



**Inquiry into the granting of contract number OoS17/18-021 by the Office of Sport**

**TERMS OF REFERENCE**

That the Public Works Committee inquire into and report on the granting of contract number OoS17/18-021 by the Office of Sport, and in particular:

- (a) the awarding of a contract to Barrie Smith Motor Sports P/L by the Office of Sport to resurface two arenas at the Sydney International Equestrian Centre (SIEC),
- (b) the role played by the board, CEO and members of Equestrian NSW (ENSW), Equestrian Australia and officials within the Office of Sport, in both the application for funding and the process for selection of the grant by the Office of Sport,
- (c) the potential or otherwise for the existence of corrupt conduct and/or conflicts of interest within the Office of Sport, Barrie Smith Motor Sports P/L and ENSW, in the granting of the contract, with reference to the ICAC letter of 1 December 2020 to the Office of Sport,
- (d) Office of Sport correspondence to Mr Barrie Smith showing that the original tender specifications were changed from 'importing new material and mixing onsite' at SIEC to 'relocating a surface from another site which had (already) failed' and these contaminated materials were taken from the Wallaby Hill (Robertson) property of Alex Townsend, a ENSW Board member,
- (e) whether successive ministers for Sport and the Office of Sport failed to report the information in paragraph (d) above to the appropriate authorities for probity investigation,
- (f) the engagement of and role played by O'Connor Marsden in the examination of probity issues in regard to the granting of the contract and the failure to examine aspects prior to and following the evaluation and awarding of the contract,
- (g) the granting of a peppercorn rent by the Office of Sport to Equestrian NSW for access to and usage of the SIEC site,
- (h) options for rectification of any defects or complete replacement of the indoor arena surface to ensure the arena is safe for horse and rider and capable of use for high level competition, and
- (i) any other related matters.

## Committee membership

|                                |                                     |                     |
|--------------------------------|-------------------------------------|---------------------|
| <b>Hon Daniel Mookhey MLC</b>  | Australian Labor Party              | <i>Chair</i>        |
| <b>Hon Mark Banasiak MLC</b>   | Shooters, Fishers and Farmers Party | <i>Deputy Chair</i> |
| <b>Hon Lou Amato MLC*</b>      | Liberal Party                       |                     |
| <b>Ms Abigail Boyd MLC</b>     | The Greens                          |                     |
| <b>Hon Mark Latham MLC**</b>   | Pauline Hanson's One Nation         |                     |
| <b>Hon Shayne Mallard MLC</b>  | Liberal Party                       |                     |
| <b>Hon Tara Moriarty MLC</b>   | Australian Labor Party              |                     |
| <b>Hon Peter Poulos MLC***</b> | Liberal Party                       |                     |

\* The Hon Lou Amato MLC replaced the Hon Wes Fang MLC as a substantive member of the committee from 1 March 2022. The Hon Wes Fang MLC replaced the Hon Trevor Khan MLC as a substantive member of the committee from 25 January 2022 to 1 March 2022.

The Hon Trevor Khan MLC was a substantive member of the committee to 6 January 2022.

\*\* The Hon Mark Latham MLC is a participating member from 23 June 2021 for the duration of the inquiry.

\*\*\* The Hon Peter Poulos MLC replaced the Hon Taylor Martin MLC as a substantive member of the committee from 1 March 2022. The Hon Taylor Martin MLC replaced the Hon Sam Farraway MLC as a substantive member of the committee from 25 January 2022 to 1 March 2022.