

24 April 2018



Our Ref: GIPA18/ [REDACTED]
Matter No: [REDACTED]

Dear [REDACTED]

Formal Access Application - Notice of Decision

I refer to your Formal Access Application under the *Government Information (Public Access) Act 2009* (the GIPA Act), that you lodged with the Department of Family and Community Services (FACS). In your access application you requested a copy of the following information:

- *“All correspondence and files between the Office of the Minister for Social Housing and other agencies or Offices in relation to the Questions on Notice asked by the Member for Newtown on 19 October 2017 and 8 February 2018 regarding the Questions titled as follows:*
 - 1) *Affordable Housing Units*
 - 2) *Privacy Protection and Public Housing closed Circuit Television Footage*
 - 3) *Housing Transfer Wait Times”*.

Please be advised that I liaised with the Ministerial and Communication Services (MACS) directorate within FACS, where I was able to locate information that falls within the scope of your request. I have paginated the information, 1 to 14, inclusive.

I have carefully considered your request in view of the objectives of the GIPA Act where you have a legally enforceable right to obtain information, unless there is an overriding public interest against disclosure of the subject information. Further, I have also considered the requirements of section 74 of the GIPA Act, which provides that an agency may delete information from a record to which access is provided if the deleted information is not relevant, or within the scope of the information applied for, or an agency has decided to refuse access to that information.

I have decided to provide you with a copy of the information requested in your access application in accordance with section 58 of the GIPA Act, with the exception of a number of pages, which contain information that is subject to an overriding public interest consideration against disclosure under the GIPA Act. The decision schedule attached lists the documents that contain information where there is an overriding public interest consideration against disclosure. In the decision schedule, (F) means that a document has been withheld in full from disclosure and (P) means that a document has been withheld in part from disclosure.

In deciding which information to withhold in full or in part, I was required to conduct a "public interest test" where the public interest considerations favouring disclosure of government information were weighed against those factors that do not favour disclosure. The following are a number of public interest factors I considered which favour disclosure of the information requested:

- Disclosure of the information could reasonably be expected to promote open discussion of public affairs, enhance Government accountability or contribute to positive and informed debate on issues of public importance.
- Disclosure of the information could reasonably be expected to inform the public about the operations of agencies and, in particular, their policies and practices for dealing with members of the public.
- Disclosure of the information could reasonably be expected to ensure effective oversight of the expenditure of public funds.
- The information is personal information of the person to whom it is to be disclosed.
- Disclosure of the information could reasonably be expected to reveal or substantiate that an agency (or a member of an agency) has engaged in misconduct or negligent, improper or unlawful conduct.
- Disclosure of the information could reasonably be expected to advance the fair treatment of individuals in accordance with the law in their dealings with agencies.
- Disclosure of the information could reasonably be expected to reveal the reason for a government decision and any background or contextual information that informed the decision.
- Disclosure of the information could reasonably be expected to contribute to the administration of justice generally, including procedural fairness.

In my decision, a number of documents have been withheld from disclosure as they contain information where a public interest factor against disclosure, outweighs the factors in favour of disclosure.

Information that has been withheld from disclosure under clause 4(c) of Schedule 1 of the GIPA Act relates to information subject to contempt. There is a conclusive presumption of an overriding public interest against disclosure of information that would, but for any immunity of the Crown, infringe the privilege of Parliament. The information subject to clause 4(c) of Schedule 1 of the GIPA Act are draft responses to Questions on Notice prepared for the business of Parliament, the disclosure of which, would infringe on the privilege protecting freedom of speech in parliamentary proceedings.

Information that has been withheld from disclosure under clause 3(a) of the table to section 14 of the GIPA Act is information that would reveal an individual's personal information. An individual's personal information may include their identity, their contact number, their place of employment, etc. I am of the view that there is an overwhelming public interest against disclosing information that reveals an individual's personal information.

If you are aggrieved by any of the reviewable decisions in this notice of decision, you may seek a review under Part 5 of the GIPA Act, by requesting any one of the following:

- An Internal Review which must be lodged with the Right to Information Unit within 20 working days of this notice of decision. You must lodge your Internal Review at the address shown at the bottom of the first page and must be accompanied by the appropriate application fee of \$40.
- Alternatively, a request for an External Review may be lodged with either the Information and Privacy Commission, or the NSW Civil and Administrative Tribunal. Please note that you must lodge your request for an external review within 8 weeks of this notice of decision.

Further attached is a receipt for the amount of \$30 which represents the application fee for processing your Formal Access Application.

If you have any questions regarding this notice, please contact me on telephone (02) 8753 8386.

Yours sincerely



Rita Peci

Manager

Right to Information Unit

Department of Family and Community Services, Legal

Decision Schedule

ACCESS APPLICANT'S NAME	[REDACTED]	DECIDING OFFICER	Rita Peci
FACS REFERENCE	GIPA18/241	INTERNAL REVIEW OFFICER	

INFORMATION THAT WAS NOT DISCLOSED

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE					DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information	Table to Section 14 of the GIPA Act 2009				
		Clause 4(c)	Clause 1(d)	Clause 1(f)	Clause 1(g)	
2	F					Draft response to a Question on Notice, the disclosure of which would, but for any immunity of the Crown, infringe the privilege of Parliament.
3					P	Draft response to a Question on Notice that reveals an individual's personal information.
12 – 13	F					Draft response to a Question on Notice, the disclosure of which would, but for any immunity of the Crown, infringe the privilege of Parliament.

Rita Peci

From: Paul Higgins
Sent: Friday, 23 February 2018 11:43 AM
To: Luke Azzopardi
Cc: FACS - Parliamentary Support; jane.gallagher@minister.nsw.gov.au
Subject: EAP18/1406 (EMN18/1169) - Minister Goward QON - QON LA 7455 - Privacy Protection and Public Housing Closed Circuit Television Footage (Ms Jenny Leong)
Attachments: Minister Goward QON - QON LA 7455 - Privacy Protection and Public Housing Closed Circuit Television Footage (Ms Jenny Leong).DOCX

Hi Luke ,

Please find attached QON LA 7455 noting that Questions 1-3 will need to be answered by MO.

Kind Regards,
Paul Higgins

Page 2 redacted for the following reason:

Withheld in full - refer to schedule

CONTACT FOR MINISTER'S OFFICE

Role	Name and Phone No	Date
Deputy Secretary	Anne Skewes, [REDACTED]	19/02/18

ENDORSEMENT DETAILS (FOR FACS USE ONLY):

Title	Name and Contact Number	Date endorsed (in TRIM)
Deputy Secretary	Anne Skewes	19/02/18
MAPS Review	Paul Higgins	23 02 18

Rita Peci

From: Paul Higgins
Sent: Thursday, 22 February 2018 10:11 AM
To: Luke Azzopardi
Cc: FACS - Parliamentary Support
Subject: EAP18/1409 (EMN18/1170) - Minister Goward QON - QON LA 7456 - Housing Transfer Wait Times (Ms Jenny Leong)
Attachments: Minister Goward QON - QON LA 7456 - Housing Transfer Wait Times (Ms Jenny Leong).DOCX

Hi Luke ,

Please find attached QON LA 7456

Kind Regards,
Paul Higgins

QUESTION ON NOTICE**LEGISLATIVE ASSEMBLY****7456 - HOUSING TRANSFER WAIT TIMES—**

Ms Jenny Leong to ask the Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault—

QUESTION:

1. How many people are there currently on the transfer waiting list that have been approved with Priority - At Risk status (as at 7 February 2018)?
 - a. What is the average amount of time that these people will spend on the waiting list?
 - b. When was the oldest application on the At Risk waiting list approved with this status?
2. How many people are there currently on the transfer waiting list that have been approved with Priority - Medical status (as at 7 February 2018)?
 - a. What is the average amount of time that these people will spend on the waiting list?
 - b. When was the oldest application on the Medical waiting list approved with this status?
3. What is the average amount of time that transfer applicants who have not been approved for priority spend on the waiting list (as at 7 February 2018)?

ANSWER:

I am advised that information about the NSW Housing Register is available on the Department of Family and Community Services' (FACS) website at www.facs.nsw.gov.au

Pru Goward MP

Minister for Family and Community Services

Minister for Social Housing

Minister for the Prevention of Domestic Violence and Sexual Assault

QUESTION ON NOTICE**LEGISLATIVE ASSEMBLY****CONTACT FOR MINISTER'S OFFICE**

Role	Name and Phone No	Date
Executive Director, FACSIAR	Marilyn Chilvers / 97162729	14/02/2018

ENDORSEMENT DETAILS (FOR FACS USE ONLY):

	Name and Contact Number	Date endorsed (in TRIM)
Author	Peter Riley & Tanya Hodzic	14/02/2018
Executive Director, FACSIAR	Marilyn Chilvers	14/02/2018
Deputy Secretary Southern and Western Cluster	Paul Vevers	14/02/2018
MAPS Review	Angela Deane	15/02/2018
MAPS Manager	Paul Higgins	22/02/2018

Rita Peci

From: Paul Higgins
Sent: Thursday, 22 February 2018 10:37 AM
To: Luke Azzopardi
Cc: FACS - Parliamentary Support
Subject: EAP18/1409 : Minister Goward QON - QON LA 7456 - Housing Transfer Wait Times (Ms Jenny Leong)
Attachments: Minister Goward QON - QON LA 7456 - Housing Transfer Wait Times (Ms Jenny Leong).DOCX

Hi Luke

Please find attached QON LA 7456 with background information.

Regards

Paul Higgins, Parliamentary Coordinator Ministerial and Parliamentary Support Department of Family & Community Services

phone: 8753 9177 email: Paul.Higgins2@facs.nsw.gov.au

QUESTION ON NOTICE

LEGISLATIVE ASSEMBLY

7456 - HOUSING TRANSFER WAIT TIMES—

Ms Jenny Leong to ask the Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault—

QUESTION:

1. How many people are there currently on the transfer waiting list that have been approved with Priority - At Risk status (as at 7 February 2018)?
 - a. What is the average amount of time that these people will spend on the waiting list?
 - b. When was the oldest application on the At Risk waiting list approved with this status?
2. How many people are there currently on the transfer waiting list that have been approved with Priority - Medical status (as at 7 February 2018)?
 - a. What is the average amount of time that these people will spend on the waiting list?
 - b. When was the oldest application on the Medical waiting list approved with this status?
3. What is the average amount of time that transfer applicants who have not been approved for priority spend on the waiting list (as at 7 February 2018)?

ANSWER:

I am advised that information about the NSW Housing Register is available on the Department of Family and Community Services' (FACS) website at www.facs.nsw.gov.au

Pru Goward MP
Minister for Family and Community Services
Minister for Social Housing
Minister for the Prevention of Domestic Violence and Sexual Assault

QUESTION ON NOTICE

LEGISLATIVE ASSEMBLY

CONTACT FOR MINISTER'S OFFICE

The answer is consistent with QON LA 5690 asked by the Member for Cessnock, Clayton Barr MP on 11 May 2017.

5690 - SOCIAL HOUSING WAITING LIST

Barr, Clayton to the Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault

1. How many New South Wales residents are currently registered on the waiting list for Social Housing and/or Community Housing in the Cessnock electorate (as at 11 May 2017)?
2. How many New South Wales residents are currently registered for priority housing in the Cessnock electorate (as at 11 May 2017)?
3. How many Social Housing and Community Housing properties are currently in the Cessnock electorate (as at 11 May 2017)?
4. Have there been any properties purchased since 2011 in the Cessnock electorate (as at 11 May 2017)?
 1. If yes, how many properties have been purchased?
5. Have there been any properties sold since 2011 in the Cessnock electorate (as at 11 May 2017)?
 1. If yes, how many have been sold?

Answer -

Information about the NSW Housing Register is available on the Department of Family and Community Services (FACS) website at www.facs.nsw.gov.au.

I am advised that the Department of Family and Community Services' (FACS) Land and Housing Corporation continually reviews the suitability of the properties it owns. Proceeds from the sale of assets are re-invested to upgrade social housing and build new dwellings. Information on property disposals is contained in the FACS Annual Report.

Question asked on 11 May 2017 (session 56-1) and printed in Questions & Answers Paper No. 126

Answer received on 14 June 2017 and to be printed in Questions & Answers Paper No. 133

Role	Name and Phone No	Date
Executive Director, FACSIAR	Marilyn Chilvers / 97162729	14/02/2018

ENDORSEMENT DETAILS (FOR FACS USE ONLY):

	Name and Contact Number	Date endorsed (in TRIM)
Author	Peter Riley & Tanya Hodzic	14/02/2018
Executive Director, FACSIAR	Marilyn Chilvers	14/02/2018
Deputy Secretary Southern and Western Cluster	Paul Vevers	14/02/2018
MAPS Review	Angela Deane	15/02/2018
MAPS Manager	Paul Higgins	22/02/2018

Rita Peci

From: Gail Houlton
Sent: Wednesday, 1 November 2017 2:56 PM
To: Jane Gallagher (Jane.Gallagher@minister.nsw.gov.au)
Cc: FACS - Parliamentary Support
Subject: EAP17/10455 : Minister Goward - QON LA 6967 - Affordable Housing Units - Ms Jenny Leong
Attachments: Minister Goward QON - QON LA 6967 - Affordable Housing Units - Ms Jenny Leong.DOCX

Hello Jane:

Please find attached Answer for the above QON, which has been endorsed by the Deputy Secretary Commissioning.

Date due for lodgement: 23 November 2017

Many thanks
Gail
8753 9180

Pages 12 through 13 redacted for the following reasons:

Withheld in full - refer to schedule

ENDORSEMENT DETAILS (FOR FACS USE ONLY):

	Name and Contact Number	Date endorsed (in TRIM)
Author	Angela Roberts 9716 2973	
Director Services, Delivery, Assets and Construction	Marcus Devenish 8753 9323	27/10/2017
Executive Director Partnerships	Eleri Morgan-Thomas 9716 2917	27/10/2017
Deputy Secretary Commissioning	Deidre Mulkerin 9716 2992	30/10/2017
MAPS Review	Amanda Al-Zahab	31/10/2017
MAPS Manager	Gail Houlton	1/11/2017