sure I get that accurate, so I will take it on notice.

The Hon. ADAM SEARLE: Absolutely. Take it on notice, please.

ANSWER:

The Customer Outsourcing Agreements were for 3 years, with an option to extend for a further 3 years, which was exercised by DPC and expires on 31 May 2021.

QUESTION – Ms Naomi Williams

The Hon. WALT SECORD: I have a question for Ms Gordon. You are probably familiar with the case in January 2016 involving a Wiradjuri woman, Ms Naomi Williams, who died at Tumut hospital. Are you familiar with the case?

Ms GORDON: Not completely familiar but ask your question, by all means.

The Hon. WALT SECORD: She died of septicaemia at the hospital and there was a scathing Coroner's report about it. She was 27 years old and I think she repeatedly appeared at the hospital. The Coroner at the time, Harriet Grahame, expressed views that she had concerns about the healthcare provided to Indigenous people. I want to know if there have been any changes in the processes and protocols that have come out of that tragic case.

Ms GORDON: I will have to take that on notice, absolutely, and provide you with that information.

ANSWER:

This is a matter for the Minister for Health.

QUESTION – Powerhouse Museum

The Hon. WALT SECORD: Ms Havilah, how much has been spent so far on the Powerhouse Museum move? What is the current expenditure so far?

Ms HAVILAH: I would have to take that detail on notice.

The Hon. WALT SECORD: When you take that on notice, can you also provide to me how much has been spent on consultants on the move from Ultimo to Parramatta, how many consultants

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have been employed, what those consultants were working on, and the current projected cost of the Powerhouse Museum?

Ms HAVILAH: Yes. I can take that on notice.

Mr REARDON: Mr Secord, just for clarity, that is in relation to the move?

The Hon. WALT SECORD: To the move and associated costs

ANSWER:

This project is within budget.

QUESTION – Powerhouse Museum

Ms HAVILAH: We are working very closely with our delivery partner, Infrastructure NSW and Create NSW and the design team, which includes Moreau Kusunoki and Genton and a team of consultants through Arup to look at the next stage of the design, which is stage three, which I think the Minister took you through those stages earlier. Part of that process is looking at how the design of the museum will support its operations. The ground plain will connect into presentation space one, there will be concierge space, there will be food and beverage retail, as there is in all great museums. We want people to have a great experience over a long period of time. That ground plain is above the one in 100 year flood level. I think the thing to understand—and I am not the right technical person to explain it to you—but the slope from the beginning, from Phillip Street, it is a 2.5 hectare slope that starts at Phillip Street and goes to the Parramatta River. It will be sloping through the Civic Link but it is not a very significant drop-off because of the length of distance between Phillip Street and the Parramatta River. I can take that on notice in respect of giving you more detail about that.

ANSWER:

The site is affected by flood events from the Parramatta River and is also affected by overland flow paths. The new Powerhouse Museum (the Museum) concept design takes full consideration of the NSW Floodplain Development Manual and relevant City of Parramatta Council requirements, as do other developments in this vicinity along the Parramatta River. The proposed Museum ground floor level will be raised above the existing ground levels on the site so that it is protected from the 1 in 100-year flood level. A Flood Impact Assessment is being prepared and will be submitted with the State Significant Development Application. This will identify the impact of the proposed development on flooding and stormwater flows and identify any necessary design and management measures required to mitigate potential impacts. No works are proposed on the watercourse or the existing river edge.

QUESTION – Powerhouse Museum

The Hon. WALT SECORD: Will it be State significant?

Ms FOY: They are at the back end of the site. I might have to take the specifics on notice. But yes, there was the advertisement last week.

ANSWER:

The Heritage Council sought public comment on its intention to consider the listing of the former Ultimo Tramways Power House on the State Heritage Register on 26 February 2020.

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QUESTION – Flexible work arrangements

The Hon. ADAM SEARLE: Not for the sake of it, but I have since discovered that there are things called flexible work agreements which are in place, which are documented, which already document how many staff are subject to flexible work agreements, so I would like to know, across the public sector—by cluster or by agency, however you keep the records—how many employees are subject to flexible work agreements.

Mr REARDON: Yes.

Mr JOHNSTON: I would have to take that on notice.

The Hon. ADAM SEARLE: Yes, that is fine. I know flexible work covers a spectrum of work modalities, but what I am particularly interested in is the degree to which it is documented that people work from home and how often. The reason simply is that, if people are working from home productively, that cuts out commutes and, talking about a 400,000 person public sector workforce, obviously that is a lot of journeys that are off the road. That is actually a good story. I just wanted to get a sense of the quantum.

ANSWER:

Agencies may choose to have a flexible working policy in place. This agency-level policy can sometimes require employees to apply for a working from home arrangement and can sometimes specify when this needs to be done (e.g. when it is an ongoing arrangement, but not for occasional 'ad hoc' requests). However, agencies have adapted their approach to collecting any related data according to the HR systems they have available. The decisions whether to centrally register staff or not and the type of data collected are therefore a matter for agencies to determine.

QUESTION – Flexible work agreements

The Hon. ADAM SEARLE: I would like to know, just to be clear, about how many of the 406,000 employees across the public sector work under these flexible work agreements that are already in place. Obviously if you need more time than the period of time for questions on notice, I think the Committee would be understanding because there would be a lot of information to gather, but in particular I would like to know how many work from home and how often.

Mr REARDON: Sure.

ANSWER:

It is not possible to determine prevalence of flexible work by reference to "flexible work agreements" or documented flexible work practices.

The 2019 People Matter Employee Survey asked employees what type of flexibility they have used in the last year, and 17% of government sector respondents identified they had worked from home.

QUESTION – Film

The Hon. WALT SECORD: Are there any feature films slated for theatrical distribution in production in New South Wales at this moment?

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Ms FOY: I am sure there are. I will take that on notice on feature films, but I can say there are a number of supported productions at the moment, including *The Drover's Wife: The Legend of Molly Johnson*, which is a feature film directed by Leah Purcell. It is filmed in Adaminaby with an investment of \$750,000. There are a number of other programs.

ANSWER:

As at 16 March 2020, there were eight projects consisting of three international features and five domestic feature films in production in NSW. This includes all stages of production (pre-production, production, post-production).

QUESTION – Film

The Hon. WALT SECORD: Are there any overseas—American, Canadian, European—films under production in New South Wales?

Ms FOY: Certainly there is some major film production coming into New South Wales. I know there have been announcements on Marvel.

The Hon. WALT SECORD: That was last year.

Ms FOY: Let me take that on notice and get back to you. But we are continuing to support major international investment in New South Wales in the screen space, as well as local investment.

ANSWER:

As at 16 March 2020, there were three US funded productions underway in NSW. This includes all stages of production (pre-production, production, post-production).

- *Children of the Corn*
- Marvel Studios - *Shang Chi and the Legend of the Ten Rings*
- Marvel Studios - *Thor - Love and Thunder*

QUESTION – Film

The Hon. WALT SECORD: Are there any film productions underway at Fox Studios?

Ms FOY: Fox Studios, yes, there are film productions underway. There is so much happening in screen, I have to move through all of my notes. I will take that on notice and get back to you specifically on Fox Studios.

ANSWER:

As at 16 March 2020, there were two productions underway at Fox Studios.

- Marvel Studios - *Shang Chi and the Legend of the Ten Rings*
- Marvel Studios - *Thor - Love and Thunder*

QUESTION – Film

The Hon. WALT SECORD: Could you take another question on notice too?

Ms FOY: Of course.

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The Hon. WALT SECORD: As of today, how many overseas film productions for theatrical distribution are underway in New South Wales? And if I could have their names.

Ms FOY: I will take that on notice. It would be considerable.

ANSWER:

As at 16 March 2020, there were three international feature films in production in NSW:

- *Children of the Corn*
- Marvel Studios - *Shang Chi and the Legend of the Ten Rings*
- Marvel Studios - *Thor - Love and Thunder*

QUESTION – The Office of Industrial Relations

The Hon. ADAM SEARLE: Ms Foy, at the last budget estimates I asked you some questions about the operations of what had been the Office of Industrial Relations, which I think has now folded in underneath you?

Ms FOY: Yes.

The Hon. ADAM SEARLE: I am happy for you to take this on notice, but for ease of reference, if we look at the transcript of the budget estimates hearing of Friday 30 August 2019, on page 32, there was a series of statistics that you very helpfully gave me about 14,000 phone calls that the agency had received from members of the public, 1,900 emails, 207 complaints, 190 matters and \$680,000 in long service leave and other entitlements for 58 workers. You say that occurred in the last financial year. Was that the 2018-19 financial year or was it the previous financial year?

Ms FOY: We have the transcript here, so I will check that.

The Hon. ADAM SEARLE: That is okay. This is not a gotcha moment. I am happy if you want to take this on notice.

Mr REARDON: No, I just want to get the context right. Could you take us to it?

The Hon. ADAM SEARLE: It is the second paragraph on page 32. I just want to know when. Was it 2017-18 or was it 2018-19? This was in August and you said "last financial year". I just want to make sure I have got it located.

Ms FOY: I will take that on notice and I will check whether it was financial year or calendar year.

The Hon. ADAM SEARLE: That is fine if you take that on notice. Depending on what you say, I will come back to it. In relation to each of those performance measures, what has occurred in the current financial year—that is, from 1 July 2019 to present? How much of that activity has been engaged in?

Ms FOY: So you are asking me over the past six months, from—

The Hon. ADAM SEARLE: Yes. How many emails, how many phone calls. It is about seven or eight months.

Ms FOY: In the financial year of 2019-20?

The Hon. ADAM SEARLE: The current budget year.

Ms FOY: The activity? Okay.

The Hon. ADAM SEARLE: Just to keep the Hon. Natalie Ward happy that we are dealing with the budget papers.

Ms FOY: Of course.

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The Hon. ADAM SEARLE: That would be informative. Secondly, in relation to budget estimates 2019-20 questions taken on notice from the last budget estimates hearing, on page 14—I am happy for you to take this on notice—someone said that in the 2018-19 financial year the proactive compliance team under you, I think, delivered 70 educational and information workshops across 21 regional locations, and you helpfully set them out. Again, I just want to know how much of that activity and where it has been undertaken since 1 July 2019.

Mr REARDON: Sure. Is it possible, Chair, if we could look at that, if that was one of our notes?

The Hon. ADAM SEARLE: I am happy for you to take that copy with no notes written on it, if that would assist.

Ms FOY: I am also happy, in taking that on notice, to talk about the work the team has done to move to a more modern and digital approach to training and having e-learning modules, and the success and the approach that we are taking to make sure that we have got a broader reach into the community when it comes to learning around employee relations matters.

The Hon. ADAM SEARLE: Sure, anything you have got to add to that.

ANSWER:

Employee Relations has an important role in ensuring compliance with the provisions of the Long Service Leave Act 1955 and will take steps to recover monies owed where breaches of the Act are established.

In 2017-18 there were 213 formal complaints investigated, where breaches of the Act were identified, and which resulted in total recoveries of \$524,299. In 2018-19 there were 207 complaints investigated resulting in total recoveries of \$685,208. In the current financial year to date, Employee Relations inspectors have recovered \$520,414 on behalf of citizens of NSW.

Employee Relations also undertakes a range of proactive compliance activities to enable business in NSW understand their obligations and responsibilities. In 2018-19 there were 119 workshops, 54 in regional locations. In the current financial year to date there have been 109 face to face workshops, 71 of these across regional NSW.

QUESTION – Powerhouse Museum

The Hon. WALT SECORD: I have a quick question for Ms Havilah. Do you have any correspondence or representations from Deputy Premier John Barilaro in relation to the Powerhouse Museum move?

Ms HAVILAH: No, not that I am aware of.

The Hon. WALT SECORD: Could you take that on notice and check if you have received any correspondence?

Ms HAVILAH: Yes.

ANSWER:

The Museum of Applied Arts and Sciences has not received any correspondence or representations from the Deputy Premier in relation to the Powerhouse Museum move.

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QUESTION – Sydney Film Festival

The Hon. WALT SECORD: Ms Foy, what is the status of the current funding agreement for the Sydney Film Festival? Will the number of films in this year's festival be larger or smaller? How will it compare to previous film festivals in size and scope?

Ms FOY: Let me check a note on that. Certainly, the Sydney Film Festival is a very important part of the arts and culture scene. We have been proud to provide support to that. I will get the exact figures. Your question is how much?

The Hon. WALT SECORD: What is the status of the funding agreement?

Ms FOY: Status of funding?

The Hon. WALT SECORD: Members of the Committee, just for transparency, before I became an MP I served for four years as an elected member of the Sydney Film Festival.

Ms FOY: Status of funding and number of films?

The Hon. WALT SECORD: The status of the current funding arrangement and how this year's film festival compares in size and scope to previous film festivals.

Mr REARDON: We will take it on notice

ANSWER:

Sydney Film Festival funding from Create NSW from 2016-19 was \$979,559 each year. Funding allocated from 1 July 2019 to 31 December 2023 is as follows:

	Sydney Film Festival	Travelling Film Festival
2020	YEAR 1: \$1,178,409	YEAR 1: \$100,000
2021	YEAR 2: \$1,201,977	YEAR 2: \$95,000
2022	YEAR 3: \$1,226,017	YEAR 3: \$80,000
2023	YEAR 4: \$1,250,537	YEAR 4: \$80,000
	SUBTOTAL \$4,856,940	SUBTOTAL \$355,000

The 2020 Sydney Film Festival has been cancelled as part of the mass gathering restrictions applying across Australia.

QUESTION – Senior executives

The Hon. ADAM SEARLE: Mr Reardon, page 11 of the State of the NSW Public Sector Report for 2019 refers to a 4.5 per cent increase in the number of senior executives from 2018 to 2019. My question is: How many senior executive positions were deleted and how many have been created? Which agencies are those newly created positions in? At what bands were the deleted positions and at what bands are the newly created positions? I expect you will take that on notice.

Mr REARDON: Just for clarity though, that is between 2018 and 2019?

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The Hon. ADAM SEARLE: At page 11—

Mr REARDON: Is your question then about 2019 to 2020, the year we are in now? What has occurred from 1 July last year?

The Hon. ADAM SEARLE: It is about what has occurred between the two State of the NSW Public Sector reports, the net increase of 141. What led to that net increase? I assume there has been some positions that have been deleted, some that have been created. There is a net increase of 141.

Mr REARDON: We will try to deal with it as best we can.

Mr JOHNSTON: The state of the sector report and the workforce profile collects a census on 27 June. We know that since that point there has been more roles that have left the sector, which would put us back to somewhere around 2,050, I would estimate. This is a very fluid thing about roles being created for various reasons as opposed to just machinery of government changes. I can refer back to see what detail I can provide.

Mr REARDON: We can but, as we discussed last year, the all-up reporting once a year is in that next state of the sector report. It will have a lot of change without a doubt since the machinery of government changes. We will report on that. If there is any further detail we can provide, we will.

The Hon. ADAM SEARLE: I am happy for you to do that.

ANSWER:

The workforce profile is a census of public sector employees and does not identify where roles have been deleted. The census date for the 2019 workforce profile was 27 June, prior to the senior executive separations resultant from the 2019 Machinery of Government changes. The number of senior executives in the Government Sector increased from 3,115 in June 2018 to 3,256 in June 2019. The change in senior executive numbers between 2018 and 2019 cannot be accurately quantified in specific departments or clusters within the workforce profile data due to the machinery of government changes.

QUESTION – Advisory boards

Mr REARDON: Chair, we have a response to the previous question if you want us to deal with it for Mr Secord?

PREVIOUS EXCHANGE

The Hon. WALT SECORD: How does one get onto one of those advisory boards?

The Hon. BEN FRANKLIN: You apply. There is a full proper process.

The Hon. WALT SECORD: Dr Brian Lindsay happens to be on one. **Mr REARDON:** Your question was about the appointments to those?

The Hon. WALT SECORD: Yes, how does one get on? Are they paid positions?

Ms FOY: There is a small nominal payment to the chairs and to the members. Anyone who is a public sector employee does not qualify for payment under those particular boards.

The Hon. WALT SECORD: How about we put these on notice? I would like to know the Aboriginal Arts & Culture Board—

Ms FOY: Yes, that is chaired by Wesley Enoch.

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The Hon. WALT SECORD: —the Classical Music Board, the Contemporary Music Board, the Dance & Physical Theatre Board, the Literature Board, the Multi-arts & Festivals Board and the Museum & History Board. Could I have the chair and the list of all the members of those boards?

END EXCHANGE

The CHAIR: Sure.

Ms FOY: Thank you. It is regarding the Artform board, apologies for taking a while to get the note. They bring together cultural leaders, as I talked about, from organisations large and small, established and emerging artists and organisations. They are providing a greater representation and depth of knowledge from across the sector in the State for each application. There are 10 Artform boards: Aboriginal Arts and Culture Board, the chair is Wesley Enoch; the Classical Music Board and the chair is Ms Naseema Sparks, AM; Contemporary Music Board where the chair is Ben Marshall; Dance and Physical Theatre Board, Karen Moses is the chair; Literature Board with the chair being Jennifer Byrne; the Multi-arts and Festivals Board with the chair Ross Harley; Museums and History Board with the wonderful Kim McKay, AO, as the chair; Theatre Board, Noel Staunton is the chair; Opera, Musical Theatre and Chorus Board, the chair is Rory Jeffes; and the Visual Arts Board with the chair being Simon Mordant, AM. The process involved an open expression of interest for appointment to the boards and more than 300 people applied. All board members are required to declare their interests to ensure the management of any conflicts in line with the Artform Advisory Board code of conduct. Create NSW, as I suggested before, provides the secretariat for the process and they support the Artform boards in a very practical and hands-on way. We have moved to these boards to include artists and leadership across organisations of all sizes and that will inform the funding recommendations to the Minister.

ANSWER:

Artform Board Members who are not employees of the NSW public service are paid in accordance with the Classification and Remuneration Framework for NSW Government Boards. Further information about the Artform Board Chairs and Members is available on the Create NSW website.

QUESTION – Sydney Modern Project

The Hon. WALT SECORD: How many donations constitute or comprise the \$100 million?

Ms FOY: I would have to take that on notice and seek advice from the gallery.

The Hon. WALT SECORD: As part of those donations and the gift of \$100 million, are there any arrangements—and you can take this on notice—that parts of the projects at the Sydney Modern will be named after them? Do they get naming rights for rooms, galleries, locations? For example, is there a Tim Reardon room?

Mr REARDON: That is something I can guarantee there will not be. We will put maximum effort into delivering the project. A long-held view in the public service is that people like ourselves do not speculate on brand names, colours or naming conventions; I am going to stick to that. They are matters for the political level to deal with and I would ask that you would place those back to the Minister. They are not matters that we will speculate on.

The Hon. WALT SECORD: But I would like you to take on notice if there are any commercial arrangements where those donations involve naming. That is not asking you to make an observation.

Mr REARDON: Sure, we will take that on notice.

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ANSWER:

On 24 November 2018, the Art Gallery of New South Wales (the AGNSW) announced it had surpassed the \$100 million target for its Sydney Modern Capital Campaign, raising \$103.5 million in philanthropic support. This support came from 96 donations. The AGNSW will appropriately acknowledge the generous gifts of the Capital Campaign's leadership donors. Leadership donors and major supporters of the Sydney Modern Project are currently listed on the AGNSW website.

QUESTION – Powerhouse Museum

The Hon. ADAM SEARLE: Madam Chair, I have a range of other questions but on this occasion I am happy to put them in writing, to put them on notice, see how we go with that process and pursue them at a supplementary hearing if necessary.

Mr REARDON: Chair, could we just clarify a couple of things that we took on notice or that were not quite as crisp as they could have been? I am going to raise one and I think Ms Foy is going to raise two.

Ms FOY: I am going to raise a couple, yes.

Mr REARDON: Mine goes all the way back to what was discussed about the Powerhouse. In the discussion around the Parramatta River level Ms Foy said that the usual river level at the site is circa 2.5 metres. The recent flood raised it to approximately 4.1 metres or 1.6 metres above the usual height. This is well below the proposed ground level for the museum, which is proposed to be at reduced level 7.5 metres. This is a bit technical but a baseline is called a datum and in surveying and civil engineering terms you have a baseline. All vertical measurement is from that datum. Sometimes a datum is mean sea level and you measure things. Surveyors need that; they need a baseline for every piece of measurement. The reduced level above that datum is 7.5 metres and that is the ground level proposed for the museum. There was a lot of discussion there about whether we would be 7.5 metres above ground level and confusion about the 4.1 metre flood that we had. I just think that needs to be clarified. We are happy to put that in further writing if we need to, but it is against a datum, basically. I am sorry for the technocrat answer but I think it is important that we do that.

Ms FOY: And just two matters of specifics, just to clarify—certainly on Walsh Bay I just wanted to clarify that the net cost to taxpayers is \$347.7 million—

The Hon. BEN FRANKLIN: It is coming down all the time.

Ms FOY:—with arts tenants contributing the \$23.6 million, and the total estimate is \$371.3 million. So it is a matter of rounding errors, just to be crisp on that. I just wanted to make that clarification. With respect to the nomination of part of the Powerhouse site at Ultimo I just wanted to be precise to say that the Heritage Council have determined to initiate a notice of intent process. There is a public call for submissions that was made on 26 February, I am advised, under section 33 of the Heritage Act 1977.

ANSWER:

The site is affected by flood events from the Parramatta River, and is also affected by overland flow paths. The new Powerhouse concept design takes full consideration of the NSW Floodplain Development Manual and relevant City of Parramatta Council requirements, as do other developments in this vicinity along the Parramatta River. The proposed Powerhouse Museum ground floor level will be raised above the existing ground levels on the site such that it is protected from the 1 in 100-year flood level. A Flood Impact Assessment is being prepared and will be submitted with the State Significant Development Application. This will identify the impact of

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the proposed development on flooding and stormwater flows, and identify any necessary design and management measures required to mitigate potential impacts. No works are proposed on the watercourse or the existing river edge.