



LEGISLATIVE COUNCIL

GENERAL PURPOSE STANDING COMMITTEES

BUDGET ESTIMATES 2016-2017 Supplementary Questions

General Purpose Standing Committee No. 4

PLANNING

Hearing: Wednesday 31 August 2016

Answers due by: Monday 26 September 2016

Budget Estimates Secretariat

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Questions from Mr David Shoebridge MLC

Ecologically sustainable development

1. What plans are there to change the current definition of ecologically sustainable development?
2. What consideration has been given to implementing climate impact statements as a core part of major project assessment?
3. What plans are there to use the planning act to ensure assessment of coal mining in NSW is consistent with the 2 degree undertaking from the Paris Climate Commitment?
4. What has been the change in average size house footprint over the last 50 years? What is the current trend predicted here?
5. What are the greenhouse emissions per head of Edmondson Park compared to Rozelle?

Planning Approvals

6. What has been the average time taken to assess state significant development in:
 - (a) 2013/14?
 - (b) 2014/15?
 - (c) 2015/16?
7. Based on the priority to “halve the time taken on planning applications for state significant development” what is the projected timeframe expected to be taken to assess state significant development in 2016/17?
8. Can the Minister outline the process that will be undertaken to halve the time taken to assess state significant development?
9. What was the average time taken to assess housing development applications in:
 - (a) 2013/14?
 - (b) 2014/15?
 - (c) 2015/16?
10. What are the proportion of complying DA’s approved by private certifiers in:
 - (a) 2013/14
 - (b) 2014/15

(c) 2015/16

11. What proportion of DA approvals have been subject to modifications in the last year and how does this compare to 2010.

Planning and Assessment Commission

12. How many determinations did the Planning and Assessment Commission make in 2015/16?
- (a) Of these determinations, how many recommended approval?
- (b) How many did not recommend approval?
13. How many determinations is the Planning and Assessment Commission projected make in 2016/17?

Pre-gateway reviews

14. How many LEP amendments were lodged with the Department of Planning for a Pre-Gateway review in 2015/16?
15. How many Pre-Gateway review determinations were made in 2015/16?
- (a) Of these determinations, how many recommended approval?
- (b) How many did not recommend approval?
16. How many Pre-Gateway reviews are projected to be lodged in 2016/17?

Greater Sydney Commission consultation

17. Can the Minister advise why the legislated timeframe for finalising the Greater Sydney Commission's District Plans is January 2017 when at least 5 of the forcibly amalgamated Sydney councils will not have elected councillors representing their community until September 2017?

Greater Sydney Commission

18. Will planning proposals, including rezonings, assessed by the Greater Sydney Commission be able to be overridden by the Minister?
19. What resources and budget does the Greater Sydney Commission have and what access does the GSC have to other agencies who can supply data?

20. What power does the GSC have to ensure that utility suppliers, such as Sydney Water, are able to provide the infrastructure required to catch up with new housing?
21. The GSC has had discussions with councils in relation to the development of District Plans. Some of these councils are threatened with merger proposals. If any of these councils are in fact merged, what is the status of the discussions with those councils in relation to the plans?
22. How will the planning assessment panels be formed and how will they operate compared with the current JRPPs? To what extent will they include the concerns of local communities?

Holistic planning and community involvement

23. Are there plans to revise the planning act in NSW? How are the public going to be notified about this?
24. How, if at all, has the time taken to assess development applications changed in the last 3 years?
25. How, if at all, have the rates of community submissions for development applications changed in the last 3 years?
26. How has the amount of open space per head changed over the last decade in the following Sydney subregions: the Central subregion, the West Central subregion, the South subregion, the North subregion.

Sydenham to Bankstown corridor

27. Why wasn't an affordable housing levy or scheme included in the structure plan for proposed redevelopment areas in Sydney, such as the Sydenham to Bankstown corridor?
28. What is the net loss of open space per capita predicted after the corridor is completed?
29. What commitment will you make to reserving other potential open space in the Sydenham to Bankstown corridor, including the former Canterbury bowling club?
30. What pressure has the Department been under to provide a guaranteed new number of residents in the Sydenham to Bankstown corridor for a private operator for the Metro?
31. What consideration was given to the perceived conflict of interest in hiring Elton Consulting to undertake community consultation on the corridor strategy in May this year, given that Elton Consulting lodged a submission to redevelop a site in the corridor for 1,000 units?
32. What guidelines does your Department have to ensure that consultants it hires for community consultation do not have conflict of interest?

Planning for climate change

33. What steps is the Minister taking to implement greenhouse gas emissions targets in NSW planning laws?
34. What liaison does the Minister have with local councils regarding the implementation of effective coastal planning guidelines and sea level rise planning benchmarks?

Densities

35. Did the former Hurstville Council achieve the required densities in the Hurstville LGA?
36. Has Georges River Council already achieved the required densities for the Georges River LGA?

Aboriginal heritage

37. How many staff at the Department of Planning and Environment have expertise in Aboriginal heritage issues?
38. How much has the Department of Planning and Environment allocated in 2016-17 specifically to conserve and celebrate Aboriginal heritage?

Investigations and prosecutions

39. How many staff does the Department of Planning and Environment employ to investigate alleged breaches to project approval conditions? How many of these related to Aboriginal heritage?
40. What is the Department of planning and Environment's budget for specifically enforcing the conditions?

Site of former Oatley Bowling Club

41. What consultation has the Minister had with the then Hurstville Council and/or newly created Georges River Council about the proposed redevelopment of the former Oatley Bowling club site?
42. Are there any height limits/restrictions to infrastructure such as seniors housing in SP2 infrastructure zoning?
43. What steps does the Minister take to ensure that local councils properly consult with their local residents during the development application process?

Questions from the Hon Paul Green MLC

Social housing providers

Minister I understand that under the SEPP (Housing for Seniors or People with Disability) 2004 developers are allowed to currently classify themselves as “social housing providers” using various definitions contained in the document.

It has been brought to my attention that current developers are classifying themselves as a “social housing provider” yet not all their developments are providing social and affordable housing, in fact under the act; they are not actually obliged to supply any social or affordable housing in their developments.

44. Can the Minister respond how this is possible?
45. Further to this can the Minister comment regarding the requirements expected from “social housing providers”?
46. What evidence / assurance does the Government receive from developers that they are in fact providing social and affordable housing when they claim the “social housing provider” status under the SEPP?
47. How does the Government confirm that such housing is actually provided? What checks and balances are in place to scrutinise the claims?

Questions from the Hon Shaoquett Moselmane MLC (on behalf of the NSW Labor Opposition)

Planning

48. What projects is the Government looking into in relation to the Housing Acceleration Fund (HAF)?
- (a) Can the Minister confirm the Treasurer's announcement on 18 June this year that \$140m in funds from the HAF will be spent on the Hills Road M4 ramp at Lidcombe?
 - (b) Can the Minister confirm whether any funds from the HAF will be spent on any project in relation to WestConnex?
49. What are the Government's projections of population growth in Sydney for the next 20 years?
- (a) How many homes does the Government project will be needed over the next 20 years to meet demand?
 - (b) Does the Government have a master document or master plan that shows the number of dwellings by suburb or Local Government Area that will be required to accommodate the population increases in various parts of Sydney?
50. When was the Newcastle LEP last amended?
- (a) What are the height limits for the 1.66 hectare site fronting Hunter Street Mall, jointly owned by Urban Growth and GPT Group, for which the Minister recently called for expressions of interest?
 - (b) What guidelines has the Minister set for companies submitting expressions of interest on the site?
 - (c) What protections are in place to prevent any successful buyer of the site redeveloping above a 12-storey height limit?
51. What was the cost to the taxpayer of the May 2015 summit on the redevelopment of the White Bay power station site?
52. What are the Government's plans for the Glebe Island Terminal ?
53. How many executives at a Director level and above have resigned or been retrenched in the past financial year 2015-16?
54. How many executives at a Director level and above have resigned or been retrenched in the past six months?

55. What was the total cost of redundancies for all executives at a Director level and above in the last financial year?
56. What was the total recruitment cost for executives and directors in the past financial year 2015-16?
57. What was the total figure in years of planning experience lost through redundancies, resignations and retrenchments in the financial year 2015-16?
58. How many of the current directors or Executive directors have planning qualifications including the cabinet secretary?
59. Is it true that neither the Executive Director of Planning Services or the Secretary of the Department have planning qualifications?
60. Following advice from the Minister for Roads that a significant portion of the site of the Leo McCarthy Memorial Park, Smithfield, zoned 'infrastructure classified road' is under the control of the Minister for Planning, will the Minister agree:
 - (a) That war memorials should not be demolished for roads
 - (b) That adequate compensation should be paid to RSL sub-branches in the event that memorial sites are compulsorily acquired;
 - (c) To protect the Leo McCarthy Memorial Park partial demolition from future widening of the Cumberland Highway?
61. Will the Minister agree to safeguard the Leo McCarthy Memorial Park by changing the zoning classification of the Memorial Park to RE1 'public recreation'?

Planning Reform

62. Can the Minister please confirm for the Committee that the Government intends to make significant amendments to the Environmental Planning and Assessment Act (1979) early next year?
63. Can the Minister please explain to the Committee the options currently being considered by himself or the Department of Planning and Environment?
64. Significant industries rely on a predictable planning system to generate economic growth. Has the Department of Planning and Environment undertaken any studies or assessments [including the removal of section 75W of the Act] on how any changes may impact key industries?

- (a) If yes:
 - i. Which industries do these assessments relate to?
 - ii. Will the Minister table these assessments for the Committee?
- (b) If no, did you advise industry participants that this was not the case?

65. Can the Minister outline for the Committee the consultation he or the Department have undertaken regarding amendments to the Act? Are there plans for further consultation before a draft Bill comes to the Parliament?

Planning Assessment Commission

- 66. Has the Minister considered that the dysfunction in the planning system arises from his delegation of all his decision making to the PAC, a body never set up to have a determination role?
- 67. Would the Minister agree the PAC continually fails to complete its assessments within reasonable timeframes?
- 68. What would the Minister define as a reasonable time frame for a PAC to hold its public hearing and deliver a report to the Department?
- 69. Can the Minister advise if he is considering significant changes to the PAC as part of the amendments?
- 70. Given that when outlining decisions, various PACs have alluded to community sentiment as being impactful on their determinations:
 - (a) How do PACs make assessments around community sentiment?
 - (b) What metrics are used?
 - (c) Do they monitor media clippings?
 - (d) Do they base their assessments on the public hearings?

Compliance Initiatives

- 71. Given there is significant concern in regional areas regarding coal mines' adherence to their approved operating conditions, what resources does the Department currently have available to ensure mines comply with their conditions of approval?

72. Does the Minister believe these current resources are adequate to ensure positive environmental outcomes?
- (a) Are there any plans to bolster the Department's resources in this area?
73. Can the Minister please confirm reports senior Departmental officers are pursuing a number of operating mines over minor issues such as historical reports and paperwork which have no environmental outcomes attached to them?
- (a) If so:
- i. Would the Minister advise as to why this is taking place?
 - ii. Given the acknowledged scarcity of resources at the Department, would the Minister agree resources would be better used focusing on real issues of environmental outcomes as opposed to issues relating to minor issues such as historical paperwork?

Leo McCarthy Memorial Park, Smithfield

74. Following advice from the Minister for Roads that a significant portion of the site of the Leo McCarthy Memorial Park, Smithfield, zoned 'infrastructure classified road' is under the control of the Minister for Planning, will the Minister agree:
- (a) That war memorials should not be demolished for roads
 - (b) That adequate compensation should be paid to RSL sub-branches in the event that memorial sites are compulsorily acquired
 - (c) To protect the Leo McCarthy Memorial Park partial demolition from future widening of the Cumberland Highway?
75. Will the Minister agree to safeguard the Leo McCarthy Memorial Park by changing the zoning classification of the Memorial Park to RE1 'public recreation'?

Domestic Violence Leave and Awareness

76. For each department, statutory agency and/or other bodies in the Minister's Portfolio please report:
- (a) Date of introduction of domestic violence leave into enterprise agreements/contracts of employment, awards as applicable;
 - (b) Whether or not all employees and/or contractors are eligible for domestic violence leave;

- (c) Number of days of domestic violence leave that have been taken in each financial year since the introduction of such leave;
- (d) Number of days available for eligible staff to access domestic violence leave in each financial year;
- (e) Number of other personal days of leave that have been taken in each financial year since the introduction of domestic violence leave;
- (f) Number of sick days available for eligible staff to access domestic violence leave in each financial year;
- (g) Whether or not all staff and/or contractors have access to Employee Assistance Programs?
- (h) What training has been undertaken with management and administration for those involved in approving and/or processing domestic violence leave on issues such as?
 - i. Privacy and confidentiality of information about domestic violence
 - ii. Access to emotional, psychological, financial and medical support which may be required
- (i) Who has provided training on domestic violence in the workplace?
- (j) What percentage of staff in each agency has undertaken domestic violence training?
- (k) What efforts have been made to ensure that perpetrators (or their accomplices) within the staffing profile are not able to access personal information of victims in order to identify their location, or other information which may assist in committing domestic violence against them, including changing or accessing records in such a way as to disadvantage them financially or legally?

Sexual harassment and Anti-bullying training and awareness programs

77. For each department, statutory agency and/or other bodies in the Minister's Portfolio please report:

- (a) Date of introduction of sexual harassment and anti-bullying training and awareness programs
- (b) Whether or not all employees and/or contractors have received such training?
- (c) Is this course mandatory for all employees/ contractors?
- (d) How long for each session, how many sessions?

- (e) Who delivers it?
- (f) Is the program tailored to take into consideration specific needs of LGBTQIA, ATSI and CALD or other at risk groups?
- (g) How?
- (h) What percentage of staff in each agency has undertaken sexual harassment and anti-bullying training and awareness programs?

Flexible Workplaces

78. Minister, the Premier announced on International Women's Day that the public service would all have access to flexible working arrangements by 2019.
- (a) Do you centrally register staff who have flexible work arrangements?
 - (b) What numbers of staff within your Department currently have flexible working arrangements?
 - (c) Are you aware of any measures that are currently underway to implement this?

Height Limits in Newcastle East

79. Will the Minister reverse the height limit spot rezoning in Newcastle East?
- (a) If so, when do you expect this to take place?
80. Has Newcastle City Council made an application to change the height limits in Newcastle East?
- (a) If so, when does the Minister expect a decision on this application?

Sydenham to Bankstown Urban Renewal Corridor

81. What correspondence has the Minister had with developers who own properties along the Sydenham to Bankstown Line?
- (a) Has the Minister or representatives of his department met with Property developers?
 - (b) If there was a meeting, what was the agenda?
82. When will the district plan for West Central be made publically available?
83. Will any of the newly developed properties along the Sydenham to Bankstown Line be required to have affordable housing quotas?

(a) If not, why not?

84. Is the Minister aware of any plan to close down Hurlstone Park Station?
85. If the Greater Sydney Commission recommended the closure of Hurlstone Park Station would you close the Station?
86. Will you be taking into account the Heritage of locations when undertaking planning and zoning decisions in and around Hurlstone Park?
87. What type of re-zoning will be designated around Canterbury Train Station?
88. What type of re-zoning will be designated around Belmore Train Station?
89. What type of re-zoning will be designated around Hurlstone Park Train Station?
90. What type of re-zoning will be designated around Campsie Train Station?
91. Are you going to redevelop Belmore Station to install more parking and Bus stops?
92. What is the maximum time the Minister will allow the Sydenham to Bankstown line to be closed for the development of the Sydney Metro City & Southwest project?
93. What plans have been developed in response to the closure of the line?
94. What advice has the Minister provided to the Minister for Health regarding a need to increase funding at Canterbury Hospital?
95. Is the Minister taking the necessary steps to match the increase in population with appropriate services, such as access to education / schools and Canterbury Hospital?
96. Is the Minister or his department aware of issues overflow of sewerage as a result of increased development in Campsie?
97. Has the Department met with the council administrator?
 - (a) If so has the Council Administrator raised any serious concerns about the Sydenham to Bankstown Urban Renewal Corridor?
98. Has the Greater Sydney commission begun community consultation on the development of Sydenham to Bankstown Urban Renewal Corridor?
 - (a) If so who have they consulted?
 - (b) If not why?
 - (c) Have they undertaken ethnically and linguistically diverse consultation?

- (d) Has the Greater Sydney Commission met with the Council Administrator?

Office Administration

99. How many staff are in your ministerial office?
- (a) What was the average salary for staff members in your office during 2015-16?
 - (b) What is the estimated average salary for a ministerial staffer in your office in 2016-17 based on current appointments?
100. How many blackberries/iphones/smart phones are assigned to your staff?
- (a) For each phone, how much was each bill in 2015-16?
 - (b) How many phones have been lost or replaced due to damage in your office?
 - i. What is the cost of replacing those phones?
101. How many iPads or tablets has DPC assigned to your Ministerial office and to whom have they been issued?
- (a) What was the cost of providing iPads or tablets to your Ministerial Office in 2015-16?
 - (b) How many iPads or tablets have been replaced due to lost or damage in 2015-16?
 - i. What was the cost of replacing these devices?
102. Has any artwork been purchased or leased for display in your ministerial office in 2015-16?
- (a) What is the cost of this?
103. Have any floral displays or indoor plants or potplants been hired or leased for display in your ministerial office in 2015-16?
- (a) If so, what was the cost of these items?
104. Have any floral displays or indoor plants or potplants been purchased for display in your ministerial office in 2015-16?
- (a) If so, what was the cost of these items?
105. What was the total cost of all subscriptions by you and your staff to online news services, newspapers, magazines, journals and periodicals in 2015-16?
- (a) What are these services/newspapers/magazines/journals/periodicals?
 - i. Who is the subscriber for each of these?
106. What was the total value of all gifts purchased for use by you and your office in 2015-16?

(a) What were the gifts purchased?

i. Who were they gifted to?

107. Do you purchase bottled water or provide water coolers for your office?

(a) What is the monthly cost of this?

108. What non-standard features are fitted to your ministerial vehicle?

(a) What is the cost of each non-standard feature?

109. What was the total bill for your office in 2015-16 for:

(a) Taxi hire

(b) Limousine hire

(c) Private hire care

(d) Hire car rental

(e) Ridesharing services

110. Were any planes or helicopters chartered by you or your office and paid for with public money in 2015-16?

(a) If yes, will you please detail each trip, the method of transport and the cost?

Hospitality

111. How much did your ministerial office spend on hospitality, including catering and beverages, in 2015-16?

112. How much did your Department/agency spend on hospitality, including catering and beverages, in 2015-16?

Labour Hire Firms

113. Do any Departments/agencies within your portfolio responsibilities utilise the services of Labour Hire Firms? If yes, please advise in table form for 2015-16:

(a) The names of the firms utilised

(b) The total amount paid to each firm engaged

(c) The average tenure period for an employee provided by a labour hire company

- (d) The longest tenure for an employee provided by a labour hire company
- (e) The duties conducted by employees engaged through a labour hire company
- (f) The office locations of employees engaged through a labour hire company
- (g) The highest hourly or daily rate paid to an employee provided by a labour hire company

Media and Public Relations

- 114. How many media or public relations advisers are employed for each of your portfolio agencies?
- 115. What is the forecast for the current financial year for the number of media or public relations advisers to be employed and their total cost?
- 116. What is the total cost of media monitoring services used by Departments/agencies within your portfolio responsibilities?
- 117. Have you had media training or speech training?
 - (a) If yes, who paid for it?
 - (b) If paid by taxpayers, what was the amount paid in 2015-16?

Facebook

- 118. How much did your ministerial office spend on Facebook advertising or sponsored posts in 2015-16?
- 119. How much did your Department/agency spend on Facebook advertising or sponsored posts in 2015-16?

Overseas Trips

- 120. Were any of your overseas trips in the last financial year paid for in part or in full by using public money?
 - (a) If so, did any of your relatives or friends accompany you on these trips?
- 121. Have you undertaken any official overseas travel that was privately funded?
 - (a) If so, what was the nature of these trips?
 - (b) Who paid for these trips?

Department/Agency Travel

122. What was the total expenditure in 2015-16 by Departments/agencies within your portfolio on:

- (a) Taxi hire
- (b) Limousine/private car hire
- (c) Hire car rental
- (d) Ridesharing services

Consulting

123. How much did the Department/agencies under your portfolio responsibility spend in legal costs in 2015-16?

- (a) For what specific purposes or matters was legal advice sought?

124. Have Department/agencies under your portfolio engaged any consultants to provide the following services or advice in 2015-16:

- (a) Social media
 - i. And the cost of these services
- (b) Photography
 - i. And the cost of these services
- (c) Acting training
 - i. And the cost of these services
- (d) Ergonomics
 - i. And the cost of these services

Department/Agency Staffing

125. How many redundancies were processed by Departments/agencies within your portfolio responsibilities during 2015-16?

- (a) Of these redundancies, how many were:
 - i. Voluntary
 - ii. Forced

- (b) What was the total cost of all redundancies?
- 126. Have any staff who received a redundancy in the last two years undertaken any paid work or provided any paid services for the agency with which they were formerly employed?
 - (a) What was the nature of these works/services?
 - (b) What was the total cost of these works or services?
- 127. Are any staff formerly employed by your ministerial office now employed by Departments/agencies under your portfolio responsibility?
- 128. How many staff were dismissed from Departments/agencies under your portfolio responsibilities in 2015-16?
 - (a) What were the reason/s for each dismissal?

Smart Phone Accounts

- 129. Do the Departments/agencies within your portfolio have an iTunes account?
 - (a) What was the total expenditure in 2015-16 on iTunes?
 - i. What applications/subscriptions/services were purchased through iTunes?
- 130. Do the Departments/agencies within your portfolio have an Android account?
 - (a) What was the total expenditure in 2015-16 on Android?
 - i. What applications/subscriptions/services were purchased through Android?

Websites Visited

- 131. What were the top 20 most utilised (by data sent and received) unique domain names accessed by your Ministerial office this year?
- 132. What were the top 20 most accessed (by number of times accessed) unique domain names accessed by your Ministerial office this year?

Merchant fees

- 133. Please provide a list of all transactions where customers need to pay a merchant fee on credit and/or debit card payments in your Department/agency.
- 134. Please provide the percentage and/or amount of the merchant fees applied to all credit and/or debit card payments/transactions in your Department/agency.

135. What was the total amount paid in merchant fees on credit and/or debit card payments in your Department/agency in 2015-16?

Probity Auditor

136. Has your office or department used a Probity Auditor or Probity Advisors, or similar, in the past five years? If so please list the company and/or individual, the project, the engagement dates, and their total remuneration in tabular format?