

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?

ANSWER

The Renewable Energy Action Plan has positioned NSW to attract a significant share of the projects and investment needed to meet with national Renewable Energy Target by 2020.

NSW has around 4,500 megawatts (MW) of approved large-scale renewable energy projects and a further 3,200 MW in the planning system.

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?

ANSWER

In 2015, electricity from renewable sources (including the Snowy Hydro Scheme) made up 13.9% of the NSW electricity generation mix, the highest on record.

This includes the full generation from the Snowy Hydro Scheme (as this installation is located within our state), a number of bioenergy sources (such as bagasse, landfill gas and other biomass), small hydro projects, and solar hot water heaters (as they replace electricity use and create small-scale technology certificates).

The combined share of generation from solar, wind and bioenergy in NSW has more than doubled during the past five years.

3. What will the impact of the federal government decision to cut \$1.3Billion out of ARENA have on renewable energy investment in NSW?

ANSWER

The Budget Savings (omnibus) Bill 2016, which includes a proposal to reduce ARENA's budget, has not yet been passed by the Australian Senate.

The NSW Government will continue to leverage funds from both ARENA and the Clean Energy Finance Corporation under Action 5 of the Renewable Energy Action Plan.

To date, NSW has benefitted from over \$500 million of funding support from ARENA. This has supported over 120 NSW projects and developed supply chains and experience that have helped position NSW as open for business in renewables.

More recently, NSW secured \$34.9 million of grant funding for a remarkable five new large-scale solar farms worth 160 megawatts of capacity, under ARENA's large-scale solar funding round. Located in regional NSW, these projects are expected to support up to 800 jobs during construction and, when fully operational, will provide enough clean electricity to power around 62,000 homes or 2,800 schools.

4. How much money in total is the NSW Government budgeting over the next 4 years to facilitate uptake of renewable energy in NSW?

ANSWER

The Government prepares a budget annually based on funding priorities. At this stage, predicting those priorities and the consequent allocation to renewable energy initiatives is not possible for the next four years. The Government will continue to implement the Renewable Energy Action Plan as an Election Commitment.

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?

ANSWER

NSW parliament passed legislation in October 2015 that made significant amendments to the State's petroleum laws. A key reform included in the Petroleum (Onshore) Act 1991 was the establishment of the Strategic Release Framework. This Framework provides a process to define petroleum exploration areas to be released by Government.

Details of the Strategic Release Framework for petroleum or coal exploration were published on the NSW Department of Industry's Resources & Energy website in December 2015.

No moratorium on onshore gas exploration in NSW exists.

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?

ANSWER

The investment decision to acquire or divest an existing coal mine, whether an operating mine or a mine in care and maintenance, is purely a commercial decision for the industry.

The amount of economic coal reserves remaining in an existing mine will depend on a combination of geological, operational and macroeconomic factors. Over time, a typical open cut mine will become less economic due to a higher strip ratio and an underground mine will become less productive at greater depth.

As a result there are a number of strategic benefits to allowing new coal mines to be built.

- As existing reserves decline, opening new mines allows the industry to maintain the same or greater level of employment and economic value add to the State.
- As reserves decline, opening new mines allows existing coal infrastructure (such as the Hunter Valley Coal Chain) to be optimally utilised.

- The economic value add of the coal industry can be extended to new regional areas. For example, Whitehaven Coal's Maules Creek Mine recently won an industry award for their Aboriginal Employment Strategy, with 12% of the workforce being Indigenous.
- Opening a new mine allows the proponent to build the mine from the outset using the latest innovations in mine planning, equipment, infrastructure and rehabilitation techniques.

7. Should former Minister Ian Macdonald ever have issued the coal exploration licences for Shenhua Watermark?

ANSWER

Following a competitive expression of interest (EOI) process, the Minister issued Exploration Licence (EL) 7223 on 22 October 2008 to Shenhua Watermark Coal Ltd a wholly owned subsidiary of China Shenhua Energy Company for the Watermark coal exploration area in the Gunnedah Basin.

Upon the close of the EOI, the Department of Primary Industries established an evaluation team from experts on its staff and elsewhere in government. The team evaluated the EOI's using a consistent process approved by an independent probity auditor. The auditor reviewed the compliance with the evaluation process by the evaluation team prior to the submission of recommendations to the Director-General and the Minister for Mineral Resources.

An exploration licence allows the company to undertake coal exploration and environmental and feasibility studies.

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?

ANSWER

The Government has had meetings with BHP Pty Ltd regarding the Carroona Coal exploration license.

National Electricity Market

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

ANSWER

Information on the supply-demand balance is available from the Australian Energy Market Operator's 2016 Electricity Statement of Opportunities.

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

ANSWER

Information on COAG Energy Council's response to energy market transition is available in the communique at <http://www.scer.gov.au/sites/prod.energycouncil/files/publications/documents/Energy%20Council%20Comunque%20-%202019%20August%202016%20-%20FINAL.pdf>

As previously announced, the NSW Government is developing an Advanced Energy Strategy.

Clean coal

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

ANSWER

The Coal Innovation NSW Fund is undertaking research to reduce greenhouse gas emissions from the use of coal. The forward budget for 2016-17 of \$23 million includes exploration drilling for CO₂ storage, funding of research into low emission coal technologies and a study on 'the future of NSW coal fired generation industry'.

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?

ANSWER

All mine safety prosecutions (including the commencement and discontinuance) are conducted in accordance with legal advice. Each legal advice is confidential and subject to Legal Professional Privilege (LPP). Legal advice was obtained in relation to the discontinuance of matters no 956 and 957 in the Industrial Court of NSW. That legal advice is confidential and subject to LPP. The legal advice cannot be disclosed as it could amount to a waiver of LPP in the legal advice which is also relevant to matters which are still before the court. The existence of the legal advice is noted for reasons of transparency and "public interest" so as to make clear:

that due process has been followed in the consideration of the relevant legal issues leading to the decision to discontinue the prosecution in matters no.956 and 957 in the Industrial Court of NSW

that the decision was not based on political considerations.

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?

ANSWER

Legal advice was obtained in relation to the decision to discontinue matters no 956 and 957 in the Industrial Court of NSW. That legal advice is confidential and subject to LPP. The legal advice cannot be disclosed as it could amount to a waiver of LPP in the legal advice which is also relevant to matters which are still before the court. The existence of the legal advice is noted for reasons of transparency and "public interest" so as to make clear:

that due process has been followed in the consideration of the relevant legal issues leading to the decision to discontinue the prosecution in matters no.956 and 957 in the Industrial Court of NSW

that the decision was not based on political considerations.

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?

ANSWERS

Around August 2012

Legal advice was obtained in relation to the discontinuance of matters no 956 and 957 in the Industrial Court of NSW. That legal advice is confidential and subject to LPP. The legal advice cannot be disclosed as it could amount to a waiver of LPP in the legal advice which is also relevant to matters which are still before the court. The existence of the legal advice is noted for reasons of transparency and "public interest" so as to make clear (i) that due process has been followed in the consideration of the relevant legal issues leading to the decision to discontinue the prosecution in matters no.956 and 957 in the Industrial Court of NSW; and (ii) that the decision was not based on political considerations.

The OHS Inspector who was the named Prosecutor in consultation with Departmental and legal advisors.

Legal advice was obtained in relation to the discontinuance of matters no 956 and 957 in the Industrial Court of NSW. That legal advice is confidential and subject to LPP. The legal advice cannot be disclosed as it could amount to a waiver of LPP in the legal advice which is also relevant to matters which are still before the court. The existence of the legal advice is noted for reasons of transparency and "public interest" so as to make clear (i) that due process has been followed in the consideration of the relevant legal issues leading to the decision to discontinue the prosecution in matters no.956 and 957 in the Industrial Court of NSW; and (ii) that the decision was not based on political considerations.

The advice was received prior to the decision taken to withdraw proceedings.

Ingmar Taylor SC and Janet McDonald of Counsel

The Legal Advice will not be disclosed. The Legal Advice was obtained in relation to the discontinuance of matters no 956 and 957 in the Industrial Court of NSW. That legal advice is confidential and subject to LPP. The legal advice cannot be disclosed as it could amount to a waiver of LPP in the legal advice which is also relevant to matters which are still before the court. The existence of the legal advice is noted for reasons of transparency and "public interest" so as to make clear (i) that due process has been followed in the

consideration of the relevant legal issues leading to the decision to discontinue the prosecution in matters no.956 and 957 in the Industrial Court of NSW; and (ii) that the decision was not based on political considerations.

15. How was the decision reached to bring the prosecutions to an end?

ANSWER

Legal Advice was obtained in relation to the decision to discontinue matters no 956 and 957 in the Industrial Court of NSW. That legal advice is confidential and subject to LPP. The existence of the Legal Advice is noted for reasons of transparency and “public interest” so as to make clear (i) that due process has been followed in the consideration of the relevant legal issues leading to the decision to discontinue the prosecution in matters no.956 and 957 in the Industrial Court of NSW; and (ii) that the decision was not based on political considerations.

16. Which individual(s) within which agency or agencies made the formal decision to bring the prosecutions to an end?

ANSWER

The OHS Inspector who was the named Prosecutor following legal advice. That legal advice is confidential and subject to LPP. The legal advice cannot be disclosed as it could amount to a waiver of LPP in the legal advice which is also relevant to matters which are still before the court. The existence of the legal advice is noted for reasons of transparency and “public interest” so as to make clear (i) that due process has been followed in the consideration of the relevant legal issues leading to the decision to discontinue the prosecution in matters no.956 and 957 in the Industrial Court of NSW; and (ii) that the decision was not based on political considerations.

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?

ANSWER

No. The OHS Inspector who laid the charges in 2009 had retired prior to 2012. He was replaced as OHS Inspector with a Senior Departmental officer who filled the roles of OHS Inspector and Prosecutor.

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?

ANSWER

No

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?

ANSWER

No

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 prosecution matters 956 and 957 in the Industrial Court of NSW to approach the court to seek the dismissal of the proceedings?

ANSWER

The OHS Inspector who was the named Prosecutor made the decision following legal advice. That legal advice is confidential and subject to LPP. The legal advice cannot be disclosed as it could amount to a waiver of LPP in the legal advice which is also relevant to matters which are still before the court. The existence of the legal advice is noted for reasons of transparency and "public interest" so as to make clear (i) that due process has been followed in the consideration of the relevant legal issues leading to the decision to discontinue the prosecution in matters no. 956 and 957 in the Industrial Court of NSW; and (ii) that the decision was not based on political considerations.

21. Why did the prosecution in matters 956 and 957 in the Industrial Court of NSW agree to pay the defendants' legal costs?

ANSWER

Following the discontinuance of the prosecution the Prosecutor was ordered to pay the Defendants' 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?

ANSWER

In March 2013 the NSW Industrial Court made orders by consent that the prosecutor was to pay the discharged defendants costs of the proceedings in the sum of \$982,500.

These proceedings were funded by the Attorney General's Core Fund. Decisions to spend money from that Core Fund are not made by the Department.

23. Was money paid to each defendant?

ANSWER

The monies were paid to the Defendants in accordance with the agreement of the parties.

24. If money was paid only to one defendant, or to the solicitor of one defendant, why was this done?

ANSWER

The monies were paid to the Defendants in accordance with the agreement of the parties.

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?

ANSWER

In NSW the body that is charged with investigating any concerns of corrupt activities of public officials is ICAC. If there is a concern about corrupt conduct involving a public official with respect to these matters they should be reported to ICAC.

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?

ANSWER

The current Study undertaken by Ernst & Young is modelling a number of scenarios which inputs all forms of generation, including renewables, using 'Levelised Cost of Electricity' pricing from the most relevant and recent data available. The models also implement Australian Energy Market Operator forward demand curves and aim to meet Australia's commitments to COP21.

The Study's procurement process conducted under government procurement policies and the current project plan, contained in the tender documents, is published on the government's eTender website. Future planning, once initial findings are provided, has not been finalised.

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?

ANSWER

The Advanced Energy Strategy will consider the barriers and opportunities associated with the major transformation underway in energy products and services, particularly electricity, and set out the actions that the NSW Government can take to ensure that the barriers are removed and the opportunities secured.

The purpose of the strategy is to guide government policy and resourcing. Community consultation will be undertaken as part of the development of the strategy.

The following priorities have been identified for inclusion in the draft strategy:

- Innovation and job creation: e.g. supporting deployment, creating regulatory sandpits to enable scaling up investment in research, development and deployment, pilot programs.
- Empowering consumers: e.g. energy efficiency, pricing structures, supporting energy services, consumer participation, protection and choice.
- Transitioning the national/state regulatory framework (market, technical and safety): e.g. optimising the distribution grid, integrating embedded networks, intrastate transmission planning, and distribution network connections.

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?

ANSWER

This matter falls under the portfolio responsibilities of the Minister for the Environment, the Hon. Mark Speakman MP.

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?

ANSWER

Funding was provided in the 2016-17 budget to support local communities in the Hunter Valley. Hunter Energy Transitional Alliance received \$10,000 for the development of a road map for transition from coal –fired energy. This reflects the unique position of the Hunter and its workforce. This model for regional development has the potential to be rolled out to other regions eg Lithgow.

State wide, work on transition to a clean, affordable and reliable energy future is being undertaken through the Advanced Energy Strategy.

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?

ANSWER

This matter falls under the portfolio responsibilities of the Minister for Planning, the Hon. Robert Stokes MP.

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.

ANSWER

In September 2013, the NSW Government released the NSW Renewable Energy Action Plan to guide NSW's renewable energy development and to support the former national target of 20 per cent renewable energy by 2020.

The Plan positions the state to increase energy from renewable sources at least cost to the energy customer and with maximum benefits to NSW. The strategy is to work closely with NSW communities and the renewable energy industry to increase renewable energy generation in NSW. The Renewable Energy Action Plan Annual Report 2015 provides the latest outline of activities and achievements completed to date. Delivering each of these Actions often required a mix of direct and indirect costs across the whole-of-Government, as such any listing of individual agency costs without doing a detailed cross-agency reconciliation would be inaccurate.

For a list of achievements/outcomes under the REAP please

see http://www.resourcesandenergy.nsw.gov.au/_data/assets/pdf_file/0008/586601/reap-annual-report.pdf.

Additional priorities for 2016-2017 are expected to include; work on an Advanced Energy Strategy to transition NSW to a low emission, affordable and reliable energy future, continued engagement with COAG Energy Council and its numerous working groups including investigation of the impact of emerging technologies and storage on networks, the finalisation of a Power Purchase Agreement (PPA) for output equivalent of up to 50 megawatts of large-scale solar output from NSW projects successful under the ARENA large-scale solar funding round, supporting the Networks Renewed project and providing additional consumer resources and tools to make it easier for consumers to choose new services.

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.

ANSWER

In September 2013, the NSW Government released the NSW Renewable Energy Action Plan to guide NSW's renewable energy development and to support the former national target of 20 per cent renewable energy by 2020.

The Plan positions the state to increase energy from renewable sources at least cost to the energy customer and with maximum benefits to NSW. The strategy is to work closely with NSW communities and the renewable energy industry to increase renewable energy generation in NSW. The Renewable Energy Action Plan Annual Report 2015 provides the latest outline of activities and achievements completed to date. Delivering each of these Actions often required a mix of direct and indirect costs across the whole-of-Government, as such any listing of individual agency costs without doing a detailed cross-agency reconciliation would be inaccurate.

For a list of achievements/outcomes under the REAP please

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Some 2015-16 highlights (non-exhaustive list) include; a voluntary market-led rollout for smart meters, the release of NSW's first comprehensive Renewable Energy Resource Map, supporting the Australian Energy Storage Database which informs investors, developers and researchers about the latest storage installations

and sponsoring the Network Opportunity Mapping project, which highlights the opportunities for renewable energy to meet network constraints.

In addition to these achievements, numerous inter-related activities and programs exist outside of the REAP. For instance, NSW maintains an active engagement in numerous working groups under the COAG Energy Council structure, as well as representation on COAG Energy Council itself. Or for another example outside of REAP, every year numerous Government agencies purchase a significant amount of their energy through the GreenPower scheme, which is over and above the national Renewable Energy Target (RET) liability. Programs like the NSW Climate Change Fund, NSW Energy Efficiency Action Plan and the NSW Government Resource Efficiency Policy all have aspects which interact with energy policy and energy mix, including the role of renewable energy.

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.

ANSWER

See response to Question 31.

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.

ANSWER

See response to Question 32.

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?

ANSWER

The Chief Compliance Officer, NSW Resources Regulator, authorised the commencement of a formal investigation on 8 July 2016.

The decision was based on a collective assessment across a range of material received from a variety of sources, and had particular regard to recent non compliances under relevant legislation.

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?

ANSWER

This is the first investigation to be conducted specifically under section 380A of the *Mining Act 1992*.

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)?

ANSWER

A small number of complaints have previously been received alleging that certain entities are not fit and proper persons. These complaints were assessed and dealt with in accordance with the Division of Resources and Energy's Compliance & Enforcement Program and Policy.

38. Is the agency or Resources Regulator investigating any other entity as to whether that entity is a fit and proper person?

ANSWER

No

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?

ANSWER

The NSW Government has taken a number of actions to place downward pressure on prices including:

- Deregulated retail electricity prices in 2014, which has resulted in greater competition in the retail electricity market,
- Undertaken substantial electricity network reform, which has resulted in network prices generally moving in line with the Consumer Price Index.
- Removed regulatory barriers to support the voluntary roll-out of smart meters.

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?

ANSWER

I have asked IPART to specifically review retail price movements.

The Australian Energy Market Commission, an independent body, has found that competition remains effective in NSW for electricity and gas customers see <http://www.aemc.gov.au/getattachment/d5a60d5b-d2dc-4219-af60-51c77d8aaa4f/Final-Report.aspx>.

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 ensure effective competition among electricity retailers in NSW?

ANSWER

The Australian Energy Market Commission, an independent body, has found that competition remains effective in NSW for electricity and gas customers see <http://www.aemc.gov.au/getattachment/d5a60d5b-d2dc-4219-af60-51c77d8aaa4f/Final-Report.aspx>.

42. What actions have you taken about the record number of complaints from consumers about their electricity retailer?

ANSWER

The Australian Energy Market Commission 2016 Retail Competition Review found an increase in customers switching to better deals, while customer satisfaction is also high, with around 73 per cent of residential customers satisfied with their electricity retailer.

Preliminary advice on the 2015-16 AER retailer complaint statistics is that changes in reporting definitions by one retailer is causing the sharp increase in complaints. I will be closely monitoring both EWON's and AER's formal 2015-16 reports to ensure this is a one off issue and not systemic.

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?

ANSWER

NSW is taking a number of actions to put downward pressure on gas supplies, including improving availability of gas supplies. For further information see the NSW Gas Plan and COAG Energy Council August communique.

44. What plans has the Government put into place to assist the affected businesses?

ANSWER

NSW is taking a number of actions to put downward pressure on gas supplies, including improving availability of gas supplies. For further information see the NSW Gas Plan and COAG Energy Council August communique.

45. Will the Government compensate affected residents?

ANSWER

The NSW Government provides the Gas Rebate including for customers on Liquefied Petroleum Gas. More information is available at <http://www.resourcesandenergy.nsw.gov.au/energy-consumers/financial-assistance/rebates/nsw-gas-rebate>.

Enhancements to the Energy Savings Scheme commenced in 2016 to incorporate financial incentives for improving gas efficiency for households and businesses. More information on the Energy Savings Scheme is at www.ess.nsw.gov.au.

We have also indicated that we will consider deregulating retail gas prices on 1 July 2017, on the condition that there is a considerable increase in the level of competition offers available to customer in regional NSW. IPART considers that competition in gas retail markets is effective in NSW, and deregulating retail gas prices would further support competition by removing a barrier to entry in the retail gas market.

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?

ANSWER

The allocation in 2016-17 across programs is subject to ongoing Board review and recommendations. At least 30 per cent of the Jobs for NSW Fund (\$190 million) will be allocated to regional and rural businesses operating outside the major cities of Sydney, Newcastle and Wollongong,

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?

ANSWER

Yes, the \$89 million is part of the \$190 million. The balance is not \$101 million as payments were made in FY 2015-16. Allocations in future years will be confirmed by the Budget each year. At least 30 per cent of the Jobs for NSW Fund will be allocated to regional and rural businesses operating outside the major cities of Sydney, Newcastle and Wollongong.

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?

ANSWER

(a)-(c) NSW Government agencies are developing initiatives to implement the NSW Government's policy that 100 per cent of public service jobs will be flexible by 2019 on the basis of 'if not, why not'.

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?

ANSWER

The Department of Mineral Resources no longer exists; it has been incorporated into the Division of Resources & Energy of the NSW Department of Industry. There have been 37 positions lost due to the restructuring of the Division of Resources & Energy in 2015 (8) and 2016 (29).

50. Please disaggregate the data by state electorate.

ANSWER

Disaggregation is provided by Departmental office:

Maitland	14
Orange	5
Parramatta	2
Sydney	14
Wollongong	2

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

ANSWER

Cannot be quantified so is unknown.

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?

ANSWER

Each agency is responsible for implementing NSW Government policy. The information sought is not collected centrally.

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?

ANSWER

Each agency is responsible for implementing NSW Government policy. The information sought is not collected centrally.

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?

ANSWER

See responses to Questions 43, 44 and 45.

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?

ANSWER

Ministers' staff numbers and salary bands are available on the DPC website. Refer to: http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers.

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?

ANSWER

There were 280 smart phones in use across all Ministers' offices in 2015-16. The total usage cost of these smart phones and other mobile devices (including iPads) was \$452,830, a 21.7% per cent reduction on the 2008-09 expenditure of \$578,691. The cost of replacing any lost or stolen devices is claimed through the NSW Treasury Managed Fund. Repairs are funded by the Department of Premier and Cabinet, Ministerial and Correspondence Services.

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?

ANSWER

There were 148 iPads in use across all Ministers' offices in 2015-16. The cost of replacing any lost or stolen devices is claimed through the NSW Treasury Managed Fund. Repairs are funded by the Department of Premier and Cabinet, Ministerial and Correspondence Services.

58. Has any artwork been purchased or leased for display in your ministerial office in 2015-16?

(a) What is the cost of this?

ANSWER

Artwork in the Minister's office includes art donated at no cost by a local artist and artwork on loan from the Art Gallery of NSW for which the Gallery charges a nominal subscription fee.

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?

ANSWER

Floral arrangements purchased by the Ministry are managed within the office's budget.

60. Have any floral displays or indoor plants or pot plants been purchased for display in your ministerial office in 2015-16?

(a) If so, what was the cost of these items?

ANSWER

See 59

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?

ANSWER

The Minister's Office subscribes to a modest number of publications, the cost of which is managed within the Office's budget.

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?

ANSWER

\$0.00

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

(a) What is the monthly cost of this?

ANSWER

No

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

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

ANSWER

Ministers, the Leader of the Opposition, other nominated public office holders and certain former office holders are provided with official cars and drivers. During 2015-16 all costs associated with these vehicles were paid from the relevant office's budget.

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

ANSWER

Expenditure on taxis, hire cars and ride share services across the Ministry in 2015-16 was \$99,463. This compares with 2009-10 expenditure of \$175,776.

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?

ANSWER

No

Hospitality

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

ANSWER

\$0.00

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

ANSWER

Costs are managed within each agency's recurrent budget.

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

ANSWER

The Department of Industry uses Labour Hire firms, in accordance with NSW Public Service policies to cover temporary vacancies as required. There are no central records maintained, with operations authorised to make such arrangements, subject to their overall labour expense cap.

Media and Public Relations

70. How many media or public relations advisers are employed for each of your portfolio agencies?

ANSWER

The Department of Industry, Skills and Regional Development employed approximately 22 media and public relations advisers in 2015/16

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?

ANSWER

Forecast for media or public relations advisers employed by the Department of Industry, Skills and Regional Development is approximately 23 with an estimated cost of \$2,688,813.10 in the current financial year.

72. What is the total cost of media monitoring services used by Departments/agencies within your portfolio responsibilities?

ANSWER

The NSW Government purchases all commercial media monitoring centrally through the Department of Premier and Cabinet which delivers significant savings through aggregated procurement. The Department of Industry, Skills and Regional Development spent approximately \$3,577.20 on media monitoring services in 2015/16.

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?

ANSWER

No

Facebook

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

ANSWER

No taxpayer money has been spent on Facebook advertising or sponsored posts.

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

ANSWER

The Department of Industry, Skills and Regional Development spent approximately \$8,392.52 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?

ANSWER

Details of overseas travel including costs are published on the Department of Premier and Cabinet's website.

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?

ANSWER

Details of overseas travel including costs are published on the Department of Premier and Cabinet's website.

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

ANSWER

In 2015-16 the Industry cluster (excluding TAFE NSW), spent approximately \$641,000 on taxis, car hire, and ride sharing arrangements. The break down requested cannot be provided.

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?

ANSWER

Financial statements, including Legal Services expenditure and expenditure on consultants, are available in agency annual reports.

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

ANSWER

Consultant's fees are published in the Annual Report.

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?

ANSWER

119 (Department of Industry)

a) (i) All were voluntary. 105 were accepted.

(ii) Nil

b) \$11,146,877.20 actual payments

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?

ANSWER

Five staff members who have received a redundancy in the last two years have subsequently undertaken paid work within the Department. Redundancies are managed in accordance with the government's "PSC Directive 2011-007, Managing excess employees"

(http://www.dpc.nsw.gov.au/__data/assets/pdf_file/0007/135178/D2011-07_MEE_2011_Version_2_POL.pdf).

a) Three Casuals: Project Officer, Administration and clerical duties

One Temporary Appointee: Administration and clerical duties

One Contingent Labourer: Administration and clerical duties

b) The total cost of these services from the dates of engagement to 30 June 2016 was \$58,908.

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

ANSWER

No

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?

ANSWER

There were five dismissals within the Department during 2015-16.

a) The dismissals were as a result of serious and / or repeated behaviour and were conducted in line with appropriate legislation.

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?

ANSWER

The Department does not have a corporate iTunes account.

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?

ANSWER

The Department does not have a corporate Android account.

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?

ANSWER

Due to the way the Ministers' IT network infrastructure is configured with third party service providers, DPC does not have a single data source showing domain access and utilisation figures.

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

ANSWER

Due to the way the Ministers' IT network infrastructure is configured with third party service providers, DPC does not have a single data source showing domain access and utilisation figures.

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.

ANSWER

All NSW Government agencies are required to impose surcharges to recoup their merchant interchange fees, pursuant to Treasury Circular TC12/13. The Department of Industry does not accept payment for goods and services so we do not impose merchant fees on our customers.

Department of Industry staff only use their Pcards for the purchase of goods and services for official business purposes. If particular vendors elect to impose a merchant fee on card transactions, that is an unavoidable cost of doing business. It would not be possible to determine fees charges to Departmental cards, as these would either be embedded in the individual transaction cost, or if separately disclosed would require each monthly card statement for each user to be reviewed.

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.

ANSWER

See 89.

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

Answer

See 89.

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?

ANSWER

In accordance with the NSW Procurement Board's Direction (PBD-2013-05), DPC has internal mechanisms in place to ensure that probity considerations are routinely taken into account in its procurement decisions, and the use of external probity advisers and auditors is the exception rather than the rule. The Department's Annual Report includes all consultancies valued more than \$50,000.

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?

ANSWER

The NSW Government supports the Commonwealth's Paris emissions reduction commitment that Australia will reduce emissions to 26-28 per cent on 2005 levels by 2030.

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?

ANSWER

The NSW Government supports the Commonwealth's Paris emissions reduction commitment that Australia will reduce emissions to 26-28 per cent on 2005 levels by 2030.

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?

ANSWER

Information on latest emissions estimates and time series is available from the Australian National Greenhouse Accounts which is available from the Department of the Environment and Energy. The State and Territory Greenhouse Gas Inventory is accessible at: <http://ageis.climatechange.gov.au/SGGI.aspx>.

96. What is the current progress being made to reduce the NSW greenhouse gas footprint in tonnes of CO₂-equivalent?

ANSWER

The NSW Government is implementing the NSW Renewable Energy Action Plan (available at: <http://www.resourcesandenergy.nsw.gov.au/energy-consumers/sustainable-energy/renewable-energy-action-plan>) and the NSW Energy Efficiency Action Plan (available at: <http://www.environment.nsw.gov.au/energyefficiencyindustry/energy-efficiency-policy.htm>).

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?

ANSWER

See response to Question 26.

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?

ANSWER

See response to Question 27.

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?

ANSWER

This matter falls under the portfolio responsibilities of the Minister for the Environment, the Hon. Mark Speakman MP.

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?

ANSWER

Released in 2013, the Renewable Energy Action Plan (Plan) commits the NSW Government to increase renewable energy at the least cost to the energy customer and with maximum benefits to the State. In addition, the Plan supports the achievement of the national Renewable Energy Target, which was recently revised to 33 TWh of renewable energy generation by 2020. The Government is, and continues to be, a long-standing supporter of a sensible, nationally consistent target, and a steady transition to a diverse and sustainable energy mix.

Over the past five years, the combined share of generation from solar, wind and bioenergy sources has doubled in NSW. And as of June 2016, the contribution of renewable energy to NSW supply mix was 13.9 per cent, which is the highest on record.

The Government has taken a number of steps under the Plan to actively support the renewable energy sector and contribute to the RET. For instance, The Division of Resources and Energy's Renewable Energy Advocate and Industry Investment team have supported 34 NSW renewable energy projects since July 2013.

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?

ANSWER

See response to Question 29.