

BUDGET ESTIMATES 2023-2024

**PORTFOLIO COMMITTEE NO. 8 – CUSTOMER
SERVICE**

Minister Chanthivong

**Better Regulation and Fair Trading, Industry and Trade,
Innovation, Science and Technology, Building, and
Corrections**

Friday 1st March 2024

Preston Stanley Room, Parliament House, Sydney

Responses to Questions taken on Notice

Better Regulation and Fair Trading. Building

Question (pg 16-17)

The Hon. BRONNIE TAYLOR: Minister, I want to talk about lithium batteries, because there's been great concern about recent fires and things that have happened. Just quickly, could you tell me where the national process is up to to harmonise lithium battery safety regulation?

Mr ANOULACK CHANTHIVONG: Yes, thank you very much, Mrs Taylor. Of course, any government is always committed to safety of all products. I am advised that NSW Fair Trading has been engaged with the ACCC, which actually—

The Hon. BRONNIE TAYLOR: Have you, Minister?

Mr ANOULACK CHANTHIVONG: We've actually done this as part of the conversation with the building Ministers' council. At the moment, the report that was handed down by the ACCC in October last year has made a number of recommendations to improve the regulations. Of course we support—

The Hon. BRONNIE TAYLOR: If I may redirect you, I'm aware of all of that, Minister. My questions are specifically again directed to you, as the Minister. With all of the concerns in the community, from the concerns of the fire services, what have you actually done?

Mr ANOULACK CHANTHIVONG: It is the Government's view that this needs to be a nationally consistent approach, and we'll continue to work with our other State counterparts to get this nationally consistent program.

The Hon. BRONNIE TAYLOR: I will redirect and rephrase the question, Minister. I understand and appreciate your comments about the national response. My question to you is: What have you done as the Minister in New South Wales to address this growing problem that is alarming the community?

Mr ANOULACK CHANTHIVONG: We work closely, as Fair Trading, with our Fire and Rescue to inspect electrical parts—whether it is lithium ion batteries—to make sure that we continue to aid not only the products but also to educate our consumers as well.

The Hon. BRONNIE TAYLOR: Minister, I'm really happy for you to take this on notice. How many compliance checks has Fair Trading conducted?

Mr ANOULACK CHANTHIVONG: On?

The Hon. BRONNIE TAYLOR: On lithium batteries.

Mr ANOULACK CHANTHIVONG: That's a very specific question. I'm happy to take that on notice.

The Hon. BRONNIE TAYLOR: How many seizures of noncompliant products containing batteries? Are you aware of that?

Mr ANOULACK CHANTHIVONG: I'm happy to take that on notice as well. It is quite a specific minutiae detail.

ANSWER

I am advised there were 195 inspections of retailers selling electrical articles between March 2023 and February 2024.

I am advised that between March 2023 and February 2024, retailers were instructed to remove from sale 32 models with non-compliant chargers. 317 units sold since 2022 have been recalled and replaced.

Question (page 34)

The Hon. AILEEN MacDONALD: Does the commissioner's role—are there terms of reference for the role? If the commissioner did ask for extra resources, how would that be received by you, Minister?

Mr ANOULACK CHANTHIVONG: Firstly, the role of the strata commissioner is important. He does have delegated authority under the Property and Stock Agents Act—it comes down from the Fair Trading Commissioner. His role, of course, is to continue to advise the Government on reform, liaise with industry to ensure that we get a balanced package in what is an important area of how people in New South Wales live—because more and more people will continue to live in strata. We've got to make sure that our laws are contemporary and relevant and actually meet the needs of our community. It is quite a complex area of law—

The Hon. AILEEN MacDONALD: Yes, I understand that, Minister.

Mr ANOULACK CHANTHIVONG: —so certainly this year we started the targeted consultation on the second phase of the laws.

The Hon. AILEEN MacDONALD: As a follow-on from that, what are the key accountabilities for the role and how will they be measured?

Mr ANOULACK CHANTHIVONG: I said that the role of the property services—like all public servants, is to provide the Government with advice on policy reform and the Government's agenda. As I said, strata is an important area of reform. We know more and more people are living in strata units.

The Hon. AILEEN MacDONALD: You've said that.

Mr ANOULACK CHANTHIVONG: That's why—obviously in his direct performance he reports to his direct report—but, from our perspective, the Government's perspective is to ensure that the Strata and Property Services Commissioner continues to provide the Government with advice as it seeks to implement the next tranche of its strata reform agenda.

The Hon. AILEEN MacDONALD: Minister, are the roles and responsibilities—is that a written document and, if so, would you be able to provide that on notice?

Mr ANOULACK CHANTHIVONG: I'm happy to take that question on notice but, as I said, the role of the Strata and Property Services Commissioner is important and we want to ensure that we have laws that continue to meet the needs of our local community as more and more people live in strata.

ANSWER

I am advised the Strata and Property Services Commissioner Statement of Expectations, issued by the Secretary of the Department of Customer Service, can be found on the NSW Government website at www.nsw.gov.au.

Question (page 35)

Mr ANOULACK CHANTHIVONG: In 2021 we had 231 complaints. In 2022 we had 104 complaints. There are fines issues. As of the last calendar year, it was 168 complaints.

The Hon. JACQUI MUNRO: So it's increasing?

Mr ANOULACK CHANTHIVONG: Yes, but also those complaints are not necessarily instances of underquoting. There are market mechanisms in place.

The Hon. JACQUI MUNRO: So you've got the complaints. If you could also provide information to the Committee about the outcome of those complaints, that would be helpful.

Mr ANOULACK CHANTHIVONG: I'm happy to take that on notice, no problem.

ANSWER

I am advised:

Underquoting Complaints received by NSW Fair Trading

2021	2022	2023	2024 (1 Jan-29 Feb)
231	104	168	33

Outcome of complaints

	2021	2022	2023	2024
Number of PINs issued	113	111	54	24
Education ¹	6	4	17	1
Warnings ²	69	41	67	7
No further action taken ³	31	30	30	0

¹ Trader education is deployed to reduce the risk of non-compliance. It can be provided for minor administrative breaches or non-compliance that can be rectified within 28 days, when the trader has no previous history.

² Warnings are deployed in relation to traders with no previous history where there is evidence of a minor breach, if a trader has a desire to amend their conduct and the issue can be rectified within 28 days, or a Penalty Infringement Notice has been issued and other minor breaches are addressed by written or verbal warning.

Inspections related to underquoting (includes reactive and proactive compliance outcomes.)

2021	2022	2023	2024 (to 29 February)
201	476	364	51

*Complaints investigated include those reported to NSW Fair Trading and those arising from NSW Fair Trading compliance campaigns targeting underquoting. More than one sanction may be applied to an investigated complaint.

Question (page 57)

The Hon. BRONNIE TAYLOR: How many staff were promised to create and run the Building

Commission?

DAVID CHANDLER: Basically, it was a lift-and-shift of everybody who was related to building inside Fair Trading coming across, so that number's settling now. But the total number, including the 25-odd that were in the Office of the Building Commissioner—the number, now, is sitting at about 466. Am I saying: Are all of the people of the type or capabilities that we need? I think we probably need to move to more boots on the ground type effort than in the past. That was always something that I think both sides felt was necessary. So we'll do that. And, of course, we're working within the constraints of the budget, and so I think—I'm going to defer to the secretary here just to put the right words around this, because at times I don't get it quite right. We put a business case up for the initial funding. That was in that setting of everybody really being under the pump, particularly—

The Hon. BRONNIE TAYLOR: How much was that for, that original business case?

DAVID CHANDLER: I can't recall the number.

The Hon. BRONNIE TAYLOR: Could you take that on notice?

DAVID CHANDLER: Yes, I will take that on notice.

ANSWER

This information is Cabinet in confidence.

Question (page 62)

The CHAIR: I want to talk about free-range egg labelling as well. In 2017 a National Information Standard for free range egg labelling was adopted by New South Wales. I understand it sets out the maximum stocking densities egg producers can have in order to use the free range label on egg cartons. I am wondering if there is any work being done by Fair Trading NSW to ensure that this standard is complied with in New South Wales?

NATASHA MANN: Not that I'm aware of, but if I can take that on notice I'll let you know if we are doing anything.

The CHAIR: Thank you. I do note on the website it says that it's both the ACCC and Fair Trading. I would be interested to know what that division is and what Fair Trading has done. I am also wondering, if Fair Trading became aware of an egg producer that was in breach of these standards, what actions Fair Trading would take or would be able to take?

NATASHA MANN: Ms Hurst, this is not something that's come to me in my time as Fair Trading Commissioner, but I will certainly take that on notice and come back to you.

ANSWER

I am advised NSW Fair Trading's website provides consumer information and guidance on the Australian Consumer Law (ACL) egg labelling requirements and relevant Standard, including the steps consumers can take if they identify an issue.

Should an alleged breach be reported, the complaint would be triaged in accordance with NSW Fair Trading standard processes.

The ACL and the Free Range Egg Labelling Information Standard are enforced in all jurisdictions by the various jurisdictions' consumer regulators. In NSW, both the Australian Competition and

Consumer Commission (ACCC) and NSW Fair Trading can receive reports of alleged contraventions and share the same enforcement responsibilities. The ACL regulators coordinate their activities through the national Consumer Senior Officials Network and related networks.

Question (page 80)

The Hon. BRONNIE TAYLOR: I'd like to move on now to ask a question to whoever is in charge under the Fair Work Act. Which secretary will that be? Basically, what I want to know is if the Minister was briefed on section 431 of the Fair Work Act during the recent maritime shutdown that occurred.

The Hon. EMILY SUVAAL: Can I clarify, is that a Federal Act?

The Hon. BRONNIE TAYLOR: It's in the Fair Work Act 2009, section 431. No, actually, it's not. It is

a ministerial declaration that can terminate industrial action that's available to the State Minister.

The Hon. EMILY SUVAAL: Thanks for clarifying.

The Hon. BRONNIE TAYLOR: I can't believe I actually knew that. Anyway, I am married to a lawyer. Can you tell me, please? Was he briefed? No-one can tell me.

The CHAIR: Do you have someone specific you want to—

The Hon. BRONNIE TAYLOR: Does someone want to take it on notice?

GRAEME HEAD: I'm not sure who should take it on notice.

The Hon. BRONNIE TAYLOR: Secretary Head, I think someone better take it. Perhaps you'd like to take responsibility and then decide who's going to do it.

GRAEME HEAD: I'll take it on notice.

ANSWER

I am advised this question was answered on page 92 of the Transcript when Secretary Graeme Head advised "The provisions that were quoted in respect of the maritime industrial dispute—those provisions apply to a State Minister who's accountable for workplace relations".

Question (page 82-83)

TRINA JONES: ... We're hearing lots of different feedback in those environments. Short-term rental accommodation accounts for about 1 per cent of all of the properties on the rental market and there are strong opinions being held in community around the impact from both sides—the benefits but also the perceptions of negative impacts.

The Hon. BRONNIE TAYLOR: Sorry, may I just redirect. You're saying 1 per cent? Because I had numbers around 3 per cent—as short-term rental accommodation makes up less than 3 per cent. You would know more than I.

TRINA JONES: It is less than 3 per cent.

The Hon. BRONNIE TAYLOR: Wow.

TRINA JONES: Some areas would have higher percentages than others. You take certain aspects of the State. But if you wanted to get the absolute figure, can I take that one on notice?

The Hon. BRONNIE TAYLOR: Yes. So it is less than 3 per cent

TRINA JONES :Yes

The Hon. BRONNIE TAYLOR: I hope this doesn't come out the wrong way, but you've been appointed into a very important role that's really affecting social, economic—all sorts of fabric. I really commend it. I think it's great that you've come on board and it's a great initiative of the Minister that appointed you. But would it not be your job—with your position that you have—to inform the communities that that short-term rental accommodation is very small and that you are looking at other things and are focusing on other things? This is a real problem in the community. I'm worried that people will get targeted and people will get distracted by something that might be an easy thing to jump on when it's actually not—I don't mean to say it's not the truth, because that has come up. But do you know what I'm trying to say, very respectfully, to you?

TRINA JONES: Yes.

The Hon. EMILY SUVAAL: Point of order: This is very much straying into other Ministers' territory and asking a public servant to express an opinion more broadly on the Government's policy around housing, around all of these issues confronting us. I'm just concerned. Ms Trina Jones is here in a very specific capacity and that is not to express opinion on the merits of the Government's policy.

The Hon. BRONNIE TAYLOR: To the point of order: I'm trying really hard to not ask for an opinion. I say that very genuinely. This is a factual question about data that the commissioner has now given.

TRINA JONES: Can I clarify on the data? Non-hosted short-term rental accommodation is 1 per cent. You're right. The total number is less than 3 per cent. Non-hosted, I was referring to.

The Hon. BRONNIE TAYLOR: Understood.

TRINA JONES: Which is the one that causes the most concern in community.

ANSWER

The question was answered at page 83 of the transcript.

Question (page 84)

The Hon. BRONNIE TAYLOR: All we've got, really, isn't it, is evidence and data? I know you're only an active participant, as you said, but is there any time line as to when this process will be completed?

TRINA JONES: The consultation is open for four weeks. And, once the consultation closes, we'll be working together to review all of the feedback and make recommendations through Planning and Treasury's Ministers.

The Hon. BRONNIE TAYLOR: Will any of those consultations be held in rural and regional areas?

TRINA JONES: Can I take that on notice? That is being led by the department of planning. That would be better directed to them.

The Hon. BRONNIE TAYLOR: Absolutely. Thank you, and thank you very much for your patience in all of what we do.

ANSWER

The Short-Term Rental Accommodation (STRA) review is being led by the Department of Planning and Treasury. Questions about the process of the review should be directed to the Treasurer and the Minister for Planning and Public Spaces.

Question (page 88)

The Hon. BRONNIE TAYLOR: Secretary Head, how many DLOs do you provide to the Minister's office? I'm happy for you to take that on notice.

GRAEME HEAD: Yes, I will take it on notice, thank you.

ANSWER

This question was answered on page 88 of the Transcript.

Question (page 90)

The Hon. BRONNIE TAYLOR: ... When I asked Secretary Head, Secretary Mildwater and Secretary Tidball for the numbers of DLOs, would you please also be able to provide, obviously not names because that would be unprofessional, but the grade of those DLOs that are in the Minister's offices, please? I'm happy if you take that on notice.

ELIZABETH MILDWATER: Yes.

MICHAEL TIDBALL: Yes.

GRAEME HEAD: I'll take that on notice.

ANSWER

I am advised:

The grades of DCS DLOs (as at 1 March 2024):

- Grade 9/10
- Grade 11/12 (NSW Fair Trading)
- Grade 11/12 (SIRA)

Question (page 90)

The Hon. BRONNIE TAYLOR: How many of that 466 are existing positions that have been moved over?

DAVID CHANDLER: The majority.

The Hon. BRONNIE TAYLOR: How many?

GRAEME HEAD: We won't be able to give you a precise answer on that today because there are still a couple of teams in the former Better Regulation Division where we're still separating the numbers.

The Hon. BRONNIE TAYLOR: Would you like to take that on notice?

GRAEME HEAD: We'll take that on notice.

ANSWER

I am advised:

As of 1 December 2023, 398.8 full time equivalent (FTE) staff had transferred.

Between 1 December 2023 and 29 February 2024, an additional 57.4 FTE roles have been established and approved for recruitment.

The current FTE positions expected to be filled by 30 June 2024 is 455.2, noting that transition activity is still ongoing.

Question (page 91)

DAVID CHANDLER: We currently have 39 positions that are available to be recruited, so there's an opportunity there for us to start to bring in any additional capability. I just want to point to the fact that there's an enormous amount of capability in the team that's come across.

The Hon. BRONNIE TAYLOR: I'm not casting aspersions, Commissioner. I'm just trying to understand if there's any new people that have been appointed. You've just mentioned 39 that you are recruiting. Is that 39 that have come out of people that have left from the 466?

DAVID CHANDLER: No, they were positions that weren't filled that we can now fill.

The Hon. BRONNIE TAYLOR: Can you say that again?

DAVID CHANDLER: They were positions that weren't filled that we can now fill.

The Hon. BRONNIE TAYLOR: That weren't filled from where?

DAVID CHANDLER: There's always going to be a vacancy factor across the agency.

The Hon. BRONNIE TAYLOR: So those are positions that were vacant already existing in the agency—

DAVID CHANDLER: Correct.

The Hon. BRONNIE TAYLOR: —that are now your—not your positions but your commission's positions to fill?

DAVID CHANDLER: Correct.

GRAEME HEAD: Ms Taylor, if I can, I do think we can provide more assistance, given that there is still a couple of teams being worked on, if we can give you a breakdown on notice of the staffing movements.

The Hon. BRONNIE TAYLOR: Secretary Head, whatever information you'd like to give me on notice I will gratefully receive. I am just trying to get down to this because to me it just looks like there's—I think it's great we've got the commission and I think it's great we're using existing staff but I'm just really concerned that we need special people that are really tailored in for this. I'll be very much looking forward to that information.

ANSWER

This question was answered in previous QoN from page 90 of the Transcript.

Question (page 92)

The Hon. BRONNIE TAYLOR...My final questions extend those questions that I asked the three secretaries about the DLOs. Are party political memberships checked when DLOs are

appointed? I honestly don't know; that's why I'm asking. Will you take that on notice?

GRAEME HEAD: Yes.

ELIZABETH MILDWATER: Yes.

MICHAEL TIDBALL: Yes, we'll take that on notice.

ANSWER

I am advised:

Checking party political membership is not part of DCS DLO appointment process.

Industry and Trade, Innovation Science and Technology

Question (p.25)

Mr ANOULACK CHANTHIVONG: I have met with a number of agritech-based businesses and also the association as well. A meeting request when they submit, of course, will be considered accordingly.

The CHAIR: Can you let me know then on notice which cell-based startups you have met with?

Mr ANOULACK CHANTHIVONG: All my meetings are obviously disclosed. I met with the Agritech, for example, Chair, and of course—

The CHAIR: I don't think they are a cell-based meat company.

Mr ANOULACK CHANTHIVONG: But they are part of the whole agritech industry. But in terms of meetings that I've had, they're all disclosed in my diary. I couldn't tell you every single meeting that I've had, because I've had quite a few.

Answer

I am advised;

Ministerial diary disclosures are published quarterly at www.nsw.gov.au

Question (p39)

Ms ABIGAIL BOYD: I understand the regional defence network was being funded to 2025 under the previous Government. I think it's just over \$1 million. Is that still ongoing?

Mr ANOULACK CHANTHIVONG: We will consider all funding arrangements through the normal process.

Ms ABIGAIL BOYD: But at the moment it's still ongoing?

Mr ANOULACK CHANTHIVONG: I'd have to defer to the secretary in terms of that specific program.

Ms ABIGAIL BOYD: Maybe take that on notice and you can come back to me in the afternoon on that. Have you been meeting with companies that are involved in the defence industry and arms manufacture?

Mr ANOULACK CHANTHIVONG: Yes, I have. All my meeting disclosures are disclosed appropriately.

Answer

I am advised;

Funding for the Regional Defence Networks Program is ongoing to December 2024.

Question (p40)

Ms ABIGAIL BOYD: Are we exporting arms from New South Wales to Israel?

Mr ANOULACK CHANTHIVONG: I have to take that one on notice. But the defence industry is an important part—particularly in regional communities. We want to make sure that we continue to provide opportunities.

Answer

I am advised;

This is a matter for the Federal Minister for Defence.

Question (p.66)

The Hon. JACQUI MUNRO: Okay. From last year's grants, my understanding was that there were 154 MVP ventures grants applications paused in April-May, May-June last year, and that none of those paused applications actually received funding in the end through the MVP ventures grant. Is that accurate?

KATIE KNIGHT: I'd have to take that on notice.

Answer

I am advised;

This figure is not accurate. The previous MVP Ventures program opened on 1 December 2022 and received a total of 169 applications of which 35 applications were successful and applicants entered into funding agreements. The remaining applications were either deemed ineligible or declined.

Question (p.67)

The Hon. JACQUI MUNRO: This tech voucher, how it works, says that eligible projects must be ready, starting within three months of submission to the department. You're saying that that's not accurate?

KATIE KNIGHT: I'll have to take that on notice again.

Answer

I am advised;

The program requirements are available at <https://www.investment.nsw.gov.au/grants-and-rebates/boosting-business-innovation-program/>

Question (p.75)

The Hon. JACQUI MUNRO: I'm just wondering, over the forward estimates what does your budget allocation is looking like?

HUGH DURRANT-WHYTE: I'm going to have to take the generic question on notice. What I can tell you is where our funding now currently stands. We have \$15 million over two years for critical research infrastructure, so it aligns with the Federal Government NCRIS program. We have the combined biosciences and physical sciences fund, which is \$50 million over the next four years. We have what's called the RAAP—the Research Attraction and Acceleration Program—and that is an average of about \$7 million for the next three years and then it rises to \$10 million. Then we have the SBIR program, which is only this year, which is \$10 million. We're also running the build of the RNA manufacturing facility and the investment fund, which is a combined total of \$219 million, and it runs over 10 years.

Answer I am advised:

Funding allocations for the Office of the Chief Scientist and Engineer form part of the budget for Department of Enterprise, Investment and Trade. Future budget allocations will be subject to the standard budget process.

Question (p.77/78)

The Hon. JACQUI MUNRO: Okay. There are four new programs that were announced in August last year that were around diversity. They were mostly run out of universities. There was Wollongong, Newcastle, UNSW I think did one and also there was one at Tech Central. They were billed as being "four new diversity programs to support startup diversity". I was wondering if those programs are being required to report against particular diversity measures in terms of anything?

KATIE KNIGHT: Like gender targets?

The Hon. JACQUI MUNRO: Yes.

KATIE KNIGHT: Not that I'm aware of, no. But I'm happy to take it on notice and check, if you like?

The Hon. JACQUI MUNRO: Yes, that would be helpful.

KATIE KNIGHT: That's fine. We can ask, yes, but they're programs run by the universities.

The Hon. JACQUI MUNRO: But are they funded by the department? They're on the department's website.

ELIZABETH MILDWATER: I think that might be the chief scientist, I hate to say. But we'll take it on notice and get back to you with the detail.

Answer

I am advised;

Details for the Social Impact Pre-Accelerator Program are available at <https://www.investment.nsw.gov.au/grants-and-rebates/pre-accelerator-program/>

Question (p.77/78)

The Hon. JACQUI MUNRO: That's helpful. Do we know if the Sydney School of Entrepreneurship will be funded after the funding runs out in 2024?

KATIE KNIGHT: I'm not across the—

ELIZABETH MILDWATER: That would also be a part of the current budget process.

The Hon. JACQUI MUNRO: So that is definitely part of the budget process?

ELIZABETH MILDWATER: We can take it on notice and see what we can give you, but I suspect that's the answer.

Answer

I am advised;

Future Government funding decisions are subject to the standard budget process.

Question (p.87)

KATIE KNIGHT: Could I say this: The feedback we got from the summit was that people wanted to provide feedback on broad topics. That was how they wanted to be consulted, and that is what we're doing.

ELIZABETH MILDWATER: To the work as well, the work on the blueprint is not just about the paper that you saw in kicking off. There's a whole program of engagement ahead, so there has been a lot of work going into designing that and facilitators and everything else. It is not just that one thing.

The Hon. JACQUI MUNRO: It's certainly not the kind of feedback that I've been hearing myself, but—

The Hon. BRONNIE TAYLOR: May I ask it in another way? Would it be possible to provide the Committee with when the department started to work on that blueprint and then when it was finalised and uploaded to the website?

KATIE KNIGHT: Do you mean the discussion paper?

The Hon. BRONNIE TAYLOR: The discussion paper.

ELIZABETH MILDWATER: Yes, we can take that on notice.

Answer:

I am advised;

The discussion paper is part of the consultation process being undertaken for the development of the Innovation Blueprint as provided at <https://www.nsw.gov.au/have-your-say/nsw-innovation-blueprint>.

Question (p.87/88)

KATIE KNIGHT: No brief from us, no, because I believe the MOU that has now expired was with the Department of Primary Industries or Department of Regional NSW, I think, and we support the wine industry in a number of other ways.

The Hon. BRONNIE TAYLOR: But this is an MOU that's actually quite important to them and important to have, and it's expired, and it's trade. I'm wondering who would provide that advice to the Minister on the necessity of having some information about an expired MOU with the New South Wales wine industry?

KATIE KNIGHT: We provided advice around the export programs that are currently in place and the work we do with the wine industry from an export perspective. We have regional export advisers. We support them in a number of other ways. That was the advice that we provided.

The Hon. BRONNIE TAYLOR: Can you provide that advice to the Committee on notice?

KATIE KNIGHT: I will have to see if we can do that.

Answer

I am advised;

Information on Investment NSW support for exporters can be found at <https://www.investment.nsw.gov.au/export/>.

Question (p.88)

The Hon. BRONNIE TAYLOR: I don't know if there is, and I'm not fishing for something that I think is there that I don't know about, Secretary. What I don't understand is how a major industry like this has an expired MOU that hasn't been worked on by what is a very effective department.

ELIZABETH MILDWATER: I think the answer was because it didn't sit with our department. It sits with another department, and we support the industry in other ways. I'm happy to take the question on notice and see whether we did actually brief the Minister.

Answer

I am advised;

Information on Investment NSW support for exporters can be found at <https://www.investment.nsw.gov.au/export/>.

Question (p.89)

The Hon. JACQUI MUNRO: Finally, the Minister declined to commit to the NSW Trade Statement and the \$200 billion goal of 2031. Is the department working to any goal or target at the moment? There's a 2024 target.

ELIZABETH MILDWATER: All of our geographies have targets—both trade and investment, businesses supported, that sort of thing—that they report against.

The Hon. JACQUI MUNRO: Could you please provide what they are on notice for each of those?

ELIZABETH MILDWATER: We could, yes.

The Hon. JACQUI MUNRO: Thank you.

Answer I am advised;

Performance against key indicators is provided in the Department's 2022-23 Annual Report available at: <https://www.nsw.gov.au/enterprise-investment-and-trade/resources>

Question (p.90)

The Hon. BRONNIE TAYLOR: Yes, a very good, green, clean fibre—declare a conflict! When I asked Secretary Head, Secretary Mildwater and Secretary Tidball for the numbers of DLOs, would you please also be able to provide, obviously not names because that would be unprofessional, but the grade of those DLOs that are in the Minister's offices, please? I'm happy if you take that on notice.

ELIZABETH MILDWATER: Yes.

MICHAEL TIDBALL: Yes.

GRAEME HEAD: I'll take that on notice.

Answer

I am advised;

The Department of Enterprise, Investment and Trade DLO is award Grade 9/10.

Question (p.92)

The Hon. BRONNIE TAYLOR: It's hard for everyone, isn't it? Thank you very much, Mr Chandler. My final questions extend those questions that I asked the three secretaries about the DLOs. Are party political memberships checked when DLOs are appointed? I honestly don't know; that's why I'm asking. Will you take that on notice?

GRAEME HEAD: Yes.

ELIZABETH MILDWATER: Yes.

Answer

I am advised:

Checking political party affiliation is not part of the appointment process.

Corrections

Question (p13)

Ms SUE HIGGINSON: Minister, have you read the Custodial Operations Policy and Procedures manual? We call it the COPP.

Mr ANOULACK CHANTHIVONG: The operations of the—

Ms SUE HIGGINSON: Yes, the policies and procedures that relate to corrections systems in New South Wales.

Mr ANOULACK CHANTHIVONG: All operational matters are obviously delegated to Corrective Services.

Ms SUE HIGGINSON: That's right, but have you read that? Have you looked at that?

Mr ANOULACK CHANTHIVONG: The actual COPP manual itself?

Ms SUE HIGGINSON: Yes.

Mr ANOULACK CHANTHIVONG: No, I haven't.

Ms SUE HIGGINSON: Are you aware of the last time it might have been updated?

Mr ANOULACK CHANTHIVONG: I'm happy to that on notice or ask the acting commissioner to answer that.

Answer

I am advised the COPP was last updated 22 March 2024

Question (p38)

The CHAIR: Do you have any plans, for example, around increasing support available for people leaving correctional facilities and reintegrating back into the community? Is that something you are looking into?

Mr ANOULACK CHANTHIVONG: Yes. I think this is all a part—as I mentioned, rehabilitating and reducing recidivism is a core, key aspect of what Corrections New South Wales undertakes. Of course, we will work with my other ministerial colleagues to ensure that those who are about to reintegrate into our communities have the support in place. But, if you would like, Chair, a more comprehensive briefing about some of our programs, I'd be happy to provide that for you.

The CHAIR: My question was about increasing support available. Are you looking at funding or advocating for funding for more programs in this space, rather than what's currently in place?

Mr ANOULACK CHANTHIVONG: All programs, whether new or existing, will be reviewed as normal to make sure that they actually deliver for the people we're trying to help. In terms of the budget allocation, we will go through that as part of the normal Cabinet process, Chair.

Answer

I am advised:

- Corrective Services is currently reviewing the Transitional Supported Accommodation program to identify priority areas for potential increased support for people leaving custody.
- Six new positions were established in Quarter 2 of the 2023/2024 financial year to support the Pathways to Employment Program, aiding reintegration by assisting inmates into work placements.

Question (p42)

The Hon. AILEEN MacDONALD: I'd like to turn to Corrections now. Minister, under the bed consolidation plans, how many beds will be closed at the five facilities? The five facilities I'm talking about are Goulburn, Bathurst, Cessnock, Long Bay and the metro programs centre.

Mr ANOULACK CHANTHIVONG: First of all, they're not closed. That's an incorrect description. They are being mothballed. You would appreciate that at the moment the network has capacity for 15,600 beds. At the moment we have about 12,300 inmates. So there is a capacity of about 30 per cent. The purpose of mothballing is to allow our officers and our inmates to be accommodated in the most modern facilities that the network has available. So it's actually not closing; it's just being mothballed. Of course, if there is a need to reopen those things, they can be done as well.

The Hon. AILEEN MacDONALD: As a follow-up then, in the individual—say, for Cessnock, how many beds are in Cessnock's four wings?

Mr ANOULACK CHANTHIVONG: As I said, the beds that were part of the contemporary site at Cessnock is 130 beds, I'm advised.

The Hon. AILEEN MacDONALD: And Bathurst?

Mr ANOULACK CHANTHIVONG: In Bathurst, 209 beds.

The Hon. AILEEN MacDONALD: In Goulburn, 3 and 4?

Mr ANOULACK CHANTHIVONG: So 170.

The Hon. AILEEN MacDONALD: And Long Bay Hospital area 2?

Mr ANOULACK CHANTHIVONG: That is 186.

The Hon. AILEEN MacDONALD: Then the beds in the metropolitan program centre area 1?

Mr ANOULACK CHANTHIVONG: I'll have to take that one on notice. But, as I said, the mothballing strategy was also done by the former Government as well. It's actually part of our ensuring that we utilise the capacity within our system to provide the most modern environment for our officers and for our inmates.

Answer

I am advised:

- 106 beds.

Question (p43)

The Hon. AILEEN MacDONALD: In terms of programs, following on from Emily, if I can table this. On 24 December, there was a jail program that kept mums and bubs together that was halted at Emu Plains, which is a prison that has been mothballed.

Mr ANOULACK CHANTHIVONG: Yes.

The Hon. AILEEN MacDONALD: What are you doing for the mothers and babies in that Emu Plains facility—I think it was called the Jacaranda program. What has happened to those ladies and babies?

Mr ANOULACK CHANTHIVONG: Certainly—and particularly for our females inmates—the environment is important, because they do have differences—

The Hon. BRONNIE TAYLOR: Specifically.

Mr ANOULACK CHANTHIVONG: —particularly if you're a mother and a female inmate. Certainly programs that are—I'm happy for the acting commissioner to provide specific details on that program.

The Hon. BRONNIE TAYLOR: Take it on notice.

The Hon. AILEEN MacDONALD: Yes, take it on notice. But in the lead-up to that, did you

meet with a group called Keeping Women Out of Prison before this closure?
 Mr ANOULACK CHANTHIVONG: I think I might have. I think you're talking about KWOOP.
 The Hon. AILEEN MacDONALD: Yes.
 Mr ANOULACK CHANTHIVONG: That's correct, yes. I'm happy to take that on notice but I recall I did probably meet with—

Answer

I am advised:

Women who were on the Mothers and Children's program at Jacaranda Cottages at the time of the temporary closure were either placed on the Women's Diversionary Program if eligible and suitable, or at Parramatta Transitional Centre with their children.

Required Ministerial diary disclosures are available on the NSW Government website
www.nsw.gov.au

Question (p49)

The CHAIR: I have a range of questions that may be somewhat specific, so I might move between you, Minister, and Mr Taylor, who might be able to assist. I'm wondering if statistics are collected in regard to the number of people in custody for animal cruelty offences?

LEON TAYLOR: They are. There are currently nine inmates in custody with an animal cruelty related conviction.

The CHAIR: Are you able to tell me if any of those are bestiality-related offences?

LEON TAYLOR: No, I'm not.

The CHAIR: That's not recorded?

LEON TAYLOR: I'm not sure. I'll take that on notice.

The CHAIR: Thank you, if you could take that one on notice. I know that there are a range of animals in Corrections initiatives, which we've talked about in the last budget estimates. Do you we know if any of these nine inmates have any interactions with animals as part of those programs?

LEON TAYLOR: Those nine inmates all have an alert on their inmate profile preventing them from being involved in any of our animal-related or our agricultural programs that involve animals.

Answer

Please refer to page 74 of the transcript for the answer provided by the Acting Commissioner of Corrective Services NSW.

Question (p49)

The CHAIR: Can you also take on notice how many people have been in custody for animal cruelty-related offences over the last five years?

LEON TAYLOR: Sure.

Answer

Please refer to page 74 of the transcript for the answer provided by the Acting Commissioner of Corrective Services NSW

Question (p50)

The CHAIR: Sorry, Minister, I've got some questions about some of those different programs in a moment.

Mr ANOULACK CHANTHIVONG: Sure.

The CHAIR: The first one I wanted to talk about, actually, was the range of day work release programs for inmates in correctional facilities that then work inside slaughterhouses. Are you aware of this program?

Mr ANOULACK CHANTHIVONG: I defer that specific question to the acting commissioner.

The CHAIR: The question is are you aware of the program? I don't know if the acting commissioner knows if you're aware.

Mr ANOULACK CHANTHIVONG: Specifically, I'd have to take that one on notice. But I'm happy for the acting commissioner to respond accordingly.

....

The CHAIR: Have you considered the violence inherent in slaughterhouses and the impact that this might have on inmates actually working inside these facilities?

Mr ANOULACK CHANTHIVONG: In terms of this, I might have to defer that to the acting commissioner.

The CHAIR: You may have some additional comments.

LEON TAYLOR: Chair, look, I'll give a full answer on notice. As I understand, the Junee facility operated by GEO, as we know, at the moment, has a work release program into the abattoir in Junee. The two large employers in Junee are the prison and the abattoir. I think there are three inmates that are participating in a work release program in that facility.

The CHAIR: Is that the only program that's running in New South Wales that you're aware of?

LEON TAYLOR: I think so. I will answer on notice, but to my knowledge I think it's just the Junee facility that has work release into an abattoir.

Answer

Please refer to page 60 of the transcript for the answer provided by the Acting Commissioner of Corrective Services NSW

Question (p50)

The CHAIR: At the last estimates we briefly discussed programs involving animals, which you just started speaking about now, specifically ex-racehorses and also racing greyhounds. It was explained at the last estimates that the correctional officers are responsible for the greyhounds and the horses. Is that correct?

Mr ANOULACK CHANTHIVONG: I might have to defer that to the acting commissioner. It's quite a specific question.

LEON TAYLOR: Yes, the programs are certainly led by the officers, but most of the work that is done with the animals, both the horses and the greyhounds, is work that the inmates do.

The CHAIR: But the ultimate responsibility rests with the correctional officers?

LEON TAYLOR: Correctional officers and Racing NSW and also the greyhound organisation, yes.

The CHAIR: How often are they present?

LEON TAYLOR: I will have to take that on notice, unless my colleague knows, I'm sorry.

Answer

I am advised:

Greyhound Racing NSW are onsite at Dillwynia Correctional Centre every six weeks and are scheduled to be onsite at Wellington Correctional Centre fortnightly. There is a full-time Racing NSW representative at St Helier's Correctional Centre.

Question (p51)

The CHAIR: What about the correctional officers? Are they offered any kind of additional training for the work that they do in connection with the animals?

LEON TAYLOR: I'll have to take that on notice, in terms of formal qualifications that they might have to participate in that. I'm sorry.

The CHAIR: Thank you. You mentioned that there was a full-time qualified person in regard to the horses. What about the dogs?

LEON TAYLOR: The dogs I'll have to take on notice. I don't think that's the case. There are eight dogs at Dillwynia and six at Wellington. The greyhound people certainly support and train and provide assistance. They provide the food and the things that are all associated with that program. I'm not aware that their presence is as full-time as the horse program.

Answer

I am advised:

- The Geoffrey Pearce Rehabilitation Program RSPCA offers a Certificate IV in Behavioural Training provided by the RSPCA to staff.
- The Macquarie Correctional Centre Veteran PTSD Dogs Defence Community Dogs Foundation has two staff who are certified dog trainers and behaviourists working in partnership with external providers.
- The Cooma Correctional Centre Pups in Prison program is operated by a CSNSW staff member who has completed informal animal husbandry training with Cooma Council's Animal Welfare Officer.
- The St Helier's Correctional Centre Retired Thoroughbred Program has qualified staff who support the full-time onsite Racing NSW Representative. All staff working in agriculture units receive regular training to meet the specific requirements of their roles.
- CSNSW works with Greyhound Racing NSW to ensure there is quality care for the greyhounds.

Question (p51)

The CHAIR: It was mentioned last budget estimates that there may or may not be greyhounds still living on site at Hunter. Are you able to—

LEON TAYLOR: The program at Hunter ceased. I think it was mentioned in estimates last time there was an incident up there—someone was bitten, and the program ceased up there. It hasn't recommenced at Hunter.

The CHAIR: But my understanding is that it wasn't clear whether there were still greyhounds living there?

LEON TAYLOR: There are no greyhounds there at the moment, no.

The CHAIR: This might be something that you need to take on notice, but how many greyhounds are living on site at Dillwynia, and how many have been rehomed in the last 12 months?

LEON TAYLOR: I can't answer the second part of your question, but there are at eight dogs at Dillwynia and six dogs at Wellington at the moment. Insofar as how many have been through that program and rehomed, I'll take that on notice.

Answer

I am advised:

- 52 greyhounds have been rehomed in the last 12 months through the Dillwynia Correctional Centre program.

Question (p52)

LEON TAYLOR: There are two—the RSPCA and the wildlife centre are separate programs out there. The wildlife centre, as I mentioned, takes animals from customs and WIRES—native animals. I'm not sure of the criteria out there, but most of the animals there—they stay there and they live there and they see their life out there. They're not animals that are rehomed unless they can be released into the wild—again, through WIRES. The dog rehabilitation program out there is a joint venture that we have with the RSPCA. That takes rescue dogs from the RSPCA, and we were with those rescue dogs. We rehome them. The inmates do a Certificate II in Animal Care and they train those dogs and rehome them. We have a similar thing down in Cooma as well.

The CHAIR: You mentioned that some animals are released. I'm assuming that animals that come in from WIRES that can be rehabilitated. Could I get from you on notice the number of animals that have been released over the last three years?

LEON TAYLOR: Sure.

The CHAIR: Thank you. How much government funding does this program at John Morony receive?

LEON TAYLOR: I'll take that on notice. We have a couple of staff that staff that program. The inmates work there as well. Then there's the cost of running the facility. But I'll respond to that on notice.

....

The CHAIR: I also understand that these offenders at John Morony participate in formal training courses provided by TAFE NSW, with the opportunity to gain a Certificate II in Animal Care. Are you able to advise how many inmates have actually obtained their certificate as a result of the program? LEON TAYLOR: Yes, sure, on notice.

Answer

I am advised:

- 150 animals have been released into the wild, to an animal organisation or carer.
- The budget for the Centre in 2023/2024 is \$379,544.
- In the last three years, 20 inmates have completed the Certificate II.

Question (p60)

The CHAIR: Before I move on, in regard to the different programs that involve animals in correctional facilities, are any of these programs run through the female facilities? Are they available to female inmates as well?

LEON TAYLOR: Yes, they are. I might take the opportunity, Chair, to correct the record on abattoirs we have. In Cooma, we also have a few—four inmates work at the Monbeef facility in Cooma on work release.

The Hon. BRONNIE TAYLOR: It is very appreciated.

The CHAIR: I believe there were inmates also going to—it might be an older program—the duck slaughterhouse in Western Sydney?

LEON TAYLOR: We used to have work release to a duck farm in Western Sydney. I'm not sure they're still a work release employer of ours. I'll confirm that on notice. They certainly were in the past. You're right, Chair.

The CHAIR: I remember that from a long time ago. I just wasn't sure if it was still running.

LEON TAYLOR: We will confirm that, but I'm not sure. I have a feeling they're not, but I may be incorrect. In answer to your question, programs for women—we mentioned before the greyhounds program at Dillwynia. I'm just looking at my list here. I'm not sure we have other programs for women, but I will confirm on notice. I'll look to my colleague—it doesn't seem like we do.

The CHAIR: You mentioned that the duck facility might no longer be part of the larger program. Is that because they've pulled themselves out? How does somebody end up moving out of or into these programs?

LEON TAYLOR: We put a lot of effort into reframing the work release program. Last year we had over 300 inmates participate in the work release program. Before COVID, it was kind of 40 or 50. We've had a real focus on partnering with employers that provide real vocational outcomes for inmates. Notwithstanding, perhaps, the welfare perspective of that facility, to get work experience in a facility of that nature is not really the type of work experience that's likely to lead to a career. Through that lens, there are a number of employers that we haven't continued a relationship with on the basis that we want to transition inmates into jobs that give them well-paid industry wages while they're still in prison so that they can exit custody with some money in their bank to assist their transition into the community, and also workplaces and vocations and careers they're likely to be able to continue working in when they get into the community—well-paid jobs that help them change their life. We're really focused on industries that pay well and will likely give people with a criminal record and time in history a continuing career. Construction is a good one. Civil construction and manufacturing, engineering—those types of industries that pay well and are a little more forgiving for people that have a background that might include time in jail.

The CHAIR: Are you able to take on notice—if the duck facility is no longer used—the specific reasons why that fell out of the program?

LEON TAYLOR: Sure.

The CHAIR: Thank you so much for that. Earlier I was asking about cell-based meat to the Minister. I'm not quite sure who is best placed to answer this, but he mentioned that somebody might be able to give me some more information this afternoon about the MVP Ventures program and whether or not cell-based meat startup companies would be eligible.

ELIZABETH MILDWATER: I think either our chief scientist or Ms Knight—the chief scientist, probably.

LEON TAYLOR: Chair, we're not involved with the duck people, but I will respond on notice.

The CHAIR: Thank you, I appreciate that.

Answer

Please refer to page 75 of the transcript for the answer provided by the Acting Commissioner for Corrective Services NSW.

Question (p64)

The Hon. BRONNIE TAYLOR: I'd like to explore this a bit, but I need to move on—because I find that quite alarming because I just think they should all have access to that. Mr Taylor, how many people are on workers compensation within the prison system—how many of your employees? I know that's really particular so I'm happy for you to take that on notice.

LEON TAYLOR: Do you mind—unless the secretary has the numbers handy.

MICHAEL TIDBALL: We will take it on notice if we may.

The Hon. BRONNIE TAYLOR: Secretary, would you say that there is a higher than average amount of people in the Corrective Services department that are on workers compensation compared to others?

MICHAEL TIDBALL: Yes, I would. The 2022-23 financial year was not a good year in terms of claims. The growth in claims is very focused around psychological injury. That at the present time is the focus of a number of strategies, including a much more bespoke, tailored, flexible approach around return to work.

The Hon. BRONNIE TAYLOR: Secretary, would you be able to provide to this Committee how many Corrective Services officers are on workers compensation over the last three financial years and what percentage that is across other departments and the difference in—how it's higher?

MICHAEL TIDBALL: When you say "other departments", other parts of DCJ? The

Hon. BRONNIE TAYLOR: Across government. Because I'm told it's very high.

MICHAEL TIDBALL: I certainly can do that for DCJ. I can't speak for other departments.

Answer

I am advised:

As of 16 February 2024, there are 193 Corrective Services NSW employees on workers compensation leave.

Question (p72)

The Hon. AILEEN MacDONALD: And on that, how many females are currently in custody?

LEON TAYLOR: Some 800.

MICHAEL TIDBALL: As of 12 January, if that date works for you, 779.

LEON TAYLOR: I'm sorry, 700.

The Hon. AILEEN MacDONALD: That population, as you said, is going down in the prison population. Can the same be said for people being supervised in the community? Are the reoffending rates going down in the community as well?

LEON TAYLOR: We'll take that on notice—unless someone can pass me something. Certainly, the fall in the community corrections numbers are nothing like the prison numbers. In fact, a lot of people are diverted from one to the other, but perhaps if we can answer that on notice.

Answer

I am advised:

The community-based offender population has remained stable.

Question (p75)

The CHAIR: I've got one follow-up question just based on those questions. When you said that there were five inmates for the possession of bestiality, could I also get the number of those inmates who are also in the possession of child abuse material or had other child abuse convictions alongside the bestiality convictions?

LEON TAYLOR: On notice, sure.

Answer

I am advised that the number of offenders convicted of bestiality-related offences that have also been convicted of offences in relation to:

- Possession of child abuse material: seven
- Child abuse offences: two

Question (p91)

The Hon. JACQUI MUNRO: Fabulous. I hope to see more ambitious targets, in that case, at the end of the year.

The Hon. BRONNIE TAYLOR: Can you do more for wool, please?

KATIE KNIGHT: Wool?

The Hon. BRONNIE TAYLOR: Yes, a very good, green, clean fibre—declare a conflict! When I asked Secretary Head, Secretary Mildwater and Secretary Tidball for the numbers of DLOs, would you please also be able to provide, obviously not names because that would be unprofessional, but the grade of those DLOs that are in the Minister's offices, please? I'm happy if you take that on notice.

ELIZABETH MILDWATER: Yes.

MICHAEL TIDBALL: Yes.

GRAEME HEAD: I'll take that on notice.

Answer

I am advised:

- 3
- 7/8, 9/10 and 11/12.

Question (p92)

DAVID CHANDLER: Right now we will need to stretch out some of the resources that might have, for example, to attend to the class 1 powers, and I want to correct the date: We got those powers on 11 December, not 1 December. But we've already started to move people into that field of work, so we'll build that capacity out.

But the forward—

The Hon. BRONNIE TAYLOR: Which I imagine is a challenge, with current recruitment, just generally.

DAVID CHANDLER: Some of these positions have been hard to fill, so we'll work on more innovative ways of filling them.

The Hon. BRONNIE TAYLOR: It's hard for everyone, isn't it? Thank you very much, Mr Chandler. My final questions extend those questions that I asked the three secretaries about the DLOs. Are party political memberships checked when DLOs are appointed? I honestly don't know; that's why I'm asking. Will you take that on notice?
GRAEME HEAD: Yes.
ELIZABETH MILDWATER: Yes.
MICHAEL TIDBALL: Yes, we'll take that on notice.

Answer

I am advised checking party political memberships is not part of the DLO appointment process.