

## EXTRACTS FROM UNCORRECTED TRANSCRIPT

NSW government LEGISLATIVE COUNCIL  
PORTFOLIO COMMITTEE NO. 1 – PREMIER AND FINANCE  
Friday 30 August 2019

### Examination of proposed expenditure for the portfolio areas

**Minister Don Harwin:** SPECIAL MINISTER OF STATE, PUBLIC SERVICE AND EMPLOYEE RELATIONS, ABORIGINAL AFFAIRS, AND THE ARTS

#### **MEMBERS of committee:**

The Hon. Tara Moriarty (Chair) The Hon. Niall Blair The Hon. Robert Borsak (Deputy Chair) Ms Cate Faehrmann The Hon. Ben Franklin The Hon. Trevor Khan The Hon. Taylor Martin The Hon. Adam Searle The Hon. Walt Secord Mr David Shoebridge

#### **Witnesses:**

LISA HAVILAH, Chief Executive Officer, Museum of Applied Arts and Sciences  
KATE FOY, Deputy Secretary, Community and Engagement, Department of Premier and Cabinet  
TIM REARDON, Secretary, Department of Premier and Cabinet  
EMMA HOGAN, Public Service Commissioner  
ASON ARDLER, Head, Aboriginal Affairs, Department of Premier and Cabinet  
LOUISE HERRON, Chief Executive Officer, Sydney Opera House  
MAUD PAGE, Acting Director, Art Gallery of New South Wales  
PAULINE MCKENZIE, Executive Director, Heritage, Community and Engagement, Department of Premier and Cabinet

---

#### **Index to discussion: morning, with Don Harwin:**

##### **Pages (questioner in brackets)**

- 2-7 Regional cultural fund and decision process (Secord)
- 8-9 Powerhouse Museum design process and cost; also Sydney Modern (Borsak)**
- 10 Create NSW, Craig Limkin leaving; changes to government clusters and staff (Borsak)**
- 10–12 Aboriginal heritage (Shoebridge)
- 13–17 Public service employment (Searle)
- 18–20 OCHRE funding (Borsak)
- 20–22 Advertising with offensive content (Shoebridge)
- 22–24 Fair wages for those on visas; wage theft (Shoebridge, Searle)
- 23– Opera House, projection on sails (Secord)
- 24-25 Downgrading importance of heritage (Searle)**
- 25 Aboriginal health (Searle)
- 26 Cultural activity, value for money, arts applications, diverting funds (Secord)**
- 27-30 Arts and infrastructure; funding for museums, regions (Borsak)**
- 31 Artform Boards; new structure (Faehrman)**

---

#### **Index to discussion: afternoon, with witnesses**

##### **Pages (questioner in brackets)**

- 31-33 Responsibilities of Minister of State; and employee relations cluster (Searle)
- 33-40 Budget allocations for Aboriginal projects and needs (Searle, Borsak, Faehrman)
- 40-43 Public service staff numbers/savings/targets/cuts (Secord)

- 44 The Australian Museum, closure for renovation, and staff loss (Secord)**
- 43- 47 Current status of Powerhouse move; collection, management, design, Greater Sydney Commission planning controls (Secord, Shoebridge)**
- 47 – 49 Aboriginal land claims (Shoebridge)
- 49 – 50 Powerhouse Museum library, and collection; movement plans (Shoebridge)**
- 50 – 54 Government jobs in regional and rural NSW (Searle)
- 54 – 58 Powerhouse Museum cost of consultants; and decision about heritage status, and heritage delays (Borsak, Shoebridge)**
- 58 –60 Bullying claims; People Matter Employee Survey (Shoebridge)
- 60 –61 Powerhouse: attendance figures; exhibition program (Secord)**
- 61 – 62 Sculpture by the Sea; involvement of Premier and cabinet
- 62 Barangaroo, minister’s plans; and ‘Sydney as a global city’ idea including PHM in Parramatta; lyric theatre in Ultimo (Secord)**
- 62 – 64 Arts funding process, merging of clusters, staff responsibilities; 164 projects that applied and the 7 successful projects (Secord)
- 64 – 66 Theatres in Sydney, Walsh Bay, Parramatta; costs, delays, budget blowouts (Secord, Shoebridge)
- 66 – 68 Aboriginal Heritage Impact Permits (Shoebridge)
- 68 –71 Public servants working from home; flexible work policies (Searle)
- 70 –71 Aboriginal language programs (Searle)
- 71 – (additional info) for Sydney Modern and re-tendering process; Walsh Bay costs

---

**Extracts from minutes (listed in bold, above), with particular reference to museums and arts funding and Powerhouse Museum**

**Pages 8-9:**

The Hon. ROBERT BORSAK: Minister, getting back to the old chestnut of the Powerhouse Museum again—

The Hon. DON HARWIN: I am shocked—not.

The Hon. ROBERT BORSAK: Has the design project competition completed yet?

The Hon. DON HARWIN: No, it is not due to complete until towards the end of the year.

The Hon. ROBERT BORSAK: Towards the end of this year? Okay. How many designs and how many architects have actually come to the stage you are at now? In other words, where are you at with it? Are you down to one or two?

The Hon. DON HARWIN: Six. I have actually answered—in fact, in response to Government members in question time, I have twice answered questions about that, but I am very happy to go through it again if you would like. Yes? All right, I will go through it. The competition attracted 74 submissions made up of 529 individual firms from 20 countries across five continents. The six finalist teams are ALA from the United Kingdom and Architectus from Australia; Bernades Architecture from Brazil and Scale Architecture from Australia; BVN Architecture from Australia and Carlo Ratti Associati from Italy; CHROFI with Reko Rennie, both from Australia; Moreau Kusunoki from France and Genton from Australia; and Steven Holl Architects from the United States and Conrad Gargett from Australia. The shortlisted teams attended a site visit in June 2019 in preparation for stage two of the competition. A technical panel will review the entries and produce a report for the jury which will also review the entries and conduct interviews before selecting a winner. Announcement of the winning team and design, as I said, will be later this year. Let me see if I have anything more I can help you with. No, that is probably what you need to know.

The Hon. ROBERT BORSAK: Has there been any upgrade in the likely outlook of the cost of the project?

The Hon. DON HARWIN: No, within the budget envelope. But since we are still designing it you would not expect there to have been any change. But there of course has been no change.

The Hon. ROBERT BORSAK: Other projects, including the vertical Parramatta high school, Sydney Modern for the Art Gallery of New South Wales and Walsh Bay precincts, have all seen severe blowouts of costs. Do you agree with that?

The Hon. DON HARWIN: No.

The Hon. ROBERT BORSAK: You do not? Why is that?

The Hon. DON HARWIN: You are quite wrong about Sydney Modern.

The Hon. ROBERT BORSAK: Can you explain why? The Hon. DON HARWIN: There is no basis for saying that at all.

The Hon. ROBERT BORSAK: Can you explain why?

The Hon. DON HARWIN: I will shortly be able to, but I can tell you I am optimistic about that building being delivered on budget.

The Hon. ROBERT BORSAK: You just told me I am wrong, then you are saying you are optimistic. You must have some facts you are basing that on?

The Hon. DON HARWIN: The Government has been focused on getting a value-for-money outcome for the people of New South Wales, as well as the individuals who have donated money to the delivery of the project. A competitive tender process has been underway over recent months. We have received four bids from the market, which are currently in the process of being evaluated. We expect to award a contract to the preferred tenderer in the very near future, with construction commencing in 2019. We are confident of delivering a world-class, high-quality expansion of the Art Gallery of New South Wales within the budget set by the Government. That is what I am able to say right now.

The Hon. WALT SECORD: Four bids?

The Hon. DON HARWIN: Yes.

The Hon. WALT SECORD: Minister, now that you have four bids on the Sydney Modern—  
Mr DAVID SHOEBRIDGE: Heaven forbid.

The Hon. WALT SECORD: Did you in fact have to change the prospectus, the scoping of it to attract more bids?

The Hon. DON HARWIN: The Secretary of the Department of Premier and Cabinet [DPC] is best placed to give you that information.

Mr REARDON: When we initially went out last year, we received far less than four bids and that is the reason we are back into a re-tendering process right now. The scope of work is as it was. If there is any refinement it will be brought in by bidders if they wish to, as would be the normal process with a tendering process. Infrastructure NSW is running that process and, as the Minister pointed out, it has been out into market and we are looking to conclude that as soon as practicable.

The Hon. WALT SECORD: Has it changed the cost of the project?

Mr REARDON: The project and the preferred tenderer will be put to government shortly and they will announce that when they see fit.

The Hon. WALT SECORD: The Minister has denied that there is a blowout. If there has not been a blowout—

Mr REARDON: On the budget, the reason we have gone back to market is to ensure we get a competitive market and value for money for taxpayers on that project. Where we are up to in that process, as you would be well aware, with Infrastructure NSW we have been through business case stages, both strategic and final, we have been out to market late last year and, as I said, we re-tendered to ensure we receive value for money. We are just about to conclude that step and when we conclude that step on what is currently a confidential tendering process the Government will announce, when it sees fit, what the outcome of that tendering process is, including the time frame and the cost of that project.

Mr DAVID SHOEBRIDGE: What number is a lot less than four? You said a lot less than four, so there are not many options in terms of tenders—three, two, one or none. What is the number?

Mr REARDON: Can you clarify?

Mr DAVID SHOEBRIDGE: You said earlier when you first went to market there were a lot less than four tenders received. How many were received?

Mr REARDON: I understand there was—actually, I will take that on notice because I do not recall the actual number. I will take it on notice.

Mr DAVID SHOEBRIDGE: There are not many options: three, two, one or none.

The Hon. TAYLOR MARTIN: Yes, and he said he will take it on notice.

Mr REARDON: I will take it on notice.

Mr DAVID SHOEBRIDGE: Would you remember if there were none?

Mr REARDON: If I can come back to you—no, I would remember if there were none. But I will come back to you if I can, even during the hearing, with exactly what that number was.

Mr DAVID SHOEBRIDGE: Thank you, Mr Reardon.

Mr REARDON: Because when it comes to market testing, people can put forward that they will be involved in that market and at any stage during that process they may pull out. So I cannot remember how many actually put forward a response to a request for tender. I will take it on notice.

Mr DAVID SHOEBRIDGE: The question I have was not just how many put in a response; how many were still in it at the end of the tender process? Perhaps you could answer both those things if people pulled out. Mr REARDON: Again, I will take that on notice as well.

#### **Page 10:**

The Hon. ROBERT BORSAK: Minister, Craig Limkin has left his job at Create Infrastructure. He was formerly with the Cultural Infrastructure Program Management Office. Is there any connection between these cost blowouts and his departure?

The Hon. DON HARWIN: Staffing matters and decisions relating to the structure of Create are decisions that were within the purview of the secretary and the deputy secretary following the machinery of government [MOG] changes. I will invite the secretary to respond.

Mr REARDON: The Government's machinery of government changes following the election were quite significant. We have gone from 10 clusters across the New South Wales public service down to eight. Within the Premier and Cabinet cluster there have been quite significant changes. With the Special Minister of State coming into the cluster, we have now picked up Heritage, Create NSW and the Arts; we have picked up Employee Relations; and we have picked up a number of other areas, including Aboriginal Affairs. Exiting from the cluster has been the Natural Resources Commission, the Western City & Aerotropolis Authority, and the Independent Pricing and Regulatory Tribunal. We have abolished UrbanGrowth NSW and we have abolished the Barangaroo Delivery Authority. So there has been a lot of change across our cluster. To Create NSW, I have established with the Department of Premier and Cabinet a quite streamlined structure below me in deputies; a Deputy Secretary of Community Engagement was established where Create sits within that. To give you a feel for streamlining that we have undertaken, that deputy secretary is sitting across Heritage, across Aboriginal Affairs and a number of other areas where there were formerly deputy secretaries of Create NSW, formerly a Chief Executive of the Office of Environment and Heritage. There was formerly a Deputy Secretary of Employee Relations. None of those roles now exist. It has been streamlined down. Similarly, within Create NSW there has been a streamlining.

#### **Pages 24-25**

The Hon. ADAM SEARLE: You are the Minister responsible for the Heritage Act, I believe.

The Hon. DON HARWIN: Yes.

The Hon. ADAM SEARLE: But you are not styled as the Minister for heritage, are you? Is there some reason for that?

The Hon. DON HARWIN: Correct. Sorry?

The Hon. ADAM SEARLE: What is the reason for that? T

he Hon. DON HARWIN: You would have to ask the Premier. She was the one who made that decision.

The Hon. ADAM SEARLE: In the machinery of government changes, I think Mr Reardon was mentioning there used to be a Deputy Secretary for Heritage with the Office of Environment and Heritage, now Ms Foy has Heritage as a part of her portfolio. You have got Employee Relations, Heritage, Aboriginal Affairs. Does that not all indicate a downgrading of the importance of heritage within the Government of New South Wales?

The Hon. DON HARWIN: I think that is nonsense. I think the fact that it has been brought into the Premier's cluster indicates quite the reverse. As I said earlier in relation to I think a question from Mr David Shoebridge, probably the most important issue facing the Heritage portfolio right now is the issue of Aboriginal cultural heritage. I think it makes immense sense for it to be dealt with by the person who is also Minister for Aboriginal Affairs. Even though of course both offices—if I can put it that way—or agencies have been working together, I think it makes great sense for one Minister to be overseeing both Aboriginal Affairs and those reforms at the moment. Given that you have asked a specific question about the number of deputy secretaries and that staffing is a decision for the secretary of the department, I will ask Mr Reardon to comment.

Mr REARDON: The community engagement group does pick up all of the areas that sit with Special Minister of State, and the deputy secretary is accountable for those areas. We left them together because there are linkages and coordination across those areas. The same comment that the Minister made, heritage actually coming to the top table does have a lot of linkage and it is already working that way with Aboriginal Affairs that we are finding that the conversations and the efficiency and effectiveness of them coming together is proving fruitful, in terms of what they can focus on in public service terms. The former Office of Environment and Heritage, just to correct you, had a chief executive and that person is no longer in that role and that role does not exist. Ms Foy's role has picked up the bringing together of a range of areas and we have streamlined them so we do not have as many deputy secretaries and that chief executive. There are probably around three or four of those leadership roles we have not needed any more. We wanted a single line of accountability to me as secretary for that deputy secretary. We have specifically called it "community engagement" because that is what we think it does across Heritage, Aboriginal cultural heritage, Aboriginal Affairs, the Arts, and Create NSW. As I said, that is working well. We think there are massive opportunities in how they can do their work together, but they are in the same place at the same time and they can resolve matters as they go. That is what we have done.

The Hon. ADAM SEARLE: Minister, how many heritage groups have you met with this year in the first three months of your tenure as Minister?

The Hon. DON HARWIN: I actually went to I think it was an important annual occasion for the National Trust, at which I met a very large number of people associated with heritage.

The Hon. ADAM SEARLE: But your ministerial diary disclosure does not indicate that you have met with any heritage groups this year.

The Hon. DON HARWIN: No, beyond that I think that would probably be correct.

The Hon. ADAM SEARLE: Is it because none of them sought a meeting with you?

The Hon. DON HARWIN: I think that is right. I do not recall. I could stand corrected if my office—

The Hon. ADAM SEARLE: Could you check; take it on notice?

The Hon. DON HARWIN: I am happy to but I do not recall receiving any invitations to meet. But if you have another question I am happy to take it.

**Page 26:**

The Hon. WALT SECORD: Minister, I would like to return to the Arts portfolio. You would be familiar with the recent discussion in the public arena about value for dollar for cultural activity attracted to New South Wales and the recent comments about the Yoko Ono exhibition at the Museum of Contemporary Art [MCA]. Yesterday Treasury said it was doing a review of Destination NSW and Create NSW and attractions in New South Wales. Do you think we get value for—

The Hon. DON HARWIN: Did they in fact say Create NSW or did they say Destination NSW?

The Hon. WALT SECORD: I could stand corrected but they were talking about reviewing cultural activity being attracted into New South Wales. Do you feel that we are getting value for money? The

Hon. DON HARWIN: Value for money from what?

The Hon. WALT SECORD: From the attraction of cultural activity to New South Wales. You stand up in Parliament quite often to talk about how we are bringing shows to New South Wales and how we are bringing events. Do you think we get value for money?

The Hon. DON HARWIN: You are really asking me for an opinion again, Walt.

The Hon. WALT SECORD: No, I am asking you to defend your Government's policy on pursuing and attracting events. Do you think that in fact you get value for money?

The Hon. DON HARWIN: I know for a fact that there is a number of events that take place in the State of New South Wales where the support of Destination NSW is very important. I will continue support events that seek funding from Destination NSW under its rules and guidelines because I think it does help. Whatever support can be given each year in the budget to Destination NSW, according to what the taxpayer can afford, is quite critical. There is no doubt that a number of the arts events that Destination NSW has supported have been excellent value for New South Wales in terms of the visitors that they have brought in.

The Hon. WALT SECORD: How much did New South Wales contribute to the Yoko Ono exhibition?

The Hon. DON HARWIN: That is question you should be asking Minister Ayres.

The Hon. WALT SECORD: It was at the MCA. You must have had input into the decision?

The Hon. DON HARWIN: No, I do not have any. That was a matter for Minister Ayres as the Minister responsible for Destination NSW or, in the case of Yoko Ono, probably his predecessor, and in particular for the board of Destination NSW to make. They are commercial agreements and they do not get referred to me.

The Hon. WALT SECORD: In the latest rounds of the arts and cultural grants, how many applications were received?

The Hon. DON HARWIN: I am sorry, you will need to be more specific than that.

The Hon. WALT SECORD: There were 164 applications, seven of which were successful. That is a 4.6 per cent success rate. Do you think that is— T

he Hon. DON HARWIN: I accept that—

The Hon. WALT SECORD: You know what I am referring to, Minister.

The Hon. DON HARWIN: Actually I do not. Up until this point the Arts and Cultural Development Program has been a complex program with 14 sub-programs. You need to tell me which sub-program you are talking about.

The Hon. WALT SECORD: How about round two, where 162 applications were lodged, valued at \$6.2 million, and only seven applications were awarded? You know that is a fact because arts organisations spoke about it yesterday and this morning. Do not pretend that you do not know about this.

The Hon. DON HARWIN: You are talking about the Michaela Boland story. Are we right?

The Hon. WALT SECORD: No, she quoted— The Hon. DON HARWIN: Wrong again.

The Hon. WALT SECORD: Educate me, Minister. The success rate 4.6 per cent.

The Hon. DON HARWIN: There was never supposed to be a second round of the arts and cultural section of funding—which I think is what you are talking about, the second round for 2018-19. It was only a relatively small round. There was \$377,000 or just slightly over that. Is that the one you were referring to?

The Hon. WALT SECORD: Sorry, I was reading my documents. What was that?

The Hon. DON HARWIN: Was it round two of the arts and cultural projects for 2018-19? The Hon. WALT SECORD: Yes.

The Hon. DON HARWIN: It was not planned originally to have that round. But as Ms Boland canvassed this morning in the media and you have canvassed previously in the House, a second round was inserted when the Sydney Symphony Orchestra returned their money.

The Hon. WALT SECORD: Oh, that one. The one where you interfered in the process.

The Hon. DON HARWIN: The \$337,000 reflected the amount that was diverted from arts and cultural projects in 2017. The CHAIR: We are going into the crossbench time

The Hon. WALT SECORD: Who diverted that funding?

The Hon. DON HARWIN: I think your time has expired.

The Hon. WALT SECORD: Who diverted that funding? I think it was you.

**Pages 27-30:**

The Hon. ROBERT BORSAK: Minister, how many museum organisations are directly funded by the \$56 million distributed through Create NSW?

The Hon. DON HARWIN: I apologise, Robert, I just did not hear you.

The Hon. ROBERT BORSAK: Minister, how many museum organisations are directly funded by the \$56 million distributed through the Create NSW Arts and Cultural Funding Program?

The Hon. DON HARWIN: I would have to take that question on notice in the interests of time. I could probably go through it and give it to you now but it is probably best that I give it to you on notice.

The Hon. ROBERT BORSAK: That is okay, you can take that on notice. What percentage of the \$56 million in grants goes directly to museums, as opposed to the devolved funding?

The Hon. DON HARWIN: The devolved funding goes to Museums and Galleries NSW. There is a program there and there is an amount that goes to Museums and Galleries NSW.

The Hon. ROBERT BORSAK: Yes, \$1.195 million.

The Hon. DON HARWIN: Yes, it is most of its funding because it is effectively a devolved organisation that manages our interface with regional museums and regional art galleries. Beyond that, in terms of direct funding to regional galleries and regional museums, I will take the question on notice. There are quite a few.

The Hon. ROBERT BORSAK: I would like to see that. How much of that funding is available for grants to directly assist volunteer-managed museums in regional New South Wales?

The Hon. DON HARWIN: The answer is probably not enough. One of the beauties of the Regional Cultural Fund was that it gave a lot of support to volunteer-run museums and a lot of good work was done in those museums during the operation of that fund. I visited quite a few of them, including an excellent one in Lockhart. It was very good. There were lots of others that benefitted but I will not take up more time.

The Hon. ROBERT BORSAK: I am informed that it was about \$85,000 in the past 12 months.

The Hon. DON HARWIN: To volunteer-assisted museums?

The Hon. ROBERT BORSAK: Yes.

The Hon. DON HARWIN: That may well be right but we will check it and give you the answer on notice.

The Hon. ROBERT BORSAK: That is less than 6 per cent. When was the last time the funding was increased to those museums?

The Hon. DON HARWIN: To volunteer-assisted museums? I will take that on notice and get back to you.

The Hon. ROBERT BORSAK: During the museum inquiry we heard evidence that the devolved grants to volunteer-museums were on average less than \$2,000 and that if the available funds were distributed across the volunteer-managed museum sector it would equate to about \$280 per museum. Do you think that is fair, given the amount of money that gets spent in Sydney?

The Hon. DON HARWIN: Personally I am a strong believer in the importance of us doing what we can to support regional museums, including volunteer-run museums. When I set up the Artform Advisory Boards, one of the reasons I decided to have the Museums and History Board was that I wanted a group of advisers who could bring more focus to this particular area, look at its need and advise me on how we can do it better. I would agree with you that we can do it better.

The Hon. ROBERT BORSAK: That is good to hear, but has the Government increased funding to volunteer-managed community museums?

The Hon. DON HARWIN: I thought you just asked me that before and I agreed to take the question on notice. But if you didn't, then I am happy to take it on notice. But the key point is what I said about the Regional Cultural Fund. Just to make sure you have all of the relevant information, we will also include details about the grants that we gave to regional museums and volunteer-assisted museums under that program.

The Hon. ROBERT BORSAK: Just to keep talking about regional museums—that is obviously no surprise to you—what is the funding for regional cultural infrastructure?

The Hon. DON HARWIN: In what period? Do you want to be more specific about that?

The Hon. ROBERT BORSAK: I am talking specifically about museums: cultural infrastructure funding for volunteer-based museums. Does the Government actually assist in that?

The Hon. DON HARWIN: Yes. The \$100 million Regional Cultural Fund was available for regional museums and volunteer-assisted museums.

The Hon. ROBERT BORSAK: I am specifically talking about infrastructure assistance.

The Hon. DON HARWIN: Yes.

The Hon. ROBERT BORSAK: You can take it on notice if you do not know.

The Hon. DON HARWIN: I think I will take that on notice. I know we make a lot of money available for recurrent purposes to regional museums, but I just have to check in terms of capital.

The Hon. ROBERT BORSAK: My understanding is it is nil. You might contradict me on that and I would be happy to hear that.

The Hon. DON HARWIN: I will double-check it but I suspect you are right.

The Hon. ROBERT BORSAK: If that is the case, why would there not be any cultural infrastructure assistance in the last budget for regional museums? Why does it not have a priority?

The Hon. DON HARWIN: It is not broken down between museums and galleries. But in round one 22 museums and galleries were funded and in round two 18 museums and galleries were funded under the Regional Cultural Fund.

The Hon. ROBERT BORSAK: But that is recurring funding? T

The Hon. DON HARWIN: No, the Regional Cultural Fund was for infrastructure. So that is 40 in total that were funded.

The Hon. ROBERT BORSAK: Can you give me, on notice, a list of all the organisations that got funding for infrastructure, please, in the regions?

The Hon. DON HARWIN: Certainly. You asked a question about why there is no infrastructure fund. The fact is for a long period of time there has not been infrastructure funding. But there is a structural reason why that is, and that is because the capital works program of the Government in the budget can only be spent on assets that the State Government own. Therefore, it has to come through the recurrent budget in the form of a grant. The Arts and Cultural Development Program [ACDP] that I inherited did not have a capital program for regional infrastructure, simply because the Regional Cultural Fund was in place. There was Creative Capital, which was available to museums—well, to all arts organisations that were not eligible for Regional Cultural Fund funding. But the fact is that now, under the new guidelines that are in place for the Arts and Cultural Development Program, my recollection is that there is no impediment to a regional museum asking for a small infrastructure grant. If I am not correct, obviously I will come back to you with a supplementary answer. But my understanding is in terms of the changes that we made to the ACDP, we were determined actually to deal with some of the problems that were in the old system. So we decided that we would scrap the 14 sub-programs and bring it down just two: one which was for Aboriginal arts and one which was just general funding. In fact, from recollection, there has even been media criticism that we took that decision from one particular individual who is often quoted in the newspapers. But the reality is now under the ACDP regional museums would be able to apply for small grants for infrastructure purposes.

Ms CATE FAEHRMANN: Minister, say I am a tourist coming to Sydney for a few days and want to have an experience of Aboriginal culture and art within the Sydney CBD. Where would I go? What would I do?

The Hon. DON HARWIN: Very good question and one that is uppermost in my mind. You would be quite aware that, in fact, there has been in the Cultural Infrastructure Strategy that was prepared by Infrastructure NSW—

Ms CATE FAEHRMANN: This one? I have got it.

The Hon. DON HARWIN: No, that is the Cultural Infrastructure Plan. That is our response to the Cultural Infrastructure Strategy. I was going to go back to the strategy but we will—

Ms CATE FAEHRMANN: Maybe go straight to the plan.

The Hon. DON HARWIN: But we will just go straight to the fact that we have identified that we do not have in this city—despite the fact that it is the first point of contact between Aboriginal Australians and colonising Europeans—an adequate telling of our story here in Sydney. It was identified in the Infrastructure NSW strategy as a gap. It is identified in the Cultural Infrastructure Plan as a gap. Any number of times the Government has been told that through visitor surveys. People who visit Sydney want to experience more about Aboriginal Australians.

Ms CATE FAEHRMANN: So what is your plan?

The Hon. DON HARWIN: The good news is that we are doubling the size of the art gallery—that is the first—and there is going to be a significantly expanded area in Sydney Modern where Aboriginal art is on display. The second good news is there is work being done on the Australian Museum, which will basically transform an area which is currently storage to basically increase the floor space of exhibitions. As a result, there will be more First Nations content in the Australian Museum, which, it is acknowledged, has a fantastic collection. I know that Ms Havilah is looking very closely at how we can increase the focus on Aboriginal applied arts and sciences in the new museum. I could ask Ms Herron to go through all her very expensive Indigenous programs, if you would like.

Ms CATE FAEHRMANN: Can I ask a question—

The Hon. DON HARWIN: But Ms Herron and the Opera House, with Rhoda Roberts, who has got Aboriginal programming, is doing a spectacular job.

Ms CATE FAEHRMANN: Has the Minister had any approaches from within the Indigenous community for a separate cultural centre within the Sydney CBD? Was there anything considered, for example, at Barangaroo? Will the Government consider something that is run and managed by the community?

The Hon. DON HARWIN: Actually I do not recall anyone directly approaching me since I became the arts Minister. I will check that. But the issue of the Cutaway was looked at before I became arts Minister some time ago by, I guess, the Barangaroo Delivery Authority [BDA]. Since its opening in 2015, yes, it has been used as a multipurpose arts, cultural and events venue, but frankly it is not used as much as it could. The BDA certainly preserved the internal space within the recreated headland for future civic or cultural use. With the central Barangaroo development in its final phase, it is certainly timely to investigate options for its future use as a permanent cultural destination and an opportunity to strengthen Barangaroo's reputation as a new, world-class cultural destination.

Ms CATE FAEHRMANN: Minister, if I may, going back to separate cultural infrastructure, which is critical—

The Hon. DON HARWIN: Yes, and I was just going to say that Hetti Perkins and other Aboriginal cultural leaders specifically looked at the option of having the Cutaway as an Aboriginal cultural centre and rejected it and did not want it. So that is not what I am looking at.

Ms CATE FAEHRMANN: What were the reasons for the rejection?

The Hon. DON HARWIN: Because it is underground and culturally they felt that that was inappropriate.

Ms CATE FAEHRMANN: Well, there you go.

The Hon. DON HARWIN: But I support their aspirations to have an Aboriginal cultural centre and am actively looking for opportunities to do so.

Ms CATE FAEHRMANN: So the cultural infrastructure plan here would have been, you would have thought, the ideal place to signal that you are committed to a separate cultural centre for Aboriginal

or Torres Strait Islander peoples—First Nation peoples—in the Sydney CBD, but there is nothing here.

The Hon. DON HARWIN: A separate what facility?

Ms CATE FAEHRMANN: A cultural facility, a cultural hub, a cultural centre where they can tell their stories, they can tell the stories of occupation of colonialism—anything. They do not have that. It is not just about art. It is not just about a museum. It is their storytelling now. I have had people come to me and say this should be a world-class city. Sydney should be telling the story of its Aboriginal peoples—First Nations peoples—for tourists. And we do not have anything. Do not you think that is a massive, glaring omission?

The Hon. DON HARWIN: Yes, I do. And that is why I am working on it.

Ms CATE FAEHRMANN: But the plan—this is the plan. I have it in front of me and there is nothing tangible.

The Hon. DON HARWIN: That might be the cultural infrastructure plan that was produced by Create NSW, but it certainly does talk about the fact that we need—

Ms CATE FAEHRMANN: This goes to 2025, and doesn't it lay out all of the Government's priorities?

The Hon. DON HARWIN: I beg your pardon?

Ms CATE FAEHRMANN: Does this lay out all of the Government's priorities in terms of cultural infrastructure spend?

The Hon. DON HARWIN: Not necessarily, no. Not necessarily.

Ms CATE FAEHRMANN: So you are saying that there could be or there is commitment from you to look at—and again, it is not just more art space?

The Hon. DON HARWIN: I do not have the document in front of me. I cannot comment on what is in the document. I do not remember what it actually says. But I am telling you, in terms of my priorities as the Minister, it is an important consideration for me and I am actively looking at what I can do to respond to that need and what I can do to do a better job of making sure there is, first of all, a national keeping place here in Sydney, an Aboriginal cultural centre and a place where we tell the story of Australia in a museum. I am actively looking at options for all of those things right now.

Ms CATE FAEHRMANN: Okay. That is exciting—

The Hon. DON HARWIN: I am committed to doing it.

The Hon. BEN FRANKLIN: It is good. It is exciting.

Ms CATE FAEHRMANN: —and should be viewed as a strong commitment for those communities who have been asking for something.

The Hon. NIALL BLAIR: He is very passionate about this.

**Page 31:**

Ms CATE FAEHRMANN: Minister, in relation to the Artform Advisory Boards—

The Hon. NIALL BLAIR: Are you going to ask another one of my questions?

Ms CATE FAEHRMANN: I do not think it is going to be the same as what you asked, Mr Blair. How were the boards determined—the composition?

The Hon. DON HARWIN: The composition of the boards? The Artform boards were determined by assessing the rate of applications across the Artforms in previous funding rounds and modelled expected increases in application numbers enabled by the reform guidelines.

Ms CATE FAEHRMANN: Yes, but this is the composition of the boards themselves.

The Hon. DON HARWIN: Basically, there was an expression-of-interest process. But it was all made quite clear. I actually have made this clear in the House, I think, on more than one occasion in questions that I was asked. So I suggest you have a look at it. Basically, the chairs of each of the committees were selected by me. I made it quite clear from the beginning that they would be selected by me. They would be selected by me on, basically, their affinity for the arts and their capacity to chair a committee. Then I went to our six State cultural institutions and our State significant organisations. Plus I also went to our major performing arts groups, who are highly funded by the Commonwealth and State governments, and asked them to provide a few sector

leaders who would also provide value on each of those committees. Then the balance of the committees, the great bulk of the 80 or so people serving, were people who emerged from an open expression-of-interest process.

Ms CATE FAEHRMANN: And you approved all of the members? Just one last final question on that.

The Hon. DON HARWIN: So I discussed the composition of each of the Artform Advisory Boards with, first of all, Grainne Brunsdon from Create NSW—a very senior staff member who I think actually was the acting executive director of Create NSW at the time. Ms FOY: At the time, yes. She was. The Hon. DON HARWIN: And I drew upon her expertise and knowledge of the sector and had a collaborative process with her. And then when we had come up with a draft list, I consulted the people that I was nominated as the chairs of the Artform Advisory Boards as to what they thought of the proposed list. In some cases, I made small adjustments. To be fair, in terms of the Aboriginal Artform advisory board the chair, Wesley Enoch, actually had a very large say, which I thought was appropriate, in who went on that committee. In fact, I basically showed him the list of people who had expressed interest and he thought we needed a few more people, so we approached some other people as well who had not expressed interest. But that was basically the process. Frankly, I am delighted with the response from the sector. It has been very positive, and not even Esther Anatolitis had anything negative to say. Esther and I have perestroika and glasnost at the moment, since we both went to her chairman's wedding recently.

The Hon. WALT SECORD: She is relentless.

#### **Afternoon session with witnesses:**

##### **Pages 43-47:**

The Hon. WALT SECORD: Ms Havilah, I want to ask you a few things about the Powerhouse Museum. How is the locomotive move going? Has how you are going to move the locomotive from the Powerhouse been finalised?

Ms HAVILAH: Currently the museum team is working on developing a strategy in partnership with regional galleries and museums across New South Wales to look at how we can give increased access to our incredible collection during the period that we are closed. We are in the process of doing that but it is not finalised as yet.

The Hon. WALT SECORD: So you are going to take parts of the museum to regional galleries around New South Wales?

Ms HAVILAH: That is the plan, yes.

The Hon. WALT SECORD: Back to the locomotive—the one you see when you walk into the Powerhouse. Has a plan been put in place to move that? Has that been finalised?

Ms HAVILAH: As part of the business case that went to government, work was done that outlined and budgeted for the move of Locomotive No. 1. There has been no further work done at this stage.

The Hon. WALT SECORD: Have there been any changes to the plans for the exhibition space at the new Powerhouse in Parramatta?

Ms HAVILAH: The museum is currently working in partnership with Create Infrastructure and Infrastructure NSW to prepare for the outcome of the architectural competition so we can get ready to work with the architect that is awarded the competition.

The Hon. WALT SECORD: Have there been plans for larger exhibition spaces at the new museum?

Ms HAVILAH: The commitment of Government is for 15,000 square metres of exhibition space and that is what we are planning to deliver.

The Hon. WALT SECORD: Are you working on a plan to have a larger exhibition space?

Mr REARDON: The point is that there is a spec that has been put together to go to the design competition. We are asking six architectural designers to come in and assist us with that. I imagine their innovation will bring a whole range of things to the table.

The Hon. WALT SECORD: I am asking Ms Havilah if she is working on any alternative plans or other plans to increase the exhibition space at the museum.

Ms FOY: I think the commitments of the Government and that the Premier has made in recent years continue to stand. The design process and the design competition absolutely restates that commitment. The way that the space is organised—we want to get the best out of our architects. I think the Minister read today the six architectural firms that are involved in it. We absolutely want them to bring the best of their thinking to the way we construct the Powerhouse and design the Powerhouse. Ms Havilah's job is to make sure that we have got a world-class museum of applied arts and sciences in Parramatta, and that is exactly what she is striving at the moment, with the support of Infrastructure NSW as our delivery partner.

**Page 44:**

The Hon. WALT SECORD: Mr Reardon, who do I put the questions to if I want to ask a question about the Australian Museum?

Mr REARDON: It depends on the aspect of it, but you can start with me.

The Hon. WALT SECORD: What happens to the staff that are employed at the museum while it is closed?

Mr REARDON: With all of the cultural institutions that are having significant upgrades under the Cultural Infrastructure Plan, each one of them has to go through a whole range of things. They have to go through their business continuity plan, without a doubt. As cultural institutions, they have to go through a fairly significant build—and they are all doing that, and they are all doing a good job about doing that. They will have to move collections and they all have to think about what they do with their employees. If you get into the very specifics of the Australian Museum and what they are specifically doing, I will take it on notice. But each one of the cultural institutions has been working with the deputy secretary on what their processes are for their people, because clearly there will be disruption to both customers and people as we go through a year of close-down in any one of the cultural institutions. People will be dealt with as we would normally do in the public service: with dignity and respect in how we deal with conversations with them about that period of disruption.

The Hon. WALT SECORD: Can you take it on notice and come back to me?

Mr REARDON: I will take it on notice.

Ms FOY: I am happy to pick up the details. I think this is one of the great things about having our cultural institutions as part of Premier and Cabinet. If I could just outline Project Discover, a \$50 million refurbishment of Australian Museum: enormous, great, new spaces to exhibit will be ready for the opening of the King Tut exhibition. So we are really excited. I know that the museum has been working closely with the Museum of Applied Arts and Sciences [MAAS]—the Powerhouse—so we can have the photographic exhibition shown while they are in a period of closure. So I think congratulations to the two CEOs for working so well together. If I can go specifically to your question about the staff during the closure period, the temporary closure for that year—which I think started a couple of weeks ago—will not result in job losses for ongoing or temporary staff. Ten staff involved in—

The Hon. WALT SECORD: So the casuals are okay?

Ms FOY: Let me get to that. Ten staff involved in visitor service, programming and retail activities will be directly impacted; and 24 staff involved in education, exhibitions, visitor experience, marketing and membership teams will have minor changes to their current duties. The managers are working and will continue to work with any affected team members to determine what it means for individuals. Affected staff will be temporarily allocated work during the period of closure, and this could include reassignments to temporary duties within both the museum or a secondment to other government agencies. I know that is something that the chief executive and I frequently talk about. Certainly the aim for the chief executive is to ensure those activities are substantial, they are meaningful and they are aligned with people's skills, capabilities and interests. Approximately 81 casual staff working in frontline activities will be affected. While contracts for casual staff will not be

terminated, we anticipate there will be very limited opportunities for work during the closure. If other opportunities arise for casual staff during the closure, the museum will distribute expressions of interest to casual staff to other cultural institutions in the arts and culture sector. Certainly the museum has consulted with the Employee Relations people in our cluster and the Public Service Association has been consulted through the process.

Mr REARDON: That is one of the benefits of bringing it all together, I reckon: You engage a bit better. The cultural institutions can all communicate with Ms Foy about any movements.

**Pages 43-47:**

Mr DAVID SHOEBRIDGE: Mr Reardon, was your department or, more specifically, the Powerhouse contacted by the Government at the time that they instructed the Greater Sydney Commission to review the planning controls in Pymont?

Mr REARDON: I will have to take it on notice. I do not know the answer to that.

Mr DAVID SHOEBRIDGE: Ms Havilah, have you been consulted about the Greater Sydney Commission review of planning controls in Pymont?

Ms HAVILAH: Not to my knowledge. I have not been contacted, no.

Mr DAVID SHOEBRIDGE: You are aware there is now less than five weeks in which to put a submission in and be heard in relation to the review of the planning controls for the Pymont area, which also includes the Powerhouse?

Ms FOY: We might need to take that on notice, Mr Shoebridge. We have got a lot of people that work on the Powerhouse project supporting Ms Havilah and Create. I am very happy to find out if there has been some consultation.

Mr DAVID SHOEBRIDGE: Would you expect your institution, which currently sits smack in the middle of that review area, to be given some advance notice or consultation before there was a planning review done for the precinct?

Mr REARDON: Sorry, Mr Shoebridge. I will take it now. To the specifics: The Greater Sydney Commission has been given a reference to get on and do that review, as you pointed out. The Greater Sydney Commission prides itself on being a very effective stakeholder and consultation lead and does a very good job across the Sydney regional plan that it has put out and in the three cities. Within that area they will consult with all key stakeholders. I will take on notice whether they have approached the Museum of Applied Arts and Sciences and determine whether that has occurred and we will come back to you, because it would not be their style to not do that.

Mr DAVID SHOEBRIDGE: Mr Reardon, for your Government's business case to stack up you need the Greater Sydney Commission to review the planning controls so you can get your 68-storey super-towers done, do you not?

Mr REARDON: Which business case do you mean?

Mr DAVID SHOEBRIDGE: The business case that your department is currently working through for the Ultimo site.

Mr REARDON: You will need to be more specific. We have a lot of business cases on foot, including in that part of the world.

Mr DAVID SHOEBRIDGE: I do not mean to be ambiguous about this. We heard yesterday that the Government is going through and working out its extended business case expressly about the Ultimo site for the Powerhouse.

Mr REARDON: Sorry, in relation to the Powerhouse? My apologies.

Mr DAVID SHOEBRIDGE: If there was any ambiguity about this being about the Powerhouse site, then let me be very clear: the extended business case that your Government is working through now for the Ultimo site that requires significant rezoning so you can get the yield to get the money. That one.

Mr REARDON: Do you want to talk about the business case?

Ms FOY: Yes, sure. The Powerhouse project has a couple of components to it. It has got Parramatta, which Ms Havilah is largely accountable for the design and the operation of it, with the delivery from

Infrastructure NSW. It has a collections museum at Castle Hill. We have got the move of all of the artefacts from the museum and we have the Ultimo site. Create NSW is responsible for the business case for the Ultimo site and that is the work that we are doing at the moment. As with any business case, it goes through the proper processes.

Mr DAVID SHOEBRIDGE: You say—that is highly contested.

Mr REARDON: I would not mind responding to that, Mr Shoebridge.

Mr DAVID SHOEBRIDGE: I am asking you about whether or not the planning review will be completed. Let me be clear. Will the planning review—which is done in five weeks—be completed before the business case is released?

Mr REARDON: I do not know, but I would not mind addressing the comment you made about being a highly contentious and extended business case. There is a business case for the MAAS project in Ultimo, so thank you for clarifying that. There are other business cases in that part of the world, which is why I asked the question. But any contention that that is not done appropriately—I would be happy to take any comment, because the Powerhouse itself has to work with Create Infrastructure and then through Infrastructure NSW to do these things. The Powerhouse Museum business cases themselves, as you would be aware, have already been done. It is not an extended business case; it is simply a business case for this new site, and it will be done in accordance with other business cases that Create NSW and Create Infrastructure have to do and then hand off to Infrastructure NSW to build.

Mr DAVID SHOEBRIDGE: Is it true that the Government is looking to trash the existing planning controls for Ultimo to allow for substantially increased yields on the Ultimo site, which the Powerhouse currently occupies? Is that being considered in the business case that is being done for the Ultimo site?

Mr REARDON: Mr Shoebridge, I believe I understand the question you are asking me which is, is the Greater Sydney Commission's terms of reference—which I have not sighted—in terms of its review going to mean that there is some outcome for the Powerhouse? I do not have information on that. I think I am happy to take it on notice, but I have not seen the review's terms of reference and I also have not been involved in the business case. Ms Foy, I do not know if you want to make any comment about where it is up to.

Ms FOY: The business case is underway at the moment. The principles of the business case are consistent with those that have been discussed for some time now. So it is looking at what are the uses available on the site. As with any business case, we have to sound out the market. We have to understand what the current market conditions are. We are doing that in a number of ways, but we are also looking at uses of the site to involve cultural activities, whether that is a theatre or whether that is other kinds of cultural activities. That is underway. We are working very hard to get it done and then it will be presented to Government for consideration.

Mr REARDON: We will come back to you on your specific question about the timing of those two as well.

Mr DAVID SHOEBRIDGE: Is residential development any part of the business case, consideration of residential development on the site?

Ms FOY: As with a business case, when you are talking to a market you look at a range of options, a range of uses on the site.

Mr DAVID SHOEBRIDGE: But I am asking you about a very specific one. So I am not asking you about the range.

Ms FOY: Let me get back to you on what is specifically there. But there is—

Mr DAVID SHOEBRIDGE: You would be aware of something as simple as that.

The Hon. TREVOR KHAN: Point of order—

Mr DAVID SHOEBRIDGE: Is residential part of the business case?

Ms FOY: A range of uses was—

The CHAIR: I will take the point of order.

The Hon. TREVOR KHAN: Point of order: The witness is seeking to answer and, as is not uncommon with Mr Shoebridge, he has a tendency to jump down the throat of the witness before the answer has been delivered. I would ask that he be encouraged to restrain his enthusiasm, before I put it any stronger than that.

The CHAIR: I do not uphold the point of order.

The Hon. WALT SECORD: Come on, Chair. I think he has a point.

Mr DAVID SHOEBRIDGE: Make your own point of order, Walt.

The Hon. TREVOR KHAN: We will get there eventually, David.

The CHAIR: The question is allowed and we will get back to the answer.

The Hon. TREVOR KHAN: There is a requirement for a degree of civility, David.

Mr DAVID SHOEBRIDGE: Ms Foy, it is a simple question. I am not asking you about the 50 different options that you considering. I am just asking you about this one. Is residential development part of the options considered for the business case?

Ms FOY: I am happy to come back to you on the details of what has been considered, but a range of options would be considered. We have to take account of the current planning controls when we look at options, which has been done. If there are future planning controls, we would look at that.

Mr DAVID SHOEBRIDGE: Is the business case looking at the potential to change the planning controls in order to get greater yield?

Ms FOY: Again, I would have to take that. I am not sure I understand your question, to be perfectly honest. Could you rephrase that for me?

Mr DAVID SHOEBRIDGE: I will be very clear. Is part of the business case the consideration of amending the planning controls so as you could get development that would give great financial returns to the Government on the same land?

Ms FOY: I would be coming at it from the other point of view, which is as part of the business case we would undertake a market sounding. I am sure the market will come back to us and talk about the range of options that would be available to them under the current or other planning controls.

Mr DAVID SHOEBRIDGE: That is what I am asking you about—changes to the planning controls, not about market testing the current development yield you would get with the current planning controls.

Ms FOY: I see.

Mr DAVID SHOEBRIDGE: I am asking you about whether or not the business case is considering changing the planning controls so the options broaden and the potential financial returns increase.

Ms FOY: I feel as though I have answered the question, but perhaps the secretary might want to answer it in a different way.

Mr REARDON: I do not think we have any more to add on that.

**Pages 49-50:**

Mr DAVID SHOEBRIDGE: Who amongst the witnesses here is responsible for the Ultimo site and the storage of artefacts in the interim between now and the establishment of the Parramatta site? Ms HAVILAH: I am.

Ms HAVILAH: I am.

Mr DAVID SHOEBRIDGE: Ms Havilah, there have been some suggestions that MAAS is lowering its environmental standards for the storage of large objects so they can go into various sheds with no climate or dust controls during the transition phase—once Ultimo is shut down but before Parramatta is opened. Are those concerns valid?

Ms HAVILAH: We take the care of the 500,000 objects under our control incredibly seriously. We have a total of 338,000 objects that we have care and control of at the Ultimo site. We are working through a plan to relocate those objects to Ultimo, and we are also working through a plan— Mr DAVID SHOEBRIDGE: Relocate them from Ultimo or to Ultimo?

Ms HAVILAH: From Ultimo to the Museums Discovery Centre in Castle Hill. We are also working through a plan from 2021 and 2022 to partner with regional galleries and museums across New South Wales to give increased access to the collection across the State. We would never put any of

the objects under our care and control into jeopardy and put them into conditions that would in any way compromise them.

Mr DAVID SHOEBRIDGE: But, Ms Havilah, my question was really specific. I would appreciate you addressing the specific question. Is MAAS lowering its environmental standards for large objects? Ms HAVILAH: No.

Mr DAVID SHOEBRIDGE: Is MAAS asking volunteer-managed museums to house objects in the meantime to save storage costs?

Ms HAVILAH: No.

Mr DAVID SHOEBRIDGE: Did the business case budget for the storage of the museum's large objects once they have been removed from the Powerhouse Museum site in Ultimo?

Ms HAVILAH: I will have to take that on notice and go back to the business case to get the exact details on how that is budgeted, but I believe there are allowances for the appropriate storage of our collection.

Mr DAVID SHOEBRIDGE: Is it true that there is a proposal to disband the Powerhouse Museum's research library?

Ms HAVILAH: No, that is not true.

Mr DAVID SHOEBRIDGE: Will the library remain open and accessible to curators and researchers at Ultimo?

Ms HAVILAH: It will, until the closure in June 2021.

Mr DAVID SHOEBRIDGE: Will it then be open at Parramatta?

Ms HAVILAH: It will, as part of the opening of the new Powerhouse Precinct at Parramatta. Mr

DAVID SHOEBRIDGE: With the same access and the same resources that it has at Ultimo?

Ms HAVILAH: Absolutely. With the incredible investment that has been made into Parramatta, there will be enhanced access to the collection, to the archives and to the library.

#### **Pages 54-58:**

The Hon. ROBERT BORSAK: When will the nomination of the Powerhouse Museum for State heritage listing be considered by the Heritage Council of NSW? Who is that one?

Ms FOY: It is probably a couple of us. I will have to ask my colleague Ms McKenzie to talk about the details but the Heritage Council does consider a range of applications for State heritage listing. With respect to the details of the Powerhouse Museum, I can—

The Hon. ROBERT BORSAK: We will get a question for the Opera House in a minute—I will think of one. There was a good one about pictures on the sails.

Ms MCKENZIE: In relation to the heritage listing we have received a nomination for the Powerhouse site in Ultimo and we are working with Create NSW and the Museum of Applied Arts and Sciences to consider that listing along with the plans that they have around the move. The process for listing involves the nomination, the research of the heritage significance of the site and then there is a process of negotiation generally with the owners around that. After that process it will go for preliminary consideration by the State Heritage Register Committee. The State Heritage Register Committee would then determine if that listing will progress through the listing process. Depending on the outcomes of that there would be a public process around that and then the committee would determine whether or not it was recommended for listing.

The Hon. ROBERT BORSAK: But why has it taken so long? The initial nomination was made in 2015, yet Federation Square was listed in just 12 months. Why has the Powerhouse Museum taken so long?

Ms MCKENZIE: The listing process is an acquired, complex process and we do actually have a lot of nominations. We do work through those nominations and the priorities that are set for us by the Heritage Council. Also, a site that is complex like that with a whole lot of existing plans about how it might be dealt with into the future, it is not an unusual amount of time to try to get settled with that.

The Hon. ROBERT BORSAK: That is an interesting point to make, is it not? Because obviously an unencumbered development site is worth a hell of a lot more than a site that is encumbered with a heritage order, would you agree?

Ms FOY: I do not think that would be appropriate for Ms McKenzie to express her opinion—

The Hon. ROBERT BORSAK: Excuse me. I will decide what questions are appropriate, they can decide whether they want to answer them.

Ms FOY: I am sorry, Mr Borsak, I did not mean to insult you.

Ms MCKENZIE: I cannot express an opinion on the value.

The Hon. ROBERT BORSAK: If you want to answer the question, Ms Foy, please do.

Ms FOY: Look, I am happy to address the question. If I can answer yes or no, I cannot. But what I can tell you is that the area of the Powerhouse for the business case has been identified as something of heritage importance and it is known that there is an application before the Heritage Council. Any suggestion—I am happy to try and understand the premise of your question. T

he Hon. ROBERT BORSAK: The premise of my question is exactly what I said, and that is if it was an unencumbered site it would be worth a lot more than a site that is encumbered by a heritage order on the main building on the site, which is the Powerhouse Museum.

Ms FOY: I would not speculate on that, Mr Borsak. I am sorry, we have a process in place for the Powerhouse business case. We are going through a market sounding with the current controls in place and understanding what it might be, particularly identifying that it is part of the heritage core of the Ultimo site.

Ms MCKENZIE: But also I would just like to say that I cannot express an opinion on the particular issue of the value of that site with or without heritage listing. I would like to point out that heritage listing can be an extremely positive thing, depending on the site itself and the use to which that site is going to be made. The heritage listing is something that we are working collaboratively with the owners of the site in the way we would normally do with any site owner. And we are working more positively towards the idea that we want to celebrate the heritage of our sites, we want to work with owners so that this is a more positive experience and so that the listing actually adds to the owners' enjoyment of their property and can uplift the value. There is quite a bit of research that shows that is the case.

The Hon. ROBERT BORSAK: I agree with you 100 per cent, but how many State heritage nominations sit around for four years with no action?

Ms MCKENZIE: We have a process that we work through. We actually do have quite a large number of nominations that are on hand and a number of them would be older than that. The Hon. ROBERT BORSAK: Could you take that on notice for me please?

Ms MCKENZIE: Sorry, can I be clear on what I am taking on notice?

The Hon. ROBERT BORSAK: How many State heritage nominations sit around for four years or more undeclared as heritage items?

Ms MCKENZIE: I can take on notice that of the ones that are on hand at present how many are older than four years.

The Hon. ROBERT BORSAK: Of course.

Ms MCKENZIE: I want to be clear that I am not going back to check the last 10 years. The Hon.

ROBERT BORSAK: You have got some outstanding for 10 years, have you?

Ms MCKENZIE: No, no. I am saying there has been a lot, if you asked me if it included ones that got listed last year, how long they had been around before they were listed, that is what I mean. But you mean I am just looking at the ones on hand? T

he Hon. ROBERT BORSAK: That is right, I am interested in the ones that are on hand that have been four years or longer in consideration.

The Hon. WALT SECORD: May I ask Ms McKenzie, last week the Minister announced in the Parliament the heritage listing of the Manly Oval.

Ms MCKENZIE: Yes. The Hon. WALT SECORD: Where did that come from, and was that a long process? Did that happen quickly or what were the steps behind that?

Ms McKENZIE: Where did it come from? It was a nomination from a community organisation. I cannot quite recall its name but it was a community-based organisation that was wanting to— The Hon. WALT SECORD: We were very surprised that—

Ms McKENZIE: It has been—no, the listing would be—I would have to take on notice the exact time but it was not a five-minute, it was a number of years.

The Hon. WALT SECORD: You answered my question.

Mr DAVID SHOEBRIDGE: Ms McKenzie, I am not going to ask you to respond to the concerns and the suspicions that have been given to me that there has been a delay in the listing for the Powerhouse for the Government's purposes, but what I would ask you to respond to, and I think it is where the Deputy Chair is going, is can you give us some context for the time which has been taken for the consideration of the application for the Powerhouse as against other applications? What has been the average time that matters have taken, what has been the median time that matters have taken, and how many, if any, outstanding ones are older than the Powerhouse?

Ms McKENZIE: I cannot answer that question.

Mr DAVID SHOEBRIDGE: No, but could you take it on notice?

Ms McKENZIE: I would have to take it on notice, but I can assure you that there are a considerable number that take that sort of time. It is a quite lengthy process. It has a quite significant impact in terms of the process that an owner needs to follow in the future, so we do work very carefully with the owners and negotiating how that process will work.

Mr DAVID SHOEBRIDGE: Ms McKenzie, I am just giving you the opportunity to put it in context. If you give us that data so we can put it in context, then we can respond to that.

Ms McKENZIE: We will take it on notice. In answering the question of how many are on hand that are as old or older, we will give you that.

Mr DAVID SHOEBRIDGE: Those other matters that I put to you earlier, if you could address those on notice as well, the average time for matters and—

The Hon. TREVOR KHAN: Over what time frame?

Ms McKENZIE: Yes, so average time, or which time frame?

Mr DAVID SHOEBRIDGE: Those that have been resolved over the last two years, if you could tell us what the average time has been for those over the last two years. I do not want to put you to unnecessarily going back 10 years. If you could look at the average time for those over the last two years that would be a reasonable task.

Ms McKENZIE: I would just make the comment, average time has limited meaning in this context.

Mr DAVID SHOEBRIDGE: You give us better data. If median is better, by all means give us the median data.

The Hon. ROBERT BORSAK: Following on from that, and I mentioned Federation Square, a bit longer, can you maybe in a reasonably summarised fashion tell us—

The Hon. TREVOR KHAN: That is in Melbourne, is it not?

The Hon. WALT SECORD: Yes, Melbourne is dumping all over us. Another example.

Mr DAVID SHOEBRIDGE: That is where their heritage laws work.

The Hon. ROBERT BORSAK: —what might have been considered for that particular heritage listing, would they be working on the same basis as you would be working on?

Ms McKENZIE: Heritage legislation is State legislation, so the Victorian legislation is specific to Victoria. There are lots of similarities in the legislation across the jurisdictions in Australia but there are significant variations as well.

The Hon. ROBERT BORSAK: Can you give me a flavour of what you would consider if you had a project like that in New South Wales?

Ms McKENZIE: It is not so much the project, it is the legislation as well that is different. There are different roles, different players in the way in which the process works in Victoria.

The Hon. ROBERT BORSAK: Okay, so I am not going to get an answer?

Ms McKENZIE: Sorry, I do not know the specifics of the heritage significance of Federation Square. I have not looked at it. T

he Hon. ROBERT BORSAK: I am not asking you to deal with the specifics of Federation Square. I am saying if you had something similar to look at here, given the New South Wales legislation, what other factors would you take into consideration, without going into all the real drilled down detail of every specific item?

Ms McKENZIE: If you are talking about what are the considerations, because there are considerations in the Act in relation to heritage significance and then there are the considerations in actually going through a listing process and the things that we would need to be engaged in in order to actually reach a point of, say, going to a notice of intention to list on behalf of the Heritage Council and they involve the owner, for example, or the number of owners. So the complexity of a site, the more owners you have, the more consultation you need to do, the more you might have conflicting views over what the boundary of the listing should be, the more site-specific exemptions you might be needing to negotiate in that process. Also, depending on exactly what the site is whether your sources of information about heritage significance are easy to access or they are difficult to access. It could depend on the type of the nomination and how well put together and well researched the nomination is, whether you need to go back to original sources in order to actually get that information. There are quite a lot of things that would make a difference to how any listing would proceed.

The Hon. ROBERT BORSAK: The Government at no stage approached the Heritage Council to put the project of the consideration of the Powerhouse Museum for State heritage nomination on the backburner?

Ms McKENZIE: Absolutely not. The Heritage Council is also an independent body.

The Hon. ROBERT BORSAK: I understand that. I did not say they instructed you; I said maybe they approached you. That is all.

Ms McKENZIE: No. T

he Hon. ROBERT BORSAK: I am not sure who this question goes to, but has the Government factored in the collapse in confidence in apartments and the pricing they may bring with respect to the Powerhouse site and how that would affect the final business case or the extended final business case? Would that be something for you, Mr Reardon?

Mr REARDON: Apart from your language, we have put in the Building Commissioner more broadly across the State to respond to the issues you raised. In terms of getting on with this development, the business case will look at the options that Ms Foy previously considered. We would expect that a development would be done very effectively.

The Hon. ROBERT BORSAK: Are you saying that even though the pricing has changed it would still work? Is that what you are saying?

Mr REARDON: No.

The Hon. ROBERT BORSAK: I did not quite catch or really understand what you said. Could you say it again?

Mr REARDON: You asked a question that basically said that—

The Hon. ROBERT BORSAK: Would the price of the apartments affect the calculations in the final business case?

Mr REARDON: I said the final business case will consider a number of options for what the development could be. One and two is—

The Hon. ROBERT BORSAK: Yes, and the price of developments?

Mr REARDON: I will not speculate on property prices, apartment prices or office space prices, if that is your question. All I can say is that the business case will be done. I expect that a developer will develop in that part of that world effectively for whatever that development is.

**Pages 60-61:**

The Hon. WALT SECORD: I have a few questions for Ms Havilah.

The Hon. TREVOR KHAN: There is going to be a zinger at the end though, I can tell.

The Hon. WALT SECORD: When did the Star Wars exhibition run—from when to when?

Ms HAVILAH: I am sorry, Mr Secord, I cannot tell you the dates off the top of my head. It finished about a month ago.

The Hon. WALT SECORD: What were the attendance figures like?

Ms HAVILAH: I do not have them off the top of my head, I am sorry. But I can take the question on notice and give you those figures.

The Hon. WALT SECORD: How did it compare to other exhibitions?

Ms HAVILAH: I would have to do an evaluation of that.

The Hon. WALT SECORD: Did staff give you an indication that it performed better or worse than usual—whether it was a very well attended exhibition or that there were very few attendees? What was the staff feedback to you?

Ms HAVILAH: The museum set an ambitious target for visitation and we did not quite meet that target.

The Hon. WALT SECORD: You did not quite meet the target. Did that prompt a review or an evaluation of future exhibitions?

Ms HAVILAH: We have a very diverse and vibrant program that goes across a whole range of different areas. As part of the renewal process for the museum we are looking at our exhibition program and are looking at reinvesting into, amplifying and including our collections more in our exhibition program.

The Hon. WALT SECORD: Did the Star Wars exhibition—my understanding from public coverage of it was that it actually, as you say, did not meet expectations of attendance. Did it prompt a review on how future exhibitions are selected?

Ms HAVILAH: Sorry, I now have the dates of the exhibition. It opened on 16 November 2018 and it closed on 10 June.

The Hon. WALT SECORD: Do you have attendance figures there too?

Ms HAVILAH: I do not have the attendance figures but we can get them for you. Of course, we go through detailed evaluation on the performance of all of our exhibitions in terms of how they relate to our ambition as an institution to engage the communities of Greater Sydney and New South Wales. We are in the process at the moment of evaluating in detail the impact and performance of Star Wars and we will use that information to look at how we program going forward.

The Hon. WALT SECORD: My understanding from the curatorial community was that it was, how do I say, not very well received. It was actually quite disappointing. That is the feedback I got from the curatorial community.

The Hon. TREVOR KHAN: You are not a happy man sometimes.

The Hon. WALT SECORD: I was never a fan of Star Wars.

Ms HAVILAH: It was an internationally renowned exhibition that has toured the world. We were very proud to present it and the museum staff did an incredible job in terms of its presentation. It was a very complicated exhibition to present and required very detailed technical skills, and it also required a lot of front-of-house invigilation in terms of the translation of the exhibition to the community. We have an incredible front-of-house team that did a really extraordinary job on doing that. I think everyone that did go to that exhibition had a positive and valuable experience of it.

The Hon. WALT SECORD: Can you take me through when will the Powerhouse Museum close its doors?

Ms HAVILAH: The Powerhouse Museum will begin a staged closure on 30 June 2020. On 30 June 2020 we will close the heritage core of the museum and we will retain the Wran part of the building open till June 2021.

The Hon. WALT SECORD: Do you have exhibitions booked in for that one-year period?

Ms HAVILAH: We are working on an exhibition program that we will announce at the end of the year for that whole period.

The Hon. WALT SECORD: So at the moment there has not been a program announced?

Ms HAVILAH: No, not till November this year.

**Page 62:**

The Hon. WALT SECORD: What I can tell you from the public arena—he said that there were talks and moves afoot to have a live entertainment facility in Barangaroo.

Ms FOY: Correct. We are in discussions with those responsible for Barangaroo about what is possible in the Barangaroo precinct.

The Hon. WALT SECORD: How does it fit into his plan for a live entertainment venue at Ultimo, the plans to reopen the Theatre Royal, and now Barangaroo?

Ms FOY: It fits perfectly. Sydney is a global city. We want to and will be and are a major player in the arts and culture space in the Asia-Pacific region. We can do a lot of things all at once—both negotiate the Theatre Royal, open and design a Powerhouse Museum at Parramatta, do a business case for cultural infrastructure in Ultimo, and negotiate and talk with our colleagues around Barangaroo. There is a lot on foot and we are doing all of those things at once.

Mr REARDON: The "a lot on foot" aligns with the Cultural Infrastructure Strategy that came out by Infrastructure NSW. As the Minister put it, the plan—

The Hon. WALT SECORD: Can I then ask you to provide on notice information on the scoping study and the deadlines and timetable involved in the Barangaroo theatre project? Ms FOY: I am happy to come back with the information around Barangaroo.

The Hon. ROBERT BORSAK: Ms Foy, is the lyric theatre in the Powerhouse Museum—

The Hon. WALT SECORD: He just jumps in! Go ahead, Robert.

Ms FOY: I beg your pardon. I could not hear you, Mr Borsak.

The Hon. ROBERT BORSAK: Is the lyric theatre planned for the Powerhouse site still on foot?

Ms FOY: Yes.

The Hon. ROBERT BORSAK: Thank you. That is just one jump-in, compared to the hundreds you do to me.

The Hon. WALT SECORD: I don't mind, Robert. We complement each other.

The Hon. ROBERT BORSAK: Don't say that too publicly.