



LEGISLATIVE COUNCIL

GENERAL PURPOSE STANDING COMMITTEES

BUDGET ESTIMATES 2016-2017 Supplementary Questions

General Purpose Standing Committee No. 5

INDUSTRY, RESOURCES AND ENERGY

Hearing: Wednesday 31 August 2016

Answers due by: Tuesday 27 September 2016

Budget Estimates Secretariat

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Supplementary Questions from Mr Jeremy Buckingham MLC
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Renewable energy

1. Of the approximately 18,000 GW of capacity left to be built to meet the 2020 Federal Renewable Energy Target how much do you expect to be built in NSW?
2. Why is only 8.8% of NSW's energy generation from renewable sources compared to 15.8% in Victoria and 36% in South Australia?
3. What will the impact of the federal government decision to cut \$1.3Billion out of ARENA have on renewable energy investment in NSW?
4. How much money in total is the NSW Government budgeting over the next 4 years to facilitate uptake of renewable energy in NSW?

Coal Seam Gas

5. There have been recent media reports that the NSW Government will ease restrictions on new coal-seam gas development, lift a moratorium blanketing most of NSW on exploration and move to assess coal seam gas projects in NSW on a case by case basis. Can you explain what changes the government intends to make to coal seam gas policy and how this would differ from the current situation?

Coal mining

6. Given the number of coal mines either up for sale or in care and maintenance, what is the strategic benefit in allowing new greenfield coal mines to be built?
7. Should former Minister Ian Macdonald ever have issued the coal exploration licences for Shenhua Watermark?
8. Other than Shenhua, has the NSW Government had meetings with the owners of any other coal licenses in NSW to discuss potential buy backs?

National Electricity Market

9. What is the current oversupply in the National Electricity Market?

10. What is the framework for NSW and at COAG in terms of retiring the most polluting power plants out of the NEM?

Clean coal

11. Why are we spending \$23 million on researching discredited 'clean coal' through the Coal Innovation Fund

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

Hilton Grugeon

12. Since the prosecutions in matters no. 956 and 957 in the Industrial Court of NSW were initiated, the defendants had challenged the validity of the prosecutions in each of the Industrial Court, the NSW Court and Appeal and in the High Court of Australia. In each attempt, the defendants were unsuccessful. In light of this, why was the prosecution against Mr Grugeon and Mr Chevalley in matters no. 956 and 957 in the Industrial Court of NSW brought to an end on 22 October 2012?
13. Why were no reasons provided to the court, or to the community, as to why the prosecution asked the court to dismiss the prosecutions? What were those reasons?
14. If the decision to bring matters no. 956 and 957 in the Industrial Court of NSW to an end was reached on the basis of advice:
- (a) On what date was that advice sought?
 - (b) Given the proceedings had been commenced in 2007 and had had survived multiple challenges as to validity, why was this advice sought?
 - (c) Who made the decision to seek the advice?
 - (d) In what precise terms was the advice sought?
 - (e) When was the advice received?
 - (f) Who is the author of the advice? If multiple authors please identify each.
 - (g) Given the significant public interest issues involved in these matters, will you release the advice? If not, why not?
15. How was the decision reached to bring the prosecutions to an end?

16. Which individual(s) within which agency or agencies made the formal decision to bring the prosecutions to an end?
17. Was it the initiative of the person who laid the charges in 956 and 957 in the Industrial Court of NSW to bring these prosecutions to an end in 2012, or was the person directed by another person in the department?
18. Did former Minister Chris Hartcher play any role in making the decision to approach the Industrial Court to dismiss the prosecutions in matters 956 and 957? If so, what role did he play? Will you produce any documents that relate to this?
19. Did any person employed in or connected to former Minister Hartcher's Ministerial Office play any role in making the decision to approach the Industrial Court to dismiss the prosecutions in matters 956 and 957? If so, what role did the person or persons play? Will you produce any documents that relate to this?
20. What was the process, and what steps were taken by each person who participated in the chain of decision-making and activities, that led to the prosecutor matters 956 and 957 in the Industrial Court of NSW to approach the court to seek the dismissal of the proceedings?
21. Why did the prosecution in matters 956 and 957 in the Industrial Court of NSW agree to pay the defendants' legal costs?
22. How much was paid for the defendants' costs in matters no. 956 and 957 in the Industrial Court of NSW? How was this sum determined, and by whom?
23. Was money paid to each defendant?
24. If money was paid only to one defendant, or to the solicitor of one defendant, why was this done?
25. Given the findings in the ICAC report of 30 August 2016 that Mr Grugeon was a key participant in Liberal Party funding arrangements for the 2011 State election campaigns in the electorates of Charlestown and, with Mr Chris Hartcher, in Newcastle, and given that the prosecution against Mr Grugeon was subsequently ended by the agency headed up by Mr Hartcher as Minister in 2012, will you agree to an open and independent inquiry into the reasons and circumstances that led to the ending of the prosecutions in matters no. 956 and 957 in the Industrial Court of NSW?

Renewable Energy

26. Will the NSW Government commit to ensuring renewable energy is considered on its merits as part of the \$4 million NSW Coal Fired Electricity Generation Study committed in the 2016-17 state budget? Will the Government share the project plan to ensure this budget expense is used transparently, and will there be opportunities for the public to engage?
27. On August 3rd, 2016 Minister Roberts' issued a media release announcing the development of an Advanced Energy Strategy saying "*The project is to develop a roadmap for the State to transition to a clean, affordable and reliable energy future*". Can the Government outline how the strategy will direct government policy and resourcing in the electricity sector?
28. In April the NSW Government stated it was considering how to reallocate the money in the Climate Change Fund stating "the government is considering options for the future of the Climate Change Fund as part of its broader response to improve energy productivity, attract investment in renewable energy and prepare NSW to adapt to climate change". Can the Government confirm the proportion of the fund that will be spent on supporting the development of large-scale renewable energy and how this allocation of money will be spent in 2016-17?
29. Was any funding provided in the 2016-17 budget to support local communities in the Hunter Valley, Lithgow and Central Coast to transition from coal-fired electricity generation to other industries including renewables?
30. The NSW Government has recently released the *Wind Energy: Assessment policy, Draft for Consultation, August 2016* document. There have been predecessor drafts for how to deal with wind energy for 5 years. When will the NSW Government finalise its wind energy assessment policy document?
31. What is the allocation in the 2016-2017 budget for new renewable energy initiatives? Please name the initiatives and the amount allocated to each.
32. What was the allocation in the 2015-2016 budget for any renewable energy initiatives? Please name the initiatives and the amount allocated to each.
33. What is the allocation in the 2016-2017 budget for ongoing renewable energy initiatives? Please name the initiatives and the amount allocated to each.
34. What was the allocation in the 2015-2016 budget for ongoing renewable energy initiatives? Please name the initiatives and the amount allocated to each.

Fit and proper person

35. You informed the Committee that Wollongong Coal was advised on 21 July 2016 that the Resources Regulator is investigating it in relation to whether or not it is a fit and proper person (transcript p10). When was the decision taken for the Resources Regulator to investigate Wollongong Coal in relation to whether or not it is a fit and proper person? Who made that decision? How was that decision reached? On the basis of what information was this decision reached? From whom was the information received?
36. Is this the first instance of an investigation by the Resources Regulator, your agency or any predecessor agency as to whether a license holder is fit and proper? If not, can you supply the details of previous investigations and the outcome of those investigations, including any decision to suspend, cancel or modify any license or authority?
37. Is your office, your agency or the Resources Regulator in receipt of any complaint that any entity is not a fit and proper person (excluding Wollongong Coal)?
38. Is the agency or Resources Regulator investigating any other entity as to whether that entity is a fit and proper person?

Electricity prices

39. Other than writing to IPART, which no longer has any regulatory role in connection with the electricity prices charged by retailers, what action will you take to ensure NSW consumers are not being overcharged for electricity?
40. In light of the recent report by Mr Bruce Mountain that electricity retailers are earning significant profits at the expense of consumers over and above the wholesale costs of electricity, what steps will you take to ensure households and businesses know how much they are being charged for retail services?

Report found at <http://cmeaustralia.com.au/wp-content/uploads/2013/09/160815-FINAL-getup-retail-report-.pdf>
41. In light of the Bruce Mountain report and concerns expressed in the past by the Energy and Water Ombudsman that, despite there being 19 retailers in the NSW retail electricity market, there is no real competition, what steps will you take to take to ensure effective competition among electricity retailers in NSW?
42. What actions have you taken about the record number of complaints from consumers about their electricity retailer?

Gas Prices

43. As NSW gas prices have increased by up to 20 percent, will the Minister guarantee compensation to affected businesses and industries based in Western Sydney, namely the large industrial and manufacturing firms in Wetherill Park-Smithfield, Eastern Creek-Huntingwood and surrounding industrial estates?
44. What plans has the Government put into place to assist the affected businesses?
45. Will the Government compensate affected residents?

Industry

46. I refer to Budget paper no. 3, p6-4: can you provide a breakdown by item or program of how the \$89 million for the Jobs for NSW Fund will be allocated in the 2016-2017 year, and where geographically the funds will be spent?
47. I refer to Budget paper no. 3, p6-4: it states there will be \$190 million allocated to support jobs growth. Is the \$89 million part of the \$190 million? If yes, how will the balance of the \$101 million be allocated, by future year, by item or program and where geographically the funds will be spent?

Flexible Workplaces

48. 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?

Impact of restructuring and relocation of jobs in Department of Mineral Resources on small business

49. How many positions have been lost due to restructuring of the Department of Mineral Resources in 2015, and 2016?
50. Please disaggregate the data by state electorate.

51. What has the impact of these job losses been on the local small business sector on those communities?

Domestic Violence Leave and Awareness

52. 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

53. 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?

Western Sydney

54. As NSW gas prices have increased by up to 20 percent, will the Minister guarantee compensation to affected businesses and industries based in Western Sydney, namely the large industrial and manufacturing firms in Wetherill Park-Smithfield, Eastern Creek-Huntingwood and surrounding industrial estates.
- (a) What plans has the Government put into place to assist the affected businesses?
 - (b) Will the Government compensate affected residents?

Office Administration

55. 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?
56. 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?
57. 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?
58. Has any artwork been purchased or leased for display in your ministerial office in 2015-16?
- (a) What is the cost of this?
59. 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?
60. 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?
61. 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?
62. 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?
63. Do you purchase bottled water or provide water coolers for your office?
- (a) What is the monthly cost of this?

64. What non-standard features are fitted to your ministerial vehicle?
 - (a) What is the cost of each non-standard feature?
65. 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
66. 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

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

Labour Hire Firms

69. 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

- 70. How many media or public relations advisers are employed for each of your portfolio agencies?
- 71. 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?
- 72. What is the total cost of media monitoring services used by Departments/agencies within your portfolio responsibilities?
- 73. 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

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

Overseas Trips

- 76. 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?
- 77. 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

- 78. 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

- 79. 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?
- 80. 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

- 81. 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?
- 82. 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?

83. Are any staff formerly employed by your ministerial office now employed by Departments/agencies under your portfolio responsibility?

84. 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

85. 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?

86. 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

87. What were the top 20 most utilised (by data sent and received) unique domain names accessed by your Ministerial office this year?

88. What were the top 20 most accessed (by number of times accessed) unique domain names accessed by your Ministerial office this year?

Merchant fees

89. 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.

90. 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.

91. 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

92. 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?

NSW Greenhouse Gas Emissions

93. What is the Government's target for reducing NSW greenhouse gas emissions, in particular carbon dioxide, but also methane, by 2020?
94. What is the Government's target for reducing NSW greenhouse gas emissions, in particular carbon dioxide, but also methane, beyond 2020, in line with the commitment made at the Paris climate talks last December to limit global warming to 2°C or below?
95. Does a framework exist for tracking emissions and progress towards these targets and goals? Where are the emissions reductions coming from and how are they being monitored, recorded and verified?
96. What is the current progress being made to reduce the NSW greenhouse gas footprint in tonnes of CO₂-equivalent?

Energy Transition

97. Will the NSW Government commit to ensuring renewable energy is considered on its merits as part of the \$4 million NSW Coal Fired Electricity Generation Study committed in the 2016-17 state budget? Will the Government share the project plan to ensure this budget expense is used transparently, and will there be opportunities for the public to engage?
98. On August 3rd, 2016 Minister Roberts' issued a media release announcing the development of an Advanced Energy Strategy saying "*The project is to develop a roadmap for the State to transition to a clean, affordable and reliable energy future*". Can the Government outline how the strategy will direct government policy and resourcing in the electricity sector, and the date at which the Government intends NSW to have a clean 100% renewable energy future?
99. In April the NSW Government stated it was considering how to reallocate the money in the Climate Change Fund stating "the government is considering options for the future of the Climate Change Fund as part of its broader response to improve energy productivity, attract investment in renewable energy and prepare NSW to adapt to climate change". Can the Government confirm the proportion of the fund that will be spent on supporting the development of large-scale renewable energy and how this allocation of money will be spent in 2016-17?

100. The 2015 Renewable Energy Action Plan Report Card identifies that NSW is a long way from achieving its goal of supporting the national target of 20% renewable energy generation by 2020. According to the 2015 report card only 10.8% of our electricity is renewable. Will the Government commit to reaching at least a 20% by 2020 renewable energy composition for NSW and outline how this will be achieved?
101. Can the Government clarify if there was any funding provided in the 2016-17 budget to support local communities in the Hunter Valley, Lithgow and Central Coast to transition from coal-fired electricity generation to other industries including renewables?