

NUMBER	QUESTION
1	<p>The Hon. PENNY SHARPE: We will see how you go; that will decide whether you get questions or not. Premier, can you give us the base salary of a graduate teacher?</p> <p>Mr DOMINIC PERROTTET: The base salary?</p> <p>The Hon. PENNY SHARPE: Yes.</p> <p>Mr DOMINIC PERROTTET: I would say it is around \$70,000, but I will get the exact amount. I am probably in the ballpark there.</p> <p>The Hon. PENNY SHARPE: You are in the ballpark, that is right. What about a level one bus driver?</p> <p>Mr DOMINIC PERROTTET: Are we going to go through the entire public service? I can take them on notice for you.</p>
<p>ANSWER:</p> <p>I am advised:</p> <p>From 1 January 2022, the entry level annual salary for a NSW Public School graduate teacher is \$73,737 and the weekly rate of pay for a Bus Operator (Level 1) is \$1,075.90 (equivalent to \$56,139 p.a.).</p>	

NUMBER	QUESTION
2	<p>Ms ABIGAIL BOYD: So gender equality is not a focus for you and your Government?</p> <p>Mr DOMINIC PERROTTET: I did not say that. I have just said, over this period of time in answer to these questions, that I believe we need to do better in getting—</p> <p>Ms ABIGAIL BOYD: So it is just an issue outside of the Government, but you are not prepared to actually take significant steps to improve gender equality within your own Government?</p> <p>Mr DOMINIC PERROTTET: No, I have said that we need to do better and that we will. Since becoming Premier I have appointed more women to the New South Wales Cabinet. The National Party obviously has our two senior women. In relation to the allocation of Acts, I am happy to take that on notice and go through it. I would expect—and you are quoting figures at me—that the allocation of Acts is disproportionately skewed by the fact that the Attorney General would preside over a number of them. So I would like to see if that has been taken into account and that you are using these—</p>
<p>ANSWER:</p> <p>The Allocation of the Administration of Acts, made under section 50B of the <i>Constitution Act 1902</i>, allocates the administration of Acts to Ministers. The Allocation of the Administration of Acts is published on the NSW legislation website, managed by the Parliamentary Counsel's Office, at www.legislation.nsw.gov.au.</p>	

NUMBER	QUESTION
3	<p>The Hon. MARK LATHAM: The schools mandate was imposed on 8 November when—</p>

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	<p>Mr DOMINIC PERROTTET: And we extended it.</p> <p>The Hon. MARK LATHAM: —when vaccination rates were steaming towards 90 or 95 per cent.</p> <p>Mr DOMINIC PERROTTET: They were not where they are now.</p> <p>The Hon. MARK LATHAM: You are really saying that there were no risk assessments undertaken before the mandates were in place?</p> <p>Mr DOMINIC PERROTTET: I will take that on notice.</p> <p>The Hon. MARK LATHAM: That is what I am saying: Shouldn't they now happen quickly because the risk assessments would have been undertaken—</p> <p>Mr DOMINIC PERROTTET: I will take that on notice.</p>
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ANSWER:

Risk assessments, with respect to vaccine mandates, are being finalised as expeditiously as possible. Please direct further questions to the Minister for Health and Minister for Education.

NUMBER	QUESTION
4	<p>The Hon. MARK LATHAM: I thank you for your attempt to end the mandates. I am just wanting to make sure that other provisions are not used as an alibi for keeping them—the risk assessments. The Teaching Service Act, that will not be used as an alibi, will it? There is the determination that has been made by Secretary Harrison that is to be reviewed in July. Will you bring that review forward so that teachers can get back to the classroom before July?</p> <p>Mr DOMINIC PERROTTET: I will take that on notice; I do not know about that.</p>

ANSWER:

I refer you to my answer to question 3.

NUMBER	QUESTION
5	<p>The Hon. PENNY SHARPE: You might have to take this on notice, but can you tell the Committee how many women chair government boards and committees?</p> <p>Mr DOMINIC PERROTTET: I will take it on notice.</p>

ANSWER:

As at 21 April 2022, I am advised that 76 NSW Government boards and committees have a female Chair.

NUMBER	QUESTION
6	<p>The Hon. PENNY SHARPE: That is right. Can we get that provided by a breakdown of the names of the boards and committee?</p> <p>MICHAEL COUTTS-TROTTER: Yes, of course.</p>

	<p>The Hon. PENNY SHARPE: Because, as you would also appreciate, Mr Coutts-Trotter, there is a lot of variance. There are some committees where there are no women.</p> <p>MICHAEL COUTTS-TROTTER: I am happy to take that on notice, Ms Sharpe.</p> <p>The Hon. COURTNEY HOUSSOS: Premier, are there any government boards where there are no women on them? Perhaps Mr Coutts-Trotter might answer that.</p> <p>Mr DOMINIC PERROTTET: We will take that on notice. But 47 per cent, as an overarching figure, is very positive.</p> <p>The Hon. COURTNEY HOUSSOS: I accept that it is a positive. But I am wondering, Mr Coutts-Trotter, are you aware of any government boards that do not have women on them?</p> <p>MICHAEL COUTTS-TROTTER: I will take that on notice so I can make sure I am accurate. I think the answer to that is no, but I will take it on notice.</p> <p>The Hon. PENNY SHARPE: And you will be able to provide a breakdown of the number and the number of women?</p> <p>MICHAEL COUTTS-TROTTER: Yes.</p> <p>Mr DOMINIC PERROTTET: By what? By every board?</p> <p>The Hon. PENNY SHARPE: Yes.</p> <p>Mr DOMINIC PERROTTET: Okay.</p>
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ANSWER:

Answer provided by Mr Coutts-Trotter:

As at 21 April 2022 there were 26 NSW Government boards and committees without any female members. A list of all NSW Government boards and committees with a breakdown of membership (male/female) is provided (attachment A).

NUMBER	QUESTION
7	<p>The Hon. PENNY SHARPE: We would also like the breakdown of those who are paid and those who are not.</p> <p>Mr DOMINIC PERROTTET: Fair enough.</p> <p>MICHAEL COUTTS-TROTTER: I will take that on notice, Premier.</p> <p>Mr DOMINIC PERROTTET: Thank you. We will get you both.</p> <p>The Hon. PENNY SHARPE: Terrific.</p> <p>Mr DOMINIC PERROTTET: We will get you 2010 and we will get you 2022.</p> <p>The Hon. COURTNEY HOUSSOS: Premier, perhaps you can provide us the proportion on Treasury boards.</p> <p>Mr DOMINIC PERROTTET: That is part of it.</p> <p>The Hon. COURTNEY HOUSSOS: Excellent, because you were the most recent Treasurer who was appointing them to government boards. Is that correct?</p> <p>Mr DOMINIC PERROTTET: Yes.</p> <p>The Hon. COURTNEY HOUSSOS: So while you were Treasurer, what was the breakdown of numbers?</p>

	Mr DOMINIC PERROTTET: I will take that on notice.
ANSWER:	
As at 21 April 2022, I am advised:	
<ul style="list-style-type: none"> • the proportion of women on NSW Government boards and committees is 46%; • the proportion of women on Treasury boards and committees is 37%; • 69% of female members of NSW Government Boards and Committees are paid, while 31% of female members of NSW Government Boards and Committees are unpaid; and • 94% of female members of Treasury Boards and Committees are paid, while 6% of female members of Treasury Boards and Committees are unpaid. 	
Data collected by the NSW Government in 2010, for 479 board members, indicates that 328 (68.5%) were male and only 151 (31.5%) were female under the former Labor Government.	

NUMBER	QUESTION
8	<p>The Hon. PENNY SHARPE: There had been some public statements that suggested that the Government is going to bring forward legislation in relation to this matter. That is not happening, is that right?</p> <p>Mr DOMINIC PERROTTET: Not that I am aware of.</p> <p>The Hon. PENNY SHARPE: Do you know when the Privileges Committee is due to report?</p> <p>MICHAEL COUTTS-TROTTER: No. I will take that on notice.</p> <p>Mr DOMINIC PERROTTET: We will take it on notice.</p> <p>The Hon. PENNY SHARPE: In the meantime, just to be clear, the member for Kiama is being paid, and he has access to his electorate office and, I assume, all of his electorate staff?</p> <p>Mr DOMINIC PERROTTET: I will take that on notice, but I think so.</p>
ANSWER:	
I am advised:	
The inquiry of the Legislative Assembly's Standing Committee on Parliamentary Privilege and Ethics into the options available to the House regarding the withholding of remuneration and other entitlements of a member suspended from the service of the House, referred on 31 March 2022, has not yet reported.	

NUMBER	QUESTION
9	<p>The Hon. PENNY SHARPE: Okay. The Minister for Education and Early Learning, after we were asked questions in relation to this, basically said he has been banned from attending local schools. What other actions have been taken to limit the access of the member for Kiama to public facilities?</p> <p>Mr DOMINIC PERROTTET: I will take that on notice.</p>
ANSWER:	

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The question of whether further action is taken, regarding the Member for Kiama, is currently being considered by the Legislative Assembly's Standing Committee on Parliamentary Privilege and Ethics.

NUMBER	QUESTION
10	<p>The Hon. PENNY SHARPE: Are you aware of any other action that has been undertaken?</p> <p>Mr DOMINIC PERROTTET: No, but I will look into that for you.</p> <p>The Hon. PENNY SHARPE: Do you know whether, for example, his conduct has been reported to the Children's Guardian and whether there are any moves to put an interim bar on his Working With Children Check?</p> <p>Mr DOMINIC PERROTTET: I will take that on notice.</p>
<p>ANSWER:</p> <p>I refer you to my answer to question 9.</p>	

NUMBER	QUESTION
11	<p>The Hon. PENNY SHARPE: Sure, but as a member of Parliament he is basically able to operate within his electorate pretty much with no—there are no restraints other than the one imposition that the Minister for Education and Early Learning has done in terms of banning him from schools.</p> <p>Mr DOMINIC PERROTTET: I will take on notice your views on those points and I will come back to you.</p>
<p>ANSWER:</p> <p>I refer you to my answer to question 9.</p>	

NUMBER	QUESTION
12	<p>The Hon. PENNY SHARPE: But other than referring it to the committee, you have not done anything else before today?</p> <p>Mr DOMINIC PERROTTET: What would you propose I do?</p> <p>The Hon. PENNY SHARPE: I am asking you about whether you have taken any further action to limit the activities that he is able to undertake, but you are saying no. And until we asked you today, you were not planning on doing that either. Is that right?</p> <p>Mr DOMINIC PERROTTET: No, I said I will take it on notice in relation to what action has been taken for those areas from the Children's Guardian and the like. But ultimately as well there are conditions in relation to his bail, and they are a matter for the courts.</p>
<p>ANSWER:</p> <p>I refer you to my answer to question 9.</p>	

NUMBER	QUESTION
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13	<p>The Hon. COURTNEY HOUSSOS: I am asking if there have been any formal complaint made to DPC about any of your current Ministers.</p> <p>Mr DOMINIC PERROTTET: Not that I am aware of.</p> <p>The Hon. COURTNEY HOUSSOS: Mr Coutts-Trotter, have you received any complaints?</p> <p>MICHAEL COUTTS-TROTTER: Not that I am aware of, but I am happy to take that on notice.</p>
<p>ANSWER:</p> <p>Answer provided by Mr Coutts-Trotter:</p> <p>No formal complaints have been received by DPC.</p>	

NUMBER	QUESTION
14	<p>The Hon. MARK LATHAM: That is not answering the question. Why can't parents have an outline of the curriculum at the beginning of every school year?</p> <p>Mr DOMINIC PERROTTET: I will take that on notice and raise that with the Department of Education. There may be merit into the reasons as to why. I will look at it.</p>
<p>ANSWER:</p> <p>This is a matter for the Minister for Education.</p>	

NUMBER	QUESTION
15	<p>The Hon. COURTNEY HOUSSOS: Well, I can tell you that in March the Sydney train punctuality was 71 per cent. In the same month last year it was 93 per cent.</p> <p>Mr DOMINIC PERROTTET: And I think I you would say in the period of March—</p> <p>The Hon. SCOTT FARLOW: And I remember when you were government it was in the 40s.</p> <p>Mr DOMINIC PERROTTET: —where there have been substantial weather events it would have potentially impacted service delivery. That would go to fact that, if you are comparing like for like over that annual period, that would explain why that service delivery time may have been slightly down. But obviously I am pretty impressed by the fact that last year it was 90-something per cent.</p> <p>The Hon. COURTNEY HOUSSOS: And this year it is 71 per cent, just as you are telling people that they need to be returning to the office.</p> <p>Mr DOMINIC PERROTTET: Yes. And I just raised the point in relation to the clear weather challenges that we faced in that period of time. I am happy to take on notice the circumstance which is an equivalent period of time where we faced the same weather situation across metropolitan Sydney about what the impact on train services were during that period of time.</p> <p>The Hon. COURTNEY HOUSSOS: Premier, can you tell us once for and all if you have a business case for stage 2 of the Parramatta Light Rail?</p> <p>MICHAEL COUTTS-TROTTER: I will check.</p>

	<p>Mr DOMINIC PERROTTET: We will take that on notice.</p> <p>The Hon. COURTNEY HOUSSOS: You would be aware that this was first promised in 2017 and construction was supposed to start in 2020?</p> <p>Mr DOMINIC PERROTTET: Stage 2?</p> <p>The Hon. COURTNEY HOUSSOS: Stage 2.</p> <p>Mr DOMINIC PERROTTET: As I have said, in terms of the infrastructure agenda of our State, we are obviously along the way with Parramatta stage 1, and we see investment particularly in western Sydney on infrastructure projects as incredibly important. We have never been building more in the history of our State. We know that certain projects may, in terms of time lines, have been at a challenge particularly as a result of COVID and particularly as a result of labour shortages in the market, so we are working through that. They are not unique to New South Wales. They are not just nationwide. They are global issues that we are grappling with.</p> <p>The Hon. COURTNEY HOUSSOS: Mr Coutts-Trotter, do you have an answer?</p> <p>MICHAEL COUTTS-TROTTER: No, not to the specifics of your question. There is \$50 million committed to advanced planning work on stage 2 but I will take on notice the status of that work.</p>
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ANSWER:

Answer provided by Mr Coutts-Trotter:

This is a matter for the Minister for Transport.

NUMBER	QUESTION
16	<p>The Hon. PENNY SHARPE: How many have been applied for?</p> <p>Mr DOMINIC PERROTTET: Of the rentals?</p> <p>MICHAEL COUTTS-TROTTER: We got probably figures at different points in time, but broadly 7,000 applications, of which a bit over 4,000 were ineligible. Of the remainder, over 1,000 have been approved to a value of about \$9 million and the balance are under assessment.</p> <p>The Hon. PENNY SHARPE: Just to be clear, of the rental support—obviously extremely important, given the challenges up there—</p> <p>Mr DOMINIC PERROTTET: Yes.</p> <p>The Hon. PENNY SHARPE: —one thousand have been approved out of 7,000 that have been applied for. Is that right?</p> <p>MICHAEL COUTTS-TROTTER: Well, 7,000 or so applied for but 4,000 of those were ineligible.</p> <p>The Hon. PENNY SHARPE: What is the reason for the ineligibility?</p> <p>MICHAEL COUTTS-TROTTER: I would need to take that on notice. But you will recall you need to show you were living in a house that has been damaged in the area. They were light touch but some criteria to it, so I will take it on notice and tell you the reasons for 4,000 of those applications being ineligible. But over 1,000 households are receiving private rental support.</p>

ANSWER:

Answer provided by Mr Coutts-Trotter:

The Department of Customer Service advise determining the eligibility of incomplete applications will be assisted by both the resolution of policy decisions and availability of

data. For example, to determine whether sole trader applicants derive the majority of their income from the business for which they are applying.

As at 20 May, 10,332 Rental Support payment applications have been submitted with 1,471 approved worth more than \$13 million. In the Northern Rivers – of the 2,169 eligible applications – 1,229 have been approved (total applications 5,257.)

NUMBER	QUESTION
17	<p>The Hon. PENNY SHARPE: Premier, with the disaster recovery grants, there is still—just even the first figures—less than 10 per cent have actually been paid. Why has it been so slow?</p> <p>Mr DOMINIC PERROTTET: Well, the main reason, I think, behind that issue—and I do not think it is good enough; I have said from the outset that I wanted to get money out the door as quickly as possible—there are probably two issues, one that we have dealt with, and that was personnel in Service NSW, which, once that issue came to light, we increased personnel in terms of processing. The advice I have received now is that that is not the issue—</p> <p>The Hon. PENNY SHARPE: How many extra processors did you put on? You can take it on notice.</p> <p>Mr DOMINIC PERROTTET: I will take that on notice.</p> <p>The Hon. PENNY SHARPE: Can you tell us how many you started with and how many—</p> <p>Mr DOMINIC PERROTTET: I will provide that for you.</p>

ANSWER:

I am advised:

There are currently more than 223 NSW Government staff and contractors from KPMG and BDO assessing flood related grant applications. These staff are located in various parts of the state including in the Northern Rivers:

- 156 Service NSW;
- 52 Revenue NSW; and
- 15 Regional NSW – Rural Assistance Authority.

In addition, as at 11 May there are approximately 110 Service NSW and Resilience NSW staff are on the ground in Northern Rivers supporting the community through Recovery Centres, Recovery Assistance Points and Mobile Service Centre staff.

Further questions should be directed to the Minister for Customer Service and the Minister for Flood Recovery.

NUMBER	QUESTION
18	<p>The Hon. PENNY SHARPE: Ten per cent is there. How many assessors do you actually have on the ground in the Northern Rivers?</p> <p>Mr DOMINIC PERROTTET: We will take that on notice.</p> <p>MICHAEL COUTTS-TROTTER: There are 83 people.</p> <p>The Hon. PENNY SHARPE: Yes, but do they actually do the—the final tick-off on the assessor—</p>

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	<p>MICHAEL COUTTS-TROTTER: Their location, I am not sure—I will take that on notice.</p> <p>The Hon. PENNY SHARPE: Yes, because my advice is that the people who are doing the final tick off are based in Sydney. We are asking people for paperwork for a whole range of things. If you had assessors on the ground taking a photo of the damage, they could pretty much tick it off from there. The Government consistently says, "We've got assessors there," but they are not actually doing the final assessment, which would slow that down, probably.</p> <p>Mr DOMINIC PERROTTET: We will take that on notice.</p>
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ANSWER:

Answer provided by Mr Coutts-Trotter:

As at 11 May there are approximately 110 Service NSW and Resilience NSW staff are on the ground in Northern Rivers supporting the community through Recovery Centres, Recovery Assistance Points and Mobile Service Centre staff.

NUMBER	QUESTION
19	<p>Ms CATE FAEHRMANN: That is excellent. Were you consulted by the planning Minister before he scrapped the requirements to consider the risks of floods and fires for new homes? Did he consult with you about that?</p> <p>Mr DOMINIC PERROTTET: I will take that on notice.</p>

ANSWER:

This is a matter for the Minister for Planning.

NUMBER	QUESTION
20	<p>The Hon. COURTNEY HOUSSOS: Premier, when is the review that you ordered by DPC and the Productivity Commissioner into Government grants due?</p> <p>MICHAEL COUTTS-TROTTER: Very soon. I am happy to take it on notice or maybe respond this afternoon, but very, very soon.</p>

ANSWER:

Answer provided by Mr Coutts-Trotter:

The Department of Premier and Cabinet and the Productivity Commissioner has provided a final report on the review into the administration of grants to the Premier, which is available at <https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/publications/Review-of-grants-administration-in-NSW-listing-2015/Review-of-grants-administration-in-NSW.pdf>. The Government will respond to the report shortly.

NUMBER	QUESTION
21	<p>The Hon. COURTNEY HOUSSOS: Will you release the review to the public in full?</p> <p>Mr DOMINIC PERROTTET: I will take that on notice.</p>

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	<p>The Hon. COURTNEY HOUSSOS: It is a pretty simple question, Premier. Are you prepared to release a report into the way that the Government should commit grants?</p> <p>The Hon. SCOTT FARLOW: And the Premier has given you a simple answer—he will take it on notice.</p> <p>Mr DOMINIC PERROTTET: I will take it on notice. I would like to just get some advice on that.</p>
<p>ANSWER:</p> <p>I refer you to the answer to question 20.</p>	

NUMBER	QUESTION
22	<p>Mr DOMINIC PERROTTET: Look, let's take a step back. We have processes in place in relation to driving accountability and transparency. The fact that concerns have been raised in relation to grant programs is a good thing because Ministers should be accountable for the decisions that they make. They need to operate within the guidelines that are set by the Expenditure Review Committee and, following that, they are accountable and all of those grant decisions should be completely transparent because if you are concerned about transparency, well, the grants should not be issued in the first place. I have said, on becoming Premier—</p> <p>The Hon. PENNY SHARPE: Have you got rid of the shredders?</p> <p>Mr DOMINIC PERROTTET: —that we will do a review in relation to the grant programs and guidelines and all the issues that are involved in that. I have full faith in that review to come back with strong recommendations and I will adopt them.</p> <p>The Hon. COURTNEY HOUSSOS: You will adopt them? And will it apply to WestInvest?</p> <p>Mr DOMINIC PERROTTET: And you know what? I will even provide them to you.</p> <p>The Hon. COURTNEY HOUSSOS: I look forward to that, Premier.</p> <p>Mr DOMINIC PERROTTET: I'll chuck that in. I will provide them to you.</p>
<p>ANSWER:</p> <p>I refer you to the answer to question 20.</p>	

NUMBER	QUESTION
23	<p>The Hon. COURTNEY HOUSSOS: How will the changes from the review be implemented? Will it be through a DPC circular?</p> <p>Mr DOMINIC PERROTTET: I will take the advice from DPC.</p> <p>The Hon. COURTNEY HOUSSOS: Perhaps you might want to take that on notice, then.</p> <p>Mr DOMINIC PERROTTET: Let's do this: What I have committed to, Ms Houssos, is I will get the grants review; that will come to me. I will accept the recommendations in that review. They will be applied across government. I will take on notice in relation to whether we provide that report publicly, but my sense is to always err on the side of transparency, but I will come back to you</p>

	in relation to that. I will have to wait for the period of time. I will seek advice and I will respond.
ANSWER:	
I refer you to the answer to question 20.	

NUMBER	QUESTION
24	<p>The Hon. PENNY SHARPE: Yes. The Auditor-General's report was released yesterday. In that report the Auditor-General says that in 2021 icare changed the risk margin applied to measure the Nominal Insurer's outstanding claims liability, applying a different probability of adequacy of 75 per cent instead of the previously applied 85 per cent. The Auditor-General said that this:</p> <p>... reduced the value of the Nominal Insurer's outstanding claims liability by \$519 million when it was first applied on 1 July 2020, caused the reported outstanding claims liability to be \$557 million less at 30 June 2021 and consequently the net result was a positive \$63.3 million, instead of a \$494 million loss had the previous risk margin been applied ...</p> <p>Do you want to explain why that has been changed?</p> <p>Mr DOMINIC PERROTTET: I think what you will find is the POA is in line with other jurisdictions, and that is the approach that icare has taken. I will seek advice on that, but my recollection in relation to this matter is that that change was made in line with other jurisdictions, and they would have taken advice in respect of that issue from the actuaries and from the board. I will chase that up for you and I will give you an answer, but I think what you will find with the 85 per cent POA, that is in line with other jurisdictions. I think it is certainly in line with Victoria, but I will take it on notice.</p>
ANSWER:	
I am advised:	
icare adopted the 75% Probability of Adequacy (POA) on 1 July 2020 to align with State Insurance Regulatory Authority (SIRA) reporting and other Australian jurisdictions. This also aligns the probability of adequacy to Australian Prudential Regulation Authority (APRA) minimum requirements for private sector general insurers.	

NUMBER	QUESTION
25	<p>The Hon. PENNY SHARPE: You cannot explain to me why the changes were made.</p> <p>Mr DOMINIC PERROTTET: What I can assure you of is that the changes would have been made in line with best practice.</p> <p>The Hon. PENNY SHARPE: It is a half a billion dollar turnaround as a result of the application of these.</p> <p>MICHAEL COUTTS-TROTTER: If you use the accounting ratio, which does not anticipate the earnings you get from the funds in the scheme, you overvalue the liability and you run the risk of charging employers more than you need to charge them. That is why I think the insurance ratio is the preferred ratio.</p> <p>Mr DOMINIC PERROTTET: We will provide for you from icare the rationale behind the change. Ms Sharpe, I would completely reject any proposition in the question that the motivation behind—</p>

	<p>The Hon. PENNY SHARPE: You are not cooking the books, Premier?</p> <p>Mr DOMINIC PERROTTET: —that change was not to provide a better looking financial result. Ultimately, these schemes are there to provide support for injured workers, balanced by putting downward pressure on business premiums, and for having a sustainable system now and into the future. I will take on notice those specifics—or I can send them straight to Mr Mookhey—in relation to the rationale from icare for that change.</p>
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ANSWER:

The independent review, undertaken by the Hon. Robert McDougall QC, recommended the explicit use of an insurance ratio for the purposes of assessing capital management needs for the Nominal Insurer (NI), including the assessment of premium rates and planning for the NI’s long term financial sustainability.

icare accepted this recommendation and developed a Capital Management Policy for the NI that uses the insurance ratio, which discounts the claims liability using the expected investment return as the primary metric. However, icare continues to report its financial position using both the insurance and accounting ratio.

I am advised that the insurance ratio is the better long-term measure of adequacy in respect to the ability for the scheme, over the long term, to meet its liabilities.

NUMBER	QUESTION
26	<p>The Hon. COURTNEY HOUSSOS: Sorry, Mr Coutts-Trotter, I am asking the question of the Premier. Have you had discussions with the ratings agencies about TAHE?</p> <p>Mr DOMINIC PERROTTET: Not that I can recall, but I will take that on notice.</p>
<p>ANSWER:</p> <p>All Ministerial diary disclosures are published on the DPC website.</p>	

NUMBER	QUESTION
27	<p>Ms ABIGAIL BOYD: Does that mean that the TAHE board now report to Minister Stokes?</p> <p>Mr DOMINIC PERROTTET: Yes.</p> <p>Ms ABIGAIL BOYD: Is he the shareholding Minister as well?</p> <p>Mr DOMINIC PERROTTET: I will take that on notice. That would obviously be the expectation.</p>
<p>ANSWER:</p> <p>The shareholding Ministers of TAHE are the Treasurer and the Minister for Finance.</p>	

NUMBER	QUESTION
28	<p>Ms ABIGAIL BOYD: There was a commitment made by your Government in 2016 to have a climate change adaptation plan put in place by 2017. We are now in 2022 and there is still—</p> <p>Mr DOMINIC PERROTTET: I am quite aware of that.</p>

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	<p>Ms ABIGAIL BOYD: —no such thing. For a big period of that time you were Treasurer. Why do we not have a climate change adaptation plan?</p> <p>Mr DOMINIC PERROTTET: I will take it on notice.</p> <p>Ms ABIGAIL BOYD: Is there one now coming? Is there one in development?</p> <p>Mr DOMINIC PERROTTET: I will take it on notice.</p>
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ANSWER:

I am advised that the NSW Climate Change Adaptation Strategy is under development. Further questions should be directed to the Treasurer, and the Minister for Environment and Heritage.

NUMBER	QUESTION
29	<p>Mr DOMINIC PERROTTET: Hold on. Let's get to the point. I have not seen this document before. To your question, I do not know what these things mean in terms of "Trial matrix, including... whole person... FoR + Faculty Identified skills". Okay? I do not understand that—probably like yourself. I do think having clear, specific outcomes for schools and for parents is the best way to go in achieving great educational outcomes. I think we have made a lot of progress in relation to that. In respect of your point of why would certain objectives be over different periods of time or different schools, I would expect they would have different needs and that may lead to different periods of time for those assessments to be achieved.</p> <p>Now, in respect of this, I will take it on notice.</p>
<p>ANSWER:</p> <p>This is a matter for the Minister for Education.</p>	

NUMBER	QUESTION
30	<p>The Hon. COURTNEY HOUSSOS: Premier, we have only got a couple of minutes to go. Since becoming Premier, have you received any formal complaints regarding any of your Ministers?</p> <p>Mr DOMINIC PERROTTET: No, not that I am aware of.</p> <p>The Hon. COURTNEY HOUSSOS: Has your office received any complaints?</p> <p>Mr DOMINIC PERROTTET: I will take that on notice.</p> <p>The Hon. COURTNEY HOUSSOS: Are there any existing complaints that are currently being investigated?</p> <p>Mr DOMINIC PERROTTET: I will take that on notice. I do not think so.</p> <p>The Hon. COURTNEY HOUSSOS: Okay. If you can come back to us with, if there are any, who the Ministers are or who the complaints are against?</p> <p>Mr DOMINIC PERROTTET: I will take advice on whether I can provide that information to you. But I can assure you, Ms Houssos, from my understanding, my office and I have not received any complaints. But I will take that on notice and if I am wrong I will let you know.</p>
<p>ANSWER:</p>	

I am advised that no formal complaints have been received by DPC.

NUMBER	QUESTION
31	<p>Ms ABIGAIL BOYD: A final question then: Given the difficulties that people with disability have had during the floods, and have been overlooked in a lot of ways and have experienced particular discrimination and hardship, will this new Northern Rivers Reconstruction Corporation ensure that all new housing will be built to minimum accessibility standards?</p> <p>Mr DOMINIC PERROTTET: I will take that on notice, but my expectation is that that would not just be relevant in the recovery; that would be relevant into the medium to long term, as you say, and I will make sure that is factored into any advice that we receive.</p>
<p>ANSWER:</p> <p>I am advised that the Northern Rivers Reconstruction Corporation will support all new houses being built in accordance with the National Construction Code, which includes minimum accessibility standards.</p> <p>Further questions should be directed to the Deputy Premier, and the Minister for Planning and Homes.</p>	

NUMBER	QUESTION
32	<p>The Hon. PENNY SHARPE: Thank you for coming back. My understanding is that when the new Ministers were sworn in, with the larger number of Ministers, there will have to be renovations done and offices created. Can you take us through the upgrade of facilities that has been required as a result of the new ministry?</p> <p>MICHAEL COUTTS-TROTTER: Sure. As you would recall, most of the ministry are located at 52 Martin Place, together with DPC and some other agencies. We are just squeezing in a bit tighter, so some of that space will be given over to the creation of offices for two additional ministers.</p> <p>The Hon. PENNY SHARPE: Is that for Minister Coure and Minister Franklin?</p> <p>MICHAEL COUTTS-TROTTER: It is for Ministers Tuckerman and Franklin, I think. So the lease costs remain the same there. We are in the process of getting quotes for the modest refit and creation of the offices. We are going to squeeze up a bit tighter in the building.</p> <p>The Hon. PENNY SHARPE: Can you take on notice how much those renovations will cost?</p>
<p>ANSWER:</p> <p>Answer provided by Mr Coutts-Trotter:</p> <p>Requests for tender for the construction of two new Ministers' offices at 52 Martin Place have closed and are being evaluated. At this stage the cost of this project is not known. When the contract is finalised, the estimated cost of the project will be published on the Government tender's website (eTendering).</p>	

NUMBER	QUESTION
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33	<p>The Hon. PENNY SHARPE: Have you also had to do changes to Parliament House arrangements?</p> <p>MICHAEL COUTTS-TROTTER: Not that I am aware of, but I am happy to take that on notice.</p>
<p>ANSWER:</p> <p>Answer provided by Mr Coutts-Trotter:</p> <p>This is a matter for the Parliament of New South Wales.</p>	

NUMBER	QUESTION
34	<p>The Hon. PENNY SHARPE: I just wanted to check that. Are you able to tell us what the total budget for the Premier's office is for salary and wages and employee on-costs?</p> <p>MICHAEL COUTTS-TROTTER: Let me see if I have that to hand. I think I probably do. I think this is published on the DPC website from time to time. As at 31 December 2021, there are 180 full-time equivalent ministerial staff, which actually, from memory, is about the lowest number since 2013. The Premier's office—</p> <p>The Hon. PENNY SHARPE: Would you be able to provide that to us, on notice, broken down year by year from 2013?</p> <p>MICHAEL COUTTS-TROTTER: Yes, I could do it from then.</p> <p>The Hon. PENNY SHARPE: Why don't we say 2011.</p> <p>MICHAEL COUTTS-TROTTER: Okay, 2010-2011?</p> <p>The Hon. PENNY SHARPE: Yes.</p> <p>MICHAEL COUTTS-TROTTER: Alright. The Premier's office, again at 31 December, had 29 full-time equivalent staff.</p> <p>The Hon. PENNY SHARPE: Just to be clear, that is Premier Perrottet?</p> <p>MICHAEL COUTTS-TROTTER: That is Premier Perrottet, yes.</p> <p>The Hon. PENNY SHARPE: Did you say 29 or 39?</p> <p>MICHAEL COUTTS-TROTTER: It is 29. The total employment costs for the Premier's office was \$5.58 million. I do have a point-in-time comparison: That compares to \$5.6 million in 2009-2010. So, in nominal dollar terms, it has remained constant.</p> <p>The Hon. PENNY SHARPE: How does that compare to 2015-16?</p> <p>MICHAEL COUTTS-TROTTER: Happy to take that on notice.</p>

ANSWER:

Answer provided by Mr Coutts-Trotter:

Below is the employment cost for the Premier's office and the FTE numbers as at 30 June of each financial year.

Financial Years	Employment Cost	FTE
2009-10	5,642,156	28.00

Premier – Questions on Notice

2010-11 (to 26 March)	3,511,909	25.00
2010-11 (from 26 March)	817,233	18.60
2011-12	3,465,755	25.67
2012-13	3,576,445	24.87
2013-14	4,204,209	27.00
2014-15	4,532,962	26.00
2015-16	4,915,481	27.90
2016-17	4,974,365	27.80
2017-18	4,942,367	29.60
2018-19*	5,688,301	30.60
2019-20	5,868,310	34.20
2020-21	5,563,819	31.80
At 31 December 2021 <i>At the time of the Budget Estimates Hearing the 31 December 2021 staff numbers are yet to be published on the Department of Premier and Cabinet's website</i>		29.00

*2018-19 actual employment costs include severance payments relating to the 2019 NSW State Election.

NUMBER	QUESTION
35	<p>The Hon. PENNY SHARPE: Are you able to provide that to us broken down in terms of actual numbers of staff and payout, obviously not identifying them?</p> <p>MICHAEL COUTTS-TROTTER: Obviously not identifying them, but yes, I think so—the aggregate number of staff. Yes.</p> <p>The Hon. PENNY SHARPE: Are you able to also tell us how many staff were retained compared to how many left—or are still employed, I suppose?</p> <p>MICHAEL COUTTS-TROTTER: I think so. I will check that for you and if we can respond, I will.</p> <p>The Hon. PENNY SHARPE: Thank you. Are you able to provide to us the number of staff employed in each Minister's office as of today? Obviously, you will have to take that on notice.</p> <p>MICHAEL COUTTS-TROTTER: Yes, I would have to take that on notice.</p> <p>The Hon. PENNY SHARPE: Broken down by office and salary classification?</p> <p>MICHAEL COUTTS-TROTTER: I will take it on notice.</p>

The Hon. COURTNEY HOUSSOS: Obviously, a lot of new ministers have come in and some changeover would have occurred at that period. Are all of the ministerial offices fully staffed now?

MICHAEL COUTTS-TROTTER: I suspect not because typically, it seems, from looking at the financials for the past couple of years, available budgets are not fully spent. I do not think they are fully spent at this point in the year either, so my assumption would be probably not. But I will take that on notice.

The Hon. COURTNEY HOUSSOS: If you are able to provide us with a list of the vacancies per office as well, that would be helpful.

MICHAEL COUTTS-TROTTER: Okay, I will do my best.

The Hon. COURTNEY HOUSSOS: That is great, thank you.

The Hon. PENNY SHARPE: When you are providing this—I am just trying to think—are you able to advise how many DLOs are in each office as well, because they are often not counted in that count?

MICHAEL COUTTS-TROTTER: Yes, we can.

The Hon. PENNY SHARPE: Thank you. My last one on these ones is can you also provide to the Committee the cost of the establishment of the new cluster headed by Minister Ayres?

MICHAEL COUTTS-TROTTER: The Department of Enterprise, Investment and Trade?

The Hon. PENNY SHARPE: Yes.

MICHAEL COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: Thank you.

The Hon. COURTNEY HOUSSOS: Mr Coutts-Trotter, earlier today I asked you a question about complaints, which you took on notice.

MICHAEL COUTTS-TROTTER: Yes.

The Hon. COURTNEY HOUSSOS: If it does come back that there are any complaints, are you able just to provide us with who those complaints are against?

MICHAEL COUTTS-TROTTER: We checked briefly in the break and there were no formal complaints.

The Hon. COURTNEY HOUSSOS: Okay. Are you able to table the document that you were just reading from with the list of numbers?

MICHAEL COUTTS-TROTTER: No, this is the Minister's staff numbers over time, which I do have. I will not table it; I will respond on notice.

ANSWER:

Answer provided by Mr Coutts-Trotter:

- 82 severances were paid, with a cost of \$3,937,435.06
 - Severances include four weeks in lieu of notice, three weeks for every year of service and pro-rata leave loading.
 - Severances are paid in line with the 'policy on severance payments for political office holder staff', which is published on the Department's website.
 - Severance costs do not include payment of outstanding recreation and extended leave balances.
- Headcount per Ministerial office as of 31 December 2021 as per below:

Office	Headcount
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Premier – Questions on Notice

Premier	29
Deputy Premier	12
Minister Ayres	7
Minister Taylor	6
Treasurer Kean	11
Minister Tudehope	8
Minister Henskens	8
Minister Hazzard	10
Minister Mitchell	11
Minister Speakman	10
Minister Stokes	14
Minister Dominello	8
Minister Roberts	5
Minister Elliott	6
Minister Ward	5
Minister Anderson	6
Minister Lee	8
Minister Maclaren-Jones	0
Minister Farroway	0
Minister Cooke	1
Minister Petinos	0
Minister Griffin	0
Minister Coure	0
Minister Saunders	0
Minister Franklin	0
Minister Tuckerman	0
Former Ministers' offices *(transitional)	26
Total Headcount	191

*Transitional staff who were extended under the Members of Parliament Staff Act 2013 following the December 2021 Ministry reshuffle.

Premier's and Ministers' Staff Full-time equivalent numbers are published on the DPC website biannually.

- There are no set establishment numbers for Ministerial Offices.
 - The numbers of roles vary between each office and are dependent on allocated labour expense cap (LEC) budgets for each office.
 - DLO numbers as of April 2022 per Ministerial office as per below.
- DLOs are employed and funded by their home departments/agencies.

Office	Total DLO's
Premier	2
Deputy Premier	3
Minister Ayres	3
Minister Taylor	2

Premier – Questions on Notice

Treasurer Kean	6
Minister Tudehope	2.9
Minister Henskens	4
Minister Hazzard	5
Minister Mitchell	5
Minister Speakman	4
Minister Stokes	1
Minister Dominello	3
Minister Roberts	5
Minister Elliott	1
Minister Ward	2
Minister Anderson	6
Minister Lee	2
Minister Maclaren-Jones	3
Minister Farraway	1
Minister Cooke	2
Minister Petinos	2
Minister Griffin	4
Minister Coure	2
Minister Saunders	2
Minister Franklin	2
Minister Tuckerman	2
Total no. of DLO's	76.9

- Costs of the establishment of the Department of Enterprise, Investment and Trade cluster are being incurred for machinery of government changes to ensure compliance with essential operating requirements, including whole-of-government cluster policy and statutory requirements.
- Information about the costs incurred to 30 June 2022 will be published in the Department of Enterprise, Investment and Trade's annual report.

NUMBER	QUESTION
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36	<p>The Hon. PENNY SHARPE: I want to go back to a couple of things on the floods. We did not get to this with the Premier this morning but when was the Premier first briefed about the increased flood risk? Obviously the biggest flooding was 24 and 25 February.</p> <p>MICHAEL COUTTS-TROTTER: I would need to take that on notice.</p>
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ANSWER:

Answer provided by the Premier:

The imprecision in the wording of 'increased flood risk' makes it difficult to answer this question with any degree of specificity. I was aware some days before the event that the Northern Rivers area may face some level of flooding but, as Resilience NSW and the SES have both publicly stated, there was no indication that the level of flooding which eventuated was forecast by anyone, not even by the experts in this area, the Australian Bureau of Meteorology.

NUMBER	QUESTION
37	<p>The Hon. PENNY SHARPE: That leads me to my next question, which is about the ADF offer of support in relation to the floods and when DPC became aware of that.</p> <p>MICHAEL COUTTS-TROTTER: I would have to take that on notice because it is a pretty detailed chronology. Parts of it have been canvassed, and I am sure parts of it will be canvassed by Mary O'Kane and former Police Commissioner Mick Fuller as well.</p>

ANSWER:

Answer provided by Mr Coutts-Trotter:

The NSW State Emergency Services was contacted by Emergency Management Australia on the 25 February. At the time, the Bureau of Meteorology advised the Northern Rivers would only see minor to moderate flooding. The severe weather event that led to flash flooding around the Central Coast and surrounds was easing by that stage.

On the 27 February, the local SES Commander requested assistance from the local Australian Defence Force (ADF), which was provided. They assisted with sand bagging, door knocking and use of their vehicles to support the SES.

A formal request for ADF assistance was made on the morning of 28 February, when unprecedented rain and flood levels caused the Lismore levee to overtop.

DPC were first advised on the evening of 28 February. This was as part of the multiagency communications via the SEOC Operational Information System.

Further requests for ADF assistance were made on 4 March and on 22 March for personnel and resources to support a range of flood response, relief and clean-up activities across NSW.

NUMBER	QUESTION
38	<p>The Hon. COURTNEY HOUSSOS: Can I ask specifically around the increase in proportion of public school students in the top two NAPLAN bands for literacy and numeracy by 15 per cent—where are you at on that? Sorry if you said it earlier.</p> <p>MICHAEL COUTTS-TROTTER: The performance is behind trajectory.</p>

	<p>The Hon. COURTNEY HOUSSOS: So what are the latest figures telling you?</p> <p>MICHAEL COUTTS-TROTTER: I should probably defer to my colleagues in Education, so I will take that on notice.</p> <p>The Hon. COURTNEY HOUSSOS: Can you tell us what is the plan for how they are going to meet that target?</p> <p>MICHAEL COUTTS-TROTTER: Sure. I will take it on notice.</p>
<p>ANSWER:</p> <p>Answer provided by Mr Coutts-Trotter:</p> <p>This is a matter for the Minister for Education.</p>	

NUMBER	QUESTION
39	<p>Ms ABIGAIL BOYD: It sounds like there are quite a lot of subjective measures, but you did say that you do take data on percentages approaching the organisation et cetera. Are you able to provide, on notice, the percentage of people who do apply for a job in the public sector who identify as a person with disability?</p> <p>MICHAEL COUTTS-TROTTER: Yes, sure.</p> <p>Ms ABIGAIL BOYD: And then, also, if there are other stages—for example, those who then make it through to an interview—what percentage that would be?</p> <p>MICHAEL COUTTS-TROTTER: Okay.</p> <p>Ms ABIGAIL BOYD: And then could you tell me what you proactively do to identify those departments or managers who are underperforming on the basis of those numbers?</p> <p>MICHAEL COUTTS-TROTTER: I am not sure about the last bit, so I will take it on notice.</p>
<p>ANSWER:</p> <p>Answer provided by Mr Coutts-Trotter:</p> <ol style="list-style-type: none"> In the centrally available NSW public sector data for FY20/21, 2.2% of applications were from people who self-identified as having disability. There were 6,042 people self-identifying as having a disability who applied for jobs out of the 271,177 applications in the 20/21FY. Please note data is incomplete as not all applicants identify their disability status, and no data is centrally available for the Health Cluster and most of the Transport Cluster. In the centrally available NSW public sector data for FY20/21, from the 2.2% of applicants, 4.3% who self-identified as having disability made it through to an interview. Of the 6,042 disabled people who applied for jobs in 20/21, 262 were interviewed. <p>The Public Service Commission provides Departments and agencies with a range of resources on their website relating to disability recruitment best practice, resources for staff with disability and their managers, and information on how to participate in the age of inclusion. Clusters regularly inform the PSC on progress and strategies to meet disability employment targets. Diversity targets are also discussed at Secretaries Board, which includes discussion on common issues and barriers. Specific concerns around underperformance are managed at a cluster/agency level.</p>	

NUMBER	QUESTION
40	<p>Ms ABIGAIL BOYD: And where much of the ableism comes from is where you need to provide a workplace adjustment. I think there is limited—perhaps—benefit in that data and, in any case, it is well below your target.</p> <p>MICHAEL COUTTS-TROTTER: Well, that is the thing, it is close to—I mean, it is below the target but it is close to the target. But, just to your point, the point we often make is, everybody to some extent needs some adjustment in the workplace—we all do. Workplaces are better at providing adjustments for some people in some circumstances than they are for others. Many of the people who workplaces are not good at providing adjustments for are people with disability.</p> <p>Ms ABIGAIL BOYD: Absolutely. Could you provide me please on notice with a breakdown—if some of the departments or clusters are doing better than others, that means that some of them are doing a lot worse than 2 per cent. Could you please provide a breakdown of the percentage of people with disability in each of those clusters and departments?</p> <p>MICHAEL COUTTS-TROTTER: Yes.</p>
	<p>ANSWER:</p> <p>Answer provided by Mr Coutts-Trotter:</p> <p>Estimated representation of people with disability, June 2021</p> <p>Customer Service - 3.9%</p> <p>Education - 2.9%</p> <p>Health - 1.8%</p> <p>Planning, Industry and Environment - 2.6%</p> <p>Premier and Cabinet - 3.7%</p> <p>Regional NSW - 2.6%*</p> <p>Stronger Communities - 3.0%</p> <p>Transport - 1.8%*</p> <p>Treasury - 2.9%</p> <p>Total sector – 2.5%</p> <p>*Actual percentage rather than estimated, due to low diversity response rates.</p>

NUMBER	QUESTION
41	<p>The Hon. MARK LATHAM: Have you been briefed on irregularities in the way in which the Central Barangaroo development has been handled?</p> <p>MICHAEL COUTTS-TROTTER: I would not agree with the characterisation. I am aware that there are negotiations that Infrastructure NSW has been engaged in through that process but I am not across the detail.</p> <p>The Hon. MARK LATHAM: You would not agree with the characterisation. Why were the sightline notifications—effectively, the harbour views—sold twice, to Lendlease-Crown and also to Grocon?</p> <p>MICHAEL COUTTS-TROTTER: I would have to take that on notice, Mr Latham.</p>

	<p>The Hon. MARK LATHAM: What deal with Lendlease and Crown did the State Government—originally under Barangaroo Development Authority, now under the organisation where you are a board member—do with those organisations after they sued and won, and why has the nature of the arrangements never been made public?</p> <p>MICHAEL COUTTS-TROTTER: Again, I will take it on notice.</p>
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ANSWER:

Answer provided by Mr Coutts-Trotter:

As noted in the hearing on 21 April 2022, as Secretary of the Department of Premier and Cabinet I am an ex-officio member of the Board of Infrastructure NSW. Whilst Infrastructure NSW was responsible to the Premier up until 31 March 2022, it now reports to the Minister for Infrastructure. Any future questions regarding its operations should be directed to the Minister for Infrastructure or Infrastructure NSW. I have nonetheless sought responses from Infrastructure NSW to the questions I took on notice.

I am advised by Infrastructure NSW as follows:

Infrastructure NSW (formerly the Barangaroo Delivery Authority) entered into separate development agreements with Lendlease (Barangaroo South) and Crown (Crown Sydney) in respect of Barangaroo South. In relation to Central Barangaroo, Infrastructure NSW entered into a development agreement with Grocon on behalf of a consortium which included Aqualand. Aqualand has since stepped in to Grocon's role as the Central Developer.

Each of these development agreements addressed certain "sight lines" from Lendlease buildings in Barangaroo South and Crown Sydney, across Central Barangaroo to the Harbour Bridge and the Opera House.

In the Lendlease and Crown agreements, there was an obligation on the parties to negotiate in good faith, which was the subject of a Supreme Court decision (*Crown Sydney Property v Barangaroo Delivery Authority; Lendlease (Millers Point) v Barangaroo Delivery Authority* [2018] NSWSC 1931). The existence of that obligation was advised to all bidders at Central Barangaroo, including Grocon, and copies of the relevant contractual provisions were supplied during the Central Barangaroo tender process.

Following the Supreme Court decision, Infrastructure NSW reached a settlement with Lendlease and Crown in August 2019 in relation to (amongst other matters) the maximum permissible development envelope at Central Barangaroo.

The terms of the agreement are commercial in confidence.

NUMBER	QUESTION
42	<p>The Hon. MARK LATHAM: What sort of guidelines does Infrastructure NSW have for its senior staff on how to avoid this example of crony capitalism?</p> <p>MICHAEL COUTTS-TROTTER: I am happy to refer to Infrastructure NSW the thrust of the question, which is, What are the internal policies to manage the Code of Conduct and related policies?</p> <p>The Hon. MARK LATHAM: Is this a matter that has been raised at board level at any stage?</p> <p>MICHAEL COUTTS-TROTTER: Only the conduct of the negotiation. I am sketchy on the detail, so I am happy to take it on notice.</p> <p>The Hon. MARK LATHAM: And get back with information. Are you aware that Tim Robertson wrote a memo to your predecessor, Tim Reardon, also to Simon Draper, on 23 August 2019, saying as follows, "The project team considers that</p>

the best opportunity for the Central Barangaroo project to progress in a manner that's consistent with the sender and minimises ongoing risk to Infrastructure NSW is for the transfer of development rights from Grocon to Aqualand"? Why would this level of favouritism to one commercial party exist to the disadvantage of a different one? This is quite extraordinary, isn't it?

MICHAEL COUTTS-TROTTER: I cannot accept the premise of the question. I am happy to again refer the question to Infrastructure NSW for a response on notice.

The Hon. MARK LATHAM: Thanks for that. Could you also ask them in that response why is it, after three years of waiting for these sightlines—you know, very valuable commercial property effectively, because it is a sightline to Sydney Harbour and the harbour bridge—three years have been promised for the sightlines. The day after Grocon was forced to sell because of commercial difficulties caused by the three-year delay—they sold to Aqualand on 26 September 2019—the day after, the sightlines were then delivered to Aqualand. How could this be? How could one outfit be disadvantaged waiting for three years, they sell out, and the very next day these valuable sightlines are provided, delivered to Aqualand, the new owner, within 24 hours?

MICHAEL COUTTS-TROTTER: Again, I cannot accept the premise of the question because I just have no knowledge of it. Again, I will refer it to Infrastructure NSW.

The Hon. MARK LATHAM: Are you aware that the principal at Aqualand, very high up in the company, was Warwick Smith from the Liberal Party, a friend of the then Premier Gladys Berejiklian and part of her so-called moderate faction? Doesn't this again point to crony capitalism?

MICHAEL COUTTS-TROTTER: No, I was not aware of that. Again, I will refer that, without commenting on the assumption and the question, to my colleagues at Infrastructure NSW.

ANSWER:

Answer provided by Mr Coutts-Trotter:

I am advised by Infrastructure NSW as follows:

Guidelines applicable to Infrastructure NSW staff

In addition to the application of the Public Service Commissioner's Code of Ethics and Conduct for Government Sector Employees that applies to all government sector employees, Infrastructure NSW maintains a Code of Ethics and Conduct and a Statement of Business Ethics, as part of a broader policy framework that includes requirements for appropriate declarations of private interests and conflicts of interests to be given. The Code is the subject of mandatory training.

Infrastructure NSW understands that the Barangaroo Delivery Authority, as it then was, would have also maintained an agency-specific Code of Conduct.

Transfer of development rights from Grocon to Aqualand

The process by which Aqualand "stepped in" to Grocon's role as Central Developer was prescribed by Grocon's own consortium documentation.

The transfer of the Central Barangaroo development rights from Grocon to Aqualand was in fact formally proposed to Infrastructure NSW by Grocon and Aqualand in February 2019. Infrastructure NSW understands that, following a period of open negotiation involving all consortium members, in mid 2019 Grocon and Aqualand entered into a transaction to effect that transfer, which was to take place via a "step-in" mechanism.

In August 2019, Infrastructure NSW was considering whether to provide a waiver requested by Grocon in order to enable the step-in to occur.

Infrastructure NSW was not considering whether to prefer one party over another. It was considering whether to provide a waiver requested by Grocon in order to enable the step-in to proceed, and Infrastructure NSW agreed to that request.

Timing of sightlines steps

The Central Barangaroo Development Agreement (**CENDA**) between Infrastructure NSW and Grocon contemplated that the sightlines might not be resolved by January 2020. It did so by including the concept of a notice (referred to as a “clause 1.10 notice”), which might be given by Infrastructure NSW to the Central Barangaroo Developer at any time up until 1 January 2020. In summary, this notice provided an envelope within which the Central Developer could proceed to produce a “refined design” for Central Barangaroo. If given, the Developer had 60 days to produce a “refined design” which conformed with the resolution of the sightlines.

Infrastructure NSW understands that from early 2019, Grocon negotiated the sale of its development rights at Central Barangaroo to Aqualand. In mid-2019, Grocon entered into an exit transaction with Aqualand. Grocon sought a waiver from Infrastructure NSW in relation to Grocon’s exit from the consortium (which was to occur via a “step in” mechanism provided for under the consortium documents). Infrastructure NSW provided that waiver and allowed Grocon to exit the consortium. Once Grocon’s transaction had completed in September 2019, Aqualand was the Central Barangaroo Developer under the CENDA.

The resolution of sightlines was only achieved in mid-August 2019, several weeks before completion but after Grocon had determined to exit the development and entered into its transaction with Aqualand. After Infrastructure NSW determined to give the waiver requested by Grocon to allow Aqualand to step-in, Infrastructure NSW gave the clause 1.10 notice to Aqualand once the step-in took effect.

Mr Warwick Smith

The Aqualand website includes a media statement from July 2018 announcing the creation as of 4 July 2018 of an Advisory Board which included The Hon. Warwick Smith AM as Executive Chairman.

NUMBER	QUESTION
43	<p>The Hon. MARK LATHAM: Can you supply us with the documents that you have mentioned that would be available to Robertson, Draper, Reardon at Infrastructure NSW, that should have guided their conduct?</p> <p>KATE BOYD: Yes, I can take that on notice.</p>
<p>ANSWER:</p> <p>Answer provided by Ms Boyd:</p> <p>A copy of the <i>Infrastructure NSW Code of Ethics and Conduct</i> referred to in these answers is provided for tabling (attachment B).</p> <p>A copy of the <i>Infrastructure NSW Statement of Business Ethics</i> is available at: https://infrastructure.nsw.gov.au/media/2728/statement-of-business-ethics.pdf.</p> <p>In addition to the Code and Statement referred to, employees of Infrastructure NSW are, along with all government sector employees, subject to the ethical framework established under the <i>Government Sector Employment Act 2013</i>, including the Code of Ethics and Conduct for Government Sector Employees issued by the Public Service Commissioner (available at www.psc.nsw.gov.au).</p>	

NUMBER	QUESTION
44	<p>The Hon. COURTNEY HOUSSOS: Mr Schmidt, I just wanted to ask you about some contracts that IVE or IVE Group have been awarded by the NSW Electoral Commission since 23 March 2019. What contracts have they been awarded?</p> <p>JOHN SCHMIDT: I would have to take that on notice. If I remember correctly, it is some of our printing contracts. It is a very small field out there in the marketplace with some of these contracts.</p> <p>The Hon. COURTNEY HOUSSOS: My understanding is that it is the postal votes.</p> <p>JOHN SCHMIDT: It is the fulfilment or printing. It is in that space. But I will take on notice the exact contracts.</p>
<p>ANSWER:</p> <p>I am advised the Electoral Commissioner has provided his answers directly to the Committee.</p>	

NUMBER	QUESTION
45	<p>The Hon. COURTNEY HOUSSOS: Are you able to tell us how many contracts have been awarded to the IVE Group?</p> <p>JOHN SCHMIDT: I will take that on notice.</p> <p>The Hon. COURTNEY HOUSSOS: And the amounts for those contracts?</p> <p>JOHN SCHMIDT: I will take it on notice.</p> <p>The Hon. COURTNEY HOUSSOS: Do you know how many of these contracts went to open tender?</p> <p>JOHN SCHMIDT: We follow the procurement guidelines, so some of our contracts will be a combination of open tender or rollover in certain specific circumstances. But, again, on notice we will come back to you with all the details.</p>
<p>ANSWER:</p> <p>I am advised the Electoral Commissioner has provided his answers directly to the Committee.</p>	

NUMBER	QUESTION
46	<p>The Hon. COURTNEY HOUSSOS: Mr Schmidt, are you aware that the IVE Group—I am not sure if it is IVE or IVE Group—which also trades as Blue Star Group, had a cap of \$5,800 in 2015-16 but, according to documents that are available on your website, made a total of \$71,350 worth of donations? Can you explain why that would be the case and why that would be permissible?</p> <p>JOHN SCHMIDT: I would have to take that on notice. I just need to put on the record and then you can continue asking questions that I am here as the Electoral Commissioner. Of course, it is the commission chaired by Arthur Emmett, the new chair, who deals with enforcement and regulation of political fundraising and political—there is overlap. I am a member of the commission when it sits in that sphere, but I am the commissioner in the sense of the</p>

Premier – Questions on Notice

	electoral matters. I am always sensitive at these hearings about not transgressing into territory of the chair himself as he currently is not here. But I will happily take the questions on notice.
ANSWER:	
I am advised the Electoral Commissioner has provided his answers directly to the Committee.	

NUMBER	QUESTION
47	<p>The Hon. MARK LATHAM: In your 35-year history, how many times have you bailed out once you have started a public inquiry?</p> <p>PETER HALL: None in my time.</p> <p>The Hon. MARK LATHAM: None?</p> <p>PETER HALL: Not in my time, in my tenure. But you said 34 years, and I cannot stretch—</p> <p>The Hon. MARK LATHAM: On notice, can I get an answer? I am interested in that. In 35 years, how often have you bailed out once a public inquiry starts?</p>
ANSWER:	
I am advised the ICAC Commissioner has provided his answers directly to the Committee.	

NUMBER	QUESTION
48	<p>The Hon. PENNY SHARPE: I will follow up on some of those questions. Mr Hall, you talked about revising your KPIs, and I assume that means you had to revise them down in terms of the number of investigations. Can you give me a bit of detail about what the actual change to the KPIs has meant as a result of your funding situation?</p> <p>PETER HALL: I can tell you the effect of it but I cannot tell you the detail.</p> <p>The Hon. PENNY SHARPE: Sure.</p> <p>PETER HALL: Maybe somebody here has got the detail, but if not then we could supply it.</p> <p>The Hon. PENNY SHARPE: If you could take it on notice, that would be great.</p>
ANSWER:	
I am advised the ICAC Commissioner has provided his answers directly to the Committee.	

NUMBER	QUESTION
49	<p>JOHN SCHMIDT: Thank you. If I could spend 30 seconds just in relation to a previous line of questioning and we will come back with much more detail in response to the questions on notice. My staff are obviously monitoring this back in the office. With those donations, the belief at this stage—they have not seen the document—is you have this situation where some political parties disclose donations which relate to Federal matters, which are not subject to the cap but because they are disclosed to us we still put them on the website. So that may well be the case, but we will confirm that with you.</p>

ANSWER:

I am advised the Electoral Commissioner has provided his answers directly to the Committee.

NUMBER	QUESTION
50	<p>The Hon. COURTNEY HOUSSOS: Perhaps you can provide on notice the list of services that the IVE Group has provided because my understanding is there was the 2019 election, there may have been some services for the 2015 election and also for the recent by-elections as well. If you can provide us with those, that will be very helpful.</p> <p>JOHN SCHMIDT: Happy to do so.</p>
<p>ANSWER:</p> <p>I am advised the Electoral Commissioner has provided his answers directly to the Committee.</p>	



NSW Boards and Committees with no Female Members			
Board or Committee Name	Female	Male	Total
Boobera Lagoon Reserve Trust		4	4
Border Fence Maintenance Board		6	6
Charles Sturt University Council		2	2
Cobar Water Board		7	7
Collaborating Hospitals Audit of Surgical Mortality (CHASM)		4	4
Commercial Fishing NSW Advisory Panel		14	14
Compulsory Land Acquisition Hardship Review Panel		2	2
Decentralisation Taskforce		4	4
Destination Sydney Surrounds North		2	2
Dumaresq Barwon Border Rivers Commission		3	3
Fire Services Joint Standing Committee		6	6
Harness Racing NSW Board		5	5
Homebush Recreation Reserve Trust		4	4
Local Government Ministerial Advisory Group		3	3
Matlong Crown Reserves Trust		6	6
Mosman Anzac Memorial Hall Trust		3	3
Native Vegetation Panel		5	5
New South Wales Crime Commission		2	2
New South Wales Crime Commission Management Committee		6	6
New South Wales Electoral Commission		5	5
NSW Treasury Corporation (TCorp)		3	3
Police Medical Board		3	3
Southern Cross University Council		2	2
Total Allowable Fishing Committee		6	6
Tweed River Entrance Sand Bypassing Project Advisory Committee		2	2
University of Newcastle Council		2	2

Male v Female Membership - NSW Government Boards and Committees - all Agencies

NSW Government Board or Committee Name	Female	Male	Total
Aboriginal and Torres Strait Islander Health Practice Council of New South Wales	2	1	3
Aboriginal Arts & Culture Artform Board	6	3	9
Aboriginal Cultural Heritage Advisory Committee	6	8	14
Aboriginal Housing Office Board	3	5	8
Aboriginal Knowledge Circle	2	3	5
Aboriginal Languages Trust Board	4	5	9
Advisory Board of Multicultural NSW	8	7	15
Advisory Body for Strategic Release	3	2	5
Agricultural Scientific Collections Trust	2	3	5
Animal Research Review Panel	6	6	12
Animal Welfare Advisory Council (AWAC)	5	3	8
Anti-Discrimination Board	3	1	4
Aquaculture Research Advisory Committee	3	7	10
Arakwal National Park Management Committee	4	3	7
Arbitration Panel (for Access to Land for Exploration)	1	7	8
Art Gallery of New South Wales Trust	6	5	11
Artificial Intelligence Advisory Committee	4	8	12
Australian Museum Trust	7	4	11
Biamanga National Park Board of Management	10	10	20
Biodiversity Conservation Advisory Panel	3	3	6
Biodiversity Conservation Trust Board	2	4	6
Biofuels Expert Panel	3	2	5
Board of Asbestos Injuries Compensation Fund Limited	1	1	2
Board of Hunter Water Corporation	4	5	9
Board of Newcastle Port Corporation (trading as the Port Authority of NSW)	2	4	6
Board of NSW Education Standards Authority	7	6	13
Board of Place Management NSW	4	3	7
Board of Surveying and Spatial Information	4	8	12
Board of Sydney Water Corporation	3	6	9
Board of Teacher Housing Authority of NSW	3	4	7
Board of the Cancer Institute	2	7	9
Board of the Cemeteries and Crematoria NSW	2	2	4
Board of the Law and Justice Foundation	3	5	8
Board of the Legal Aid Commission of New South Wales	5	5	10
Board of the NSW Government Telecommunications Authority	4	6	10
Board of the Road Retained Interest Pty Ltd	1	2	3
Board of the State Archives and Records Authority of NSW	2	7	9
Board of the Sydney Olympic Park Authority	4	3	7
Board of the Transport Asset Holding Entity	2	2	4
Board of the Western Parkland City Authority	3	4	7
Board of Venues NSW	6	7	13
Boobera Lagoon Reserve Trust		4	4
Border Fence Maintenance Board		6	6
Building and Construction Industry Long Service Payments Committee	5	5	10
Bureau of Health Information Board	5	2	7
Bush Fire Coordinating Committee	2	8	10
Byabarra Recreation and Public Hall Reserve Trust	1	4	5
Byrangery Grass Reserve Trust Board	3	3	6
Byron Coast Area Management Committee	5	4	9
C B Alexander Foundation	3	4	7
Cape Byron Trust	4	6	10
Centenary Institute Board	6	7	13
Centennial Park and Moore Park Trust	4	4	8
Central Coast Local Health District Board	3	7	10
Central Sydney Planning Committee	2	7	9
Central Sydney Traffic and Transport Committee	1	1	2
Charles Sturt University Council		2	2
Children's Court Advisory Committee	8	5	13
Chinese Medicine Council of NSW	3	3	6
Chiropractic Council of NSW	1	3	4
Cladding Product Safety Panel (the Panel)	1	7	8
Classical Music, Opera and Choral Artform Advisory Board	7	3	10
Clinical Excellence Commission Board	4	3	7

Male v Female Membership - NSW Government Boards and Committees - all Agencies

NSW Government Board or Committee Name	Female	Male	Total
Coal Innovation NSW	3	6	9
Cobar Water Board		7	7
Collaborating Hospitals Audit of Surgical Mortality (CHASM)		4	4
Collombatti Public Hall Reserve Trust	5	2	7
Combat Sports Authority of New South Wales	1	5	6
Commercial Fishing NSW Advisory Panel		14	14
Compulsory Land Acquisition Hardship Review Panel		2	2
Contemporary Music Artform Board	6	4	10
Contract Cleaning Industry Long Service Leave Committee	3	5	8
Corrective Services Industries Consultative Council of NSW	5	5	10
Council of Law Reporting	5	5	10
Cultural Infrastructure Advisory Board	4	5	9
Dams Safety NSW	2	4	6
Dance & Physical Theatre Artform Board	4	2	6
Decennial Liability Insurance Ministerial Panel	2	12	14
Decentralisation Taskforce		4	4
Dental Council of NSW	7	5	12
Destination Country and Outback NSW	2	5	7
Destination North Coast	1	3	4
Destination NSW Board	6	4	10
Destination Riverina Murray	3	2	5
Destination Southern NSW	4	3	7
Destination Sydney Surrounds North		2	2
Destination Sydney Surrounds South	1	4	5
Domestic Violence Death Review Team	23	4	27
Dumaresq Barwon Border Rivers Commission		3	3
Dust Diseases Board	4	5	9
Electricity Retained Interest Corporation - Ausgrid	1	2	3
Electricity Retained Interest Corporation - Endeavour	1	2	3
Emmaville Community Centre Reserve Trust	5	2	7
Endeavour Energy Board	1	5	6
Environment Protection Authority Board	3	2	5
Environmental Trust	2	5	7
Essential Energy	3	4	7
Executive Board of the Office of the Director of Public Prosecutions	3	8	11
Exhibited Animals Advisory Committee	5	1	6
Expert Housing Advisory Panel	1	7	8
Far West Local Health District Board	5	5	10
Farrer Memorial Trust	2	4	6
Festivals Artform Advisory Board	4	4	8
Fire Services Joint Standing Committee		6	6
First State Superannuation Trustee Corporation	6	6	12
Fisheries Scientific Committee	2	5	7
Fluoridation of Public Water Supplies Advisory Committee	2	3	5
Food Regulation Forum	8	3	11
Forestry Corporation of NSW Board	4	3	7
Gaagal Wanggaan (South Beach) National Park Board of Management	10	8	18
Game and Pest Management Advisory Board	1	7	8
Garvan Institute of Medical Research Board	5	10	15
Geographical Names Board of NSW	4	5	9
Glen Innes Showground Reserve Trust	2	6	8
Greater Blue Mountains Area World Heritage Advisory Committee	5	6	11
Greater Sydney Commission	4	3	7
Greater Sydney Parklands Board	4	4	8
Greyhound Racing NSW Board	4	2	6
Gulaga National Park Board of Management	16	3	19
Gwydir Environmental Water Advisory Group	8	20	28
Hannam Vale Reserve Trust	5	1	6
Harness Racing NSW Board		5	5
Hartley Historic Site Advisory Committee	3	4	7
Heritage Council of NSW	3	5	8
Historic Houses Trust of NSW	5	5	10
Homebush Recreation Reserve Trust		4	4

Male v Female Membership - NSW Government Boards and Committees - all Agencies

NSW Government Board or Committee Name	Female	Male	Total
Housing Appeals Committee	9	3	12
Hunter and Central Coast Regional Planning Panel	18	18	36
Hunter New England Local Health District Board	3	8	11
Illawarra Shoalhaven Local Health District Board	4	8	12
Independent Commission Against Corruption	1	3	4
Independent Liquor and Gaming Authority	4	5	9
Independent Metropolitan Water Advisory Panel	2	3	5
Independent Panel for the Road Reclassification Review (the Independent Panel)	2	4	6
Independent Planning Commission	8	10	18
Independent Pricing and Regulatory Tribunal	3		3
Industry Capability Network	1	6	7
Information and Privacy Advisory Committee	3	5	8
Infrastructure NSW - Regional Independent Assessment Panel	1	1	2
Insurance and Care NSW Board	4	5	9
International Education Advisory Board	3	7	10
Judicial Commission of NSW	2	9	11
Justice Health and Forensic Mental Health Network Board	5	5	10
Kamay 2020 Project Board	4	10	14
Karst Management Advisory Committee	2	7	9
Lachlan Environmental Water Advisory Group	5	14	19
Landcom Board	3	3	6
Law Courts Limited Board of Directors	4	8	12
Library Council of NSW	6	4	10
Literature Artform Board	4	4	8
Local Board of Local Land Services - Central Tablelands Local Board	3	1	4
Local Board of Local Land Services - Central West Local Board	2	2	4
Local Board of Local Land Services - Greater Sydney Local Board	3	1	4
Local Board of Local Land Services - Hunter Local Board	3	1	4
Local Board of Local Land Services - Murray Local Board	3	1	4
Local Board of Local Land Services - North Coast Local Board	1	3	4
Local Board of Local Land Services - North West Local Board	3	3	6
Local Board of Local Land Services - Northern Tablelands Local Board	3	1	4
Local Board of Local Land Services - Riverina Local Board	3	1	4
Local Board of Local Land Services - South East Local Board	2	2	4
Local Board of Local Land Services - Western Local Board	2	3	5
Local Government Boundaries Commission	1	3	4
Local Government Grants Commission	1	3	4
Local Government Ministerial Advisory Group		3	3
Lord Howe Island Board	2	5	7
Macquarie University Council	1	1	2
Marine Estate Expert Knowledge Panel	4	3	7
Marine Estate Management Authority	2	3	5
Maritime Advisory Council	2	4	6
Matlong Crown Reserves Trust		6	6
Mcgarvie Smith Institute	1	6	7
Medical Committee (Poisons)	1	1	2
Medical Council of New South Wales	12	7	19
Medical Devices Seeding Fund (MDSF) Expert Assessment Panel	4	3	7
Medical Radiation Practice Council of New South Wales	4	2	6
Medical Services Committee	2	7	9
Mental Health Commission	4	3	7
Mental Health Community Advisory Council	10	6	16
Mid North Coast Local Health District Board	6	5	11
Minerals Industry Advisory Council (the Advisory Council)	3	10	13
Mining and Petroleum Competence Board	2	9	11
Ministerial Advisory Council on Ageing	9	4	13
Ministerial Fisheries Advisory Council	1	5	6
Mosman Anzac Memorial Hall Trust		3	3
Mount Panorama Motor Racing Advisory Committee	1	4	5
Mulloway Harvest Strategy Working Group	1	11	12
Multi-Arts Artform Advisory Board	3	4	7
Murray-Lower Darling Environmental Water Advisory Group	5	16	21
Murrumbidgee Local Health District Board	5	6	11

Male v Female Membership - NSW Government Boards and Committees - all Agencies

NSW Government Board or Committee Name	Female	Male	Total
Museums & History Artform Board	5	4	9
Mutawintji National Park Board of Management	12	12	24
National Art School Board of Directors	4	5	9
National Parks and Wildlife Advisory Council	7	4	11
National Parks and Wildlife Regional Advisory Committee - Blue Mountains	6	5	11
National Parks and Wildlife Regional Advisory Committee - Hunter Central Coast	7	7	14
National Parks and Wildlife Regional Advisory Committee - North Coast	5	6	11
National Parks and Wildlife Regional Advisory Committee - Northern Inland	6	9	15
National Parks and Wildlife Regional Advisory Committee - South Coast	7	5	12
National Parks and Wildlife Regional Advisory Committee - Southern Ranges	6	8	14
National Parks and Wildlife Regional Advisory Committee - West	3	9	12
Native Vegetation Panel		5	5
Natural Resources Access Regulator	1	3	4
Nepean Blue Mountains Local Health District Board	2	6	8
New South Wales Crime Commission		2	2
New South Wales Crime Commission Management Committee		6	6
New South Wales Electoral Commission		5	5
New South Wales Law Reform Commission	1	2	3
New South Wales Sentencing Council	8	7	15
Non-Government Schools Not-for-profit Advisory Committee	3	3	6
Northern NSW Local Health District Board	3	10	13
Northern Regional Planning Panel	17	19	36
Northern Sydney Local Health District Board	7	5	12
NSW Architects Registration Board	5	6	11
NSW Carers Advisory Council	16	2	18
NSW Child Death Review Team	13	8	21
NSW Coastal Council	5	2	7
NSW Council for Women's Economic Opportunity	9		9
NSW Crown Holiday Parks Land Manager	4	3	7
NSW Domestic and Family Violence and Sexual Assault Council	16		16
NSW Film and Television Industry Advisory Committee	3	4	7
NSW Innovation and Productivity Council	3	9	12
NSW Institute of Sport	5	4	9
NSW Lobster Harvest Strategy Working Group	1	14	15
NSW Maternal and Perinatal Mortality Review Committee	13	3	16
NSW Mine Safety Advisory Council	2	7	9
NSW Net Zero Emissions and Clean Economy Board	4	3	7
NSW Police Force Review Panel	1	3	4
NSW Premier's Council on Homelessness	2	1	3
NSW Public Service Commission Advisory Board	3	5	8
NSW Renewable Energy Sector Board	4	11	15
NSW Road Freight Industry Council	1	15	16
NSW Rural Assistance Authority Board	4	5	9
NSW Skills Board	3	3	6
NSW Special Committee Investigating Deaths Under Anaesthesia	4	5	9
NSW Threatened Species Scientific Committee	6	5	11
NSW Treasury Corporation (TCorp)		3	3
NSW Treasury Corporation Board	3	7	10
Nursing and Midwifery Council of NSW	12	3	15
Occupational Therapy Council of NSW	3	3	6
Official Community Visitors	48	9	57
Official Visitors Corrective Services	20	20	40
Official Visitors Juvenile Justice	5	7	12
Official Visitors Program Under Drug and Alcohol Treatment Act 2007	9	2	11
Official Visitors Under the Mental Health Act 2007	64	16	80
Optometry Council of NSW	3	1	4
Osteopathy Council of NSW	3	1	4
Paramedicine Council of New South Wales	3	3	6
Parramatta Park Trust	3	4	7
Pharmacy Council of NSW	6	3	9
Physiotherapy Council of NSW	7	3	10
Placemaking NSW Advisory Committee	4	3	7
Plague Locust Management Group	1	2	3

Male v Female Membership - NSW Government Boards and Committees - all Agencies

NSW Government Board or Committee Name	Female	Male	Total
Podiatry Council of NSW	3	1	4
Poisons Advisory Committee	4	12	16
Police Citizens Youth Clubs NSW	1	4	5
Police Medical Board		3	3
Police Superannuation Advisory Committee	4	13	17
Professional Standards Council	6	5	11
Psychology Council of NSW	6	2	8
Quality Teaching Committee	4	2	6
Racing NSW Board	1	5	6
Radiation Advisory Council	5	11	16
Recreational Fishing NSW	1	10	11
Regional Assistance Advisory Committee	3	5	8
Regional Growth NSW Development Corporation Advisory Board	1	2	3
Regional Youth Taskforce	1	2	3
Rental Bond Board	1	4	5
Responsible Gambling Fund Trustees	3	6	9
Responsible Pet Ownership Reference Group	7	5	12
Rice Marketing Board for the State of NSW	6	3	9
Road Safety Advisory Council	5	13	18
Royal Botanic Gardens and Domain Trust	4	3	7
Rural Fire Service Advisory Council	1	8	9
SAS Trustee Corporation (STC) Board	5	4	9
Senate of the University of Sydney	1	1	2
Serious Offenders Review Council	6	7	13
Share Appeal Panel	2	1	3
Sheep Advisory Group	1	2	3
South Eastern Sydney Local Health District Board	4	7	11
South Western Sydney Local Health District	4	8	12
Southern Cross University Council		2	2
Southern NSW Local Health District Board	6	5	11
Southern Regional Planning Panel	17	18	35
Spanner Crab Harvest Strategy Working Group	2	10	12
State Emergency Management Committee	4	19	23
State Insurance Regulatory Authority Board	2	5	7
State Parole Authority	13	24	37
State Rescue Board	2	7	9
Stolen Generations Advisory Committee	7	6	13
Sydney Central City Planning Panel	17	18	35
Sydney Eastern City Planning Panel	16	19	35
Sydney Local Health District Board	6	7	13
Sydney Metro Board	3	4	7
Sydney North Planning Panel	17	19	36
Sydney Opera House Trust	5	5	10
Sydney South Planning Panel	18	18	36
Sydney Western City Planning Panel	17	19	36
TAFE Commission Board	5	4	9
Tallimba Public Reserve Trust	3		3
Taronga Conservation Society Australia Board	3	3	6
The Agency for Clinical Innovation Board	4	4	8
The Board of Infrastructure NSW	3	6	9
The Disability Council of NSW	8	4	12
The Sydney Children's Hospital Network (Randwick and Westmead) Board	4	5	9
Theatre & Musical Theatre Artform Advisory Board	5	4	9
Total Allowable Fishing Committee		6	6
Trawl Whiting Harvest Strategy Working Group	3	10	13
Trustees of Randwick Racecourse	1	2	3
Trustees of the ANZAC Memorial Building	2	6	8
Trustees of the Museum of Applied Arts and Sciences	3	6	9
Tubba-Gah Maing Wiradjuri Advisory Committee	4	4	8
Tweed River Entrance Sand Bypassing Project Advisory Committee		2	2
Ulladulla Native Flora and Fauna Reserve Trust	1	4	5
University of New England Council	1	1	2
University of New South Wales Council	2		2

Male v Female Membership - NSW Government Boards and Committees - all Agencies

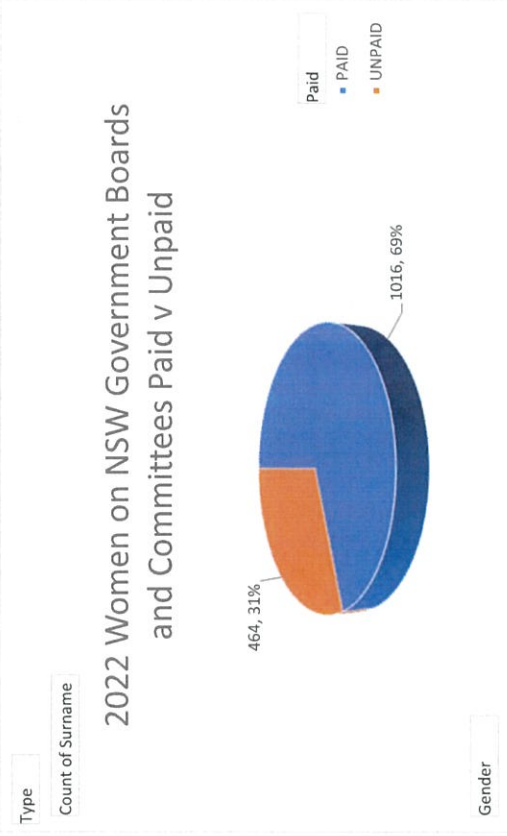
NSW Government Board or Committee Name	Female	Male	Total
University of Newcastle Council		2	2
University of Technology, Sydney (UTS) Council	1	1	2
University of Wollongong Council	1	1	2
Veterinary Ministerial Advisory Committee	4	2	6
Veterinary Practitioners Board	5	3	8
Victims Advisory Board	10	2	12
Visual Arts Artform Board	4	5	9
Water NSW Board	3	5	8
Western Lands Advisory Committee	4	12	16
Western NSW Local Health District Board	4	5	9
Western Regional Planning Panel	16	14	30
Western Sydney Local Health District Board	4	6	10
Western Sydney Parklands Trust Board	4	4	8
Western Sydney University Board of Trustees	3	1	4
Willandra Lakes Region World Heritage Area Advisory Committee	8	6	14
Worimi Conservation Lands Board of Management	9	14	23
Workers Compensation (Dust Diseases) Authority Medical Assessment Panel	2	6	8
Youth Advisory Council	6	5	11
Grand Total	1480	1772	3252
Percentage representation	46.00%	54.00%	100%

Male v Female Membership - NSW Government Boards and Committees - Treasury ONLY

Row Labels	Female	Male	Grand Total
Board of Hunter Water Corporation	4	5	9
Board of Newcastle Port Corporation (trading as the Port Authority of NSW)	2	4	6
Board of Sydney Water Corporation	3	6	9
Board of the Road Retained Interest Pty Ltd	1	2	3
Board of the Transport Asset Holding Entity	2	2	4
Electricity Retained Interest Corporation - Ausgrid	1	2	3
Electricity Retained Interest Corporation - Endeavour	1	2	3
Endeavour Energy Board	1	5	6
Essential Energy	3	4	7
First State Superannuation Trustee Corporation	6	6	12
Forestry Corporation of NSW Board	4	3	7
Landcom Board	3	3	6
NSW Innovation and Productivity Council	3	9	12
NSW Treasury Corporation Board	3	7	10
Police Medical Board		3	3
SAS Trustee Corporation (STC) Board	5	4	9
Water NSW Board	3	5	8
Workers Compensation (Dust Diseases) Authority Medical Assessment Panel	2	6	8
Grand Total	47	79	125
Percentage representation	37%	63%	100%

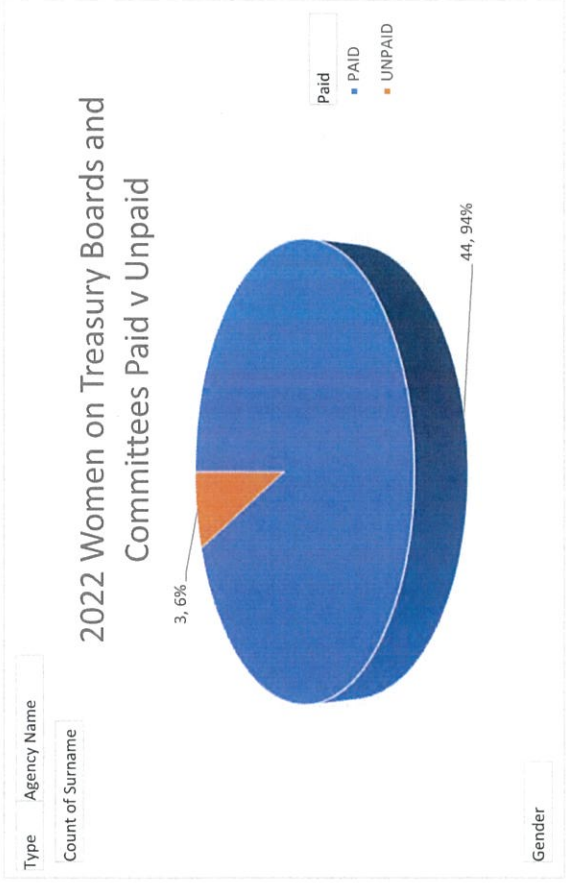
Type	(All)
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Count of Surname	Column Labels	Female	Grand Total
PAID		1016	1016
UNPAID		464	464
Grand Total		1480	1480



Type	(All)
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Agency Name	Column Labels	Female	Grand Total
PAID		44	44
UNPAID		3	3
Grand Total		47	47



B



Code of Ethics and Conduct

AUTHORISED BY Simon Draper
Chief Executive Officer
Date: 6/12/19
Signature: 

REVIEWED BY Simon Draper
Chief Executive Officer
Date: 6/12/19

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Purpose

The purpose of the Code of Ethics and Conduct (Code) is to identify mandatory requirements and best practice conduct for all Infrastructure NSW (INSW) employees and contractors/consultants (collectively referred to in this Code as employees) which is consistent with the Ethical Framework for the Government Sector in Part 2 of the Government Sector Employment Act 2013 (Ethical Framework). Employees must also comply with the Code of Ethics and Conduct for NSW government sector employees issued by the Public Service Commission.

Behaviour consistent with the Code is to be demonstrated by employees in their professional relations with their colleagues, other government sector employees, clients and customers, stakeholders and the Government of the day.

The Code applies at all times when employees are acting in the course of, or in connection with, INSW activity.

The Code also specifies actions to be taken if there are breaches of the Code.

Core Values

The core values for the government sector and INSW and the principles that guide the Ethical Framework and this Code are:

Integrity

- Consider people equally without prejudice or favour
- Act professionally with honesty, consistency and impartiality
- Take responsibility for situations, showing leadership and courage
- Place the public interest over personal interest.

Trust

- Appreciate difference and welcome learning from others
- Build relationships based on mutual respect
- Uphold the law, institutions of government and democratic principles
- Communicate intentions clearly and invite teamwork and collaboration
- Provide apolitical and non-partisan advice.

Service

- Provide services fairly with a focus on customer needs
- Be flexible, innovative and reliable in service delivery
- Engage with the not-for-profit and business sectors to develop and implement service
- Focus on quality while maximising service delivery.

Accountability

- Recruit and promote employees on merit
- Take responsibility for decisions and actions
Provide transparency to enable public scrutiny
Observe standards for safety
- Be fiscally responsible and focus on efficient, effective, and prudent use of resources.

The Public Service Commissioner has the function of promoting and maintaining the government sector core values. There is no hierarchy among the core values and each is of equal importance.

Nothing in the Ethical Framework gives rise to, or can be taken into account in, any civil cause of action.

General Provisions

Responsibilities

All permanent, temporary or contract staff are required to follow the Code of Ethics and Conduct, and are required on commencement and annually, to sign that they have read, understand and will comply with this Code. INSW's **Commitment and Declaration of Interests Form** is available on myCareer.

All INSW **employees** have a responsibility to:

- Understand the Code.
- Demonstrate high levels of personal conduct consistent with the Code.
- Seek assistance when unsure about how to implement the Code.
- Report possible breaches of the Code to relevant officers.
- Declare in writing private interests or associations that have the potential to influence, or could be perceived to influence, decisions made or advice given by the employee.

In addition, all INSW **managers/supervisors** have the responsibility to:

- Ensure employees are issued with the Code and understand its requirements.
- Ensure that the general conduct and management of functions and activities in INSW is in accordance with the Code.
- Ensure workplace culture, practices and systems (including recruitment and promotion) operate consistently with the Code.
- Recognise and promote employees' and team conduct that exemplifies the Code.
- Act promptly and with due process to prevent and address any breaches of the Code.

Declaration of Private Interests

All INSW employees (including persons seconded to INSW roles, or contractors) must make a written declaration of private financial, business, personal or other interests or relationships that have the potential to influence, or could be perceived to influence, decisions made or advice given by them. The Commitment and Declaration of Interests form is to be used for this declaration, and is available on myCareer in the "Forms" tab.

Senior Executives and those acting in senior executive positions) must complete the Senior Executive - Declaration of Interests for on myCareer.

Where an employee has no such private interests to declare, s/he must declare a "nil return".

After an initial declaration is made, a fresh declaration must be made:

- At least annually.
- As soon as practicable, following any relevant change in the private interests or associations; and
- As soon as practicable, following the assignment to a new role or responsibility.

Managing Conflict of Interest

Sometimes you may find that your private interests make it difficult for you to perform your duties impartially in the public interest. Guiding principles when managing conflicts of interests are that you should always disclose actual, potential or reasonably perceived conflicts of interests to INSW as soon as reasonably practicable.

The test used to recognise whether a conflict of interest could occur is where:

- It is likely that someone with an interest could be influenced by that interest; and
- A reasonable person would believe that they could be influenced.

Where a conflict of interest arises, it should always be resolved in favour of the public interest, rather than an individual's interest.

Conflicts of interest include:

- Where there is a direct conflict between your current duties and responsibilities and your private interests (an 'actual' conflict of interests).
- A person could reasonably perceive that your private interests are likely to improperly influence the performance of your official duties, whether or not this is in fact the case (a 'reasonably perceived' conflict of interests).
- You have a private interest that could conflict with your official duties in the future (a 'potential' conflict of interests).

Examples of situations which may give rise to a conflict of interest affecting the performance of an employee's official duties include:

- A financial interest (the employee's, or that of a family member, relative, friend or associate) in a matter the employee deals with, in the course of their work,
- An employee's personal beliefs or attitudes that could influence, or may be perceived to influence, the employee's impartiality.
- Other employment that conflicts with the employee's official duties.
- An interest in a project or matter being dealt with by INSW.

Where a person has declared an actual, reasonably perceived, or potential conflict, the following actions should be considered:

- When INSW's view is that there is no actual conflict or the potential for conflict is minimal, informing likely affected persons that a disclosure has been made and for the sake of transparency providing a brief outline of the declaration to the affected parties.
- Appointing further persons to a panel/committee/team to minimise the actual or perceived influence or involvement of the person with the actual or reasonably perceived conflict.

- Restricting the access of the person to relevant information that is sensitive, confidential or secret.
- Directing the person to behave at all times in ways that are consistent with their agency's responsibilities and functions.
- Removing the person from duties or from responsibility to make decisions in relation to the matter for which the conflict arises, and reallocating those duties to another person (who is not supervised by the person with the conflict).

Colleagues, Clients and Stakeholders

All INSW employees are to treat their colleagues, clients and stakeholders in other agencies in a way which is demonstrated by the following:

- Considering people equally without prejudice or favour.
- Acting professionally with honesty, consistency and impartiality.
- Taking responsibility for situations, showing leadership and courage.
- Placing the public interest over personal interest.
- Appreciating difference and welcoming learning from others.
- Building relationships based on mutual respect.
- Upholding the law, institutions of government and democratic principles. Communicating intentions clearly and inviting teamwork and collaboration.
- Providing apolitical and non-partisan advice.
- Providing services fairly with a focus on customer needs.
- Being flexible, innovative and reliable in service delivery.
- Engaging with the not-for-profit and business sectors to develop and implement service solutions.
- Focusing on quality while maximising service delivery.
- Recruiting and promoting employees on merit.
- Taking responsibility for decisions and actions.
- Providing transparency to enable public scrutiny.
- Observing standards for safety.
- Being fiscally responsible and focus on efficient, effective and prudent use of resources.

Public Comment

In the course of their official duties some senior executives and/or senior managers may be called on to make public comment. This can only occur with the approval of the INSW CEO.

"Public comment" includes appearance before Parliamentary Committees, public speaking engagements, comments to radio, television, or print reporters. It also includes letters to newspapers, comments in books, journals or notices, on internet sites and social media, or broadcast by electronic means, or in any other circumstances where it could be expected that the comments will be spread to the community at large.

In these cases, comment should be confined to factual information concerning public administration. Opinions on NSW government policies or NSW government decisions should be avoided except with the express permission of the INSW CEO.

Employees, as members of the community, have the right to make public comment and enter into public debate on political and social issues. They must observe the restrictions on the release of official information and must make it clear that their comments are made in a private capacity and do not represent the official view of INSW.

INSW's Social Media policy provides further guidance to employees.

Information Normally Provided to the Public

Employees and managers/supervisors need to maintain open communications with their relevant stakeholders. Successful management requires that stakeholders are kept fully informed of matters relating to the role, function and operations of INSW, except where specific exemptions apply to documents or processes for reasons of confidentiality.

Within their area of responsibility, employees should be aware of the information published by INSW or normally made available to members of the public on request. Employees may provide such information on request, but if unsure, must refer the request to the CEO.

INSW has procedures for dealing with the media and for the release of information under the Government Information (Public Access) Act 2009. If employees are unsure of the procedures they should refer questions to the COO for advice.

Interacting with Lobbyists

All INSW employees and heads of government sector agencies must comply with Premier's Memorandum *M2019-02, NSW Lobbyists Code of Conduct* published on the Department of Premier and Cabinet's website, as amended from time to time, and INSW's Lobbyists policy.

Appropriate Use of Public Resources

Employees must use public resources in an efficient, effective, and prudent way. Never use public resources – money, property, equipment, or consumables – for your personal benefit, or for an unauthorised purpose.

If you are responsible for receiving, spending or accounting for money, ensure you know, understand, and comply with the requirements of the *Government Sector Finance Act 2019*, the *Public Works and Procurement Act 1912* and the *Government Advertising Act 2011*.

Employees must strive to ensure that INSW's supply chain, purchasing practices and engagements with suppliers comply with all applicable anti-slavery and human trafficking laws, including but not limited to the *Modern Slavery Act 2018 (NSW)*.

Personal Information

Employees need to be aware of, and comply with, the *Privacy and Personal Information Protection Act 1998*. Care must be taken with the collection, storage, use and disclosure of personal information in order to protect individuals' privacy. In general, employees must not use

or disclose personal information for a purpose other than that for which it was collected, unless consent is obtained from the person to whom the information relates.

Personal information collected or held by employees of INSW must be held securely to avoid loss, unauthorised access, use, modification or disclosure and all other misuse.

INSW Privacy Management Plan sets out how INSW collects and manages personal and health information, and guides employees as to their responsibilities in this regard.

If unsure, seek guidance from your manager or the Right to Information Officer (Legal team).

The *Privacy and Personal Information Protection Act 1998* contains criminal sanctions for the unauthorised use and disclosure of personal information by employees.

Security of Information

Employees are to ensure that any information in any form (eg printed or electronic) cannot be accessed by unauthorised persons and that sensitive information is only discussed with persons (inside or outside of INSW) who are authorised to have access to it.

Employees are not to attempt to access information unless it is immediately relevant to their work.

INSW is responsible for seeing that premises are secure, and that suitable arrangements are in place to maintain security of confidential and sensitive documents, including transferring these by hand.

All staff and persons providing services to or on behalf of INSW must acknowledge their information privacy and security obligations upon commencement or engagement, using the Confidentiality and Security of Information Agreement available on myCareer.

Records Management

Employees need to be aware of and comply with the *State Records Act 1998* and INSW's Electronic Documents and Records Management policy.

All employees have a responsibility to create and maintain full and accurate records of their activities, decisions and other business transactions, to capture records into official records systems, and not to destroy records without appropriate authority. Managers have a responsibility to ensure that employees reporting to them comply with their records management obligations.

Signatures of Personal Reference

Employees should review carefully any document they are asked to sign. Employees should not sign any document which they know is not true and correct.

Employees must only sign their own name and must never permit or encourage anyone to sign a name other than their own.

Employees should only use their own name (eg when sending emails) and should not give the impression that they have the authority of another person without their permission.

Managers/supervisors must not coerce employees to sign any document.

Managers/supervisors are not to provide written personal references for any current or former worker on INSW letterhead nor use their title and position for this purpose. Official references

should be limited to a statement of service and conduct. Managers/supervisors are able to provide verbal referee reports as part of the recruitment selection process.

Drugs and alcohol

Employees must not undertake work for, or make any kind of representation on behalf of INSW, whilst under the influence of substances that are adversely affecting their mental or physical performance, be they legal or illegal.

Possession of illegal substances whilst acting or representing INSW, during or outside of office hours, in the office or at work related functions, will result in disciplinary action being taken and may be referred to the police for further investigation.

On occasion INSW employees may enjoy hospitality with external stakeholders where alcohol is provided. On those occasions, careful self-management should be exercised so that this policy is not inadvertently breached.

Employees who are required to take prescription medication may wish to advise their direct manager/supervisor if they have concerns about taking their medication at work.

Employees must not smoke or permit smoking in any INSW offices, or enclosed area.

Secondary Employment and Private Interests

Employees must obtain approval from their Approving Officer (see definition in Secondary Employment and Private Interests policy) to engage in any form of paid employment outside of official duties. This requirement also applies to new employees who, on joining INSW, have outside employment they wish to continue.

INSW Secondary Employment policy provides further information about how to apply for approval.

Behaviour contrary to this Code

Behaviour contrary to this Code can bring individual employees into disrepute, undermine productive working relationships in the workplace, hinder customer service delivery, and damage public trust in INSW or the broader government sector.

If you are unsure of what is appropriate conduct under any particular circumstances, please discuss the matter with your manager/supervisor or the relevant member of INSW's executive.

If you see someone act in ways that are contrary to this Code, you should in the first instance discuss that person's behaviour with your immediate manager/supervisor, or report your concerns to any member of INSW's Executive.

If you believe certain conduct is not just unethical, but may also be corrupt, a serious and substantial waste of government resources, maladministration or a breach of government information and privacy rights, then report your concerns in accordance with INSW's Public Interest Disclosure Policy. Under the *Public Interest Disclosures Act 1994*, it is both a criminal

offence and misconduct to take reprisals against a worker who makes a public interest disclosure.

Breaches of this Code

When deciding what, if any, action should be taken in relation to a breach of the Code, each case should be considered on its own facts and circumstances. Action may be taken in relation to any conduct that contravenes the requirements of the Code.

The matters to consider when deciding what action to take include:

- The seriousness of the breach.
- The likelihood of the breach occurring again.
- Whether the employee has committed the breach more than once.
- The risk the breach poses to employees, stakeholders, and any other persons.
- Whether the breach would be serious enough to warrant action for misconduct.

A breach of the Code may constitute misconduct under the *Government Sector Employment Act 2013* and may result in the following actions:

- Termination of employment.
- Imposition of a fine.
- Reducing remuneration.
- Reducing classification or grade.
- Assignment to a different role.
- Caution or reprimand.

A breach of the Code may also constitute corrupt conduct as defined in the *Independent Commission Against Corruption Act 1988*.

Allegations of criminal conduct will be reported to the NSW Police.

Employees may be suspended from duty (with or without pay) until an allegation of misconduct or criminal charge or investigation of corrupt conduct has been dealt with.

Contractors, consultants, volunteers or students who breach the Code may have their contract/placement terminated.

Related Legislation

The Code should be read with the relevant NSW laws which employees are obliged to follow, including:

- *Anti-Discrimination Act 1977*
- *Crimes Act 1900*
- *Government Information (Public Access) (GIPA) Act 2009*
- *Government Sector Employment Act 2013*.
- *Government Sector Finance Act 2018*.
- *Health Records and Information Privacy Act 2002*
- *Independent Commission Against Corruption Act 1988*

- *Industrial Relations Act 1996*
- *Modern Slavery Act 2018*
- *Ombudsman Act 1974*
- *Privacy and Personal Information Protection Act 1998*
- *Public Interest Disclosures Act 1994*
- *State Records Act 1999*
- *Work Health Safety Act 2011*