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#### PROTECTED



**Australian Government** 

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

To: The Hon Michelle Rowland MP, Minister for Communications (for decision/signature)

Subject: SBS Relocation Feasibility Study - Steering Committee Appointment

Critical Date: Please action by 17 February

**Recommendation/s:** 1. That you note the advice at Attachment A from the Australian Government Solicitor on Steering Committee nominees Mr Mrdak; Ms Karp and s47F Noted / Please Discuss 2. That you agree that, in light of the Conflict of Interest identified by \$47F and the should not be appointed. advice of the Australian Government Solicitor, \$47F Agreed / Not Agreed 3. That you approve the Steering Committee Terms of Reference at Attachment B. Approved / Not Approved 4. That you sign and return to the department for mailing together with relevant attachments the appointment letters at Attachments C, D, E and F. Signed / Not Signed The Hon Michelle Rowland MP Date: **Comments:** Figner Attach F not **Key Points:** 

1. On 1 February 2023 you agreed to the department checking availability and initiating probity checks through the Australian Government Solicitor (AGS) on Steering Committee nominees Mr Mike Mrdak; Ms Daryl Karp and <sup>\$47F</sup> s.

2. Mr Mrdak, Ms Karp and <sup>\$47F</sup> have all advised they would be willing to accept a part time position on the Steering Committee. Ms Karp's acceptance is subject to the National Maritime Museum Board's agreement (however Ms Karp indicated she did not believe this would be an issue). <sup>\$47F</sup>

3. The AGS probity checks at **Attachment A** indicate "we have not identified any issues that would immediately preclude the appointment of the proposed Steering Committee members."

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5. The department is currently researching alternatives and will brief you further in the week commencing 13 February regarding a replacement candidate.

6. Appointment letters for the Chair and the 3 other recommended Committee members are at Attachments C, D, E and F. It is recommended the letters be signed as soon as practicable after you have consulted with the Prime Minister and other Ministers on 13 February. Once signed, the letters should be returned to the department for finalisation of enclosures and conveyance to appointees.

7. SBS has been extensively consulted and has endorsed all attachments.

Financial impacts: Independent Committee members will be paid a daily fee benchmarked against other similar bodies. This will be met from within existing departmental resources.

Legal/Legislative impacts: N/A

s47F

Stakeholder Implications: the project has major stakeholder implications, as various Western Sydney councils are supporting a relocation and Willoughby Council has opposed a move.

Consultation: AGS, SBS, DITRDCA Legal, Ethics, Appointments, FOI, Privacy, Records Management, and IT Security sections and the Agency Security Advisor.

Media Opportunities: Announcement is planned post verbal update to Cabinet

Attachments: Attachment A: AGS Probity Report, Proposed Steering Committee Members Attachment B: Draft Steering Committee Terms of Reference Attachment C: Letter of Appointment – Mr Mike Mrdak AO Attachment D: Letter of Appointment - Ms Daryl Karp AM Attachment E: Letter of Appointment – Mr James Taylor, SBS Managing Director Attachment F: Letter of Appointment – DITRDCA representative Attachment G: Approved Project Terms of Reference (declassified from Protected to Official) Attachment H: Terms and Conditions of Appointment to the Steering Committee Attachment I: Steering Committee Induction Pack

Cleared By: Pauline Sullivan Position/Div: FAS Media Industry & Sustainability Ph: 02 6271 s22(1 Mobs22(1)(a)(ii) Date: 10 February 2023

Contact Officer: s22(1)(a)(ii) Section: National Broadcasters Ph: 02 6271 522(1) Mob: s22(1)(a)(ii)

#### Instructions for MPS: Nil

#### Responsible Adviser: s22(1)(a)(ii)

PDMS Distribution List: Shervin Rafizadeh, s22(1)(a)(ii) Jim Betts, Richard Windeyer, Pauline Sullivan, s22(1) s22(1)(a)(ii)

(a)(ii)

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OFFICIAL



The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-001517

Mr Mike Mrdak AO

via: s47F

Dear Mr Mrdak,

I am pleased to appoint you to the Steering Committee (the Committee) that will oversee the feasibility study into relocating the Special Broadcasting Service (SBS) from Artarmon to Western Sydney.

I have decided to appoint you as part time Chair of the Committee because of your outstanding leadership abilities and expertise in management of significant Australian Government projects.

The study will be conducted by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department), in close consultation with SBS, in line with the *Project Terms of Reference* at Attachment A.

The Committee's role is outlined in the *Steering Committee Terms of Reference* at Attachment B. The department will provide the Committee with secretariat support for meetings and any other assistance you may require.

Your appointment to the Committee is from the date of this letter to 31 August 2024, unless I notify you in writing of an earlier cessation date or extension.

Your appointment to the Committee is subject to your agreement and compliance with the *Terms and Conditions of Appointment* at Attachment C, which includes compliance with the *Probity Framework* for the project (Attachment D), and that you will be required to have or obtain a minimum of baseline security clearance in order to access Protected classified information relevant to your role as a member of the Committee.

I thank you for agreeing to be part of the Committee.

Please sign and return the acknowledgement of the *Terms and Conditions of Appointment* in Attachment C to \$22(1)(a)(ii) Director SBS Relocation Feasibility Study via email to \$22(1)(a)(ii) @infrastructure.gov.au.

The Hon Michelle Rowland MP PO Box 6022, Parliament House Canberra Suite 101C, 130 Main Street, Blacktown NSW 2148 | (02) 9671 4780 OFFICIAL Please also include the details of any existing (or previous) security clearance you may currently have, or have previously held.

Once the department has received your acknowledgement you will be contacted to make arrangements for induction into the Project including a probity briefing.

If you do not hold a current security clearance you will be contacted separately by the relevant security agency contact in relation to the information requirements for your security clearance application (or reinstatement should you previously have held a security clearance).

If you have any questions on your appointment please contact s22(1)(a)(ii) s, Director of the SBS Relocation Feasibility Study and head of the Committee Secretariat on s22(1)(a)(ii) or via email at s22(1)(a)(ii) @infrastructure.gov.au.

**OFFICIAL** 

Yours sincerely

Michelle Rowland MP

13 12 /2023

Enc

- Project Terms of Reference
- Steering Committee Terms of Reference
- Terms and Conditions of Appointment
- Probity Framework
- Steering Committee Induction Pack

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The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-001517

Ms Daryl Karp AM Director Australian National Maritime Museum 2 Murray Street Darling Harbour Sydney NSW 2000

via: s47F

Dear Ms Karp,

I am pleased to appoint you to the Steering Committee (the Committee) that will oversee the feasibility study into relocating the Special Broadcasting Service (SBS) from Artarmon to Western Sydney.

I have decided to appoint you as a part time member of the Committee because of your expertise in broadcast media, strategic planning, and change management in the creative industries, as well as your previous experience as a member of the Special Broadcasting Service Board.

The study will be conducted by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department), in close consultation with SBS, in line with the *Project Terms of Reference* at Attachment A.

The Committee's role is outlined in the *Steering Committee Terms of Reference* at Attachment B. The department will provide the Committee with secretariat support for meetings and any other assistance you may require.

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I thank you for agreeing to be part of the Committee.

### OFFICIAL

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s22(1)(a)(ii) @infrastructure.gov.au

Please also include the details of any existing (or previous) security clearance you may currently have, or have previously held.

Once the department has received your acknowledgement you will be contacted to make arrangements for induction into the Project including a probity briefing.

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If you have any questions on your appointment please contact  $\frac{s22(1)(a)(ii)}{100}$  Director of the SBS Relocation Feasibility Study and head of the Committee Secretariat on  $\frac{s22(1)(a)(ii)}{1000}$  or via email at  $\frac{s22(1)(a)(ii)}{10000}$  @infrastructure.gov.au.

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Yours sincerely

Michelle Rowland MP

13 12 12023

Enc

- Project Terms of Reference
- Steering Committee Terms of Reference
- Terms and Conditions of Appointment
- Probity Framework
- Steering Committee Induction Pack





# The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-001517

Mr James Taylor Managing Director, Special Broadcasting Service 14 Herbert Street Artarmon NSW 2064

via: s47F

Dear Mr Taylor,

I am pleased to appoint you to the Steering Committee (the Committee) that will oversee the feasibility study into relocating the Special Broadcasting Service (SBS) from Artarmon to Western Sydney.

I have decided to appoint you as a part time member of the Committee because of your expertise in broadcast media and your role as Managing Director of the Special Broadcasting Service.

The study will be conducted by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department), in close consultation with SBS, in line with the *Project Terms of Reference* at Attachment A.

The Committee's role is outlined in the *Steering Committee Terms of Reference* at Attachment B. The department will provide the Committee with secretariat support for meetings and any other assistance you may require.

Your appointment to the Committee is from the date of this letter to 31 August 2024, unless I notify you in writing of an earlier cessation date or extension.

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I thank you for agreeing to be part of the Committee.

### OFFICIAL

Please sign and return the acknowledgement of the *Terms and Conditions of Appointment* in Attachment C to **s22(1)(a)(ii)** Director SBS Relocation Feasibility Study via email to:

s22(1)(a)(ii) @infrastructure.gov.au

Please also include the details of any existing (or previous) security clearance you may currently have, or have previously held.

Once the department has received your acknowledgement you will be contacted to make arrangements for induction into the Project including a probity briefing.

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If you have any questions on your appointment please contact  $s^{22(1)(a)(ii)}$  Director of the SBS Relocation Feasibility Study and head of the Committee Secretariat on  $s^{22(1)(a)(ii)}$  or via email at  $s^{22(1)(a)(ii)}$  @infrastructure.gov.au.

Yours sincerely

Michelle Rowland MP

13 12/2023

Enc

- Project Terms of Reference
- Steering Committee Terms of Reference
- Terms and Conditions of Appointment
- Probity Framework
- Steering Committee Induction Pack

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Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

### OFFICIAL

ONLINE SAFETY, MEDIA AND PLATFORMS DIVISION / MEDIA INDUSTRY & SUSTAINABILITY BRANCH

# **Terms and Conditions of Appointment**

# Special Broadcasting Service (SBS) Relocation Feasibility Study Steering Committee

February 2023

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Document 1 Attachment H

### **Status of the Steering Committee**

 The Committee is an advisory structure which operates within the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) at the discretion of the Minister. The Committee's advice is non-binding.

### **Appointments to the Steering Committee**

- The Minister appoints a member to the Committee in writing.
- A member of the Committee holds office on a part-time basis, for the period specified in writing by the Minister.
- Membership of the Committee is subject to:
  - o agreement and compliance with these Terms and Conditions of Appointment;
  - attendance at a Probity Briefing and compliance with the Project Probity Framework (see Attachment B);
  - o execution of an Individual Interests Declaration;
  - execution of the Corporate Interests Declaration (where an individual is engaged through a company);
  - o execution of the Deed of Confidentiality; and
  - the grant of a baseline security clearance, which will allow access to relevant Protected classified information.
- Executed documents are to be promptly returned to the Committee Secretariat (at s22(1)(a)(ii) @infrastructure.gov.au).

### Remuneration

- As the Committee is not a statutory body, the Committee members are not within the jurisdiction of the Remuneration Tribunal.
- However, in the interests of consistency across government, remuneration of independent members of the Committee will be benchmarked against a similar committee which is paid in line with the August 2022, Remuneration Tribunal determined remuneration levels for statutory bodies as per Part 4 of the <u>Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office)</u> <u>Determination 2022</u> (Remuneration Tribunal Determination) and in line with the department's Appointment Guidelines.

### **Fees for remuneration**

#### Daily fee (independent members /non-APS or SBS Employees)

Position:	Remuneration (as a daily fee):
Chair	\$1,541
Independent	\$1,233
Member	

### Certification of time for payment of daily fees

Position:	Method of certifying time:	
Chair & independent members	<ul> <li>Invoices covering time for routine meeting attendance and preparation from the Chair and independent members are to be provided to the Secretariat, who will verify in line with committee meeting and other records and submit to the departmental delegate for approval for payment.</li> <li>Any non-routine invoices which are not supported by Committee meeting or other records must be in reference to approved Committee work, and are to be provided by the Secretariat to the Chair for verification (or in the case of a non-standard invoice from the Chair to the Committee in session for verification), and if verified, then submitted to the departmental delegate for approval for payment.</li> </ul>	
Members who are public servants or SBS employees	• Public servants employed by the department, by another Commonwealth agency, or by the SBS are already remunerated for their duties as Committee members within their existing arrangements. No additional remuneration is to be paid for their membership of the Committee.	

### Calculation of daily fees

Activity on:	Method of calculating fee(s):
Meeting day(s)	<ul> <li>The amount of a daily fee paid to the Chair/member for a meeting day is:         <ul> <li>if the Chair/member's qualifying meeting day time is less than 2 hours – 40% of the daily fee; or</li> <li>if the Chair/member's qualifying meeting day time is at least 2 hours and less than 3 hours – 60% of the daily fee; or</li> <li>otherwise – 100% of the daily fee.</li> </ul> </li> <li>'Qualifying meeting day time' is time that the Chair/member spends on a meeting day:         <ul> <li>attending a formal meeting; or</li> <li>on authority business –that being business conducted with the committee's approval, excluding attendance at a formal meeting; official travel time on a meeting day; or normal preparation for a formal meeting (although time spent preparing for a formal meeting may be treated as committee business if the Chair considers the time excessive to normal preparation time); or</li> <li>on official travel time – which is the reasonable period, certified by the Chair, spent travelling on official business away from the town or city in which the office holder's principal place of residence is located. It does not include time spent travelling between an office holder's home and principal place of work. The Chair may take advice from the Secretariat as to the department's travel guidelines (if any) when determining the reasonable period should this be required.</li> </ul></li></ul>
Non- meeting day(s)	<ul> <li>The amount of a daily fee paid to the Chair/member for a non-meeting day is 20% of the daily fee for each hour, to a maximum of 5 hours per day, that the Chair/member spends on:</li> <li>authority business; or</li> <li>official travel time.</li> </ul>

#### Note:

• The maximum amount payable for any one day is the daily fee amount.

### Travel

- If a member of the Committee is required to travel for official business away from their home base, then that member will be remunerated for the travel consistent with the provisions of the <u>Remuneration</u> <u>Tribunal (Official Travel) Determination 2022</u> (the Travel Determination) as amended from time to time.
- For the purposes of the Travel Determination, travel tier 1 applies to the Committee.

### Тах

• Remuneration for the Committee's services is a gross fee, and no additional amount is payable to meet any taxation obligations.

# Invoicing the department for services

Members of the Committee are required to invoice the Secretariat for work completed as part of their role.

When	How to arrange payment
On appointment – set up	Please complete <b>Attachments C</b> (Form for vendor creation) <b>and D</b> (Form for statement by supplier), and email these to the Secretariat so that your supplier details can be established in the department's payment system.
Post meeting - invoice	Upon completion of each committee meeting please complete an invoice at <b>Attachment E</b> , and email this to the Secretariat for processing.
Non-meeting day pre- approved work - invoice	Work performed not on a meeting day may also be subject to reimbursement if prior approval to conduct the work is authorised by the Project Sponsor in consultation with the Committee Chair. This authorisation must be in writing and must be prior to work performed.
	Upon completion of any pre-authorised non-meeting day work, please complete an invoice at <b>Attachment E</b> , and email this to the Secretariat for processing.

### Leave

- The Minister may grant the Chair leave of absence on the terms and conditions that the Minister determines.
- The Chair may grant leave of absence to any other member of the Committee not exceeding more than 15 days on the terms and conditions that the Chair reasonably determines.

### Resignation

- A member of the Committee may resign his or her appointment by giving the Minister written notice of the resignation (Attachment F provides a sample notice that may be used).
- The resignation takes effect on the day it is received by the Minister or, if a later day is specified in the resignation, on that later day.

### **Security Clearances**

All Steering Committee members will require a Baseline security clearance, at a minimum, in order to
access Protected classified material under the Australian Government Protective Security Policy
Framework. Without baseline security clearance, the member will be unable to access critical documents
needed to perform their function on the Committee.

- The security vetting process assesses that a person possesses and demonstrates an appropriate level of integrity, and establishes confidence that they possess a sound and stable character and aren't unduly vulnerable to influence or coercion.
- If a Steering Committee member does not currently hold a Baseline security clearance, the Secretariat will initiate the application for the security vetting process for each Committee member on commencement of each appointment to the Steering Committee with the Australian Government Security Vetting Agency (AGSVA).

### **Other matters**

- The Commonwealth owns all intellectual property rights created by each member in their work as a member of the Committee.
- Unless otherwise specified in writing, all material (including intellectual property in the material) provided to a Committee member by the department in their work as a member of the Committee remains the property of the Commonwealth and must be returned to the department on demand. This includes working papers of each Committee members (for example annotations of draft documents etc). Each Committee member is permitted to use this material for purposes associated with their work as a member of the Committee but for no other purpose.
- Each member is initially required to make a disclosure of interests under the Probity Framework. Where there is a relevant change in circumstances, Committee members must ensure they immediately disclose any new relevant interests in carrying out their work as a member of the Committee.
- Each member must comply with all Commonwealth laws including the Privacy Act 1988.
- Each independent member (ie non APS and SBS Personnel) acknowledges that they are not an employee of the Commonwealth and will not represent themselves as an officer, employee, partner, or agent of the Commonwealth.

# **Termination of appointments**

- The Minister may terminate the appointment of a member of the Committee for misbehaviour or physical or mental incapacity.
- The Minister may also terminate the appointment of a member of the Committee if:
  - o the member:
    - becomes bankrupt; or
    - applies to take the benefit of any law for the relief of bankrupt or insolvent debtors; or
    - compounds with his or her creditors; or
    - makes an assignment of his or her remuneration for the benefit of his or her creditors; or
  - the member is absent, except on leave of absence, from 3 consecutive meetings of the Committee; or
  - the member breaches any material term or condition of appointment;
  - the member fails, without reasonable excuse, to disclose their interests (including any actual or perceived conflicts of interests), pecuniary or otherwise, that would conflict with the proper performance of the member's functions.

# Attachment A: Acknowledgement of Terms and Conditions of Appointment

# Acknowledgement of Terms and Conditions of Appointment

I, [insert name of Committee member], acknowledge that I have been appointed by the Minister for Communications as [the chair/ a member] of the Steering Committee for the SBS Relocation Feasibility Study Project.

I acknowledge and agree that my appointment is subject to complying with the terms and conditions of appointment as set out in the *Terms and Conditions of Appointment: SBS Relocation Feasibility Study* which include without limitation:

- attending a probity briefing;
- compliance with the Probity Framework
- completing all relevant interests' declarations (as advised by the department);
- agree to executing a deed of confidentiality in favour of the department (on terms satisfactory to the department); and
- agree to apply for a temporary waiver/minimum baseline security clearance, with membership of the Committee dependent upon successfully obtaining such clearance.

Steering Committee Chair/ Member Signature

Witness signature

Date

Date

Page 6 of 12

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# Attachment B: Project Probity Framework

Page 7 of 12

Document 1 Attachment H

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# **Attachment C: Vendor Creation Form**

### VENDOR CREATION FORM

Vendor Number

Company Code: Choose an item:

Vendor Name (if supplying an ABN, ensure in name is registered against you ABN).			
Postal Address NOTE: All individuals must supply a residential address		State	Post Code
At lease was namber usual Suprovidual	Fax	Email	a - an ai
Mobile	Work	Phone	

#### BUSINESSES ONLY TO COMPLETE

ABN	Are you registered for GST?	
Contact Name	Contact N	unber
	that Department of Infrastructure and Region lease advise us of whether you are a small, in ories below.	
Small Business (less than 20 en	ployees) Are you a small, m	edium
Medium Business (21 to 200 en	ployees) or large business?	Choose an meni
Large Business (over 201 emplo	yces)	
Does your company accept Cree	lit Card Payments? Chuose an it	PHT-

# EMPLOYEES OF DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT AND COMMUNICATIONS ONLY TO COMPLETE

AGS	Ongoing/non-	1
Number	ongoing/contractor	

#### BANK DETAILS

Bank	Branch	1
BSB	Account Number	
Account Name	1	

NOTE: All vendors MUST supply hank details and provide supporting documentation i.e.; hank statement, bank slip, unless vendor is located overseas.

#### VENDOR CERTIFICATION

I certify that the above details are correct.

Name: Date:

Signature

NOTE: If you are sending this form electronically, please simply type your name in the signature field.

All information supplied on this form will be kept in the strictest confidence in accordance with Privacy Act 1988.

Page 8 of 12

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# Attachment D: Form for Statement of a Supplier

Australian Taxation Office Stateme	nt by a supplier		
Complete this statement if the following applies: you are an individual or a business you have supplied goods or services to another enterprise (the payer), and	HOW TO COMPLETE THE STATEMENT Print clearly in BLOCK LETTERS using a black per only. Use BLOCK LETTERS and print one character in each box. Pface X in all applicable boxes.		
vou are not required to quote an Australia business number (ABN).	Payers can check ABN records of suppliers abcbusiness.gov.au or phoning 13 72 26 24 ho 7 days a week.		
Section A: Supplier details			
		TTT	
		ÎTTI	
Your address		TTT	
Suburb/Itriwn	State/lorniory	Pastcode	
		1.11	
The supplier is an individual aged under 18 years and the payment does not exceed \$350 a week. The payment does not exceed \$75, excluding any goods and services tax (GST). The supply that the payment relates to is wholly input taxed	made in the course or furtherance of an activi as a private recreational pursuit or hobby; or wholly of a private or domestic nature (from the supplier's perspective).		
payment does not exceed \$350 a week. The payment does not exceed \$75, excluding any goods and services tax (GST).	as a private recreational pursuit or hobby, or wholly of a private or domestic nature (from the		
payment does not exceed \$350 a week.     The payment does not exceed \$75, excluding any goods and services tax (GST).     The supply that the payment relates to is wholly input taxed     The supply is made by an individual or partnership without a reasonable expectation of profit or gain.     The supplier is not entitled to an ABN as they are not	as a private recreational pursuit or hobby, or wholly of a private or domestic nature (from the		
payment does not exceed \$350 a week.     The payment does not exceed \$75, excluding any goods and services tax (GST).     The supply that the payment relates to is wholly input taxed     The supply is made by an individual or partnership without a reasonable expectation of profit or gan.     The supplier is not entitled to an ABN as they are not carrying on an enterprise in Australia.     The whole of the payment is exempt income for the supplier.     Section B: Declaration For information about your privacy, visit our website at ato:gova Under pay as you go (PWG) legislation and guidelines administe	/privacy d by us, the mamed supplier is not guoting an ABN	le	
payment does not exceed \$350 a week.     The payment does not exceed \$75, excluding any goods and services tax (GST).     The supply that the payment relates to is wholly input taxed     The supply is made by an individual or partnership without a reasonable expectation of profit or gan.     The supplier is not entitled to an ABN as they are not carrying on an enterprise in Australia.     The whole of the payment is exempt income for the supplier.     Section B: Declaration     For information about your privacy, visit our website at ato:gova     Under pay as you go (PWG) legislation and guidelines administe     and future supply of goods or services for the mason or masone	/privacy d by us, the mamed supplier is not guoting an ABN	ve	
payment does not exceed \$350 a week.      The payment does not exceed \$75, excluding any goods     and services tax (GST).      The supply that the payment relates to is wholly input taxed     The supply is made by an individual or partnership without     a reasonable expectation of profit or gan.      The supplier is not entitled to an ABN as they are not     carrying on an enterprise in Australia.      The whole of the payment is exempt income for     the supplier.  Section B: Declaration For information about your privacy, visit our website at ato.gov.s  Under pay as you go (PMYG) legislation and guidelines administe and future supplier (or authorised person)	/privacy d by us, the mamed supplier is not guoting an ABN	te for lite curren	
payment does not exceed \$350 a week.     The payment does not exceed \$75, excluding any goods and services tax (GST).     The supply that the payment relates to is wholly input taxed     The supply is made by an individual or partnership without a reasonable expectation of profit or gain.     The supplier is not entitled to an ABN as they are not carrying on an enterprise in Australia.     The whole of the payment is exempt income for	/privacy //privacy //priva	te for lite curren	

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FOI Act 1982 by the Minister for Communication:

Released under the

# Attachment E: Template for invoice

Instructions:

Please complete all fields below in red text, and then delete this box, save the file as a pdf, and send to the Committee Secretariat via email to  $s^{22(1)(a)(ii)}$  <u>@infrastructure.gov.au</u>

# INVOICE

### **Insert your name**

Invoice number: Please provide an invoice number

Date (invoice sent): dd/mm/yy

**To:** Department of Infrastructure, Transport, Regional Development, Communications and the Arts SBS Relocation Feasibility Study Project *Via email*: <sup>\$22(1)(a)(ii)</sup> @infrastructure.gov.au

For professional services provided as a Choose an item. of the SBS Relocation Feasibility Study Steering Committee appointed to oversight the conduct of the study.

1. Attendance at and preparation for formal meetings	of the Steering Committee
(calculation of fees for a meeting day).	
Please insert the activity and the date the activity	\$ insert amount
occurred in 'activity, dd/mm/yy' format. Also, please	
insert each individual activity in a new row (right click $\rightarrow$	
insert $\rightarrow$ insert rows below).	
TOTAL	\$ insert total of all rows
2. Other Steering Committee work undertaken – includ	ling preparation time that is
excessive to normal preparation time for a meeting (calc	culation of fees on a
non-meeting day).	
Please insert the activity and the date the activity	\$ insert amount
occurred in 'activity, dd/mm/yy' format. Also, please	
insert each individual activity in a new row (right click $\rightarrow$	
insert $\rightarrow$ insert rows below).	
TOTAL FOR THIS INVOICE	\$ insert total of '1.' and '2.'

**Note:** The fee is the amount payable by the paying agency or authority in respect of the office holder's performance of the functions of the office. It is inclusive of any taxation obligation.

### Payment to be made to:

Document 1 Attachment H

Name:	Please insert your name
Australian Business	Please insert your ABN
Number (ABN):	
Bank:	Please insert the name of your bank
BSB:	Please insert your BSB
Account Number:	Please insert your account number

Page 11 of 12

# Attachment F: Template for submission of resignation

Instructions:

Please complete all fields below in red text, and then delete this box, save the file as a pdf, and send to the Committee Secretariat via email to  $s^{22(1)(a)(ii)}$  <u>@infrastructure.gov.au</u>

The Hon Michelle Rowland MP Minister for Communications PO Box 6022 House of Representatives Parliament House Canberra ACT 2600

*Via the Committee Secretariat*: [<sup>s22(1)(a)(ii)</sup> @infrastructure.gov.au]

Dear Minister

Please accept this letter as formal notice of my resignation from my position as Choose an item. of the SBS Relocation Feasibility Study Steering Committee. My last day in the position will be [enter date in dd/mm/yy format].

Thank you for providing me with the opportunity to work in this position for the past [enter duration of time in position]. I have thoroughly enjoyed my time on the Steering Committee and wish it all the best for the future.

Yours sincerely,

Name

Signature:

Date:



Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

# SBS Relocation Feasibility Study Steering Committee Induction Pack

February 2023

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# Terms of Reference

The SBS Relocation Feasibility Study Project Terms of Reference are at Attachment A.

The SBS Relocation Feasibility Study Steering Committee Terms of Reference are at Attachment B.

# Purpose of this document

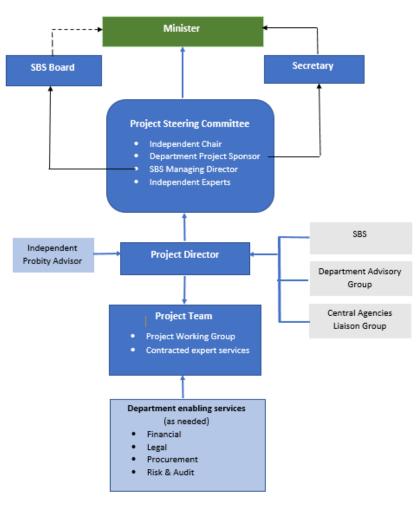
The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) has prepared this Induction Pack for members of the Special Broadcasting Service (SBS) Relocation Feasibility Study Steering Committee (the Committee), as a general guide and to assist the Committee in discharging its role.

More detailed briefings on individual issues of relevance to the Committee will be provided as required.

# Project governance

The Minister for Communications (the Minister) has established the Committee to provide oversight of the delivery of the feasibility study (the Project) by the department, working closely with the SBS. The Project governance structure is depicted below, with more information on project governance available in The *Project Terms of Reference*.





FOI Act 1982 by the Minister for Communications Released under the

# The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department)

The department has been commissioned by the Minister to conduct the feasibility study, working closely with SBS.

General information about the department can be found on its website at <u>Department of Infrastructure</u>, <u>Transport, Regional Development, Communications and the Arts</u>.

The department's representative on the Committee, the **Project Sponsor**, is the link between the Project and the senior executive/Secretary of the department.

The Project Terms of Reference outline the role and responsibilities of the Project Sponsor.

The department provides secretariat services to the Committee. The Secretariat's role is to:

- provide support to the committee in the delivery of its role;
- conduct procurement processes for services to support the Project;
- advise the Minister of upcoming vacancies;
- facilitate the submission of Committee recommendations and reports to the Minister for consideration;
- facilitate the submission of relevant documents <sup>\$47C</sup> for consideration;
- maintain Committee records and assist the Committee in meeting its FOI obligations.

# **Committee Secretariat contact**

s22(1)(a)(ii) Director SBS Relocation Feasibility Study Email: <sup>s22(1)(a)(ii)</sup> @infrastructure.gov.au Phone: <sup>s22(1)(a)(ii)</sup>

# The Special Broadcasting Service (SBS) and SBS Board

# SBS's role in the Project

Consistent with the role of SBS as an independent national broadcaster, the *Special Broadcasting Service Act 1991* provides that the SBS and its Board are not subject to direction by the Government except as otherwise provided by legislation.

The SBS Board is therefore the ultimate decision maker as to any relocation of SBS. The SBS Board will be engaged throughout the Project to provide input and to consider recommendations at critical junctures.

SBS is a key partner in the Project, with the SBS Managing Director (or their delegate) being a member of the Steering Committee and key SBS staff forming the basis of the Working Group and Departmental Advisory Group as required.

### About SBS

As Australia's most diverse broadcaster, SBS holds a unique place in the Australian media landscape, inspiring all Australians to explore, respect and celebrate our diverse world and in doing so, contributes to an inclusive and cohesive society.

#### **OFFICIAL**

Today SBS is a modern, multiplatform media organisation with a free-to-air TV portfolio spanning six distinctive channels in SBS, NITV, SBS VICELAND, SBS Food, SBS World Movies and SBS WorldWatch; and extensive radio network providing over 60 communities with services in their own language; and an innovative digital offering, including SBS On Demand, available to audiences anytime and anywhere.

The SBS Charter, contained in Section 6 of the Special Broadcasting Service Act 1991 states:

- (1) The principal function of the SBS is to provide multilingual and multicultural broadcasting and digital media services that inform, educate and entertain all Australians and, in doing so, reflect Australia's multicultural society.
- (2) The SBS, in performing its principal function, must:
  - (a) contribute to meeting the communications needs of Australia's multicultural society, including ethnic, Aboriginal and Torres Strait Islander communities; and
  - (b) increase awareness of the contribution of a diversity of cultures to the continuing development of Australian society; and
  - (c) promote understanding and acceptance of the cultural, linguistic and ethnic diversity of the Australian people; and
  - (d) contribute to the retention and continuing development of language and other cultural skills; and
  - (e) as far as practicable, inform, educate and entertain Australians in their preferred languages; and
  - (f) make use of Australia's diverse creative resources; and
  - (g) contribute to the overall diversity of Australian broadcasting and digital media services, particularly taking into account the contribution of the Australian Broadcasting Corporation and the community broadcasting sector; and
  - (h) contribute to extending the range of Australian broadcasting and digital media services, and reflect the changing nature of Australian society, by presenting many points of view and using innovative forms of expression.

More information on SBS can be found on the SBS website at Who We Are | SBS Corporate

The SBS 2021-22 Annual Report is at Attachment C.

The SBS Corporate Plan 2022-23 is at Attachment D.

### The SBS Board

The SBS Board of Directors, consisting of the Managing Director and non-executive directors, is responsible for deciding the objectives, strategies, and policies to be followed by SBS in performing its functions. This ensures that SBS performs in a proper, efficient and economical manner, and with the maximum benefit to the people of Australia. Current membership of the SBS Board includes:



George Savvides AM Chair, SBS



Peeyush Gupta AM Non-executive Director, SBS



**Christine** Zeitz Deputy Chair, SBS



Katrina Rathie Non-executive Director, SBS



James Taylor Managing Director, SBS



Vic Alhadeff Non-executive Director, SBS

The duties of the SBS Board are outlined in section 10 of the *Special Broadcasting Service Act 1991*. The duties of the Board are to:

- maintain the independence and integrity of the SBS;
- develop and publicise the SBS's programming policies;
- ensure, by the means of SBS's programming policies, that the gathering and presentation by the SBS of news and information is accurate and is balance over time and across the schedule of programs broadcast;
- ensure the SBS does not contravene the *Special Broadcasting Service Act 1991* or any directions given or requirements under the *Special Broadcasting Service Act 1991*;
- ensure the efficient and cost-effective functioning of the SBS;
- ensure that the SBS seeks to co-operate closely with the Australian Broadcasting Corporation to maximise efficiency;
- be aware of, and responsive to, community needs and opinions on matters relevant to the Charter; and
- develop and publicise the SBS's policies on the handling of complaints; and
- ensure that the pursuit by the SBS of its subsidiary functions does not detract from the SBS fulfilling its Charter responsibilities; and
- develop codes of practice relating to (programming matters; and if the SBS has the function of providing a datacasting service under section 6A--that service; and to notify those codes to the ACMA.

# Probity

The Australian Government Solicitor (AGS) has been engaged by the department as the external Probity Advisor to provide advice on the conduct of the Project to the Committee, and to bring an objective viewpoint to the Project and ensure all relevant legislative and policy requirements are met and that transparent and robust processes, evaluation and recommendations are developed.

The Project Terms of Reference outline the role and responsibilities of the Probity Advisor.

The Probity Advisor is managed on a day-to-day basis by the Project Director, and will attend Steering Committee meetings to monitor, report and provide advice.

While representatives of the Probity Advisor will monitor and observe the decision-making processes for the Project, including attending Steering Committee meetings, the Probity Advisor will remain independent of any actual Project decision-making process.

### **Probity Framework**

The draft Probity Framework prepared by the Probity Advisor for the Project can be found at Attachment E.

The Probity Framework will be presented to the Committee by the Probity Advisor at the first Committee meeting for endorsement.

The Probity Framework establishes the standards of practice and behaviour and responsibilities for personnel involved in the Project.

The Probity Framework outlines the particular probity issues that are associated with the Project; establishes the probity principles and procedures that will apply to the Project; and provides the authority and structure for the way probity principles will be addressed in relation to the Project.

The Probity Framework applies to all members of the Steering Committee and members are required to familiarise themselves with its content, and provide an interests declaration.

Page 5 of 9

If the Committee has any issues or probity concerns they should contact the Probity Manager or Probity Advisors via the contact details set out below.

# **Probity Contacts**

Position	Name and Title	Contact Details		
Probity Manager	s22(1)(a)(ii) , Director SBS Relocation Feasibility Study	T 02 6271 <sup>s22(1</sup> )(a)(ii) E <sup>s22(1)(a)(ii)</sup> @infrastructure.gov.au		
Probity Advisor	s22(1)(a)(ii) , Deputy General Counsel, AGS	T 08 9268 s22(1 )(a)(ii) E s22(1)(a)(ii) @ag.gov.au		
	s22(1)(a)(ii) , Senior Executive Lawyer, AGS	T 02 6253 s22(1 )(a)(ii) E <sup>s22(1)(a)(ii)</sup> @ags.gov.au		
	s22(1)(a)(ii) , Senior Lawyer, AGS	T 02 6253 s22(1 )(a)(ii) E s22(1)(a)(ii) @ags.gov.au		

# Information management and security

The unauthorised disclosure of information held by the Australian Government may be a criminal offence subject to sections 70 and 79 of the *Crimes Act 1914* and section 91.1 of the Criminal Code 1995.

The Secretariat will therefore arrange a detailed information security briefing for members of the Committee as part of the initial Committee meeting.

### **Committee records management**

The Committee is a non-statutory advisory structure performing functions in order to assist the department in the conduct of the Project, and records created by or for the Committee are Commonwealth records.

A record is any information relating to any aspect of the Project, created, sent, received or used. This information can be in any format including paper, digital, audio, video, photographs, maps, plans etc.

The Secretariat will maintain Committee records on the department's records management system in compliance with departmental record keeping requirements, including (but not limited to):

- agendas and papers of Committee meetings;
- minutes of Committee meetings;
- Committee reports and recommendations;
- Committee correspondence;
- documents provided to the Committee; and
- any other documents relating to Committee business.

All Committee records must be captured, classified, stored and maintained in the department's official record keeping systems as soon as is practical upon creation or receipt of the record.

Committee members are required to provide the Secretariat with any records relating to Committee business, so that the Secretariat can maintain the records in accordance with relevant departmental information management requirements and requirements under the FOI Act, the <u>Archives Act 1983</u> (Archives Act) and the <u>Privacy Act 1988</u> (Privacy Act).

All physical and electronic records pertaining to the Project must be returned to the Secretariat for recordkeeping by the time of the conclusion of the Committee member's tenure on the Committee, and no copies (either in hard copy or electronic form) are to be retained by the Committee member.

Page 6 of 9

# Access to classified material

All Government records are required to be classified in accordance with the <u>Protective Security Policy</u> <u>Framework</u> and must be clearly marked as either:

- Top secret
- Secret
- Protected
- Official
- Official: Sensitive<sup>1</sup>

The majority of documents handled by the Committee will be at the Official / Official: Sensitive level.

However, there will be some Protected classified documents which will be presented to the Committee.

The criteria for determining the protective security classification is as follows:

	UNOFFICIAL		Sensitive information	Security classified information		
		OFFICIAL		PROTECTED	1	
			OFFICIAL: Sensitive		SECRET	TOP SECRET
Compromise of information confidentiality would be	No business impact	1 Low business impact	2 Low to medium business impact	3 High business impact	4 Extreme business impact	5 Catastrophic business impact
expected to cause	No damage. This information does not form part of official duty.	No or insignificant damage. This is the majority of routine information.	Limited damage to an individual, organisation or government generally if compromised.	Damage to the national interest, organisations or individuals.	Serious damage to the national interest, organisations or individuals.	Exceptionally grave damage to the national interest, organisations or individuals.

As only persons who have a baseline security clearance or above may receive or access Protected classified information, on appointment to the Committee, the Secretariat will initiate an application for baseline security clearance for each Committee member, and apply for supervised temporary access while the clearance is being processed. Members will then be contacted by the vetting agency and asked to provide information to facilitate the security clearance process.

Once a temporary or substantive security clearance is granted to Committee members, the Secretariat will be able to distribute Protected level papers (under Protected level security conditions). Details on Protected level security requirements will be provided to Committee members at this time.

The Committee will not be handling Top Secret or Secret classified documents.

A detailed briefing on the Protective Security Policy Framework and requirements for management of classified documents will be organised by the Secretariat as part of the Committee's first meeting.

 $<sup>^{1}\,</sup>$  NB additional information management markers include:

<sup>•</sup> Legal privilege: restriction on access to, or use of, information covered by legal professional privilege

<sup>•</sup> Legislative secrecy: restriction on access to, or use of, information covered by legislative secrecy provisions.

<sup>•</sup> Personal privacy: restrictions, under the Privacy Act 1988, on access, or use of, personal information collected for business purposes.

# Freedom of Information (FOI)

Records created by the Committee are considered department records and are subject to the <u>Freedom of</u> <u>Information Act 1982</u> (FOI Act).

The FOI Act gives any person the right to access information held by the Australian Government.

The objectives of the FOI Act are to give the Australian community access to information held by the Government by:

- o requiring agencies to publish information (section 8 of the FOI Act); and
- providing for a right of access to documents, other than exempt documents (section 11 of the FOI Act).

The intent is to:

- promote Australia's representative democracy by contributing towards the increasing public participation in government processes, with a view to promoting better-informed decisionmaking;
- o increase scrutiny, discussion, comment and review of the government's activities; and
- increase recognition that information held by the government is to be managed or public purposes, and is a national resource.

Under the FOI Act, any person has the right to obtain access to a document of an agency, other than an exempt document. A document is defined in section 4 of the FOI Act, and may be a hard copy written document, a map, plan or drawing, a photograph or video footage, or any electronic record, whether sounds, image, or writings (including recordings of meetings). A 'document of an agency' is a document in the possession of the department, whether created or received by the department, and will include records of the Committee.

If any person requests access to a document created or received by the Committee under the FOI Act, access must be granted to the requested document unless the document is an exempt document under Part IV of the FOI Act.

Requests for access to documents created or received by the Committee will be managed by the department's FOI team, and processed by the FOI team in consultation with the secretariat and the Committee.

The Secretariat can arrange FOI training for members of the Committee if required.

# Index of Attachments

Att:	Title:	File:
Α	SBS Relocation Feasibility Study Project Terms of Reference	Attached
В	SBS Relocation Feasibility Study Steering Committee Terms of Reference	Attached
С	SBS 2021-22 Annual Report	SBS 2021-22 Annual Report   SBS Corporate
D	SBS Corporate Plan 2022-23	Corporate Plan 2022-23   SBS Corporate
E	Project Probity Framework	Attached
F	Election commitment	Build Back Stronger in Western Sydney with SBS Policies   Australian Labor Party (alp.org.au)
Н	SBS Act	Special Broadcasting Service Act 1991 (legislation.gov.au)

### SENSITIVE - LEGAL PRIVILEGE

MS23-000133



Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

To: The Hon Michelle Rowland MP, Minister for Communications (for decision)

Subject: Draft SBS Relocation Feasibility Study Probity Framework

Critical Date: 13 March 2023

**Recommendations:** 

1. That you note the *Draft Probity Framework* (Attachment A) that has been developed in close consultation with SBS, and the accompanying sign off advice from the Australian Government Solicitor (Attachment B).

Noted / Please Discuss

2. That you note the guidance to assist Ministers and Ministerial Staff provided by the Australian Government Solicitor in Schedule 7 Probity Protocols for Ministers and Ministerial Staff – SBS Relocation Feasibility Study Project (Attachment C).

Noted / Please Discuss

3. That you note that a meeting is being be arranged for the Australian Government Solicitor to brief you and Ministerial staff on Schedule 7, and to discuss management strategies in respect of any conflict of interest which may be identified.

Noted / Please Discuss

The Hon Michelle Rowland MP

Date

**Comments:** 

**Key Points:** 

On 28 September 2022 the Australian Government Solicitor (AGS) was engaged as the external probity advisor to the SBS Relocation Feasibility Study Project (the Project).
 The Project will involve a number of interrelated activities including engagement with

stakeholders and other interested parties. <sup>\$47C</sup>

The unauthorised release or sharing of information or improper conduct of the Project could jeopardise the achievement of the Project objectives, provide basis for complaints, adverse media scrutiny and, potentially, litigation. 3. To mitigate these risks, AGS has prepared a Draft Probity Framework (Attachment A), which will apply for the life of the Project. The Framework establishes the probity principles and

Document 2

procedures that apply to all personnel working on the Project (including Steering Committee members, department staff, SBS staff and contractors) in order to ensure integrity of the Project is maintained.

LEGAL PRIVILEGE

4 As a project document cannot purport to bind a Minister of the Crown, the Framework does not apply to the Minister for Communications, other Commonwealth Ministers, or their Ministerial staff in the performance of their duties. However, to assist Ministers and Ministerial staff in ensuring that the integrity of the Project is maintained in all circumstances where their roles and responsibilities may interact with the conduct of the Project, a stand-alone Schedule 7 Probity Protocol for Ministers and Ministerial Staff is attached to the Framework (Attachment C). Schedule 7 includes advice that, should any actual, perceived, or potential conflict of interest arise (at any stage during the Project or related activities), the matter should be disclosed and appropriately managed.

5. The Framework has been developed in close consultation with SBS, and Schedule 8 Probity Protocols for SBS Personnel (Attachment D) provides specific guidance to SBS and its personnel on the application of the probity principles in the Framework to them. As part of the Framework, SBS has nominated an SBS Probity Contact Officer and SBS Probity Coordinator to manage probity matters with SBS staff. s47C

Financial impacts: NA

Legal/Legislative impacts: N/A

Stakeholder Implications: The project has major stakeholder implications, as various Western Sydney councils are supporting a relocation and Willoughby Council has opposed a move.

Consultation: The draft Probity Framework has been developed in close consultation with SBS and has been reviewed by the department's Legal, Governance, Ethics and Privacy sections.

Media Opportunities: Announcement is planned shortly

Attachments: Attachment A: Draft SBS Relocation Feasibility Study Probity Framework Attachment B: Sign Off advice from the Australian Government Solicitor Attachment C: Schedule 7 Probity Protocol for Ministers and Ministerial Staff Attachment D: Schedule 8 Probity Protocols for SBS Personnel

LEGAL PRIVILIGE

Cleared By: Pauline Sullivan Position: FAS Online Safety, Media and Platforms Section: SBS Relocation Feasibility Study Ph: 02 6271 s22(1) Mob: s22(1)(a)(ii) Date: 6 March 2023

Contact Officer: s22(1)(a)(ii) Mob: \$22(1)(a)(ii)

Instructions for MPS: Nil Responsible Adviser; \$22(1)(a)(ii)

PDMS Distribution List: Shervin Rafizadeh, \$22(1)(a)(ii) \$22(1)(a)(ii)

Jim Betts, Richard Windeyer, Pauline Sullivan, s22(1)(a)

Briefing



#### **Australian Government**

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

File Reference: Contact: Pauline Ross 29 March 2023

#### MEETING: Meeting with the Federal Independent Member for North Sydney, Ms Kylea Tink

Timing: 30 March 2023

Venue: Parliament House (Minister's Office meeting room)

Meeting with: Ms Kylea Tink and her Chief of Staff <sup>\$22(1)(a)(ii)</sup>

Also attending: <sup>\$22(1)(a)(ii)</sup>, <sup>\$22(1)(a)(ii)</sup>, Bridget Gannon, <sup>\$22(1)(a)(ii)</sup>

Purpose: To update Ms Tink on the status of the SBS Relocation Feasibility Study

#### Context:

• Ms Tink was last briefed on the study on 28 November 2022, where she was provided with high level information on the study timings and an indication that further briefings would occur to advise her on more specific details as these were determined. Ms Tink has requested a further briefing.

#### **Key Points:**

- The MO has indicated that it is happy to provide a significant update on the following matters, even if in confidence/under embargo if the Minister's media release announcing the same isn't out by then:
  - o Terms of reference
  - Steering Committee + members<sup>\$47C</sup>
  - o Probity framework
  - o Next steps
- The external probity advisor, AGS, has provided guidance (Attachment B) to ensure that the briefing is consistent with the requirements of the Probity Framework. In summary, AG has advised:
  - Ms Tink is not required to sign a Non Disclosure Agreement prior to receiving the briefing.
  - As the information has not been released yet, it is advisable to verbally advise Ms Tink at commencement of the meeting that the information is provided on a confidential basis.
     s<sup>47C</sup>
- s22(1)(a)(ii) is

is attending and can talk to the details of the study.

#### Attachments:

- A Talking Points
- **B AGS Probity Advice**
- C Letter from Ms Tink MP dated 8 November 2022
- D Daily Telegraph article dated 27 October 2022 quoting Ms Tink MP



# ATTACHMENT A - Talking Points

At the commencement of the briefing Ms Tink should be advised as follows:

A media announcement is expected shortly - the information about to be provided has not yet been released publicly, and is provided on a **<u>confidential basis only</u>** for the purposes of understanding the study and should not be more widely disclosed ahead of the public release of information.

# Study Terms of Reference & Timing

The feasibility study will explore the economic, social, cultural, environmental and financial benefits of a physical relocation of the SBS to Western Sydney.

This will include:

- examining the business case, benefits, costs and risks of relocating the SBS Sydney HQ (including studios and other production spaces) from Artarmon to Western Sydney
- assessing the costs and benefits of creating a co-located multi-purpose space or arts/cultural hub in Western Sydney for content creation, arts or industry training facilities and community or public use, with SBS at its heart.

Work will begin with an initial feasibility assessment conducted in close consultation with SBS.

If it is assessed that relocation is not feasible, the study will end at this stage. It is expected that the preliminary study phase will go until late 2023.

If it is assessed that relocation is feasible, the study will then progress to a public call for expressions of interest for Western Sydney sites.

This would include :

- identifying an appropriate competitive bidding process that involves local councils and may include other parties such as the NSW Government, private developers or consortiums involving public and private entities to inform the preferred site/s for any relocation
- considering a range of financing options and financing structures that could include funding in full or in part by SBS, co-investment from the NSW Government, local councils, the Australian Government, the private sector, or the incorporation of other cultural institutions or training facilities and across different time horizons, taking into account SBS's funding model
- identifying any NSW planning, assessment and approval processes required to implement identified options.

The public call for expressions of interest is expected to occur later in 2023, and will be followed by a formal evaluation of responses to identify an optimal location.

# Steering Committee

A Steering Committee is in the process of being established to oversee delivery of the study <sup>\$47C</sup>

The Steering Committee will oversee delivery of the study and advise the Minister and Government on recommendations.

It is proposed the Steering Committee will be made up of a Department representative, a SBS representative and 3 independent experts.

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

PROTECTED

#### **PROTECTED**

The independent members will be eminent experts with a mix of experience including in prominent leadership roles; broadcasting and digital media; investment banking, funds management and property development; and SBS requirements.

It is expected that there will be a public announcement about the appointments in the near future.

# Study Roles

Under the *Special Broadcasting Service Act 1991* any decision on whether to relocate SBS and the location and suitability of any new premises for SBS, is ultimately a matter for the SBS Board.

The department will therefore be working closely with SBS and the SBS Board throughout the study.

The SBS Relocation Feasibility Study Steering Committee will be responsible for making recommendations in respect of preferred location/s and for ensuring any processes undertaken comply with applicable legislation and policies.

The Minister for Communications will assess and act on Steering Committee and department advice over the life of the project.

The Australian Government is ultimately responsible for all Commonwealth public sector activities and resource investments.

# **Probity Framework**

The Australian Government Solicitor (AGS) is external probity advisor to the study - and a probity framework has been put in place to ensure the integrity of the project is maintained.

The probity framework establishes the probity principles and procedures that apply throughout the study, and establishes the standards of practice and behaviour and responsibilities for personnel involved in the study.

The Probity Framework will apply to all persons involved with the feasibility study, and its implementation will be monitored by AGS throughout the study.



# ATTACHMENT C – Correspondence from Ms Tink MP



Independent Federal Member for North Sydney

Hon Michelle Rowland MP Minister for Communications PO Box 6022 House of Representatives Parliament House Canberra ACT 2600



8 November 2022

#### Dear Minister

#### Briefing request - feasibility study for relocation of Special Broadcasting Service

I am writing regarding the Government's 2022-23 Budget to allocate \$1.0 million over two years from 2022-23 for a feasibility study into relocating the SBS from Artarmon to Western Sydney.

Recent media reports of the Prime Minister's speech during the Western Sydney Leadership Dialogue last month disappointed many people in North Sydney. While the Labor Party had announced during the election campaign that they would undertake a feasibility study into this move if elected, the coverage seemed to indicate the relocation was a foregone conclusion. I ask that you ensure the feasibility study is developed, implemented and assessed in a transparent and open manner.

There's no doubt SBS delivers terrific value for money for the Australian community. I'd argue the hundreds of millions of dollars required to enable the move would deliver much better taxpayer value for money if directed towards increased production of Australian content for all our communities to enjoy.

Having recently toured SBS, I was able to see their state-of-the-art studios, in which they are happily currently located. To uproot the broadcaster, purely to place it in another part of Sydney, at huge expense, seems to make little business sense.

This move would be a devastating loss for our community. Artarmon has been home to SBS for over 30 years. Not only is it an important employer locally, it also reflects a significant part of our community, representing the diversity that makes North Sydney a great place to live. North Sydney is a vibrant and diverse community with 50% of people living in our electorate born overseas, and 30% speaking a language other than English at home.

I hope to arrange a meeting with you, and your Department, to discuss the scope and timeframes for the feasibility study.

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Furthermore, I would be pleased to host you, and the Prime Minister, in the North Sydney electorate and the SBS facilities in Artarmon to fully understand the diverse community which surrounds and supports SBS. You can reach my office via my Chief of Staff S22(1)(a)(ii) @aph.goy.au

Yours sincerely s22(1)(a)(ii)

> Kylea Tink MP Independent Member for North Sydney



### OFFICIAL

Document 9

MS23-004022



### Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

# To: The Hon Michelle Rowland MP, Minister for Communications (for decision)

**Subject:** SBS Relocation Feasibility Study - Steering Committee Update **Critical Date:** Please action by 04 August 2023 as consultation meetings commence in August

### **Recommendation/s:**

That you <b>note</b> the SBS Relocation Feasibility Study July Progress Report at Attachment A and that consultation will commence in August
(Noted)Please Discuss
That you <b>approve</b> the steering committee Chair accepting the invitation from Business Western Sydney to speak at a forum on a date yet to be arranged
(Approved)/ Not Approved
That you <b>sign</b> the letter to Minister Burke at <b>Attachment D</b> advising of the intention to consult with arts agencies
Signed Not Signed
That you <b>sign</b> the letters at <b>Attachment E</b> advising Ministers of consultation with their departments
Signed / Not Signed
That you <b>sign</b> a second letter ( <b>Attachment F</b> ) to Ministers, MPs and Senators who previously received your March letter containing probity management advice
Signed Not Signed
e Hon Michelle Rowland MP Date: 18/23
lin Africe to confirm date for mbg w/SC.

### **Key Points:**

1. On 27 April 2023 you appointed a steering committee (the committee) to oversee the SBS Relocation Feasibility Study (MS23-003367 refers). The committee members are Mike Mrdak AO (Chair); James Taylor (Managing Director, SBS); Daryl Karp AM (Director, Australian Maritime Museum); Pauline Sullivan (FAS Online Safety, Media and Platforms Division); and Mark Ramsey (CEO Vecor Technologies).

2. A meeting for you with the steering committee has been discussed with your office and is in the process of being arranged.

3. s47C

Attachment A, and includes advice that:

### **OFFICIAL**

s47C A draft letter to advise Minister Burke is at Attachment D, and your agreement to the department briefing him in more depth is sought should this be requested. Draft letters to Ministers whose departments are to be consulted are at Attachment E. On 29 March 2023 you wrote to a number of Australian Government Ministers, MPs and Senators to provide them with probity risk management advice (MB23-001380 refers). A draft of a second letter to these is at Attachment F (minus Ministers receiving a letter in Attachment E). s47C

Financial impacts: N/A Legal/Legislative impacts: N/A Stakeholder Implications: <sup>\$47C</sup> Consultation: SBS, AGS, Office for the Arts, DITRDCA Strategic Comms & Media sections Media Opportunities: N/A

#### Attachments:

4.

5.

6.

7.

Attachment A:					
Attachment B:	s47C				
Attachment C:	Invitation to the committee Chair to speak at a Bu	isiness V	Western	Sydney forun	n
Attachment D:	Exercise to Minister Burke concerning arts agency consultation				
Attachment E:	: Letters to Ministers notifying them of consultation with their departments				
Attachment F:	Second letters to Ministers, MPs and Senators				
Attachment G:	s47C				
Attachment H:	s47C				1
Attachment I: <sup>s</sup>	47C				

Cleared By: Pauline Sullivan Position: First Assistant Secretary Division: Online Safety, Media & Platforms Division Mob: <sup>s22(1)(a)(ii)</sup> Cleared Date: 28 July 2023

Instructions for MPS: Nil Responsible Adviser: <sup>\$22(1)(a)(ii)</sup> Mob: s22(1)(a)(ii)

Contact Officer: <sup>s22(1)(a)(ii)</sup>

**PDMS Distribution List:** Shervin Rafizadeh, <sup>s22(1)(a)(ii)</sup> s22(1)(a)(ii) s22(1)(a)(ii) s22(1)(a)(ii)

, Jim Betts, Richard Windeyer, Pauline Sullivan,

Section: SBS Relocation Feasibility Study

FOI Act 1982 by the Minister for Communications

Keleased under the



19 June 2023

Mr Mike Mrdak AO SBS Feasibility Review

#### Re: Invitation to address Business Western Sydney Boardroom Luncheon

Dear Mike,

On behalf of **Business Western Sydney**, it is my great pleasure to extend to you an invitation to address an upcoming Business Western Sydney Boardroom Luncheon in 2023.

Business Western Sydney is a not-for-profit body representing a diverse membership of more than 130 of the region's leading organisations in business, industry, government, and community. Our advocacy priorities are to support private and public sector investments in Western Sydney that will drive economic growth and job creation and make the region a better place to live, work, play and learn.

As part of our program, we hold a series of luncheons through the year with important industry and government leaders to discuss the key issues facing Western Sydney and potential solutions.

I would be delighted if you could speak to the Business Western Sydney membership on your appointment to conduct a review of the feasibility of relocating SBS to Western Sydney and how such a move could be leveraged by the region to support an expanded creative industry.

As part of the luncheon, we ask our guest to speak for approximately 20 minutes and then follow with questions and a general roundtable discussion for a further 30 minutes.

We would welcome the suggestion of possible dates that match your availability in the coming weeks.

I have enclosed a copy of our membership list for your information and interest.

 I look forward to hearing from you. Please contact our Venue & Events Manager \$22(1)(a)(ii)
 on 02

 s22(1)(a)(ii)
 @businesswesternsydney.com
 to discuss the event or to confirm a date.

Thank you for your consideration and I look forward to welcoming you as our official guest.

Yours Sincerely, s22(1)(a)(ii)

David Borger Executive Director



## Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Tony Burke MP Minister for Employment and Workplace Relations Minister for the Arts Parliament House CANBERRA ACT 2600

Tony Dear Minister

I am writing in respect of the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

On 29 March 2023 I wrote to advise you of the Probity Framework developed by the Australian Government Solicitor for the study, which contains tailored probity guidance for Ministers, Members of Parliament and their staff at Schedule 7. In that letter I provided you with a copy of the Probity Framework which is also available on the department's website at <u>www.infrastructure.gov.au/sites/default/files/documents/probity-framework-sbs-relocation-feasibility-study.pdf</u>). A short summary of the key points is attached.

I am now writing to advise of the impending commencement of targeted consultation for the study. The steering committee delivering the study, which is chaired by Mr Mike Mrdak, will shortly engage with relevant NSW Government departments to discuss the study. This will be followed by targeted consultation with key councils, relevant peak business groups and other relevant entities.

The steering committee would also like to meet with a number of the arts agencies within your portfolio to discuss potential linkages should it be found feasible for SBS to relocate to Western Sydney. In view of the importance of keeping you informed and maintaining consistency with the National Cultural Policy, I would like to suggest that the relevant representatives from the department's Online Safety, Media and Platforms Division (which is responsible for the study) and the Office of the Arts brief you prior to the steering committee meeting with any arts agencies. This briefing will of course be consistent with the Probity Framework.

I hope this information is of assistance.

Yours sincerely

Michelle Rowland MP

1 / 8/2023

Enclosure A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff OFFICIAL

Released under the FOI Act 1982 by the Minister for Communication



# The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Linda Burney MP Minister for Indigenous Australians Parliament House CANBERRA ACT 2600

Dear Minister Linde

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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My department will also be reaching out to the National Indigenous Australians Agency to seek its views and engage early to ensure that any First Nations Impact Assessments Framework requirements are met.

I hope this information is of assistance.

Yours sincerely

Michelle Rowland MP

1 18 12023

#### Enclosure

A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff





Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Dr Anne Aly MP Minister for Early Childhood Education Minister for Youth Parliament House CANBERRA ACT 2600

Dear Minister Anne

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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My department will also be reaching out to the Office for Youth to seek its views on the study.

I hope this information is of assistance.

Yours sincerely

Michelle Rowland MP

( 1 8/2023

### **Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Andrew Giles MP Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs Parliament House CANBERRA ACT 2600

Andrew Dear Minister

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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My department will also be reaching out to the Multicultural Affairs area of the Department of Home Affairs to seek views on the study.

I hope this information is of assistance.

Yours sincerely

Michelle Rowland MP

18/2023

## Enclosure

A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff

Released under the FOI Act 1982 by the Minister for Communicati



# The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Anthony Albanese MP Prime Minister Parliament House CANBERRA ACT 2600

Dear Prime Minister

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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Yours sincerely

Michelle Rowland MP

/2023

**Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Richard Marles MP Deputy Prime Minister Minister for Defence Parliament House CANBERRA ACT 2600

Dear Deputy Prime Minister

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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I hope this information is of assistance.

Yours sincerely

Michelle Rowland MP

12023

Enclosure A - Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff

Released under the FOI Act 1982 by the Minister for Communication:





# The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

Senator the Hon Penny Wong Minister for Foreign Affairs Parliament House CANBERRA ACT 2600

Dear Minister

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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Yours sincerely

Michelle Rowland MP

12023

Enclosure A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff

Released under the FOI Act 1982 by the Minister for Communications



# The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Dr Jim Chalmers MP Treasurer Parliament House CANBERRA ACT 2600

Dear Treasurer

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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Yours sincerely

Michelle Rowland MP

12023

Enclosure A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff

Released under the FOI Act 1982 by the Minister for Communication



# The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

Senator the Hon Katy Gallagher Minister for Finance Minister for Women Minister for the Public Service Parliament House CANBERRA ACT 2600

Dear Minister

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Yours sincerely

Michelle Rowland MP

/2023

Enclosure A - Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff

Released under the FOI Act 1982 by the Minister for Communication



# The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

Senator the Hon Don Farrell Minister for Trade and Tourism Special Minister of State Parliament House CANBERRA ACT 2600

Dear Minister

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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Yours sincerely

Michelle Rowland MP

1 \$ 12023

Enclosure A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Mark Butler MP Minister for Health and Aged Care Parliament House CANBERRA ACT 2600

Dear Minister Mark

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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Yours sincerely

Michelle Rowland MP

12023

Enclosure A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff

Released under the FOI Act 1982 by the Minister for Communicati



## The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Chris Bowen MP Minister for Climate Change and Energy Parliament House CANBERRA ACT 2600

Dear Minister Churg

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Yours sincerely

Michelle Rowland MP

/2023

**Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff

Released under the FOI Act 1982 by the Minister for Communication



## The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Tanya Plibersek MP Minister for the Environment and Water Parliament House CANBERRA ACT 2600

Dear Minister /ama

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Yours sincerely

Michelle Rowland MP

/2023

Enclosure A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Catherine King MP Minister for Infrastructure, Transport, Regional Development and Local Government Parliament House CANBERRA ACT 2600

Dear Minister (atheine

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Yours sincerely

Michelle Rowland MP

X 12023

**Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff

Released under the FOI Act 1982 by the Minister for Communication



# The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Amanda Rishworth MP Minister for Social Services Parliament House CANBERRA ACT 2600

Dear Minister Amanda

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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I hope this information is of assistance.

Yours sincerely

Michelle Rowland MP

1 8 12023

**Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Bill Shorten MP Minister for the National Disability Insurance Scheme Minister for Government Services Parliament House CANBERRA ACT 2600

Dear Minister Kill

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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I hope this information is of assistance.

Yours sincerely

Michelle Rowland MP

( 18/2023

## **Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Mark Dreyfus KC MP Attorney-General Parliament House CANBERRA ACT 2600

Dear Attorney-General

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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Yours sincerely

Michelle Rowland MP

/2023

# **Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Brendan O'Connor MP Minister for Skills and Training Parliament House CANBERRA ACT 2600

Dear Minister Grendan

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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Michelle Rowland MP

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**Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Jason Clare MP Minister for Education Parliament House CANBERRA ACT 2600

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I hope this information is of assistance.

Yours sincerely

Michelle Rowland MP

18 12023

# **Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff

Released under the FOI Act 1982 by the Minister for Communicati



## The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Julie Collins MP Minister for Housing Minister for Homelessness Minister for Small Business Parliament House CANBERRA ACT 2600

Dear Minister Mul

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# The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Madeleine King MP Minister for Resources Minister for Northern Australia Parliament House CANBERRA ACT 2600

Dear Minister Madele're

As you know, the Australian Government has commissioned a study into the feasibility of I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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Enclosure A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

Senator the Hon Murray Watt Minister for Agriculture, Fisheries and Forestry Minister for Emergency Management Parliament House CANBERRA ACT 2600

Dear Minister Munay

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Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Ed Husic MP Minister for Industry and Science Parliament House CANBERRA ACT 2600

Dear Minister Ed

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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Yours sincerely

Michelle Rowland MP

12023

# **Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

The Hon Clare O'Neil MP Minister for Home Affairs, Minister for Cyber Security Parliament House CANBERRA ACT 2600

Dear Minister Clare

I am writing in regard to the study into the feasibility of relocating the Special Broadcasting Service (SBS) from its Artarmon headquarters in New South Wales (NSW) to Western Sydney. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is conducting the study in close collaboration with SBS.

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Yours sincerely

Michelle Rowland MP

12023

# **Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

Dr Andrew Charlton MP Member for Parramatta Parliament House CANBERRA ACT 2600

Dear Dr Charlton Moren

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Minister for Communications Federal Member for Greenway

MS23-004022

Dr Mike Freelander MP Member for Macarthur Parliament House CANBERRA ACT 2600

Dear Dr Freelander Milce

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## The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

Ms Anne Stanley MP Member for Werriwa Parliament House CANBERRA ACT 2600

Dear Ms Stanley Anne

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Michelle Rowland MP

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**Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

Ms Sally Sitou MP Member for Reid Parliament House CANBERRA ACT 2600

Dear Ms Sitou Sally

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### OFFICIAL

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Minister for Communications Federal Member for Greenway

MS23-004022

Mr Jerome Laxale MP Member for Bennelong Parliament House CANBERRA ACT 2600

Dear Mr Laxale

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Michelle Rowland MP

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Minister for Communications Federal Member for Greenway

MS23-004022

Ms Susan Templeman MP Member for Macquarie Parliament House CANBERRA ACT 2600

uran Dear Ms Templeman

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Minister for Communications Federal Member for Greenway

MS23-004022

Senator the Hon Tim Ayres Assistant Minister for Trade Assistant Minister for Manufacturing Parliament House CANBERRA ACT 2600

Dear Assistant Minister 7/M

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Enclosure A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



## Minister for Communications Federal Member for Greenway

MS23-004022

Senator the Hon Jenny McAllister Assistant Minister for Climate Change and Energy Parliament House CANBERRA ACT 2600

Dear Assistant Minister

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# **Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff



Minister for Communications Federal Member for Greenway

MS23-004022

Senator Deborah O'Neill Parliament House CANBERRA ACT 2600

Deb Dear Senator

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## The Hon Michelle Rowland MP

Minister for Communications Federal Member for Greenway

MS23-004022

Senator Tony Sheldon Parliament House CANBERRA ACT 2600

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**Enclosure** A – Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff

# Short Summary of Probity Protocols for Ministers, Members of Parliament and their Staff

#### What are the key probity principles under the Probity Framework?

- Ensure non-public information about the study is kept confidential. Non-public information about the study should not be disclosed unless required.
- Particular care should be taken to ensure that non-public information about the study is appropriately handled by Ministerial staff, including those in Parliamentary and electoral offices.
- Consider whether any conflicts of interest require disclosure or management. Further guidance can be obtained from the department or the Australian Government Solicitor if required.

#### What do I do if I am asked about the SBS Relocation Feasibility Study?

- Advise that you are not in a position to discuss the study
- Refrain from commenting on any proposals or propositions made to you in relation to the study
- Avoid expressing any personal views, opinions or preferences about the study
- Direct enquiries or requests for information from individuals/organisations to sbsrelocationfeasibilitystudy@infrastructure.gov.au
- All enquiries from the media received by MPs/Senators should be directed to the Office of Michelle Rowland, Minister for Communications via <u>Minister.Rowland@mo.communications.gov.au</u>
- Make a file note about the contact for your own records

FOI Act 1982 by the Minister for Communi

Released under the

s22(1)(a)(ii)

From: Sent: To: Subject:	s22(1)(a)(ii) Thursday, 17 August 2023 9:58 AM s22(1)(a)(ii) Talking points and probity advice concerning Minister's visit to SBS Artarmon on 30 August [SEC=OFFICIAL]
Importance:	High
Categories:	FOI
	OFFICIAL

Hi<sup>s22(1)</sup> (a)(ii)

Regarding the Minister's attendance at SBS Artarmon HQ on 30 August and the potential for speaking to SBS staff, the external probity advisor to the SBS Relocation Feasibility Study – the Australian Government Solicitor – has advised that there are no probity issues with the Minister speaking to SBS staff in general terms about the study.

Please find below some high-level talking points, which have also been cleared by the Australian Government Solicitor:

#### **Talking Points**

- In April I appointed the steering committee to oversee the SBS Relocation Feasibility Study.
- The study is being conducted by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts in close consultation with SBS.
- The steering committee is chaired by Mike Mrdak AO, and includes the SBS Managing Director James Taylor, along with other experts and a departmental representative.
- As portfolio Minister, I will assess and act on steering committee and department advice over the life of the project, and take its recommendations back to the Government.
- But the SBS Board is the decision maker on any relocation of SBS from Artarmon under the *Special Broadcasting Service Act 1991*.
- Although I am kept advised, I am not involved in the day-to-day delivery of the study this is driven by the steering committee in close consultation with SBS.

#### If asked about progress with the study:

- I understand from the steering committee that work to assess the feasibility of relocation is underway.
- The steering committee is consulting closely with SBS and the SBS Board.
- I await the steering committee's advice with interest.
- As is clear from the department's website if it is assessed that relocation is not feasible, and the SBS Board agrees, the study will end.
- If it is assessed that relocation is feasible, and the SBS Board agrees, the study will then progress to a public call for expressions of interest for Western Sydney sites.
- The exact timeframe for this is subject to the steering committee's deliberations.

Please let me know if you need anything else.

#### Regards

#### s22(1)(a)(ii)

Director, SBS Relocation Feasibility Study • Online Safety, Media and Platforms Division s22(1)(a)(ii) @infrastructure.gov.au M +61 s22(1)(a)(ii) GPO Box 594 Canberra, ACT 2601

Department of Infrastructure, Transport, Regional Development, Communications and the Arts CONNECTING AUSTRALIANS 

ENRICHING COMMUNITIES 

EMPOWERING REGIONS

infrastructure.gov.au



I would like to acknowledge the traditional custodians of this land on which we meet, work and live. I recognise and respect their continuing connection to the land, waters and communities. I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.



# Australian Government Department of Infrastructure, Transport,

Regional Development, Communications and the Arts

MB23-002817

**Meeting Brief** 

To: The Hon Michelle Rowland MP, Minister for Communications

## **MEETING: Meeting with the SBS Relocation Feasibility Study Steering Committee**

**Timing:** 21 August 2023 8:30 – 9.00am

Venue: ACT Ministerial Suite M1.41, Australian Parliament House, and via WebEx

Meeting with: the SBS Relocation Feasibility Study Steering Committee and Project Director:

- Mike Mrdak AO Chair
- James Taylor Managing Director of SBS
- Pauline Sullivan First Assistant Secretary, Online Safety, Media and Platforms Division
- Mark Ramsey CEO Vecor Technology
- Daryl Karp AM Director National Maritime Museum
- s22(1)(a)(ii) Director SBS Relocation Feasibility Study

## Their Objective:

To discuss progress of the study, the study timeframe, and obtain feedback on Government expectations.

### **Our Proposed Objectives:**

To meet the Steering Committee and provide feedback on Government expectations.

## **Key Points:**

### Steering Committee Consultations

- 1. The Steering Committee recently provided you with a progress update (MS23-004022 refers).
- 2. This meeting will be the first opportunity for you to meet with all Steering Committee members (refer **Attachment A** for bios of external members).
- 3. The Steering Committee has sought the meeting with you in order to discuss the scope of the study and reporting timeframes, and obtain feedback on Government expectations. Talking Points are at **Attachment B**.
- 4. <sup>\$47C</sup>

### Study Timeframe

5. It was announced (and is currently on the department's website) that the Initial Report is expected to be provided to Government in late 2023 and, if relocation is found to be feasible, the public call for expressions of interest would occur later in 2023 / early 2024.

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6. <sup>$34(3)</sup>
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- 10. You are separately scheduled to meet with the SBS Board on 30 August 2023 on other matters.
- 11. Once the Chair has met with the SBS Board, the Minister will be provided with an updated timeframe and a recommended solution for amending stakeholder expectations as to the timing of any feasibility decision and expression of interest process.

**Probity** 

- 12. The Project Terms of Reference provide that the Steering Committee will convene regularly to advise the Minister on the direction and progress of the feasibility study.
- 13. The Australian Government Solicitor has confirmed there are no probity issues with the Steering Committee meeting with you to brief you on progress, discuss the scope of the study, and discuss reporting timeframes.

s47C

Name: Pauline Sullivan Position: First Assistant Secretary Division: Online Safety, Media and Platforms Mob: <sup>\$22(1)(a)(ii)</sup> Date Cleared:

#### Attachments:

Attachment A: Biographical Details Attachment B: Talking Points Attachment C: <sup>\$47C</sup> Attachment D: Attachment E: Contact Officer: <sup>\$22(1)(a)(ii)</sup> Position: Director - SBS Relocation Feasibility Study Division: Online Safety, Media and Platforms Mob: <sup>\$22(1)(a)(ii)</sup>

## ATTACHMENT A

# STEERING COMMITTEE EXTERNAL MEMBERS - BIOGRAPHICAL DETAILS

**OFFICIAL** 



#### Name: Mike Mrdak AO

#### Position: Steering Committee Chair

Mr Mrdak was appointed an Officer of the Order of Australia in 2016 for his distinguished service to public administration in transport, logistics and infrastructure investment. Mr Mrdak is currently Executive Chair and CEO (Australia and New Zealand) for NEC Corporation. Previously he was the Secretary of the Australian Government Department of Communications and the Arts (2017 – 2019), prior to which he was Secretary of the Australian Government Department of Infrastructure and Regional Development.



#### Name: Daryl Karp

#### Position: Director & CEO Australian National Maritime Museum

Prior to her appointment as Director and CEO of the Australian National Maritime Museum, Ms Karp was the Director of the Museum of Australian Democracy at Old Parliament House from 2013 to 2022. She has previously held executive roles in broadcast media, independent production houses and the public sector. She has also served on the SBS Board and Boards of the Sydney Jewish Museum and the Australian Children's Television Foundation and is a current member of the Yindyamarra Advisory Group. Most recently Ms Karp was appointed to the Nomination Panel for the ABC and SBS Boards.



#### Name: Mark Ramsey

#### Position: CEO Vecor Technology

Mr Ramsey worked as a commercial lawyer and litigator for 15 years before joining Macquarie Group Limited in 1997. During his 21 years with Macquarie Group he initiated, advised on and invested in many deals in transport, energy, renewables, communications and other sectors. From 2009 he was Head of Macquarie Capital, Latin America. Vecor Technology is a research and commercialization company focused on ceramics, ceramic composites and advanced materials. Coal ash utilisation is at the core of Vecor Technology's history. Utilizing materials which would otherwise become waste, and creating products which are environmentally positive, remains a central focus of the company's research and development.

#### ATTACHMENT B

# TALKING POINTS

The Australian Government recognises that any decision on whether to relocate SBS is ultimately a matter for the SBS Board.

## Points to emphasise

- To maintain the existing project timeline the draft Initial Report would need to be with my office in early 2024.
- I note that there is an SBS Board meeting scheduled for late February 2024.
- The draft Initial Report should be presented to the SBS Board and myself at the same time.

## Timeframe

- I agree it is vital that the SBS Board has the time it needs to consider the results of the rapid cost benefit analysis which has just been commissioned by the department.
- s47C
- I also note that both myself and Mr Mrdak will be meeting with the SBS Board on 30 August although I am meeting with the Board on other matters.
- I think that given this, the Chair of the Steering Committee should consult with the SBS Board on its views concerning the timeframe it will require for consultation on the draft Initial Report for the report-back to Government in mid-2024.
- <u>You could ask:</u> Could the department provide me with a proposed updated timeline following the Chair's discussion with the SBS Board?

### **Steering Committee**

- Thank you all for your work on the committee.
- I understand you have had 3 productive meetings and I appreciate all of the hard work of the committee Chair and members particularly considering your other busy roles.
- You could ask: Please keep me advised of your progress through regular reports.

## SBS Staff Survey

- I understand that SBS has advised the steering committee it is planning a staff survey - for release on a date sometime after my meeting with the SBS Board on 30 Augustwhich includes questions about relocation.
- I am happy to hear that SBS is working so closely with the steering committee to inform the feasibility study, and await more information about the survey in my next steering committee update.

#### s22(1)(a)(ii)

From:	s22(1)(a)(ii)	@sbs.com.au>	
Sent:	Wednesday, 23 August 2023 11:56 AM		
To:	s22(1)(a)(ii)		
Cc:	s22(1)(a)(ii)		
Subject:	Minister visit to S	5BS 30/8	
s22(1)(a)(ii)			
Hi s22(1)			

s22(1)(a)(ii)

#### Possible Minister talking points

s22(1)(a)(ii)

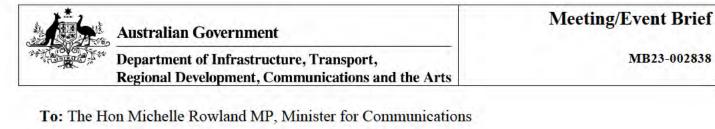
#### Minister Rowland (10 mins)

- I was most recently here for MDA roundtable which brought together Australia's media leadership to commit to a path to industry-wide improvement around diversity, equity and inclusion.
- Great to see SBS's own work here, including recent joint research by the University of Canberra
  on belonging, and earlier work quantifying the economic dividend from raising the level of social
  inclusion in Australia.
- I also acknowledge the SBS Inclusion Program, which provides online training to organisations looking to build a strong approach to diversity and inclusion; as well as SBS's Commissioning Equity & Inclusion Guidelines, which set out SBS's expanded commitment to reflecting and exploring the diversity of Australia through programming.
- Commend SBS on continuously adapting as needed to reflect a changing and contemporary Australia - my congratulations also on launch of new language programs - Bislama, Malay, Oromo, Telugu, Tetum.
- As a member for Greenway in north-western Sydney with high Indian population, I'm also delighted to see SBS's increased investment in South Asian communities - including news that you will rebrand PopDesi as a destination channel for South Asian languages, last year's successful Colours of Cricket podcast, inaugural Eid cultural celebration and upcoming Diwali, increased investment in Punjabi and Nepali language teams
- SBS content the Minister has recently watched [options include Alone Australia (factual), Safe Home (drama) and Australian Wars (factual)].
- SBS exemplifies digital excellence in terms of both innovation and excellence SBS On Demand is the highest rated streaming platform in the App store
- Media's role in informing and empowering all Australians is critical SBS's Referendum portal provides unbiased, accurate and trusted information which is so important in enabling multilingual Australians to participate in this national conversation, and the First Nations perspectives that NITV brings is invaluable.

- Media's role in connecting all Australians, as SBS did with the FIFA World Cup (80 million hours of content consumed, new highlight packages) and the breakout hit Alone Australia (1M+ views per episode)
- News MAP/strengthen the independence of public broadcasting/Australians are increasingly consuming news content online (speak to Review of options to support the national broadcasters' independence)
- Media reform re equitable access (speak to SBS's digital innovation, FTA/prominence)
- To support a strong local media industry and enable all Australians to engage and participate in cultural, political and economic life in Australia.
- At a time when more than ever before is being asked of media, and accuracy and integrity really matter, it's great to see SBS meeting these challenges on so many fronts.
- Also. I know many of you will be interest in the Feasibility Study process which recently commenced. We're still in early stages. Restate that ultimately any decision on a possible relocation will be that of the SBS Board who will focus on serving audiences and the Charter.

s22(1)(a)(ii)

MB23-002838



**MEETING: SBS Board meeting** 

Timing: Wednesday, 30 August, 12pm - 2pm (over lunch)

Venue: SBS, 14 Herbert Street, Artarmon

Meeting with: SBS Board (see biographies at Attachment A)

s22(1)(a)(ii)

**Key Points:** s22(1)(a)(ii)

SBS Relocation Feasibility Study

The Steering Committee Chair (Mr Mike Mrdak AO) is also meeting separately with the SBS Board on 31 August 2023 - and any questions/comments regarding the study may be referred to him. s47C

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Released under the FOI Act 1982 by the Minister for Communications

#### OFFICIAL

s22(1)(a)(ii)

Name: \$22(1)(a)(ii)

Position: Acting Assistant Secretary Branch: Media Industry and Sustainability Ph: 02 6271 <sup>\$22(1)</sup> Mob: <sup>\$22(1)(a)(ii)</sup> Date Cleared: 28 August 2023

Attachments:

Attachment A: Biographical Details Attachment B: Additional Talking Points Attachment C: Proposed run sheet Contact Officer: <sup>s22(1)(a)(ii)</sup> Section: National Broadcasters Ph: 02 6271 <sup>s22(1)</sup> (a)(ii)

### OFFICIAL

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# ATTACHMENT B

# ADDITIONAL TALKING POINTS

## SBS Relocation Feasibility Study

- In April I appointed the steering committee to oversee the SBS Relocation Feasibility Study.
- The study is being conducted by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts in close consultation with SBS.
- The steering committee is chaired by Mike Mrdak AO, and includes the SBS Managing Director James Taylor, along with other experts and a departmental representative.
- As portfolio Minister, I will assess and act on steering committee and department advice over the life of the project, and take its recommendations back to the Government.
- But the SBS Board is the decision maker on any relocation of SBS from Artarmon under the Special Broadcasting Service Act 1991.
- Although I am kept advised, I am not involved in the day-to-day delivery of the study this is driven by the steering committee in close consultation with SBS.

## If asked about progress with the study:

• The Initial Report is to be delivered to me and the SBS Board in early 2024, in time for delivery to Government in Q1 2024.

s22(1)(a)(ii)

s22(1)(a)(ii)

s22(1)(a)(ii)

Document 13

## **SBS – RELOCATION**

## QUESTION: What is the cost of relocating SBS? <sup>\$47C</sup>

# QUESTION: Is SBS going to be relocated to Parramatta alongside the proposed ABC Offices?

The Government has commissioned a feasibility study into relocating the Special Broadcasting Service (SBS) headquarters and studios in NSW from Artarmon to Western Sydney.

To build the inclusive Australia of tomorrow, you need to start planning today. The feasibility study will examine the business case for relocating the nation's multicultural broadcaster to Western Sydney, which is one of Australia's most diverse and fast-growing areas.

It will be an opportunity to consider the future needs of the SBS, create construction jobs and improve cultural investment in Western Sydney.

A central element of the Study is that it will examine the provision of a colocated public multi-purpose space for content creation. This space would be

made available for use by local community groups and not-for-profit organisations.

My Department is leading the Feasibility Study in collaboration with the SBS.

The Department is in the early design stage of the study and more information will be announced in the near future.

Labor is committed to supporting the SBS – which is Australia's trusted multicultural broadcaster – and has committed to provide the SBS with fiveyear funding terms so it has greater stability as it delivers on its Charter for all Australians.

# [If asked about cost of relocating SBS]:

It would be pre-emptive to comment on the potential cost of relocating the SBS, or related matters, before the feasibility study is completed. The value of SBS assets is reported in the SBS annual report.

As the Budget 2022-23 confirms, the Government will provide \$1.0 million over two years from 2022–23 for the feasibility study into relocating the SBS from Artarmon to Western Sydney. The cost of this portion of this measure will be met from within the existing resourcing of the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

# [if asked on co-location with ABC at Parramatta]:

The announcement by the ABC to relocate approximately 300 employees to Parramatta by 2024 is an independent decision of the ABC that is separate to, and independent of, the Government's decision to commission an SBS relocation feasibility study.

[if asked about Prime Minister's speech during the Western Sydney Leadership Dialogue / Kylea Tink]

The Prime Minister affirmed his election policy of commissioning a feasibility study into the relocation of SBS to Western Sydney.

Moving SBS to Western Sydney makes sense – which is why we have committed to a feasibility study to examine the business case to see if it stacks up in real terms – both for Western Sydney and for the SBS.

## QB23-000120

Document 14

The SBS is a vibrant jewel in Australia's multicultural crown and Labor wants to explore the synergies in relocating this dynamic multiplatform digital broadcaster to the heart of a fast-growing multicultural corridor in Australia.

The feasibility study will examine the merits of addressing the imbalance in infrastructure, skilled jobs and cultural investment in Western Sydney by leveraging the public's investment in the nation's multicultural broadcaster.

# [Kylea Tink]

The Member for North Sydney was briefed on this matter on Monday 28 November 2022.

The Department is in the early design stage of the study, in close consultation with SBS, and more information will be announced in the near future.

## **Background**

- Officers from the Ministerial Office and the department briefed Ms Tink on 28 November 2022 at Parliament House.
- Since November 1993, SBS has been headquartered in Artarmon, on the lower North Shore of Sydney NSW. It maintains an office and broadcast facilities in Federation Square, Melbourne Vic, and an office at Parliament House, Canberra ACT. SBS leases

space for sales teams in Brisbane Qld, Adelaide SA, and Perth WA. There are around 900 SBS staff working from Artarmon.

- During the election, the ALP announced it would commission a feasibility study which will:
  - Examine the business case, benefits, and risks of relocating SBS facilities from Artarmon to Western Sydney.
  - Assess the benefits of providing a co-located multi-purpose space for content creation and public use.
  - Incorporate a competitive bidding process between local government areas to choose an optimal relocation site, in collaboration with the SBS.
- The SBS is governed by an independent board. The Board is responsible for ensuring the proper and efficient performance of the SBS's functions. Your powers under the *Special Broadcasting Service Act 1991* to direct the SBS on operational matters are limited.
- The ABC has publicly committed to having 75% of its content makers outside of Ultimo by 2025 as part of its Five-Year Plan. The ABC has gone through a Request for Proposals process looking for sites in Parramatta, and has announced that it has signed a heads-of-agreement to lease 6-8 Parramatta Square. It is anticipated the process to develop the Parramatta workspace, confirm teams and roles to be based there, and relocate approximately 300 employees, will be complete by 2024.

**Contact:** <sup>s22(1)(a)(ii)</sup> (Media Industry and Sustainability Branch) 02 6271 <sup>s22(1</sup>)(a)(ii)