



Inner West Mayor **Darcy Byrne**

Artwork: Mulga

Thursday 12 November 2020

The Hon. Gladys Berejiklian MP  
Premier  
GPO Box 5341  
SYDNEY NSW 2001

Dear Premier

**RE: Provision of approval for the NSW Department of Premier and Cabinet to release documents relating to the Stronger Communities Tied Grants Scheme**

Please find attached a copy of correspondence between myself and Mr Tim Reardon, Secretary of NSW Department of Premier and Cabinet (the Department). This was in regard to the destruction of documents in connection with the Stronger Communities Fund.

As directed by the Secretary in his reply, I am now writing to you and asking that you and your office provide him and the Department with any and all necessary approvals that will allow for copies of any and all documents stored with the Department regarding this matter to be released.

I look forward to receiving your reply in this matter,

Yours sincerely

**Darcy Byrne**  
Inner West Mayor

Secretary Tim Reardon  
NSW Department of Premier and Cabinet  
GPO Box 5341  
Sydney NSW 2001

Dear Mr Reardon,

Following yesterday's testimony from the Premier's Advisor, Sarah Lau, that the documents through which the Premier approved grants in the \$252 million Stronger Communities fund were shredded and the electronic copies deleted from your Department's records system, I am writing to request that you undertake a forensic review of your Department's IT and records systems to retrieve the deleted documents.

As you know, in a sophisticated IT and records system, such as that of your Department, it is very difficult to permanently delete a document. It is highly likely that the documents Ms Lau attempted to delete will still be able to be retrieved by a forensic IT specialist and that there will be a data record of the attempted destruction of the documents.

Furthermore, the destruction of these documents does not seem to be in keeping with the statutory requirements of the State Records Act.

Therefore, I am also requesting that you examine this matter and provide advice on whether the shredding and deletion of these official briefing and approval documents complies with the requirements of the Act.

As an amalgamated Council the Inner West should have been eligible to receive a grant from the Stronger Communities fund, but the existence of the fund was kept completely secret from us and many other amalgamated Councils. Had the monies from the program been allocated fairly, on a per capita basis to amalgamated Councils, the Inner West community would have received approximately \$24 million for local infrastructure.

Given the massive disadvantage our ratepayers and those of other excluded Councils have suffered, it is imperative that there be complete transparency from this point on regarding the evidence contained in your Department's records.

Yours sincerely,

Darcy Byrne  
Mayor of the Inner West

24 October 2020



# Premier & Cabinet

Ref: A4048968

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Mayor  
Inner West Council  
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Petersham NSW 2049

**By email:** [darcy.byrne@innerwest.nsw.gov.au](mailto:darcy.byrne@innerwest.nsw.gov.au)

Dear Clr Byrne

I refer to your letter of 24 October 2020 requesting that the Department of Premier and Cabinet (the **Department**) conduct a forensic review of its information technology and records systems with respect to documents created or received by the Premier's staff in connection with the Stronger Communities Fund.

The Premier's Office is a separate public office from the Department. Any record created or received by a Minister or their staff that is stored by the Department in connection with the provision of information technology services is therefore taken to be in the possession or under the control of the Minister's Office (clause 7, Sch 2, *Members of Parliament Staff Act 2013*).

Accordingly, requests to produce such records should be directed to the Minister's Office concerned.

As you may be aware, the State Archives and Records Authority has the function of monitoring compliance with the *State Records Act 1998*. The Authority can be contacted by email at [SARA-Coord@records.nsw.gov.au](mailto:SARA-Coord@records.nsw.gov.au) or in writing at PO Box 516, Kingswood NSW 2747.

Should you require any clarification or further assistance, please contact Ms Kate Boyd, General Counsel, on telephone (02) 9228 4393.

Yours sincerely

**Tim Reardon**  
Secretary

11 November 2020