



LEGISLATIVE COUNCIL

**QUESTIONS
AND
ANSWERS**

No. 191

FRIDAY 14 FEBRUARY 2020

(The Questions and Answers Paper published every Tuesday of each week will contain, by number and title, all unanswered questions, together with questions to which answers have been received on the previous sitting and any new questions. On subsequent days, new questions are printed, as are questions to which answers were received the previous day. Consequently the full text of any question will be printed only twice: when notice is given; and, when answered.)

Notice given on date shown

Publication of Questions	Answer to be lodged by
Q & A No. 179 (Including Question Nos 1019 to 1020)	19 February 2020
Q & A No. 180 (Including Question Nos 1021 to 1021)	20 February 2020
Q & A No. 181 (Questions—Nil)	-
Q & A No. 182 (Including Question Nos 1022 to 1024)	24 February 2020
Q & A No. 183 (Questions—Nil)	-
Q & A No. 184 (Including Question Nos 1025 to 1026)	26 February 2020
Q & A No. 185 (Including Question Nos 1027 to 1028)	27 February 2020
Q & A No. 186 (Including Question Nos 1029 to 1029)	28 February 2020
Q & A No. 187 (Including Question Nos 1030 to 1036)	02 March 2020
Q & A No. 188 (Including Question Nos 1037 to 1038)	03 March 2020
Q & A No. 189 (Questions—Nil)	-
Q & A No. 190 (Including Question Nos 1039 to 1043)	05 March 2020
Q & A No. 191 (Including Question Nos 1044 to 1047)	06 March 2020

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(Paper No. 191)

1044 WATER, PROPERTY AND HOUSING—FLOODPLAIN HARVESTING—Mr Field to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Water, Property and Housing—

- (1) What is the status of the audit of floodplain harvesting in NSW?
 - (a) Will this audit be made public? If so, when?
- (2) For each of the state's Water Sharing Plan areas for which floodplain harvesting is possible, how many floodplain harvesting works are estimated to be in operation in NSW?
- (3) For each of the state's Water Sharing Plan areas for which floodplain harvesting is possible, what is the volume of water estimated to be able to be stored as a result of floodplain harvesting in NSW?

1045 WATER, PROPERTY AND HOUSING—EXEMPTIONS FOR FLOODPLAIN HARVESTING—Mr Field to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Water, Property and Housing—

Regarding the Water Management (General) Amendment (Exemptions for Floodplain Harvesting) Regulation 2020 ('the Regulation') gazetted on 7 February 2020 which exempted certain floodplain harvesting works from the requirement for approval to construct a water supply work as contained in section 91B(1) of the Water Management Act 2000:

- (1) How many floodplain harvesting works were affected by the Regulation?
 - (a) What is the volume of water that is able to be stored as a result of these works?
- (2) How is the Regulation consistent with NSW Floodplain Harvesting Policy that sets a clear intention to create a licencing scheme for all floodplain harvesting in NSW?
 - (a) Will these exempt works fall under a licencing arrangement in the future? If so, are they all expected to be approved?
- (3) What consultation, if any, occurred regarding the decision to introduce the Regulation?
- (4) For how long will the Regulation remain in place?
- (5) Is there a trigger for its revocation?
- (6) What was the legal basis for having to introduce both the the Regulation and the Temporary Water Restriction (Northern Basin) (Floodplain Harvesting) Order 2020 concurrently?
- (7) Prior to the introduction of the Regulation, what was the legal status of floodplain harvesting works in NSW?

1046 WATER, PROPERTY AND HOUSING—TEMPORARY WATER RESTRICTION FOR FLOODPLAIN HARVESTING (NORTHERN BASIN)—Mr Field to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Water, Property and Housing—

Regarding the Temporary Water Restriction (Northern Basin) (Floodplain Harvesting) Order 2020 gazetted on 7 February 2020:

- (1) How many floodplain harvesting works were affected by this Order?
 - (a) What is the volume of water that is able to be stored as a result of these works?

1047 WATER, PROPERTY AND HOUSING—TEMPORARY APPROVAL TO TAKE FOR THE PURPOSE OF FLOODPLAIN HARVESTING—Mr Field to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Water, Property and Housing—

Regarding the approval to take from Namoi, Gwydir and Barwon under the Temporary Water Restriction (Northern Basin) (Floodplain Harvesting) Order 2020 made on 10 February 2020:

- (1) How many floodplain harvesting works were affected by this Order?
 - (a) What is the volume of water that is able to be stored as a result of these works?

- (2) Which stakeholder groups requested that this order be made?
- (3) Given the public statements of the Minister that only a few properties were affected by the order, how many properties were affected?
- (4) What specific floodplain infrastructure on these properties were threatened by flooding in the six catchments identified in the approval to take order?
- (5) When was the Department of Planning, Industry and Environment officers informed of the risks to these structures?
- (6) Given the Minister's statements that Natural Resources Access Regulator (NRAR) would be investigating matters relating to this order, who requested NRAR do this work?
 - (a) When was this request made of NRAR?
 - (b) What actions could be taken should NRAR find that there was not an infrastructure risk on properties that harvested floodplain water as a result of this order?

David Blunt
Clerk of the Parliaments