

The Cabinet Office



Ref: A5666408
15 September 2023

The Hon John Hatzistergos AM
Chief Commissioner
Independent Commission Against Corruption
GPO Box 500
SYDNEY NSW 2001

Re: Progress report – Operation Dasha

Dear Chief Commissioner,

I refer to the Independent Commission Against Corruption's (**Commission**) report entitled *Investigation into the conduct of councillors of former Canterbury City Council and others* following an investigation known as 'Operation Dasha' (**Operation Dasha Report**).

The purpose of this letter is to provide an update on the implementation of recommendations 7 and 9 of the Operation Dasha Report.

In relation to recommendation 7, the Office of Local Government (**OLG**) has consulted the local government sector to seek its feedback on the recommendation. The Cabinet Office (**TCO**) understands that there was mixed support for extending the *Lobbying of Government Officials Act 2011* to local government amongst stakeholders who responded to the consultation process.

TCO is currently briefing the Government on this recommendation and other recommendations regarding the regulation of lobbying in the Commission's report entitled *Investigation into the regulation of lobbying, access and influence in NSW* following ICAC's 'Operation Eclipse' investigation. In addition, OLG is developing:

- draft lobbying guidelines, proposed to be issued by the Chief Executive of OLG, under section 23A of the *Local Government Act 1993*, to enhance transparency around the lobbying of councillors
- a draft model policy on lobbying to support councils to implement the proposed guidelines, which (if adopted) will operate to supplement the provisions of councils' adopted codes of conduct.

OLG proposes to brief the Minister for Local Government on the draft lobbying guidelines and model policy once prepared.

TCO will provide a further update to the ICAC on the implementation of recommendation 7 of the Operation Dasha Report as soon as practicable.

In relation to recommendation 9 of the Operation Dasha Report, I confirm that amendments to the *State Records Act 1998* made by the *Museums of History NSW Act 2022* commenced on 31 December 2022. These included amendments to:

- increase the maximum penalty for an offence under section 21 of the *State Records Act 1998*, relating to protection measures, from 50 to 100 penalty units
- increase the length of the period within which proceedings for an offence under the *State Records Act 1998* must be commenced from 2 to 3 years from when the offence was alleged to have been committed.

If you would like to discuss this matter further, please contact Ms Kate Boyd PSM, Deputy Secretary, General Counsel, on (02) 9228 4393 or by email at Kate.Boyd@tco.nsw.gov.au.

Sincerely,



William Murphy PSM
Acting Secretary