

Questions from Mark Latham MLC

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| 1 | <p>Mr Peter V'Landys has openly said in a letter dated 6 October 2023 that he buys influence from politicians and the media through hospitality in the Directors' Room at Royal Randwick. In fact, the freebies are so important that without them V'Landys believes the revenue available to Racing NSW would collapse. A major part of this influence-buying has involved the duchessing of media. Ben Fordham, Ben English and James Willis are attendees in the Directors' Room. Ray Hadley's son has been employed as the General Manager of Investigations in the Racing NSW Integrity Unit (even though he was run out of the NSW Police for cocaine abuse and is an obvious target for organised crime). Mr English has enjoyed an all-expenses-paid trip to the Kentucky Derby. Fordham and Willis have helped V'Landys in the pursuit of his perceived enemies in the racing industry through text message/media harassment. Given the extent of this influence-buying and the media protection racket it has facilitated, isn't it time for Racing NSW to publicly declare all its gifts and free hospitality and also for the organisation to come under the coverage of ICAC?</p> |
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ANSWER:

I am advised:

Racing NSW is established by the Thoroughbred Racing Act 1996 (the Act). The Act provides that Racing NSW does not represent the Crown and is not subject to direction or control by or on behalf of the Government.

Questions from Mark Latham MLC

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| 2 | Since March 2023, on which occasions and concerning which matters has Ben English of the Daily Telegraph spoken to you lobbying you to support something Peter V'Landys wanted? What are the details? |
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ANSWER:

I am advised:

The NSW Government is committed to ensuring the highest standards of integrity across Government and that all decisions are made in the public interest.

Lobbying of NSW Government officials is regulated under the Lobbying of Government Officials Act 2011, the NSW Lobbyists Code of Conduct and Premier's Memorandum M2019-02 NSW Lobbyists Code of Conduct.

Premier's Memorandum M2015-05 Publication of Ministerial Diaries and Release of Overseas Travel Information requires Ministers to publish summaries of scheduled meetings with stakeholders, external organisations, individuals and third-party lobbyists.

Disclosures are available on the NSW Government website at <https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/access-to-information/ministers-diary-disclosures>

Questions from Mark Latham MLC

3	Racing NSW is an example of an organisation that has deteriorated badly because would-be whistleblowers quite rightly feared retribution from Mr V'Landys and his associates, Graeme Hinton and Peter Sweney. Will your government now introduce whistleblower protection legislation, providing legal protections and immunities for whistleblowers, penalties for anyone outing whistleblowers and the means by which victims of retribution can claim compensation? Will you also require Racing NSW to establish a complaints policy and process for its staff?
ANSWER: I do not accept the premise of the Member's question.	

Questions from Mark Latham MLC

4	<p>In recent years Racing NSW has purchased 50 real estate properties at a cost of more than \$125 million, including inner-city apartments and land near Warwick Farm railway station. Nobody in the racing community can understand why this has occurred, when these funds are needed for the urgent upgrade of spectator facilities at several racetracks. A whistleblower close to the CEO has said that horse welfare funds (the 1.5% allocated from prizemoney) has been misused for this real estate buying spree. The former NSW Auditor General Tony Harris has been critical of the presentation of the Racing NSW accounts, with the over-use of provisions and unspent hollow logs. Another credible source has said the accounts are doctored to hide funds and the true financial position of Racing NSW. Premier, will you now ask the NSW Auditor General to audit Racing NSW to get to the bottom of these serious allegations?</p>
<p>ANSWER:</p> <p>I am advised:</p> <p>Racing NSW is required under section 29 of the Thoroughbred Racing Act 1996 to have its financial statements audited each year by an independent auditor and to include a copy of the auditor's report, together with the financial statements, in its annual report.</p>	

Questions from Mark Latham MLC

5	What discussions did you have with the Racing NSW CEO in November last year to arrive at a position where Mr V'Landys supported the sale of Rosehill racecourse and you supported an extension of the term of Russell Balding as the Chair of Racing NSW?
ANSWER: I reject completely the premise of the Member's question.	

Questions from Mark Latham MLC

6	Given there are dozens of people in the NSW Racing industry with credible evidence of malpractices at Racing NSW, including the abuse of regulatory power; interference in stewards' inquiries to favour certain individuals and punish others; doctoring of financial reports; influence buying; and nepotism and favouritism, what does it say about your commitment to integrity in government that you have failed to order an investigation?
ANSWER: I refer to my comments made at the Budget Estimates hearing on 28 August 2024 and my previous answers above.	

Questions from Mark Latham MLC

7	Far from "never interfering in a stewards' inquiry" as Mr V'Landys told Parliament under oath at the Rosehill Inquiry on 9 August, Mr V'Landys has now publicly said (in The Straight racing news) that he has a delegation from the Board of Racing NSW to run all aspects of the stewards' processes. Isn't this like politicians and the courts – there should be a separation of powers such that investigations and integrity hearings at Racing NSW are conducted independently and impartially, separate from the administrative arm of the organisation? What action will your government take to correct this major probity problem in NSW racing?
ANSWER: I am advised: The Thoroughbred Racing Act 1996 provides that Racing NSW does not represent the Crown and is not subject to direction or control by, or on behalf of, the Government. Section 11A of the Act requires Racing NSW to have adopted a code of conduct to be observed by members and staff of Racing NSW. Racing NSW is required to review its code of conduct at least every three years and make such changes as it considers appropriate.	

Questions from Mark Latham MLC

8	<p>With regard to the Walker/Camilleri case at Mudgee, in which Mr V'Landys was the final decision maker (as per the transcript presented to you and Mr V'Landys' public statements on the matter) shouldn't Mr V'Landys have declared a conflict of interest, given that Julia Camilleri (the subject of Ms Walker's alleged offensive behaviour) worked for Mr V'Landys and was the daughter of his close friend John Camilleri ? Doesn't this again confirm, in the governance of Racing NSW, the need for a separation between the CEO (who gets to know and form working and social relationships with thousands of people in racing) and the stewards/integrity unit? In their code of conduct, racing stewards are not allowed to socialise with licensed persons (to keep them at arms-length), so why doesn't this rule apply to Mr V'Landys?</p>
<p>ANSWER: I refer the Member to my previous answer.</p>	

Questions from Mark Latham MLC

9	Given the serious, credible allegations against Racing NSW and Mr V'Landys, do you believe it is wise for King Charles to be personally hosted by Mr V'Landys at the Everest race day at Randwick on 19 October?
ANSWER: I reject the premise of the Member's question.	

Questions from Mark Latham MLC

10	Why did you go to the Budget Estimates hearing with a deliberate tactic of requiring verification of everything said in a question (even in quoting to you your own words) as a way of not answering questions and wasting time? What does this say about the transparency and accountability of your government?
ANSWER: I reject the premise of the question as it contains false imputations.	

Questions from Mark Latham MLC

11	At the Estimates afternoon session with officials, the Chief Commissioner of ICAC, Mr Hatzistergos, answered questions about the pattern of favouritism you displayed in your dealings with your personal friend and Labor colleague, Steve McMahon, in organising an Unsolicited Proposal for the sale of Rosehill racecourse. Mr Hatzistergos replied, "I'm not going to tell you what matters we are looking at and what matters we are not looking at". He then distributed ICAC's "Direct Negotiations: Guidelines for Managing Risks" (August 2018), a document (henceforth referred to as DNG) also referred to in Will Murphy's 6 November 2023 "Project Wattle: Transaction Options Analysis". Following your meeting with Steve McMahon on 30 October, what instructions did you or your staff give Will Murphy in relation to the sale of Rosehill racecourse?
ANSWER: I reject the premise of the question as it contains false and misleading imputations.	

Questions from Mark Latham MLC

12	Why did Will Murphy's analysis exclude the obvious way in which the ATC could sell Rosehill: to use the provisions of the NSW Environmental Planning and Assessment (EPA) Act? Did you ask Mr Murphy to exclude this option?
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ANSWER:

No

I am advised:

The 6 November 2023 document titled "Project Wattle Transaction Options Analysis" referred to was developed by the then Department of Enterprise Investment and Trade.

Stakeholders frequently come to government with ideas and policy proposals. It is appropriate that the government directs them towards processes which allow them to put proposals to government and have them be considered in an arms-length way.

The Australian Turf Club proposal Rosehill Gardens Racecourse Unsolicited Proposal (ATC Proposal) is being progressed in accordance with the government's Unsolicited Proposals Guide for Submission and Assessment (USP Guide).

The USP Guide provides that 'the unsolicited proposals process is not designed to replace applicable environmental and planning assessment processes. If the Government decides to progress an unsolicited proposal, that should not be interpreted as any form of explicit or tacit support for planning approvals.'

Questions from Mark Latham MLC

13	Why did you ignore Will Murphy's assessment of a USP "Probity risk - perception that NSW Government is engineering an unsolicited proposal for a Government-driven transaction"?
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ANSWER:

I would direct the member to page 64 of the transcript of the Budget Estimates hearing on 28 August 2024 where the Secretary of the Premier's Department, Simon Draper also answered similar questions from the member, for instance at page 64:

The reality is that unsolicited proposals almost always come about through discussions between government and proponents because we won't consider proposals that don't align with government priorities. It's absolutely pointless for a proponent to just lodge something out of the blue without having spoken with government about it. That's the reality. I don't know what was in Mr Murphy's mind when he wrote that, but certainly there's clearly a risk of a perception of that because it's a risk that you've raised many times with me.

I further refer the member to page 20 of the Government's *Unsolicited Proposals Guide for Submission and Assessment (USP Guide)* which discusses the "pre-submission concept review stage," advising proponents to meet with DEIT and contemplating many discussions between the proponent and Government. I note in particular the following excerpt from that page:

It is recognised that there may be numerous discussions at many levels between the proponent and Government stakeholders in order to ascertain Government needs and to better understand the business environment. These are informal discussions and are outside the realm of this Guide.

Questions from Mark Latham MLC

14	This was more than perception, wasn't it? It was the reality of government officials in August and October 2023 telling Mr McMahon that 40,000 people needed to live at Rosehill (that is, the full sale and residential development of the site) to justify a Metro station, and then Mr Murphy's Project Wattle analysis suggesting a USP?
ANSWER: I announced a review of the Metro West project in April 2023 and at the time I made clear that the Government would not rule out the possibility of extra stations.	

Questions from Mark Latham MLC

15	What was unsolicited about the ATC proposal given that Mr McMahon had never heard of a USP and at every stage of developing it, your government solicited the proposal?
ANSWER: I refer the Member to the Government's <i>Unsolicited Proposals Guide for Submission and Assessment (USP Guide)</i> , which sets out a transparent and streamlined process for the development and assessment of unsolicited proposals.	

Questions from Mark Latham MLC

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| 16 | Your Government's USP guidelines (page 6, dot point 5) specify the proposals that are NOT considered unique and are unlikely to be progressed as including "Proposals that do not contain a commercial proposition for the Government". Given that the full sale of Rosehill will cost your government billions of dollars in infrastructure and service provision, at Estimates Mr Draper could not say what the commercial proposition might be for government in the ATC selling Rosehill racecourse. What do you consider it to be? With no commercial proposition evident, why did you progress it as a USP when it breached the USP guidelines? |
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ANSWER:

I am advised:

I would direct the member to page 10 of the transcript of the 12 September 2024 hearing of the *Inquiry into the Proposal to Develop Rosehill Racecourse*, at which the member was present, where the Secretary of the Premier's Department, Simon Draper, said the following:

*Mr Latham, just to go back to it, the document you are reading from is not a list of the criteria. That part of the guidelines was designed to provide some guidance to proponents who bring all sorts of strange things to government to say, "If you just want to develop your land or you just want to sell us a product there is a whole bunch of things, please don't waste your time." That particular bullet point relates to when government is potentially using its monies or assets to allocate those things to the proponent. In this case we are already building a metro line. What we are looking for there is a return of investment in terms of wider benefits to society. **The Government is not a for-profit enterprise.** It's designed to deliver wider economic and social benefits. If you look further into the document you'll see that the actual criteria for assessing unsolicited proposals includes "whole-of-government impact". One of those is, "Does the proposal contribute to meeting the objectives of district plans, regional plans, metropolitan plans and delivering on housing targets?" (emphasis added)*

Questions from Mark Latham MLC

17	At page 5 of ICAC's DNG (2018), "As a general rule, direct negotiations should be avoided unless they clearly fall within the government's legislative and policy framework". Why have you dealt directly with Steve McMahon and the ATC when there is no commercial proposition for government (breaching USP requirements) while the EPA Act was the logical way for the ATC to proceed?
ANSWER: I reject the premise of the Member's question.	

Questions from Mark Latham MLC

18	At page 8 of ICAC's DNG, it states that "Before agreeing to direct negotiations the (government) agency should ensure that the 'unique' solution offered by a counterparty is the only viable solution to its requirements". How have you satisfied this ICAC requirement in your dealings with Mr McMahon and the ATC?
<p>ANSWER:</p> <p>I am advised:</p> <p>The Government's Unsolicited Proposals Guide for Submission and Assessment (USP Guide) provides a framework for assessing the uniqueness of an unsolicited proposal. The Australian Turf Club proposal Rosehill Gardens Racecourse Unsolicited Proposal is being considered in accordance with the USP Guide.</p> <p>The USP Guide is referenced in the Independent Commission Against Corruption's Direct Negotiations: Guidelines for Managing Risks.</p>	

Questions from Mark Latham MLC

19	Did you tell Mr McMahon on 30 October that you would get the Cabinet Office to come up with a process for selling Rosehill?
<p>ANSWER:</p> <p>I am advised:</p> <p>No.</p> <p>Premier's Memorandum M2015-05 Publication of Ministerial Diaries and Release of Overseas Travel Information requires Ministers to publish summaries of scheduled meetings with stakeholders, external organisations, individuals and third-party lobbyists.</p> <p>Disclosures are available on the NSW Government website at https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/access-to-information/ministers-diary-disclosures</p>	

Questions from Mark Latham MLC

20

When Mr Murphy produced his Project Wattle analysis, why didn't you require consideration of the option of using the EPA Act, the NSW planning laws? That is, the government first deciding if it wanted a Metro at Rosehill and the ATC then lodging a rezoning application?

ANSWER:

I am advised:

The 6 November 2023 document titled "Project Wattle Transaction Options Analysis" referred to was developed by the then Department of Enterprise Investment.

The Australian Turf Club proposal Rosehill Gardens Racecourse Unsolicited Proposal (**ATC Proposal**) is being progressed in accordance with the government's Unsolicited Proposals Guide for Submission and Assessment (**USP Guide**).

The USP Guide provides that 'the unsolicited proposals process is not designed to replace applicable environmental and planning assessment processes. If the Government decides to progress an unsolicited proposal, that should not be interpreted as any form of explicit or tacit support for planning approvals.'

Questions from Mark Latham MLC

21	At page 14 of ICAC's DNG, it states that direct negotiations should not proceed just because the counterparty "is known to the agency" and that "public officials should ensure the decision-making process is free of any actual or apprehended bias". At page 17 it warns against "familiarity bias", such that, "If staff members have previously worked with the counterparty, they may be favourably disposed to its interests". When Mr McMahon asked you for a meeting to discuss the sale of Rosehill, recognising your close, longstanding working and personal relationship with him (and that the ATC was only sending him to see you because of that relationship), why didn't you ask to meet instead with the ATC's actual decision makers and leaders, its Chair and CEO?
ANSWER: My understanding was that Mr McMahon, as Head of Membership and Corporate Affairs, was authorised to represent the ATC.	

Questions from Mark Latham MLC

22	At page 15 of ICAC's DNG, "As a general rule, corrupt or unethical officials try to avoid making records that could be used to expose their conduct". Why did you list the 30 October Steve McMahon meeting as a "meet and greet" when it was actually a meeting to discuss the full sale of Rosehill racecourse?
ANSWER: I reject the premise of the Member's question as it contains false and misleading imputations.	

Questions from Mark Latham MLC

23	Aren't 'meet and greet' meetings in politics actually first-time, courtesy-type meetings, not the discussion of the sale of major community-held assets?
ANSWER: Premier's Memorandum M2015-05 requires the disclosure of the organisation with whom the meeting is held and the purpose of the meeting.	

Questions from Mark Latham MLC

24	On which occasions after 30 October 2023 have you spoken to or corresponded/messaged with Mr McMahon about the sale of Rosehill and what did those contacts involve? What are the details?
<p>ANSWER:</p> <p>I am advised:</p> <p>Premier's Memorandum M2015-05 Publication of Ministerial Diaries and Release of Overseas Travel Information requires Ministers to publish summaries of scheduled meetings with stakeholders, external organisations, individuals and third-party lobbyists.</p> <p>Disclosures are available on the NSW Government website at https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/access-to-information/ministers-diary-disclosures</p>	

Questions from Mark Latham MLC

25	Why was Mr McMahon working with the Cabinet Office on 20 November to write a press release for you announcing the full sale of Rosehill? Did you ask him to do this? If not, who did?
ANSWER: I am advised: The Government frequently makes announcements involving third parties and works with them to ensure information that is distributed is factually correct.	

Questions from Mark Latham MLC

26	On which occasions as Premier have non-government individuals or bodies worked directly on writing a press release for you? What are the details?
ANSWER: I am advised: The Government frequently makes announcements involving third parties and works with them to ensure information that is distributed is factually correct.	

Questions from Mark Latham MLC

27	At page 16 of ICAC's DNG there's a requirement to conduct due diligence, in this case on the ATC Board. Given that you were dealing with an ATC line manager in Mr McMahon and not its Chair, Board or CEO, were you aware that the ATC Board a) did not consider the sale of Rosehill until 21 November; b) only authorised to examine the proposal (not to announce its as fait accompli on 6 December); c) never had a valuation on the site for \$5 billion, and d) now considers Rosehill's sale value to be \$1.6 billion (making it infeasible)? Why wasn't this due diligence conducted?
ANSWER: Incorrect or partial information is being presented as fact, rendering it difficult to respond to the Member's question.	

Questions from Mark Latham MLC

28	Why are Ministers in your Government continuing to accept gifts, travel, accommodation and hospitality from Peter V'Landys given his involvement in supporting the sale of Rosehill and organising this process and its due diligence through Racing NSW?
ANSWER: I expect all Ministers and Parliamentary Secretaries to comply with their obligations under the NSW Ministerial Code of Conduct in relation to gifts and hospitality.	

Questions from Mark Latham MLC

29	Page 17 of ICAC's DNG warns against the risks involved when proponents in direct dealings receive a finder's or success fee for their work. Have you checked with Mr McMahon on the bonuses he stands to receive from the ATC in this matter and what did these checks reveal?
ANSWER: I am advised: The Unsolicited Proposals Guide for Submission and Assessment (USP Guide) establishes a framework for managing probity risks that might arise in the context of a USP. The Australian Turf Club proposal Rosehill Gardens Racecourse Unsolicited Proposal is being progressed in accordance with the USP Guide. The USP Guide is referenced in the Independent Commission Against Corruption's Direct Negotiations: Guidelines for Managing Risks.	

Questions from Mark Latham MLC

30	At the Estimates hearing, Premier, you complained about "the amount of hoops that private capital has to go through in the planning system at the moment", indicating "it would blow your mind" and there are "about a thousand" of such hoops or routes "a proponent of a policy has to go through". As the head of government, why don't you fix the NSW planning system, reducing its cost and complexity, instead of engaging in the favouritism of direct dealing and a bogus USP with your close friend Steve McMahon?
ANSWER: I reject the premise of this question as it contains a false and misleading imputation.	

Questions from Cate Faehrmann

McPhillamys Gold Mine	
31	<p>Provide a list of all individuals or groups that the NSW Premier has met with (in person, online and by telephone) in relation to the McPhillamys Gold Mine since 1 January 2024 including the following information:</p> <ul style="list-style-type: none">(a) The date, time and length of the meeting;(b) All persons present at each meeting (including in person and online);(c) The organisation/organisations represented by each person; and(d) A summary of what was discussed.
<p>ANSWER:</p> <p>I am advised:</p> <p>The Premier’s Diary is published on a quarterly basis in line with memorandum 2015-05 and is published on the NSW Government website.</p>	

Questions from Cate Faehrmann

McPhillamys Gold Mine	
32	How many times has the NSW Premier met with the Minerals Council since coming into office, including the dates of each meeting.
ANSWER: I am advised; The Premier's Diary is published on a quarterly basis in line with memorandum 2015-05 and is published on the NSW Government website.	

Questions from Chris Rath MLC

Premier's Department – Return to office	
33	What percentage of full-time back-office employees in the Premier's Department are currently attending the office for work on three or more days each week?
ANSWER: I am advised; As outlined in the NSW Government Sector workplace presence Circular the default arrangement is to work principally in an approved workplace, office, or related work site. Government sector agencies are expected to have flexible work policies that meet reasonable requests of employees. Under the former Government, work from home arrangements were not required to be centrally recorded.	

Questions from Chris Rath MLC

Premier's Department – Return to office	
34	When do they anticipate full compliance with the Premier's publicly stated demand that all full-time workers attend the office for work on three days a week or more?
ANSWER: I am advised: The Premier's Department's Flexible Working Policy is currently under consultation with staff and the Union. The policy will be implemented in due course.	

Questions from Chris Rath MLC

Cabinet Office – Return to office	
35	What percentage of full-time back-office employees in the Premier’s Department are currently attending the office for work on three or more days each week?
ANSWER: I am advised; As outlined in the NSW Government Sector workplace presence Circular the default arrangement is to work principally in an approved workplace, office, or related work site. Government sector agencies are expected to have flexible work policies that meet reasonable requests of employees. Under the former government, work from home arrangements were not required to be centrally recorded.	

Question from Chris Rath MLC

Cabinet Office – Return to office	
36	When do they anticipate full compliance with the Premier’s publicly stated demand that all full-time workers attend the office for work on three days a week or more?
ANSWER: I am advised; The Cabinet Office’s Flexible Working Policy is currently under consultation with staff and the Union. The policy will be implemented in due course.	

Question from Chris Rath MLC

Funding of Integrity Agencies

- 37** How much funding was sought by the Law Enforcement Conduct Commission in the leadup to the 2024-2025 budget?
- (a) Was this the same as the appropriation allocated to the Law Enforcement Conduct Commission in the 2024-2025 budget?
 - (b) Have they provided advice to the NSW Government that the Law Enforcement Conduct Commission should be independently funded, with funding determined by a parliamentary committee, rather than by the Treasurer or executive government?

ANSWER:

I am advised:

The details of funding provided to all government agencies, including the Law Enforcement Conduct Commission (LECC) are outlined in the budget papers, specifically Budget Paper No. 02: Agency Financial Statements.

The NSW Government has carefully consulted the Chief Commissioner of the LECC, the Hon Peter Johnson SC, on funding arrangements for the LECC.

The LECC provided a submission to the inquiry of the former Legislative Council Public Accountability Committee regarding the budget process for independent oversight bodies and the Parliament of New South Wales. The submission is published on the website of the NSW Parliament.

The Government is committed to ensuring that the integrity agencies receive appropriate funding to undertake their important work, and that the funding arrangements for integrity agencies do not impede their independence.

Parliament passed the Government Sector Finance Amendment (Integrity Agencies) Bill 2024 on 18 September 2024. This is an Act to amend the Government Sector Finance Act 2018 to make provision about the funding of integrity agencies.

Question from Chris Rath MLC

Funding of Integrity Agencies	
38	<p>How much funding was sought by the NSW Ombudsman in the leadup to the 2024-2025 budget?</p> <p>(a) Was this the same as the appropriation allocated to the NSW Ombudsman in the 2024-2025 budget?</p> <p>(b) Have they provided advice to the NSW Government that the NSW Ombudsman should be independently funded, with funding determined by a parliamentary committee, rather than by the Treasurer or executive government?</p>
<p>ANSWER:</p> <p>I am advised;</p> <p>The details of funding provided to all government agencies, including the NSW Ombudsman are outlined in the budget papers, specifically Budget Paper No. 02: Agency Financial Statements.</p> <p>The NSW Government has carefully consulted the Ombudsman, Mr Paul Miller PSM, on funding arrangements for the Ombudsman’s Office.</p> <p>The Ombudsman has published a submission and letter regarding the budget process for integrity agencies on the website of the Ombudsman’s Office.</p> <p>The Government is committed to ensuring that the integrity agencies receive appropriate funding to undertake their important work, and that the funding arrangements for integrity agencies do not impede their independence.</p> <p>Parliament passed the Government Sector Finance Amendment (Integrity Agencies) Bill 2024 on 18 September 2024. This is an Act to amend the Government Sector Finance Act 2018 to make provision about the funding of integrity agencies.</p>	

Question from Chris Rath MLC

Funding of Integrity Agencies

- 39** How much funding was sought by the Independent Commission Against Corruption in the leadup to the 2024-2025 budget?
- (a) Was this the same as the appropriation allocated to the Independent Commission Against Corruption in the 2024-2025 budget?
 - (b) Have they provided advice to the NSW Government that the Independent Commission Against Corruption should be independently funded, with funding determined by a parliamentary committee, rather than by the Treasurer or executive government?

ANSWER:

I am advised;

The details of funding provided to all government agencies, including the Independent Commission Against Corruption are outlined in the budget papers, specifically Budget Paper No. 02: Agency Financial Statements.

The NSW Government has carefully consulted the Chief Commissioner of the ICAC, the Hon John Hatzistergos AM, on funding arrangements for the ICAC.

On 15 August 2024, the Special Minister of State tabled correspondence in the Legislative Council from the Chief Commissioner thanking The Cabinet Office for providing the ICAC with the opportunity to comment on the draft of the Government Sector Finance Amendment (Integrity Agencies) Bill 2024 and for taking the ICAC's comments into account in the drafting of the Bill.

The former Chief Commissioner of the ICAC, the Hon Peter Hall KC, published reports entitled The need for a new independent funding model for the ICAC (May 2020) and A parliamentary solution to a funding model for the ICAC (November 2020). The reports are available on the website of the ICAC.

The Government is committed to ensuring that the integrity agencies receive appropriate funding to undertake their important work, and that the funding arrangements for integrity agencies do not impede their independence.

Parliament passed the Government Sector Finance Amendment (Integrity Agencies) Bill 2024 on 18 September 2024. This is an Act to amend the Government Sector Finance Act 2018 to make provision about the funding of integrity agencies.

Question from Chris Rath MLC

Funding of Integrity Agencies

- 40** How much funding was sought by the NSW Electoral Commission in the leadup to the 2024-2025 budget?
- (a) Was this the same as the appropriation allocated to the NSW Electoral Commission in the 2024-2025 budget?
 - (b) Have they provided advice to the NSW Government that the NSW Electoral Commission should be independently funded, with funding determined by a parliamentary committee, rather than by the Treasurer or executive government?

ANSWER:

I am advised:

The details of funding provided to all government agencies, including the NSW Electoral Commission are outlined in the budget papers, specifically Budget Paper No. 02: Agency Financial Statements.

The NSW Government has carefully consulted the Acting Electoral Commissioner, Dr Matthew Phillips, on funding arrangements for the NSWEC.

A link to a submission prepared by the former Electoral Commissioner, Mr John Schmidt, regarding the budget process for independent oversight bodies, is available on the website of the NSWEC.

The Government is committed to ensuring that the integrity agencies receive appropriate funding to undertake their important work, and that the funding arrangements for integrity agencies do not impede their independence.

Parliament passed the Government Sector Finance Amendment (Integrity Agencies) Bill 2024 on 18 September 2024. This is an Act to amend the Government Sector Finance Act 2018 to make provision about the funding of integrity agencies.

Question from Chris Rath MLC

Funding of Integrity Agencies	
41	<p>How much funding was sought by the Audit Office in the leadup to the 2024-2025 budget?</p> <p>(a) Was this the same as the appropriation allocated to the Audit Office in the 2024-2025 budget?</p> <p>(b) Have they provided advice to the NSW Government that Audit Office should be independently funded, with funding determined by a parliamentary committee, rather than by the Treasurer or executive government?</p>
<p>ANSWER:</p> <p>I am advised:</p> <p>The details of funding provided to all government agencies, including the Audit Office of NSW are outlined in the budget papers, specifically Budget Paper No. 02: Agency Financial Statements.</p> <p>The NSW Government has carefully consulted the Auditor-General, Mr Bola Oyetunji, on funding arrangements for the Audit Office.</p> <p>The former Auditor-General published a report entitled The effectiveness of the financial arrangements and management practices in four integrity agencies (October 2020) recommending funding arrangements to protect the independence of integrity agencies during State budget processes. The report is available on the website of the Audit Office.</p> <p>The Government is committed to ensuring that the integrity agencies receive appropriate funding to undertake their important work, and that the funding arrangements for integrity agencies do not impede their independence.</p> <p>Parliament passed the Government Sector Finance Amendment (Integrity Agencies) Bill 2024 on 18 September 2024. This is an Act to amend the Government Sector Finance Act 2018 to make provision about the funding of integrity agencies.</p>	

Question from Chris Rath MLC

Domestic, Family and Sexual Violence Response	
42	Do you think the investment your government is currently making to prevent and respond to domestic and family violence is sufficient? (a) Why?
ANSWER: The NSW Government is committed to addressing domestic and family violence, and recognises the pervasive, significant, and complex challenge that it presents. I am advised: The 2024-25 Budget includes a historic investment of \$245.6 million for an emergency package to enhance support for victim-survivors and expand programs that reduce the rate of violence against women and children. This includes \$38.3 million to implement NSW's first dedicated Primary Prevention Strategy to promote healthy attitudes and behaviours in settings where people live, learn, work and play. This investment underscores the NSW Government's commitment to provide appropriate, ongoing and wide-ranging support for victim-survivors, and to provide pathways to safety and recovery. Furthermore, the NSW 24-25 Budget also provided \$5.1 billion under the Building Homes for NSW program to build 8,400 social homes. Of those, 6,200 will be new homes and at least 50% will be prioritised for victim-survivors. We are also working with federal, state and territory governments through National Cabinet to accelerate action to end gender-based violence and deliver on the <i>National Plan to End Violence against Women and Children 2022-2032</i> . On 6 September National Cabinet committed to a comprehensive \$4.7 billion package, including over \$700 million for a new National Partnership Agreement over 5 years, and a new National Access to Justice Partnership to provide legal assistance to Australians in crisis, including when facing domestic, family and sexual violence. NSW will continue to work collaboratively with all governments to deliver on these commitments and to better prevent and respond to domestic and family violence.	

Question from Chris Rath MLC

Domestic, Family and Sexual Violence Response	
43	Will the NSW Government provide a 50% baseline funding increase for all specialist sexual, domestic and family violence services in NSW in 2025-26? (a) If not, why not?
ANSWER: I am advised: The NSW Government has invested in a range of programs and services to support victim-survivors and their recovery. This year we committed \$245.6 million over four years to enhance support for victim-survivors and expand programs that reduce the rate of violence against women and children. The 2024-25 Budget includes funding for specialist domestic and family violence programs including Core and Cluster, Rent Choice Start Safely, Safer Pathway, Staying Home Leaving Violence, Men’s Behaviour Change Programs, and the NSW Domestic Violence Line. On 6 September 2024, National Cabinet agreed to a comprehensive \$4.7 billion package that includes funding to deliver much needed support for frontline specialist and legal services. Decisions on budget allocations for 2025-26 will be made through the budget process at that time.	

Question from Chris Rath MLC

Domestic, Family and Sexual Violence Response

44 Why hasn't the NSW Government provided a funding increase for women's refuges established prior to, and operating outside of, the Core and Cluster funding stream?

ANSWER:

I am advised:

The NSW Government is continuing to invest in meaningful action to increase support for victim-survivors of domestic, family and sexual violence.

The \$245.6 million investment in domestic violence initiatives contained in the 2024-25 Budget includes:

- \$48 million to roll out the Staying Home Leaving Violence (SHLV) program state-wide to help women and their children to remain safe in their homes after leaving a violent relationship, and expand the Integrated Domestic and Family Violence Service (IDFVS);
- \$29.6 million for the Women's Domestic Violence Court Advocacy Service (WDVCAS) to provide support for victim-survivors requiring support to navigate the justice system; and
- \$48.1 million to secure and increase funding for workers who support children and young people accompanying their mothers to refuges.

Question from Chris Rath MLC

Domestic, Family and Sexual Violence Response

45 Domestic Violence NSW has called for \$100 million over four years to be committed to the NSW Strategy for the Prevention of Domestic, Family and Sexual Violence 2024-2027. The NSW Government has announced \$38 million for implementation of the plan plus a separate \$8 million for the All-In program. This is a \$54 million shortfall. Will the NSW Government invest a further \$60 million to ensure the effective implementation of the still unreleased Prevention Strategy and show real commitment to change?

ANSWER:

I am advised;

The Pathways to Prevention: NSW Strategy for the Prevention of Domestic, Family and Sexual Violence 2024-2027 is a key component of the NSW Government's \$245.6 million emergency package included in the 24/25 Budget. It aims to reduce pressures on other parts of the system over time, especially crisis response.

This is an unprecedented investment that will help build the necessary "system infrastructure" to ensure primary prevention is supported, coordinated and sustainable over the long term.

The Strategy builds on key investments the NSW Government has made to date to strengthen primary prevention efforts, and we recognise the need for a greater, more targeted focus to disrupt the cycle of domestic and family violence early and permanently.

Question from Chris Rath MLC

Qantas Chairman's Club

- 46** Are you a Member of the Qantas Chairman's Club?
- (a) If no, have you ever previously been a member?
 - (b) If yes, when did you cease to be a member?
 - (c) If yes, when did you initially become a member?
 - (d) If yes, when did you make a declaration to The Cabinet Office?
 - (e) If yes, how many times since 28 March 2023 have you used the Qantas Chairman's Club?

ANSWER:

I am advised:

The Constitution (Disclosures by Members) Regulation 1983 (Regulation) sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament.

The Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics Report on Review of the Code of Conduct, Aspects of Disclosure of Interests, and Related Issues (December 2010) notes that:

"Advice has been received from the Crown Solicitor that use of the Chairman's Lounge by invitation is not a "gift" for the purposes of clause 10 of the Regulation, as it does not involve disposition of property. However, when the membership leads to an upgrade valued at more than \$250, it becomes disclosable as a contribution to travel, and should be reported under clause 11 of the Regulation."

Clause 16 of the Regulation allows a Member to, at their discretion, disclose any direct or indirect benefit, advantage or liability, whether pecuniary or not.

Relevant disclosures have been made to the Cabinet Office and to the NSW Parliament.

Question from Chris Rath MLC

Union membership	
47	Are you a member of a union? (a) If yes, what union?
ANSWER: I am advised: The Constitution (Disclosures by Members) Regulation 1983 (the Regulation) sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament. Clause 13 of the Regulation relevantly requires the disclosure of the name of each trade union and each professional or business association 'in which he or she held any position' as at specified dates. The Regulation does not require Members to disclose membership of a trade union. Membership of Unions can be disclosed on a discretionary basis. The Clerk of the Parliaments has confirmed that this view is consistent with guidance provided to Members.	

Question from Chris Rath MLC

Union membership fees	
48	What was the expenditure for you to join a union in: (a) 2022-23? (b) 2023-24? (c) 2024-25?
ANSWER: I am advised: The Constitution (Disclosures by Members) Regulation 1983 (the Regulation) sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament. Clause 13 of the Regulation relevantly requires the disclosure of the name of each trade union and each professional or business association 'in which he or she held any position' as at specified dates. The Regulation does not require Members to disclose membership of a trade union. Membership of Unions can be disclosed on a discretionary basis. The Clerk of the Parliaments has confirmed that this view is consistent with guidance provided to Members.	

Question from Chris Rath MLC

CFMEU membership	
49	Have you ever been a member of the Construction, Forestry and Maritime Employees Union (CFMEU)? (a) If yes, when?
ANSWER: I am advised: The Constitution (Disclosures by Members) Regulation 1983 (the Regulation) sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament. Clause 13 of the Regulation relevantly requires the disclosure of the name of each trade union and each professional or business association 'in which he or she held any position' as at specified dates. The Regulation does not require Members to disclose membership of a trade union. Membership of Unions can be disclosed on a discretionary basis. The Clerk of the Parliaments has confirmed that this view is consistent with guidance provided to Members.	

Question from Chris Rath MLC

CFMEU meetings

50 Given ministerial diary disclosures do not include all meetings and provide exceptions to disclosures, since 28 March 2023, have you met with the CFMEU?

ANSWER:

I am advised;

In accordance with the Premier's Memorandum 2015-05, all Ministers publish extracts from their diaries summarising details of scheduled meetings held with stakeholders, external organisations, third-party lobbyists and individuals.

Ministers are not required to disclose details of the following meetings:

- meetings involving Ministers, ministerial staff, parliamentarians or government officials (whether from NSW or other jurisdictions)
- meetings that are strictly personal, electorate or party political
- social or public functions or events
- meetings held overseas (which must be disclosed in accordance with regulation 6(1)(b) of the Government Information (Public Access) Regulation 2018 and Attachment B to the Memorandum), and
- matters for which there is an overriding public interest against disclosure.

Ministers' diary disclosures are published quarterly on The Cabinet Office's website (<https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/access-to-information/ministers-diary-disclosures>).

Question from Chris Rath MLC

ETU membership	
51	Have you ever been a member of the Electrical Trades Union (ETU)? (a) If yes, when?
ANSWER: I am advised: The Constitution (Disclosures by Members) Regulation 1983 (the Regulation) sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament. Clause 13 of the Regulation relevantly requires the disclosure of the name of each trade union and each professional or business association 'in which he or she held any position' as at specified dates. The Regulation does not require Members to disclose membership of a trade union. Membership of Unions can be disclosed on a discretionary basis. The Clerk of the Parliaments has confirmed that this view is consistent with guidance provided to Members.	

Question from Chris Rath MLC

ETU meetings	
52	Given ministerial diary disclosures do not include all meetings and provide exceptions to disclosures, since 28 March 2023, have you met with the ETU?
<p>ANSWER:</p> <p>I am advised;</p> <p>In accordance with Premier's Memorandum M2015-05 Publication of Ministerial Diaries and Release of Overseas Travel Information, all Ministers publish extracts from their diaries summarising details of scheduled meetings held with stakeholders, external organisations, third-party lobbyists and individuals. Ministers are not required to disclose details of the following meetings:</p> <ul style="list-style-type: none">• meetings involving Ministers, ministerial staff, parliamentarians or government officials (whether from NSW or other jurisdictions)• meetings that are strictly personal, electorate or party political• social or public functions or events• meetings held overseas (which must be disclosed in accordance with regulation 6(1)(b) of the Government Information (Public Access) Regulation 2018 and Attachment B to the Memorandum), and• matters for which there is an overriding public interest against disclosure. <p>Ministers' diary disclosures are published quarterly on The Cabinet Office's website (https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/access-to-information/ministers-diary-disclosures).</p>	

Question from Chris Rath MLC

Paper shredder	
53	Does your ministerial office have a paper shredder?
ANSWER: I am advised; When the NSW Government was elected in 2023, shredders used by the former Liberal and National Government were left in Ministerial and Parliament offices. Office equipment is purchased in line with NSW Government procurement rules.	

Question from Chris Rath MLC

Ministerial disclosures to The Cabinet Office	
54	On what date did you last update/make a ministerial disclosure to The Cabinet Office?
ANSWER: I am advised: The Ministerial Code of Conduct (Ministerial Code) requires Ministers to make certain disclosures to the Premier and the Secretary of The Cabinet Office. I comply with my obligations under the Ministerial Code.	

Question from Chris Rath MLC

Department(s)/Agency(s) in Portfolio	
55	What department(s)/agency(s) are included in your portfolio?
<p>ANSWER:</p> <p>I am advised:</p> <p>The Cabinet Office publishes a Governance Arrangements Chart containing information about Ministers, NSW Government agencies established under Schedule 1 to the <i>Government Sector Employment Act 2013</i> and State owned corporations established under Schedule 5 to the <i>State Owned Corporations Act 1989</i>. The Governance Arrangements Chart outlines the agencies in the Premier and Cabinet portfolio.</p> <p>The Governance Arrangements Chart may be accessed via The Cabinet Office’s website at www.nsw.gov.au/sites/default/files/noindex/2024-08/20240807-Governance-Arrangements-Chart.pdf</p> <p>The <i>Government Sector Employment Act 2013</i>, and Administrative Arrangements Orders made under Part 7 of the <i>Constitution Act 1902</i>, are available on the NSW Legislation website (www.legislation.nsw.gov.au).</p>	

Question from Chris Rath MLC

Department(s)/Agency(s) Employees	
56	How many senior executive service employees were employed by each Department/agency within your portfolio responsibilities on: (a) 28 March 2023? (b) 1 July 2023? (c) 1 January 2024? (d) 1 July 2024?
ANSWER: I am advised: The number of senior executives is publicly reported within Annual Reports.	

Question from Chris Rath MLC

Department(s)/Agency(s) Employees	
57	How many public servants within your portfolio department(s)/agency(s) were paid more than the Premier in 2023-24?
ANSWER: I am advised: The remuneration of public service senior executives is published in the respective Department(s)/Agency(s) Annual Reports.	

Question from Chris Rath MLC

Department(s)/Agency(s) Employees	
58	How many redundancies were processed by each Department(s)/agency(s) within your portfolio responsibilities since 28 March 2023? (a) Of these redundancies, how many were: i. Voluntary? ii. Forced? (b) What was the total cost of all redundancies in each Department/agency within your portfolio responsibilities?
ANSWER: I am advised: Redundancies are published in the respective Department(s)/Agency(s) Annual Reports under employee related expenses.	

Question from Chris Rath MLC

Former Ministerial Employees	
59	Are there any former employee from your ministerial office now employed by any department/agency within your portfolio responsibilities? (a) If yes, how many?
ANSWER: I am advised; The employment of former Ministerial office staff is not tracked. Under the Government Sector Employment Act 2013, the Secretary of a Department exercises the employer functions of the Government in relation to departmental employees. The Secretary is not subject to the direction or control of a Minister in the exercise of those functions. Similarly, the head of a Public Service agency exercises the employer functions of the Government in relation to non-Public Service senior executives of the agency. A head of a Public Service agency is not subject to the direction or control of a Minister in the exercise of those functions. All NSW government sector employees must comply with the Code of Ethics and Conduct for NSW government sector employees. Employees must also have regard to their relevant agency's code of conduct. Ministerial office staff must comply with their ethical obligations under the NSW Office Holder's Staff Code of Conduct, including after the cessation of the employment.	

Question from Chris Rath MLC

Department(s)/Agency(s) Annual Reports	
60	In what month will the 2023-24 annual reports for each department / agency in your portfolio be published?
ANSWER: I am advised; The annual report of a reporting GSF agency is to be prepared, submitted and tabled in accordance with requirements under the Government Sector Finance Act 2018 and Treasurer’s Direction 23-11.	

Question from Chris Rath MLC

Department(s)/Agency(s) Annual Reports	
61	Will the 2023-24 annual reports for the department / agency in your portfolio include a printed copy? (a) If yes, how much is budgeted for printing in 2024-25?
ANSWER: I am advised; As per the NSW Treasury Policy and Guidelines – Annual Reporting Requirements TPG23-10, agencies in the portfolio will be providing two printed copies of the annual report (via in house printing) to the Premier for tabling in both houses of Parliament. Parliamentary Counsel Office has budgeted \$200 for printing.	

Question from Chris Rath MLC

State Records Act	
62	Have you and your ministerial office had training and/or a briefing about the State Records Act from State Records NSW and/or The Cabinet Office and/or Premier's Department? (a) If yes, when?
ANSWER: I am advised; The Ministers' Office Handbook provides guidance in relation to these obligations to assist each Minister's office. The Premier's Department and The Cabinet Office also provide guidance, advice, training and support on these obligations for all Ministers' offices. I expect all Ministers' offices to comply with their obligations under the State Records Act 1998.	

Question from Chris Rath MLC

Consultants	
63	<p>Since 28 March 2023, how many consultancy contracts have been signed in your portfolio agencies, broken down by agency?</p> <p>(a) What was the individual amount of each contract?</p> <p>(b) What is the purpose of each contract?</p> <p>(c) Who was the contract with?</p> <p>(d) Did the contract go through a competitive tender?</p>
<p>ANSWER:</p> <p>I am advised:</p> <p>Consultancy expenditure, including details of consulting engagements over \$50,000, are included in the annual reports of agencies and departments in accordance with the NSW Treasury Policy and Guidelines TPG23-10 - Annual Reporting Requirements.</p> <p>Details for the period prior to 30 June 2023 form part of the Department of Premier and Cabinet Annual Report 2022-23.</p> <p>Details for the period 1 July 2023 to 30 June 2024 will form part of the Department / Agency Annual Report 2023-24.</p>	

Question from Chris Rath MLC

Legal Costs	
64	How much did the Department/agencies within your portfolio responsibilities spend in legal costs since 28 March 2023? (a) For what specific purposes or matters was legal advice sought?
ANSWER: I am advised: Legal costs are included in the Other Operating Expenses of an agency's financial statement and further categorised in the note to Other Operating Expenses in accordance with the guidance in TPG24-05 Policy and Guidelines: Financial Reporting Code for NSW General Government Sector Agencies. The practice of the Premier's Department and The Cabinet Office is to include legal costs within the fees for services rendered category. Agencies will include legal costs as a separate line item if it is considered a material expense for the agency. Details for the period prior to 30 June 2023 form part of the former Department of Premier and Cabinet/other agency Annual Report 2022-23. Details for the period 1 July 2023 to 30 June 2024 will form part of the department/agency Annual Report 2023-24.	

Question from Chris Rath MLC

Advertising	
65	<p>How much has each Department/agency within your portfolio responsibilities spent on advertising or sponsored posts since 28 March 2023 on the following social media platforms:</p> <ul style="list-style-type: none">(a) Facebook(b) Instagram(c) LinkedIn(d) TikTok(e) YouTube(f) X (formerly known as Twitter)
<p>ANSWER:</p> <p>I am advised:</p> <p>Department and agency expenditure is published in Annual Reports and on OpenGov NSW and data.nsw.gov.au</p>	

Question from Chris Rath MLC

Catering	
66	How much of your ministerial budget was spent on catering in 2023-24?
ANSWER I am advised: Catering provided for official purposes may be funded from the Ministerial office budget. Catering costs for the period 1 July 2023 to 30 June 2024 will form part of the Premier's Department Agency Annual Report 2023-24. As Members of Parliament, Ministers have credit facilities extended to them for dining and hospitality at Parliament House. The facilities may be used for business or private purposes.	

Question from Chris Rath MLC

Catering	
67	Was catering used for external stakeholders? (a) If yes, who were these external stakeholders?
ANSWER I am advised: Catering provided for official purposes may be funded from the Ministerial office budget. As Members of Parliament, Ministers have credit facilities extended to them for dining and hospitality at Parliament House. The facilities may be used for business or private purposes.	

Question from Chris Rath MLC

Catering	
68	Did any catering costs in 2023-24 include expenditure on alcohol?
ANSWER I am advised: The NSW Office Holder's Staff Code of Conduct, which is Attachment B to the Ministers' Office Handbook, provides that all office holder staff must use State resources for the effective conduct of public business in a proper manner. Office holder staff must be economical and efficient in the use and management of public resources. The Handbook can be found here: https://www.nsw.gov.au/sites/default/files/noindex/2023-12/Ministers-Office-Handbook.pdf	

Question from Chris Rath MLC

Gin	
69	Since 28 March 2023, have you or your ministerial office purchased 'gin' using your ministerial budget?
ANSWER I am advised: The NSW Office Holder's Staff Code of Conduct, which is Attachment B to the Ministers' Office Handbook, provides that all office holder staff must use State resources for the effective conduct of public business in a proper manner. Office holder staff must be economical and efficient in the use and management of public resources. The Handbook can be found here: https://www.nsw.gov.au/sites/default/files/noindex/2023-12/Ministers-Office-Handbook.pdf	

Question from Chris Rath MLC

Stationery	
70	How much of your ministerial budget was spent on stationery in 2023-24?
ANSWER I am advised: Spending on office stationery is in accordance with standard procurement arrangements. The costs of stationery are contained within the Premier's Department Annual Report.	

Question from Chris Rath MLC

Stationery	
71	Did your stationery expenditure include gifts for external stakeholders? (a) If yes, what was the gift(s)? (b) If yes, who received the gift(s)?
ANSWER I am advised: The Ministers' Office Handbook outlines that the decision to present a gift is at the discretion of the Minister, having regard to both appropriateness and economy. Gifts may be appropriate, for example, where given as a memento of an official visit or as a small token of appreciation. However, gifts should not be given with the purpose, or in circumstances where they could be perceived as having the purpose, of inducing favourable treatment. Gifts may be purchased as needed on an occasional basis or purchased and stored for future use. Gifts need to be purchased in accordance with NSW Government procurement policy.	

Question from Chris Rath MLC

Ministerial Vehicles and Driving Offences	
72	Since 28 March 2023, have you personally driven your ministerial vehicle?
ANSWER I am advised: Ministers, the Leader of the Opposition, other nominated public office holders, and certain former office holders are provided with official cars and drivers. Office holders may drive themselves whenever they choose. Cars should be driven only by the office holder, officially employed drivers, the office holder's spouse or approved relative and any other person authorised by the office holder in those circumstances considered to be appropriate.	

Question from Chris Rath MLC

Ministerial Vehicles and Driving Offences

- 73** As a driver since 28 March 2023:
- (a) Have you been pulled over by the NSW Police Force?
 - (b) Have you been fined for speeding?
 - (c) Have you been fined for school zone related offence?
 - (d) Have you been fined for red light related offence?
 - (e) Have you been involved in an accident that included the NSW Police attending the scene?
 - i. If yes to a) to e), did this include whilst driving your ministerial vehicle?

ANSWER

I am advised:

Ministers, like all members of the community are subject to the laws of New South Wales, including Road Rules 2014.

Where a fine is incurred, the payment of the fine is the responsibility of the driver of the vehicle.

Question from Chris Rath MLC

Speeches	
74	Does your portfolio department(s) / agency(s) draft and write speeches for you?
ANSWER I am advised: Department and agency staff may contribute to factual information for speaking notes as part of their duties in line with longstanding practices in place under successive governments.	

Question from Chris Rath MLC

Speeches	
75	How many public servants have undertaken writing speeches in your portfolio department(s) / agency(s)?
ANSWER I am advised: Department and agency staff may contribute to factual information for speaking notes as part of their duties in line with longstanding practices in place under successive governments.	

Question from Chris Rath MLC

Ministerial Staff – Local Government Councillors	
76	As at 30 June 2024, how many of your ministerial staff were local government councillors?
ANSWER I am advised: Ministerial staff are employed by Ministers, on behalf of the State, in their capacity as "political office holders" under Part 2 of the Members of Parliament Staff Act 2013 (Act). All Ministerial staff are required to comply with the NSW Office Holder's Staff Code of Conduct, including obligations to seek approval for secondary employment, and to take reasonable steps to avoid, and in all cases disclose, any actual or potential conflicts of interest (real or apparent).	

Question from Chris Rath MLC

Ministerial Staff – Local Government Councillors	
77	What local government(s) did they serve?
ANSWER I am advised: Ministerial staff are employed by Ministers, on behalf of the State, in their capacity as "political office holders" under Part 2 of the Members of Parliament Staff Act 2013 (Act). All Ministerial staff are required to comply with the NSW Office Holder's Staff Code of Conduct, including obligations to seek approval for secondary employment, and to take reasonable steps to avoid, and in all cases disclose, any actual or potential conflicts of interest (real or apparent).	

Question from Chris Rath MLC

Ministerial Advisers	
78	How many staff members were employed in your ministerial office in 2023-24 FY?
ANSWER I am advised: Ministerial Staffing numbers are proactively published on the NSW website - https://www.nsw.gov.au/departments-and-agencies/premiers-department/access-to-information/premier-and-ministers-staff-numbers	

Question from Chris Rath MLC

Ministerial Advisers	
79	What is the average salary for staff members in your ministerial office in 2023-24 FY?
ANSWER I am advised: Ministerial Staffing information is proactively published on the NSW website - https://www.nsw.gov.au/departments-and-agencies/premiers-department/access-to-information/premier-and-ministers-staff-numbers	

Question from Chris Rath MLC

Police Commissioner Gin	
80	Have you received gin from the Police Commissioner?
ANSWER I am advised: No	

Question from Chris Rath MLC

Cabinet Sub Committees	
81	What cabinet sub committees are you a member of?
ANSWER I am advised: Details of individual Cabinet committee members and the work of Cabinet committees are not generally made public. This reflects the longstanding Cabinet conventions of confidentiality and collective Ministerial responsibility, which are central to the Westminster system of government. The NSW Cabinet Practice Manual is publicly available on the NSW Government website (www.nsw.gov.au) and provides information on operation of Cabinet and committees in NSW.	

Question from Chris Rath MLC

E-Toll	
82	Does your ministerial vehicle have an E-Toll? (a) If yes, is expenditure paid by your by your ministerial budget?
ANSWER I am advised: Ministers, the Leader of the Opposition, other nominated public office holders, and certain former office holders are provided with official cars and drivers. All costs associated with these vehicles need to be paid from the relevant approved budget. Costs for e-tolls form part of the Premier's Department Annual Report.	

Question from Chris Rath MLC

Department(s)/Agency(s) Gifts and Hospitality Register	
83	Does your portfolio department(s)/agency(s) have a gifts and/or hospitality register? (a) If yes, is it available online? i. If yes, what is the URL?
ANSWER I am advised: The Premier's Department gifts and hospitality register is available at: https://www.nsw.gov.au/departments-and-agencies/premiers-department/access-to-information/gifts-and-hospitality-register The Cabinet Office gifts and hospitality register is available at: https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/access-to-information/gifts-and-hospitality-register#:~:text=The%20Cabinet%20Office%20publishes%20its,Gifts%20and%20Benefits%3A%20Minimum%20Standards	

Question from Chris Rath MLC

Workplace complaints	
84	Have you been the subject of any workplace complaints, including bullying, harassment, and sexual harassment since 28 March 2023?
ANSWER I am advised: Any complaint or disclosure made under the Respectful Workplace Policy is confidential. The Respectful Workplace Policy applies to all Ministerial Offices and staff. As noted in the Goward review, a key aspect of effective workplace complaint policies is confidentiality in the complaint and investigation process. Confidentiality ensures that staff feel safe about raising concerns and confident that action will be taken in response.	

Question from Chris Rath MLC

Workplace complaints	
85	Has any member of your ministerial staff been the subject of any workplace complaints, including bullying, harassment, and sexual harassment since 28 March 2023?
ANSWER I am advised: Any complaint or disclosure made under the Respectful Workplace Policy is confidential. The Respectful Workplace Policy applies to all Ministerial Offices and staff. As noted in the Goward review, a key aspect of effective workplace complaint policies is confidentiality in the complaint and investigation process. Confidentiality ensures that staff feel safe about raising concerns and confident that action will be taken in response.	

Question from Chris Rath MLC

Ministerial staff disclosure of gifts and/or hospitality	
86	Does your ministerial office keep a register of gifts and/or hospitality for staff to make disclosures?
ANSWER I am advised: All Ministerial staff are required to comply with the Gifts, Hospitality and Benefits Policy for Office Holder Staff attached to the Ministers' Office Handbook and available on the NSW Government website.	

Question from Chris Rath MLC

Ministerial staff disclosure of gifts and/or hospitality	
87	Have any staff members in your office been the recipient of any free hospitality? (a) What was the total value of the hospitality received? (b) Are these gifts of hospitality declared?
ANSWER I am advised: All Ministerial staff are required to comply with their disclosure obligations under the Gifts, Hospitality and Benefits Policy for Office Holder Staff and I expect them to do so. A breach of the Policy may be a breach of the Office Holder's Staff Code of Conduct. The Policy includes disclosure obligations for Ministerial staff in respect of gifts, hospitality and benefits over \$150. If a Ministerial staff member is required by their role to accompany their Office Holder at an event that the Office Holder is attending as the State's representative, or where the Office Holder has asked the staff member to attend, then attendance at that event would not constitute a gift or benefit for the purposes of the Policy.	

Question from Chris Rath MLC

Ministerial Code of Conduct	
88	Since 28 March 2023, have you breached the Ministerial Code of Conduct? (a) If yes, what was the breach?
ANSWER I am advised: All Ministers are expected to comply with their obligations under the NSW Ministerial Code of Conduct (Ministerial Code) at all times. The Ministerial Code sets the ethical standards of behaviour required of Ministers and establishes practices and procedures to assist with compliance. Among other matters, the Ministerial Code requires Ministers to: <ul style="list-style-type: none">• disclose their pecuniary interests and those of their immediate family members to the Premier• seek rulings from the Premier if they wish to hold shares, directorships, other business interests or engage in secondary employment (known as ‘prohibited interests’)• identify, avoid, disclose and manage conflicts of interest• disclose gifts and hospitality with a market value over \$500. A substantial breach of the Ministerial Code (including a knowing breach of any provision of the Schedule) may constitute corrupt conduct for the purposes of the <i>Independent Commission Against Corruption Act 1988</i> .	

Question from Chris Rath MLC

Credit Cards	
89	Have you ever been issued with a credit card by a NSW Government department(s) and/or agency(s) since 28 March 2023? (a) If yes, under what circumstance? (b) If yes, what items and expenditure was undertaken?
ANSWER I am advised: Ministers and Ministerial Staff are not eligible to receive Departmental credit cards except in the case of overseas travel. In cases of overseas travel short-term cards will be issued and returned at the completion of official travel together with a travel diary for fringe benefit tax purposes. Where an NSW Government-issued credit card is provided the credit card must only be used for official overseas business trips and official business purposes, this includes for transport to/from the airport when departing/returning from the trip. NSW Government-issued credit cards for official business trips overseas will be held with government contract bankers and used within credit limits imposed. Credit cards are a useful means of expenditure control, but their use should never be for personal purposes. Costs associated with overseas travel are published on the NSW Government website in line with M2015-05.	

Question from Chris Rath MLC

Credit Cards

- 90** For each department, agency and/or other body in the Minister's portfolio please report:
- (a) How many credit cards are currently on issue for staff? (Please provide a break-down of this information by grade)
 - (b) What was the value of the largest reported purchase on a credit card for the last year?
 - (c) What was each largest reported purchase for?
 - (d) What was the largest amount outstanding on a single card at the end of a payment period?
 - (e) And what was the card holder's employment grade?
 - (f) How many credit cards have been reported lost or stolen?
 - (g) What was the cost to replace them?
 - (h) How many credit card purchases were deemed to be illegitimate or contrary to agency policy?
 - i. How many purchases were asked to be repaid on the basis that they were illegitimate or contrary to agency policy and what was the total value thereof?
 - ii. Were all those amounts repaid?
 - (i) Are any credit cards currently on issue connected to rewards schemes?
 - i. Do staff receive any personal benefit as a result of those reward schemes?
 - (j) Can a copy of the staff credit card policy please be provided?

ANSWER

I am advised:

The use and management of purchasing (credit) cards for official purposes is in accordance with standard procurement arrangements of the NSW Government. Policies are attached.

Question from Chris Rath MLC

Department(s)/agency(s) desk or office	
91	Do you have a desk or office in your portfolio department(s)/agency(s) building(s)?
ANSWER I am advised: I make use of an office in 52 Martin Place, NSW Parliament and my Electorate office. When travelling, Ministers may make ad hoc arrangements to work for periods in Departmental offices.	

Question from Chris Rath MLC

Senior Executive Drivers	
92	How many senior executives in your portfolio department(s) / agency(s) have a driver?
ANSWER I am advised; No senior executive employed by the Premier's Department or The Cabinet Office have a driver.	

Question from Chris Rath MLC

Mobile phones

93 How many mobile phones has your ministerial office been allocated as at 1 July 2024?

ANSWER

I am advised;

Ministers' Staff Acceptable Use of Communication Devices Policy provides guidance on the use, loss, theft, and return of communication devices provided for business purposes.

Minister's staff may use mobile telephones for business and (reasonable use) private purposes.

Under the current mobile plans all local and Australia-wide calls to land lines/mobiles and texts are included in the plan. Premium service calls, international calls and global roaming services are outside of the plan and may be still chargeable based on the principles below.

Ministers' staff mobile phone charges are paid from the Ministers' office budget except for the items listed below, which need to be paid as a private expense:

- Personal international calls from within Australia
- Personal travel related global roaming charges
- Personal premium number service calls

Any personal calls which are outside the plan need to be declared and paid for monthly. Declarations are not required otherwise.

The purchasing of technology items is in accordance with standard procurement arrangements.

The costs form part of the Premier's Department Annual report.

Question from Chris Rath MLC

Mobile phones	
94	How many mobile phones in your ministerial office have been lost or stolen since 28 March 2023?
ANSWER	
<p>I am advised;</p> <p>Ministers' Staff Acceptable Use of Communication Devices Policy provides guidance on the use, loss, theft, and return of communication devices provided for business purposes.</p> <p>Minister's staff may use mobile telephones for business and (reasonable use) private purposes.</p> <p>Under the current mobile plans all local and Australia-wide calls to land lines/mobiles and texts are included in the plan. Premium service calls, international calls and global roaming services are outside of the plan and may be still chargeable based on the principles below.</p> <p>Ministers' staff mobile phone charges are paid from the Ministers' office budget except for the items listed below, which need to be paid as a private expense:</p> <ul style="list-style-type: none">• Personal international calls from within Australia• Personal travel related global roaming charges• Personal premium number service calls <p>Any personal calls which are outside the plan need to be declared and paid for monthly. Declarations are not required otherwise.</p> <p>The purchasing of technology items is in accordance with standard procurement arrangements.</p> <p>The costs for form part of the Premier's Department Annual report.</p>	

Question from Chris Rath MLC

Efficiency dividends	
95	<p>Was an efficiency dividend applied to your portfolio department(s) / agency(s) within your portfolio responsibilities in:</p> <ul style="list-style-type: none">(a) 2023-24?(b) 2024-25?<ul style="list-style-type: none">i. If so, what was the efficiency dividend applied to each department/agency?ii. What measures are being considered to achieve this efficiency dividend?
<p>ANSWER</p> <p>I am advised;</p> <p>The budget papers include detailed information on budgeted expenses, revenue and capital expenditure. This includes detailed financial statements for individual agencies as well as for government as a whole. The budget papers also outline the financial impact of measures in the budget on individual portfolios as well as for government as a whole.</p>	

Question from Chris Rath MLC

GIPA Applications / Standing Order 52 – Ministerial Office	
96	Does your ministerial office have staff member(s) to undertake Government Information (Public Access) Act application(s) and/or Standing Order 52 requests? (a) If yes, has that ministerial staffer(s) received formal training about their legal obligations?
ANSWER I am advised; The Cabinet Office provides training for Ministerial staff on their obligations under the Government Information (Public Access) Act 2009 (GIPA Act) and the requirements for responding to orders for papers under Standing Order 52 of the Legislative Council.	

Question from Chris Rath MLC

GIPA Applications / Standing Order 52 – Ministerial Office	
97	How many GIPA Applications have been received by your ministerial office since 28 March 2023?
ANSWER I am advised: Information concerning the obligations of a Minister’s office as an agency under the Government Information (Public Access) Act 2009 (the Act) is required to be submitted to the Attorney General in accordance with section 125(2) of the Act. The information is included in the annual report of the Department of Communities and Justice in accordance with sections 125(3) and (5) of the Act.	

Question from Chris Rath MLC

Land audit – Department(s)/Agency(s)	
98	<p>Has your portfolio department(s)/agency(s) undertaken a land audit of surplus government property in any of the following postcodes:</p> <ul style="list-style-type: none">(a) 2077?(b) 2079?(c) 2080?(d) 2081?(e) 2082?(f) 2083?(g) 2117?(h) 2118?(i) 2119?(j) 2120?(k) 2121?(l) 2125?(m) 2126?(n) 2151?(o) 2154?(p) 2156?(q) 2157?(r) 2158?(s) 2159?(t) 2756?(u) 2775? <p>i. If yes to (a) to (u), how many properties have been identified?</p>
<p>ANSWER</p> <p>I am advised:</p> <ul style="list-style-type: none">• The NSW Government has been conducting an audit of government land to identify surplus sites that are suitable for social, affordable or market housing.• The locations of an initial set of 44 sites identified by the audit will be made public over the coming weeks and months as they are transferred to housing delivery agencies or brought to market.	

Question from Chris Rath MLC

GIPA Applications – Department(s)/Agency(s)	
99	Since 28 March 2023, have you and/or your ministerial office given instructions to your portfolio department(s)/agency(s) in relation to Government Information (Public Access) Act application(s)?
ANSWER I am advised: The Government Information (Public Access) Act 2009 provides that agencies are not subject to the direction or control of any Minister in the exercise of the agency's functions in dealing with a particular access application under the Act (subsection 9(2)). The Act also contains offences prohibiting agency officers from acting unlawfully, and prohibiting persons from directing agencies to make an unlawful decision in relation to an access application (sections 116 and 117 of the Act). It is, however, generally appropriate for agencies to inform the responsible Minister where documents are to be released under the Act, for the Minister's information.	

Question from Chris Rath MLC

Department(s)/Agency(s) Travel	
100	As Minister, do you approve overseas travel for public servants in your portfolio department(s) / Agency(s)? (a) If yes, how many overseas trips have you approved since 28 March 2023?
ANSWER I am advised: The NSW Government Travel and Transport Policy provides a framework for NSW Government travelling employees and covers official air and land travel by public officials using public money. Section 2.1 of that Policy sets out approvals required in relation to overseas travel. Further information in relation to the Policy can be found here: https://www.info.buy.nsw.gov.au/policy-library/policies/travel-and-transport-policy NSW Treasury Policy and Guidelines – Annual Reporting Requirements (TPG-10) requires agencies to include information on overseas visits by officers and employees in agency annual reports. Information for the period prior to 30 June 2023 is available in agencies’ 2022-23 annual reports. Information for the period between 1 July 2023 and 30 June 2024 will be available in agencies’ 2023-24 annual reports.	

Question from Chris Rath MLC

Department(s)/Agency(s) Travel	
101	Since 28 March 2023, how much has been spent on charter air flights by your portfolio agencies, broken down by agency?
ANSWER I am advised: Charter air flights are contained within the travel costs category in the Other Operating Expenses note of the audited financial statements within the Department / Agency's Annual Report. This is in accordance with the Treasury Direction TD23-11 Annual reporting requirements. The travel costs for the period prior to 30 June 2023 form part of the Department of Premier and Cabinet / Agency Annual Report 2022-23. Travel costs for the period 1 July 2023 to 30 June 2024 will form part of the Department / Agency Annual Report 2023-24.	

Question from Chris Rath MLC

Department(s)/Agency(s) Travel	
102	Since 28 March 2023, how much has been spent on domestic flights by your portfolio agencies, broken down by agency? (a) Of these, how many flights were taken in business class?
ANSWER I am advised: Domestic travel is contained within the travel costs category in the Other Operating Expenses note of the audited financial statements within the Department / Agency's Annual Report. This is in accordance with the Treasury Direction TD23-11 Annual reporting requirements. The travel costs for the period prior to 30 June 2023 form part of the Department of Premier and Cabinet / Agency Annual Report 2022-23. Travel costs for the period 1 July 2023 to 30 June 2024 will form part of the Department / Agency Annual Report 2023-24. Official travel is taken in accordance with the NSW government travel policy.	

Question from Chris Rath MLC

Department(s)/Agency(s) Travel	
103	Since 28 March 2023, how much has been spent on international flights by your portfolio agencies, broken down by agency? (a) Of these, how many flights were taken in business class? (b) Of these, how many flights were taken in first class?
ANSWER I am advised: The NSW Government Travel and Transport Policy provides a framework for all NSW Government travelling employees and covers all official air and land travel by public officials using public money. Further information in relation to the Policy can be found here: https://www.info.buy.nsw.gov.au/policy-library/policies/travel-and-transport-policy The travel costs for the period prior to 30 June 2023 form part of the Department of Premier and Cabinet / Agency Annual Report 2022-23. Travel costs for the period 1 July 2023 to 30 June 2024 will form part of the Department / Agency Annual Report 2023-24.	

Question from Chris Rath MLC

Department(s)/Agency(s) Travel	
104	What was the total expenditure since 28 March 2023 by each Department/agency within your portfolio responsibilities on: (a) Taxi hire? (b) Ridesharing services? (c) Limousine/private car hire? (d) Hire car rental?
ANSWER I am advised: The items are contained within the travel costs category in the Other Operating Expenses note of the audited financial statements within the Department / Agency's Annual Report. This is in accordance with the Treasury Direction TD23-11 Annual reporting requirements. The travel costs for the period prior to 30 June 2023 form part of the Department of Premier and Cabinet / Agency Annual Report 2022-23. Travel costs for the period 1 July 2023 to 30 June 2024 will form part of the Department / Agency Annual Report 2023-24.	

Question from Chris Rath MLC

TikTok	
105	Are you on TikTok? (a) If yes, do you access TikTok from a NSW Government device?
ANSWER I am advised: The Circular DCS-2023-01 Cyber Security NSW Directive - Protecting NSW Government information on government-issued devices sets out how NSW Government agencies are to manage the risk of using TikTok. More information is available at: https://www.nsw.gov.au/sites/default/files/public%3A//2023-05/TikTok%20Ban%20-%20Frequently%20Asked%20Questions%20%282%29.pdf TikTok%20Ban%20-%20Frequently%20Asked%20Questions%20%282%29.pdf	

Question from Chris Rath MLC

Signal	
106	Are you on Signal? (a) If yes, do you access Signal from a NSW Government device?
ANSWER I am advised: Like the former Coalition Government, a range of communications are used by the NSW Government. I comply with the State Records Act 1998 and I expect all staff members to comply with their obligations under the State Records Act 1998.	

Question from Chris Rath MLC

Training	
107	<p>Since 28 March 2023, have you had training from an external stakeholder that included an invoice and payment paid for using your ministerial budget?</p> <p>(a) If yes, what is the description of training?</p> <p>(b) If yes, how much?</p>
<p>ANSWER</p> <p>I am advised:</p> <p>Ministers have undertaken a program of Ministerial induction training.</p> <p>Ministers have undertaken Respectful Workplace Policy Training.</p> <p>Members of Parliament are provided with a Skills Development Allowance that may be used in a manner consistent with the Parliamentary Remuneration Tribunal Annual Determination.</p>	

Question from Chris Rath MLC

Cabinet documents	
108	Since 28 March 2023, have you shared Cabinet documents with your Parliamentary Secretary?
ANSWER I am advised: The conventions and practice for access to Cabinet documents are outlined in Premier's Memorandum M2006-08 - Maintaining Confidentiality of Cabinet Documents and Other Cabinet Conventions (M2006-8). M2006-08 provides that the unauthorised and/or premature disclosure of Cabinet documents undermines collective ministerial responsibility and the convention of Cabinet confidentiality. It is essential that the confidentiality of Cabinet documents is maintained to enable full and frank discussions to be had prior to Cabinet making decisions.	

Question from Chris Rath MLC

Parliamentary Secretary	
109	Does your Parliamentary Secretary have pass access to your ministerial office?
ANSWER I am advised: Security passes for the parliamentary precinct and 52 Martin Place are required to be issued in accordance with the Parliament House Security Pass Policy and 52 Martin Place security procedures and the associated Privacy and Surveillance Statement.	

Question from Chris Rath MLC

Parliamentary Secretary	
110	Does your Parliamentary Secretary have a desk in your ministerial office?
ANSWER I am advised: No	

Question from Chris Rath MLC

Website usage	
111	What were the top 20 most utilised (by data sent and received) unique domain names accessed by your ministerial office since 28 March 2023?
ANSWER I am advised: All acceptable use of IT services must be lawful, appropriate, and ethical. The Ministers' Staff Acceptable Use of Network Services Policy is available in the Ministers' Office Handbook.	

Question from Chris Rath MLC

Website usage	
112	What were the top 20 most accessed (by number of times accessed) unique domain names accessed by your ministerial office since 28 March 2023?
ANSWER I am advised: All acceptable use of IT services must be lawful, appropriate, and ethical. The Ministers' Staff Acceptable Use of Network Services Policy is available in the Ministers' Office Handbook.	

Question from Chris Rath MLC

Ministerial visits

113

Since 28 March 2023, have you visited any of these postcodes:

- (a) 2077?
- (b) 2079?
- (c) 2080?
- (d) 2081?
- (e) 2082?
- (f) 2083?
- (g) 2117?
- (h) 2118?
- (i) 2119?
- (j) 2120?
- (k) 2121?
- (l) 2125?
- (m) 2126?
- (n) 2151?
- (o) 2154?
- (p) 2156?
- (q) 2157?
- (r) 2158?
- (s) 2159?
- (t) 2756?
- (u) 2775?

i. If yes to (a) to (u):

1. *What was the purpose of the visit(s)?*
2. *Did you make a funding announcement(s)?*

ANSWER

I am advised:

Ministers' diary disclosures are publicly available.

Premier's and Ministers' domestic travel information is published on the Premier's Department's website at: <https://www.nsw.gov.au/departments-and-agencies/premiers-department/access-to-information/premier-and-ministers-domestic-travel>

Question from Chris Rath MLC

Hard hats and/or vests	
114	Do you have a hard hat and/or vest for visiting infrastructure sites? (a) If yes, was it paid from your ministerial budget?
ANSWER I am advised: Ministers are to comply with the appropriate use of personal protective equipment as per Work Health and Safety Regulation 2017. The NSW Office Holder's Staff Code of Conduct, which is Attachment B to the Ministers' Office Handbook, provides that all office holder staff must use State resources for the effective conduct of public business in a proper manner. Office holder staff must be economical and efficient in the use and management of public resources. State resources are not to be subject to wasteful or extravagant use.	

Question from Chris Rath MLC

Camera, video recorder and microphones	
115	Does your ministerial office have the following paid by your ministerial budget: <ul style="list-style-type: none">(a) Handheld camera?(b) Handheld video recorder?(c) Microphone?<ul style="list-style-type: none">i. If yes to (a) to (c), how much is each worth when purchased?
ANSWER I am advised: Ministers' Staff Acceptable Use of Communication Devices Policy provides guidance on the use, loss, theft, and return of communication devices provided for business purposes. The purchasing of technology items is in accordance with standard procurement arrangements. The costs form part of the Premier's Department Annual Report.	

Question from Chris Rath MLC

Media releases and statements	
116	Are all the ministerial media releases and statements issued by you publicly available at https://www.nsw.gov.au/media-releases ? (a) If no, why?
ANSWER I am advised: The Department of Customer Service (DCS) is responsible for managing www.nsw.gov.au/media-releases and the publication of media releases.	

Question asked by Sue Higginson

Natural Resources Commission	
117	<p>What is the name, or names, of the expert panel, or panels, of the Natural Resources Commission that is working on the business case associated with the Forestry Industry Action Plan?</p> <p>(a) What are the names and roles of the members of the panel, or panels?</p> <p>(b) How were the panel members selected?</p> <p style="padding-left: 20px;">i. Who made the decisions regarding this panel and its membership?</p> <p>(c) When was the panel, or panels, established?</p> <p>(d) What are the terms of reference for the panel, or panels?</p> <p style="padding-left: 20px;">i. If there are no terms of reference, what is the scope of work for the panel, or panels?</p> <p>(e) When is the panel, or panels, due to report?</p> <p style="padding-left: 20px;">i. Will the panel or panels be publishing a public report?</p> <p style="padding-left: 20px;">ii. Will the panel or panels be making public recommendations?</p> <p style="padding-left: 20px;">iii. Will the panel or panels be contributing to any of these processes on an iterative basis?</p> <p>(f) Will the Natural Resources Commission panel or panels be providing reports to the Independent Forestry Panel?</p> <p>(g) Will the Natural Resources Commission panel or panels be providing reports to any other Government entities?</p> <p style="padding-left: 20px;">i. What are the name of these entities?</p> <p style="padding-left: 20px;">ii. What are the names and positions of the people who are part of each of these entities?</p>
<p>ANSWER</p> <p>I am advised:</p> <p>The Natural Resources Commission is chairing an expert panel comprised of independent experts and agency staff to inform the development of the business case for a Forestry Industry Action Plan. Subject matter expertise includes forest</p>	

ecology, fire ecology, surface hydrology, silviculture, environmental accounting, forestry industry economics, climate change and public policy.

Question asked by Sue Higginson

Natural Resources Commission	
118	<p>What is the name, or names, of any expert panel, or panels, of the Natural Resources Commission that is working on the business case associated with the Great Koala National Park, the improved native forest management method, or the?</p> <p>(a) What are the names and roles of the members of the panel, or panels?</p> <p>(b) How were the panel members selected?</p> <p> i. Who made the decisions regarding this panel and its membership?</p> <p>(c) When was the panel, or panels, established?</p> <p>(d) What are the terms of reference for the panel, or panels?</p> <p> i. If there are no terms of reference, what is the scope of work for the panel, or panels?</p> <p>(e) When is the panel, or panels, due to report?</p> <p> i. Will the panel or panels be publishing a public report?</p> <p> ii. Will the panel or panels be making public recommendations?</p> <p> iii. Will the panel or panels be contributing to any of these processes on an iterative basis?</p>
ANSWER	
<p>I am advised:</p> <p>The Natural Resources Commission is not working on a business case for the Great Koala National Park or the improved native forest management method.</p>	

Question asked by Sue Higginson

Forestry	
119	Is there a Government entity that is responsible for receiving reports or updates from the Independent Forestry Panel? (a) What is the name of this entity? (b) What are the names and positions of people who are part of the Government entity that the Independent Forestry Panel will report to?
ANSWER I am advised: The Independent Forestry Panel has been established to report directly to Government.	

Question asked by Sue Higginson

Forestry	
120	<p>What other government and non-government entities will be tasked with providing information or services to the Independent Forestry Panel?</p> <p>(a) Will any assessments or reports be provided to the Independent Forestry Panel?</p> <p>i. What is the subject matter for each assessment or report that will be provided to the Independent Forestry Panel?</p>
<p>ANSWER</p> <p>I am advised:</p> <p>The Independent Forestry Panel is able to consult with both government and non-government entities and request information to support their stakeholder consultations and reporting to Government.</p>	

Question asked by Sue Higginson

Forestry	
121	<p>What entities or stakeholders were consulted with in relation to the Forestry Industry Action Plan?</p> <p>(a) When did the development of the plan commence?</p> <p>(b) When did consultation with entities commence?</p> <p>(c) Will the scope of the Forestry Industry Action Plan change over time depending on:</p> <p>i. The results of public consultation?</p> <p>ii. Advice from the Independent Forestry Panel?</p>
<p>ANSWER</p> <p>I am advised:</p> <p>The Independent Forestry Panel was established in August 2024 to lead consultation on a Forestry Industry Action Plan. The Panel is tasked with consulting a broad range of stakeholders to report to Government on the best options to achieve the balance between sustainable supplies of timber and our environmental commitments. This will inform the development of a Forestry Industry Action Plan.</p>	

Question asked by Sue Higginson

Forestry	
122	<p>What entities were consulted with in relation to the Independent Forestry Panel?</p> <ul style="list-style-type: none">(a) When did the development of the panel commence?(b) When did consultation with entities commence?(c) What role did the Premier, Premier's Office, or Premier's Department have in the selection of the panel members?<ul style="list-style-type: none">i. Were any names for potential panel members submitted by the Premier, Premier's Office, or Premier's Department and who were they?(d) What role did the Forestry Corporation have in the selection of the panel members?<ul style="list-style-type: none">i. Were any names for potential panel members submitted by the Forestry Corporation and who were they?(e) Is it possible for the membership of the panel to change over time?<ul style="list-style-type: none">i. How will changes to the panel be considered and who is the decision-making authority in relation to the panel membership?
<p>ANSWER</p> <p>I am advised:</p> <p>The establishment and appointment of the Independent Forestry Panel was a decision of Government.</p> <p>The Panel was announced by the NSW Government on 26 August 2024.</p> <p>The Panel is currently inviting written submissions from all interested parties.</p>	

Question asked by Sue Higginson

Forestry	
123	Will the Independent Forestry Panel and Forestry Industry Action Plan be managed separately from the Great Koala National Park process? (a) If there is overlap, what is the identified overlap? (b) What entity is responsible for managing any overlap?
ANSWER I am advised: The Independent Forestry Panel and Forestry Industry Action Plan are managed separately from the Great Koala National Park process. Both the Minister for Agriculture and Minister for the Environment, and the relevant agencies, have oversight of these two processes.	

Question asked by Sue Higginson

Forestry	
124	Is the Great Koala National Park process dependent on either the Independent Forestry Panel or the Forestry Industry Action Plan?
ANSWER I am advised: No	

Question asked by Sue Higginson

Koalas	
125	<p>On 3 November 2023, the Premier said “Inaction and neglect by the previous Coalition government saw the koala officially listed as endangered in NSW. Creating a Great Koala National Park will turn around the animal’s grim trajectory,”. Is the delay by the Government to establish the Great Koala National Park and stop logging within the proposed boundary causing koalas to become more threatened with extinction?</p> <p>(a) How is the Great Koala National Park plan currently protecting koalas?</p>
ANSWER	
<p>I am advised:</p> <p>The 2023–24 State Budget committed \$80 million in funding over four years to create the park. The process of establishing the park involves an independent economic and social assessment, industry, community and Aboriginal advisory panels and expert environmental and cultural heritage assessments. These components are underway and on-track.</p> <p>The NSW Government will determine the final boundaries of the Great Koala National Park based on information gathered through these assessment and consultation processes.</p> <p>The NSW Environment Protection Agency (EPA) is treating all forestry operations in the Great Koala National Park assessment area as high-risk sites and closely monitors all operations to ensure that they comply with the Coastal Integrated Forestry Operations Approval.</p> <p>While work to establish the park is underway, the Government has directed forestry operations to cease in koala hubs in the Great Koala National Park assessment area. Additional koala conservation actions are also being delivered under the NSW Koala Strategy and other election commitments.</p>	

DCS Corporate Purchasing Card Policy

✓ Policy Document Summary

The Department of Customer Service's (DCS) Corporate Purchasing Card Policy sets out guidance for the use of the NSW Government Corporate Purchasing Card (PCard) and its associated agencies.

The DCS Corporate Purchasing Card policy encourages the use of purchasing cards to create greater efficiencies and creating savings by eliminating purchase order creation, reducing the number of invoices processed and taking advantage of prompt payment discounts and reducing transaction processing costs. A PCard is a credit card with features that facilitate expenditure control. It is a cost-effective way of purchasing low value/high volume transactions while maintaining appropriate management controls.

It complements rather than replaces other purchasing systems. It does not replace the Travel cards (Citi) or Fleet Card (fuel) arrangements or the Whole-of-Government Travel Contract.

Definitions

The following are key definitions relating to this policy.

- **Applicable Spend** - Government approved goods and services that can be purchased using a PCard
- **Senior Executive** - Employee with the appropriate level of authority to approve the issue of PCards as defined in the Delegations Manual
- **Delegated Financial Authority** - Delegation of Financial Authority is a document which identifies the approver, the level of approval in dollar values and the type of expenditure they are authorised to approve
- **Cardholder** - Employee assigned the authority to use a PCard
- **Card Approver** - Employee who has the authority to approve PCard expenses
- **Card Administrator** - Employee dealing with administrative matters between the Card Provider and Cardholder
- **Card Provider** - Bank or financial institution providing the PCard facility

Responsibilities

The administration of this policy applies to all employees of the DCS Cluster including statutory authorities. In particular, it applies to Cardholders, Card Managers, Card Approvers, Card Reviewers and Card Administrators.

Secretary

As head of DCS, the Secretary will certify annually that the NSW Government Corporate Purchasing Card use in the Cluster has been in accordance with Premier's Memoranda for audit purposes.

Chief Financial Officer

The Chief Financial Officer (CFO) is responsible for ensuring that the policy is up to date, comprehensive and understood. The CFO is also responsible to the Chief Operating Officer and the Secretary for the governance and compliance of the purchasing card programme within DCS.

Senior Executives

All senior executives need to ensure policy and procedures are adhered to, approvals are completed on time and acquittals are undertaken monthly by all staff.

Executive Directors and Directors have the overall responsibility for the governance and compliance of the PCard policy within their business unit.

Cardholders

Only government officers as defined by s2.9 of the *Government Sector Finance Act 2018* (GSF Act) may be issued a PCard as a cardholder. This includes persons who are the head of, or are employed in or by, a GSF agency and statutory officers. Cardholders are expected to practise professional diligence in maintaining the integrity of the card such as not sharing password or card details as this is only privy to the authorised cardholder; and to only use the card for valid business expenses in the same authority as a normal purchase order process. This includes compliance with the delegative authority under the Delegation Manual and other relevant government obligative guidelines including employee relations policies on crown awards.

The application process will include personal identification which includes personal information such as *date of birth* as an identifying reference. All personal

information is collected and kept in accordance with the *Privacy Act*. As the cardholder is not personally liable, a 100 points of identification is not required. Cardholders holding a PCard will not have their own personal credit rating affected in any way.

Cardholders must immediately notify the PCard Administrator in the following circumstances:

- cessation of employment with the Agency
- a change in the cardholder's substantive role
- a change in the nature of the cardholder's responsibilities that no longer require the cardholder to use a PCard (whether or not this includes a change in their substantive role)
- a change to the delegation limits that are associated with the cardholder's role
- the cardholder becomes aware that an unauthorised transaction has occurred
- the loss or theft of the PCard
- prolonged leave of absence (exceeding 8 weeks) from performing their role; or
- the PCard has been cancelled.

In addition, cardholders must immediately notify the Card Provider of any loss or theft of the PCard regardless of whether it is a working day or weekend.

Permitted expenditure / Applicable spend

All purchasing activities must be conducted in an ethical and transparent manner and comply with the values, principles and articles in the [DCS Code of Ethics and Conduct](#).

Comprehensive guidance on applicable spend categories for PCards is provided by the NSW Government Corporate Purchasing Card Guidelines and the DCS Applicable Spend Categories. These documents are kept up to date regularly. Current versions are available on the [DCS PCard intranet page](#).

In summary, PCards may be used for all business-related expenses, with the exception of items outlined under the Restricted expenses section of this document.

Related procurement directives

The following rules apply for cardholders:

- NSW Whole-of-Government contracted suppliers must be used whenever possible to ensure value for money and increased security of NSW Government Corporate Purchasing Card details.
- Off-contract spend is monitored.

Procurement Guideline: [Procurement and Travel - Procurement and travel \(sharepoint.com\)](#).

Procurement News & Announcements: [Viva Engage - DCS Procurement Community of Practice \(yammer.com\)](#).

Cash withdrawals restriction

In exceptional circumstances, a Senior Executive can authorise, for particular cardholders, a cash withdrawal limit for a specified period of time. This is based on business justification and is usually for a non-standard work environment or emergency travel where vendors do not accept credit cards.

Cardholders shall be permitted to withdraw cash advances on credit card accounts provided the funds are solely for imminent business purposes. The total of such cash withdrawals must not exceed the estimated cost of the approved expenditure. Cash withdrawals, cash advances and cash equivalent transactions all attract interest charges from the date of the transaction. Interest charges should be minimised.

For petty cash purposes, the employee handling and responsible for the petty cash cannot use his/her PCard to withdraw cash. This must be performed by the manager to top up the petty cash float.

Restricted expenses

There are certain restrictions governing the use of the PCard. The PCard must **not** be used:

- to purchase alcohol
- for cash advances (except where the above applies)
- to split purchases in order to negate credit limits. 'Purchase splitting' occurs where cardholders split one transaction into several in order to avoid

exceeding credit limits. This is also known as 'order-splitting' or 'stringing' arrangements. These types of arrangements are in breach of the terms of use of PCards and prohibited.

- for personal or non-work-related expenses - or expense subject to approval if to be considered work-related e.g. Study Benefits Assistance, Expenses for Salary sacrifice and capital purchases whether tangible or intangible, including software (even when the item is under \$5,000).
- for fines or penalties
- hazardous materials and special handling materials requiring assurance that certain specifications are being met
- technical, legal or complex services that require the formal input of technical staff
- to set up direct debits or automatic top-ups* (e.g. Opal cards).

** exception applies only to allow auto-debit to pay for work travel through the authorised NSW Government Travel supplier online portal (refer to Procurement Travel Policy, currently FCM)*

Card administrator

The Card Administrator currently sits within Corporate Finance and has the responsibility of liaising with the Card Provider and to implement any changes within DCS where necessary as our central contact point.

The Card Administrator, under the authority of the Secretary, must ensure that there is an accessible and up-to-date record of all authorised cardholders (the PCards Register) and the various administrative conditions that apply to each cardholder including, as a minimum:

- cardholder's full name
- confirmation that the cardholder has signed a Statement of Responsibility
- the last four digits of the cardholder's card number
- individual transaction limit and monthly limit
- administrative conditions attached to individual PCards/ cardholders, e.g. review dates, cash withdrawal allowances (where applicable), any restrictions on use
- cancellation dates (where a cardholder has changed roles or left the employ of the Agency or changed roles within the Agency).

There must also be an accessible record of the total limit for all the Pcards currently issued to employees, together with the Agency's total approved Pcard limit

The Card Administrator shall administer the relevant card limits applicable to the respective cards. Where there are any fraudulent transactions within DCS, the Card Administrator also has the responsibility to ensure that this is reported to the Independent Commission Against Corruption ("ICAC").

Card provider

They are responsible for the provision of cards and blocking and or replacing stolen cards. They will also provide monitoring and reporting functionality as defined by DCS.

Risk management

NSW Treasury's Internal Audit and Risk Management Policy for the General Government Sector (TPP20-08) requires that relevant agencies have an enterprise risk management framework that is consistent with AS ISO 31000 Risk management - Principles and guidelines. Further guidance on developing a risk management framework is found in Risk Management Toolkit for the NSW Public Sector (TPP 12-03).

The PCard policy and associated procedures to manage risks specific to the use of PCards should be consistent with the agency's overall risk framework. There are, however, particular risks associated with the use and administration of PCards that need to be identified and managed. Examples include:

- the risk of inappropriate use and waste. For the purpose of this policy, waste is defined as "any uneconomical, inefficient or ineffective use of resources, authorised or unauthorised, which results in a loss of public funds or resources" as [defined by Ombudsman NSW](#)
- the potential for transactional and/ or accounting error (e.g. duplication of payments)
- the application of inappropriate purchase method (e.g. directly purchasing an item or service on PCard without assessment of any contract terms rather than seeking to negotiate appropriate contract terms and conditions).

Risk is defined as the impact of uncertainty on objectives. In the context of PCards, this risk will largely relate to those aspects of the use and management of PCards which could affect the Agency's overall financial position and ongoing financial management. However, risks arising from the use and administration of PCards can also affect other objectives including those associated with procurement, service delivery or reputation.

Transaction limits and deadlines

Person responsible	Action	Deadline
Cardholder	Submit all expenses for approval	on or before 21st of each month
Approver	Approve all expenses submitted by the cardholder	on or before 30th of each month

Responsibility	Limit
Maximum per transaction	\$10,000 (no split transactions allowed)
Per day	Not applicable
Maximum per month	\$20,000

Action	Consequence
Cardholder's late submission of expenses exceeding 90 days	Cancellation of PCard

The cardholder has a critical role to play in preventative controls. It is the responsibility of each cardholder to support the risk management process by:

- keeping card details up to date by notifying changes in their name or work circumstances to the Card Administrator;
- advising both the Card Provider and Card Administrator if a card is lost or stolen; and
- advising the Card Administrator if the card is declined or the cardholder becomes aware of, or suspects, unauthorised transaction(s) has occurred.

Online transactions

Cardholders should practise diligence when making online purchases, by only using on secure websites which are indicated by a "https" prefix. Due to the rampant occurrence of fraud caused by hackers and pop-ups, cardholders should be extra diligent on websites at first use.

Usually, the cardholder will have to register with the website prior to purchasing an item. As a matter of protocol, cardholders have to register their professional details and create a separate online profile for business use and link the profile to their work email. All invoices and correspondence should be performed through

the work email. Failure to do this may result in a non-reimbursement of incurred expenses.

Cardholders should also ensure that a tax invoice is received with details of:

1. ABN number of the purchaser; and
2. invoice amount; and
3. GST amount; and
4. purchase item/service made

to enable Card Approvers to approve all online transactions.

Online transactions are to be made in line with Treasury Policy & Guidelines TPP 21-02 *Use and Management of NSW Government Purchasing Card*.

Record management

Record management is essential to the success of the NSW Government Corporate Purchasing Card. It is preferable that all transaction receipts are stored electronically. Where hardcopy documents are in use, they should be kept in a secure location.

Cardholder

It is the responsibility of cardholders to submit all expenses with their supporting invoice or receipt with each claim. It is recommended that expenses are submitted in the same calendar month they are incurred to enable proper accounting of monthly expenses. If expenses are not claimed within 90 days, access to the PCard may be cancelled at any time without further warning.

Manager

The manager approving the expenses will need to approve the claims by ensuring that a proper tax invoice/ receipt is included in the claims with the proper GST amounts and if the expense is properly incurred as a work expense in accordance with the relevant authority of delegations, employee relations policies on Crown Awards and other relevant government obligative guidelines.

Unauthorised purchases

Where unauthorised purchases have been made; these must be reported to the PCard Administrator and the Business Unit manager (a minimum of 2 levels above

the indiscretion) for further investigation. If there are activities which are fraudulent in nature, these will be handled by People and Culture and reported to the ICAC. The conduct of fraudulent activities may result in termination of employment and criminal prosecution.

Further resources

There are relevant guidelines for PCard matters available on the [PCards intranet page](#).

Issuer	Reference	Document Name
Department of Customer Service	1 July 2020	DCS Code of Ethics and Conduct
Legislation		Government Sector Finance Act 2018
NSW Treasury	TPP 20-08	Internal Audit & Risk Management Policy for the General Government Sector
The Treasury	TPP 21-02	Use and Management of NSW Government Purchasing Card
The Treasury	TC 21-01	NSW Payments Digital Reform - Digital Payment Adoption
Department of Customer Service	May 2020	DCS Delegations Manual

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Related information

[Our Code of Ethics and Conduct](#)

Key contact

C Chief Finance Officer DCS

DG DCS Policy Governance

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