



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

## **BUDGET ESTIMATES 2017-2018**

### **Supplementary Questions**

**Portfolio Committee No. 5 – Industry and Transport**

#### **LANDS AND FORESTRY, RACING**

Hearing: Wednesday 6 September 2017

**Answers due by: Monday 2 October 2017**

**Budget Estimates Secretariat**

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## LANDS AND FORESTRY

### Questions from Ms Dawn Walker MLC

#### Native Forestry

1. What percentage of timber harvested by Forestry Corporation comes from native forests and what percentage from plantations?
2. How much money did Forestry Corp make from native forest operations in the 2016/17 financial year?
  - (a) In the 2015/16 financial year?
  - (b) In the 2014/15 financial year?
3. In the 2016/17 financial year, what percentage of Forestry Corporations total profits came from native forestry operations?
  - (a) In the 2015/16 financial year?
  - (b) In the 2014/15 financial year?
4. How much native timber is Forestry Corp contracted to supply under the current Integrated Forestry Operations Approval (IFOA)?
5. Can you tell us how much native timber is Forestry Corp contracted to supply under the proposed IFOA?
  - (a) How many years will the proposed IFOA be valid for?
6. Where will this native timber go?
  - (a) What is the product being used for?
7. Does the Minister agree with the statement by NSW Forestry Corporation that: *“Forestry Corporation’s current timber harvesting operations have been carefully planned to supply renewable timber”*, which was made on 31st August in relation to logging operations on the NSW South Coast [specifically re: Mogo State Forest]?
8. Is the Minister aware of the Report by the NSW Department of Primary Industries titled *“Review of Coastal Hardwood Wood Supply Agreements”* that was published in March 2017?
  - (a) Does the Minister agree with any of the following findings from the report:

- i. the industry in Southern NSW *“will face adjustment to a reduction in timber supply beyond 2018”*?
  - ii. *“that [logging] equipment would have to be refitted to deal with “super-small log sizes”*?
  - iii. that Forestry Corp *“are tending to harvest the easier coastal areas at rates above long-term sustainability”*?
- (b) If so you agree with any of the above findings, then how can the logging operations of Forestry Corp be ‘sustainable’ or ‘renewable’?
- 9. Does the Minister agree with the general statement that “clear felling eliminates arboreal mammals from the logged area”, which was the findings of a report written by scientists from the then NSW Forestry Commission in 1980?
- 10. In which forests is the “clearfell” harvesting method currently being used on the NSW South Coast?
- 11. What are the numbers of koalas in State Forests that supply the Eden Chipmill?
  - (a) What species protection measures are being employed?
- 12. What are the numbers of greater gliders in State Forests that supply the Eden Chipmill?
  - (a) What species protection measures are being employed?

### **Forestry Corporation**

- 13. How many Forestry Corporation staff are employed in:
  - (a) Bega Valley Shire
  - (b) Eurobodalla Shire
  - (c) Shoalhaven Shire
- 14. How many staff does Forestry Corp employ in each of these Shires:
  - (a) In total in the timber industry
  - (b) as logging crews
  - (c) in haulage
  - (d) in timber processing
- 15. Does the Forestry Corp have supply forecasts for each major category of logs in Eden RFA and Southern Region RFA regions?

- (a) If so, what are the details of these forecasts?
- (b) Please supply details of any modeling undertaken for the period beyond the terms of the current Wood Supply Agreements

### **Breaches**

- 16. How many audits and investigations was Forestry Corp subject to last financial year?
- 17. How many of these resulted in:
  - (a) Advisory letters?
  - (b) Formal warnings?
  - (c) Show cause notices?
  - (d) Clean up notices?
  - (e) Remedial action?
  - (f) Official cautions?
  - (g) Penalty notices?
  - (h) Other?
- 18. What did each of the above compliance matters relate to?

### **IFOA remake**

- 19. What is the status of the IFOA remake and when will the draft be open for consultation?
- 20. Has the Natural Resources Commission been requested to provide advice on the draft IFOA?
  - (a) If so, will the report be made public before consultation?
- 21. Will the IFOA deliver both no erosion of environmental values with no change in wood supply as committed to by the Government?

### **Reform**

- 22. When is the Private Native Forestry Code expected to be reviewed and finalised?
- 23. When will the draft Coastal IFOA be open for consultation?
- 24. How much money did the Government invest in the Predictive Koala Habitat Model?
- 25. How much has the Government invested in Koala mapping, including the trial four state forests in Northern NSW?

(a) Please provide the spending on koala mapping for:

- i. 2014-15;
- ii. 2015-16;
- iii. 2016-17?

### **Koalas**

- 26. Will the Government's proposed native forest bill intensify logging in our public native forests?
- 27. Is the 2015 EPA report that logging in public native forests is intensifying correct?
- 28. Is habitat clearing a significant contributor to the destruction of koala populations?
- 29. Is intensive logging a threat to koalas?
- 30. Is logging good for koalas?
- 31. How many koalas were killed or maimed as a result of native forestry operations in NSW in each of the past 4 years?
- 32. What is the acceptable number of koala deaths tolerated by this Government as a result of native forestry operations?
- 33. Does the NSW Government believe that more protected areas, such as National Parks will improve koala populations in NSW?
- 34. The office of Environment and Heritage is currently developing their koala strategy in NSW- how many meetings have you had with the Environment Minister regarding this strategy?
- 35. As the Minister for state forests, do you support converting state forests into national parks, for the creation of a Great Koala National Park?

### **State Forests**

- 36. What is the financial value of recreation and tourism activities in state forests?

### **Forestry Corp structure**

- 37. In documents obtained by Fairfax Media, the EPA stated that in regards to Forestry Corp's structure there is an 'inherent conflict of interest for a corporation in having a concurrency role for negotiating, revoking or changing the terms of their own licence on behalf of Minister for Primary Industries' [now you as the Minister for Forestry]. Do you agree with the EPA?

38. The EPA also state that ‘the removal of third party legal rights exists nowhere else in NSW legislation or regulation’. Why are there no third part appeal rights relating to Forestry?

<b>Questions from Mr David Shoebridge MLC</b>
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**Public register**

39. When will the government release a public register of all Crown Land in NSW that includes clear mapping and is freely available to all members of the public?

**Auditor General’s report on the Sale and lease of Crown land**

40. What steps have been taken to implement the recommendations of the Auditor Generals 2016 report into Sale and lease of Crown land?
41. What percentage of commercial Crown land leases were directly negotiated in:
- (a) 2014/15?
  - (b) 2015/16?
  - (c) 2016/17?
42. How much debt currently exists on Crown Land leases?
- (a) How many organisations have debt over \$100,000?
43. Has a debt collection policy been implemented?

**Council administration of Crown Lands**

44. What was the number of Crown lands for the period 1 July 2016 - 30 June 2017 that were administered by Councils on behalf of the Crown as listed below:
- (a) within the former Wyong Shire Council area, and
  - (b) within the former Gosford City Council area, and
  - (c) within the Central Coast Council area, and
  - (d) in all Councils in New South Wales, and
  - (e) within the administrative territory of Norfolk Island?
45. What is the value of the income derived from Crown lands administered by Councils on behalf of the Crown in the periods 1 July 2015 - 30 June 2016 and 1 July 2016 - 30 June 2017 as listed below:

- (a) within the former Wyong Shire Council area, and
  - (b) within the former Gosford City Council area, and
  - (c) within the Central Coast Council area, and
  - (d) in all Councils in New South Wales, and
  - (e) within the administrative territory of Norfolk Island?
46. In relation to question 45: for the categories (a)-(e) what is the corresponding projected income from Crown lands administered by Councils on behalf of the Crown for the period 1 July 2017 - 30 June 2018?
47. How many Crown lands did the minister vest in Councils and other entities for the period 1 July 2016 - 30 June 2017 as listed below:
- (a) within the former Wyong Shire Council area, and
  - (b) within the former Gosford City Council area, and
  - (c) within the Central Coast Council area, and
  - (d) in all Councils in New South Wales, and
  - (e) within the administrative territory of Norfolk Island?
48. Which reports for public reserve trusts did the minister receive from Councils and other entities under Section 122 3a) of the Crown Lands Act and under Part 5, Section 32 of the Crown Lands Regulation as listed below:
- (a) within the former Wyong Shire Council area, and
  - (b) within the former Gosford City Council area, and
  - (c) within the Central Coast Council area, and
  - (d) in all Councils in New South Wales, and
  - (e) within the administrative territory of Norfolk Island?
  - (f) what information pursuant to Part 5, Section 32 Clauses 2(a)- 2(o) of the Crown Lands Regulations was received in these reports?
49. Which reports for Crown land and public reserve trusts did the minister or director-general request from Councils and other entities in the period 1 July 2016 - 30 June 2017 as listed below:
- (a) within the former Wyong Shire Council area, and

- (b) within the former Gosford City Council area, and
- (c) within the Central Coast Council area, and
- (d) in all Councils in New South Wales, and
- (e) within the administrative territory of Norfolk Island?

### **Central Coast Council**

- 50. Why has Central Coast Council not been required to publish a comprehensive register of Crown land, recreational and operational land?
- 51. Why has the Council been allowed to operate without plans of management for its Crown land?

### **Talus**

- 52. Is there an Aboriginal Land claim on Talus, Crown Land, Naremburn (occupied by tennis courts)?
- 53. What has the Minister done to expedite the Supreme Court proceedings in respect to the land if the Land Title claim has been lodged and received?
- 54. Does the Minister acknowledge there has been a convention or policy that no dealings will occur with any Crown Land where a land claim has been lodged?

### **Use of artificial intelligence**

- 55. What current uses of artificial intelligence does the department undertake?

Note: Please include all uses of AI including uses for resource allocation and administrative support, big data analysis, replacement and assistance of experts and researchers, procedural matters, or summarising diverse data – for reference this might include:

- Chatbots for customer service or advice
- Customer management systems
- Scanning legal documents to find relevant case law
- Categorising and searching documents
- Directing petitions efficiently
- Translation
- Document drafting

- 56. When did the department implement AI technologies and which technologies were these?
- 57. What planned uses does the department have for artificial intelligence?



58. What is the anticipated timeline for the expansion of existing AI uses or implementation of new technologies?
59. What policy guidelines, if any, guide the exploration and use of artificial intelligence by the department?
60. What research, if any, has the department undertaken regarding the use of AI in Government services?

<p><b>Questions from the Hon Shaoquett Moselmane MLC (on behalf of the NSW Labor Opposition)</b></p>
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**Crown Land – illegal clearing**

61. How many referrals to other Government agencies have occurred regarding illegal clearing of Crown Land each year since 2011?
62. How many successful prosecutions of persons engaging in illegal clearing of Crown Land have been made each year in the Crown Lands' Western Division since 2011?
63. How many successful prosecutions of persons engaging in illegal clearing of Crown Land have been made each year in the Crown Lands' Central Division since 2011?
64. How many successful prosecutions of persons engaging in illegal clearing of Crown Land have been made each year in the Crown Lands' Eastern Division since 2011?

**Native title – Western Bundjalung People v Attorney General of New South Wales [2017]**

65. How many staff are now engaged in Native Title matters in Crown Lands?
66. Why did DPI - Land fail to brief the Attorney General on time in relation to the Native Title determination, which the judge noted "*In no other kind of case where parties are legally represented would such conduct occur or be tolerated.*"?
67. Do you agree with the judge's conclusion, and I quote, "*I am not satisfied that the overarching purpose of the civil procedure rules in the Court Act has been met in this case, indeed I believe it has not, and I currently have no confidence that we can continue down our present path and comply with the duties to which are all subject for the many matters which remain to be resolved **unless there is a change of approach within the State of New South Wales to dealing with native title claims, particularly claims which are prima facie cogent and thus call for a timely, fair and sensible resolution by agreement.***"

**Wentworth Park**

68. Have you met with the Administrator of Wentworth Park?

69. Do you know what his remuneration package is? What is the remuneration package?
70. Is there still a CEO also managing the affairs of the Trust?
71. Why is there still an administrator? When will the administrators tenure expire?
72. Have you or your held any discussions with Urban Growth over the future of Wentworth Park?
73. Have you received a report from the Administrator on his activities since being appointed just before the former Premier decided to ban greyhound racing?

### **Greyhounds**

74. Can you guarantee that any greyhound track on crown land will not be sold off or transferred to another Government agency?

### **Crown Holiday Parks Trust**

75. Have you met with the Crown Holiday Park Trust?
76. Can you explain why the operating budget for the Crown Holiday Park Trust board has gone from \$30M in 2014 to \$47.5 million in 2016?
77. Why has the budget for the Trust Board almost doubled from \$187,000 in 2014 to \$403,000 in 2016 (even a 22% increase from 2015)?
78. Do you think the Board meeting 4 times a year is good value for money? Does this justify a \$60,000 salary for the Chair and \$30,000 for each Board member?
79. Have you heard concerns within industry that the Trust is crowding out investment?

### **Crown Land sales and vesting**

80. What is the value of land vested or transferred to other Government agencies for each financial year since 2011-12?
81. What is the value of land vested or transferred to Property NSW for each financial year since 2011-12?

### **Aboriginal Land Claims**

82. What resources have been expended on the survey of Aboriginal Land Claims in the 2016/17 financial year (including amounts expended and/or staff resources used)?
83. How many Aboriginal Land Claims were surveyed in the 2016-17 financial year?
84. How much money has been budgeted to process Aboriginal land claims in 2017/18?

85. Has the Office of Crown Lands allocated any new additional resources to assist with the determination of land claims in the 2016/17 Budget?
86. According to Table A5.1 in Budget Paper No. 1, the Department of Industry, Skills and Regional Development was allocated a budget of \$877 million in 2015-16. However, it only spent \$737 million in that financial year. The reason given for the \$140 million shortfall was as follows:  
*“Lower expenditures relating to uncommitted Aboriginal land claims and Commonwealth funded State Priority Plan and Basin Plan projects”*. Can you clarify what is meant by *“uncommitted Aboriginal land claims”*?

#### **Crown Lands staff**

87. How many staff (in FTE) are currently employed within the Crown Land section of Industry – Lands and Forestry?
88. How many staff (in FTE) are currently employed within each regional office of the Crown Lands section of Industry – Lands and Forestry?
89. How many unfilled positions are there currently within the Crown Land section of Industry – Lands and Forestry?

#### **Crown Land general**

90. Has negotiations commenced for a new Lease over Talus Reserve? If so please provide details of where the negotiations are currently at and a proposed date for signing of a new lease?
91. What is the current rent paid by the NSW Golf course? How much Crown Land do they occupy?
92. What is the current rent paid by Juvenile Justice for their occupation of part of Yasmar Reserve?
93. How many Aboriginal Land Agreements were finalised in 2016-17?
94. How many Aboriginal Land Agreements have been finalised to date?

#### **Forests**

95. The Hardwood Forests Division of the Forestry Corporation has not made an operating profit in the last five years. Is this correct?
96. Over the last five years the Hardwood Forests Division appears to have lost more than \$30 million. Is this correct?
97. How many native trees would the Hardwood Forests Division harvest each year?
98. Overall, State Forests reports a return of equity of 4.1 and a return on assets of 2.5. What would the figures be for the Hardwood Forests Division as a stand-alone business?

99. How many staff are employed in the Hardwoods Forests Division?
100. How many staff worked in the Hardwood Forests Divisions for each of the last five years?
101. Are hardwood plantations any more profitable than native forests?
102. How many hectares of new hardwood plantations did the Forestry Corporation have in 2012 and how many hectares does it have now?
103. Does the Corporation have a plan to grow its hardwood plantations business? If so, to how many hectares?
104. Why was a Deed of Agreement for Forest Materials Licence (FML) entered into between FC NSW and CTKNR without a transparent tender process over crown lands?
105. Given that the DOA for FML was entered into via Direct Negotiations and not as the result of a competitive tender process:
106. Was the written approval of the Deputy Director General, Lands and Natural Resources obtained for Crown land to be allocated by Direct Negotiations with a proponent?
107. Has the \$500 holding fee plus GST been paid in advance by direct deposit from CTKNR to FCNSW from the date of the DOA for FML being 11 May 2015?
108. Has a FML over Broken Bago State Forest been signed between CTKNR and FCNSW?
109. If a FML over Broken Bago State Forest has been entered into:
  - (a) who were the signatories;
  - (b) on what date was it executed; and,
  - (c) under what specific instrument has the FML been granted?
110. If no FML exists, how has CTKNR been allowed to conduct any works at the proposed Lookout Road quarry site in Broken Bago State Forest?
111. Was the machine operated by CTKNR in Broken Bago State Forest over the period 10-25 August 2017, compliant with the specifications set out in section 14 of the Forestry Act? If so who regulated the compliance?

#### **Soil Conservation Service**

112. How many staff (in FTE) are currently employed within the Soil Conservation Service?
113. How many staff (in FTE) are currently employed within each regional office of the Soil Conservation Service?

114. How many unfilled positions are there currently within the Crown Land section of Industry – Lands and Forestry?

**Property Asset Sales – Lands and Forestry**

115. How many property assets, within the Lands and Forestry portfolio, were sold in financial year 2011/12 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Lands and Forestry and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
116. How many property assets, within the Lands and Forestry portfolio, were sold in financial year 2012/13 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Lands and Forestry and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
117. How many property assets, within the Lands and Forestry portfolio, were sold in financial year 2013/14 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Lands and Forestry and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
118. How many property assets, within the Lands and Forestry portfolio, were sold in financial year 2014/15 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Lands and Forestry and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
119. How many property assets, within the Lands and Forestry portfolio, were sold in financial year 2015/16 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Lands and Forestry and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
120. How many property assets, within the Lands and Forestry portfolio, were sold in financial year 2016/17 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Lands and Forestry and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
121. For each of the Financial Years, 11/12 through to 16/17 inclusive, can you provide the breakdown, within the Lands and Forestry portfolio, as to which departments/agencies sold what volume of properties and at what value, for each of the financial years?

122. Since July 1, 2011, with regard to the total sales of assets and properties across the Land and Forestry portfolio, are you able to provide a breakdown of the total number and total value of assets sold, by Electorate?

**Property Asset Sales – Racing**

123. How many property assets, within the Racing portfolio, were sold in financial year 2011/12 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Racing and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
124. How many property assets, within the Racing portfolio, were sold in financial year 2012/13 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Racing and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
125. How many property assets, within the Racing portfolio, were sold in financial year 2013/14 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Racing and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
126. How many property assets, within the Racing portfolio, were sold in financial year 2014/15 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Racing and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
127. How many property assets, within the Racing portfolio, were sold in financial year 2015/16 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Racing and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
128. How many property assets, within the Racing portfolio, were sold in financial year 2016/17 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Racing and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
129. For each of the Financial Years, 11/12 through to 16/17 inclusive, can you provide the breakdown, within the Racing portfolio, as to which departments/agencies sold what volume of properties and at what value, for each of the financial years?

130.

131. Since July 1, 2011, with regard to the total sales of assets and properties across the Racing portfolio, are you able to provide a breakdown of the total number and total value of assets sold, by Electorate?

### **Regeneration Harvesting**

132. Has the Minister had discussions with the Minister for the Environment in relation to concerns of the Environment Protection Authority with regeneration harvesting?
- (a) If so, when did this occur and what was the nature and outcome(s) of these discussions?
133. Has the Minister received representations from the Minister for the Environment regarding regeneration harvesting?
- (a) If so, what matters were raised by the representations and what was the Minister's response to the representations?

### **Independent Review of Coastal Integrated Forestry Operations Approvals**

134. When will the Natural Resources Commission's 'Independent Review of Coastal Integrated Forestry Operations Approvals', as referred to in the Forest Industry Roadmap, be released publicly?
135. What are the findings and recommendations of the Natural Resources Commission's 'Independent Review of Coastal Integrated Forestry Operations Approvals' in relation to:
- (a) What baseline the NRC used when making a decision on the area of available forest for harvest and how this baseline was derived;
- (b) Whether wood supply commitments and environmental protection commitments are mutually achievable, or whether trade-offs must be made;
- (c) If trade-offs must be made, what environmental or wood supply trade-offs were recommended by the NRC;
- (d) What recommendations the NRC made in regards the maximum allowable coupe size and the minimum allowable return time to harvest an adjacent coupe for intensive regeneration harvesting;
- (e) What basal area limit the NRC recommended for selective logging;
- (f) What percentage of each harvest area the NRC recommended should be retained as tree retention clumps;

- (g) What percentage of each harvest area the NRC recommended should be retained as habitat clumps; and
- (h) Definitions the NRC used to define large trees, rocky outcrops or other key habitat features?

### **Light Detecting and Ranging dataset**

136. What is the current status of the development of a Light Detecting and Ranging (LIDAR) dataset being developed for use in forestry planning and management? In particular:

- (a) What areas of the State have been surveyed?
- (b) What forestry decision-making will the LIDAR dataset inform and what, if any, current management processes will LIDAR replace?
- (c) How much has the dataset cost?
- (d) Where can the dataset be accessed?

### **Integrated Forestry Operations Approvals changes**

137. Regarding the Government's proposed changes to the Integrated Forestry Operations Approvals and Threatened Species Licence for the coastal forests of NSW:

- (a) Will the requirement for pre-logging surveys of all or some threatened plant species be removed or amended, and if so, what are the details of any changes?
- (b) Will some species of threatened plants have their current level of legal protection removed, and if so, which plants?
- (c) Will some species of threatened plants have their protection areas reduced or downgraded, and if so, which plants and what is the nature of each reduction or downgrade?
- (d) Which species and populations of threatened plants will retain their current protections?
- (e) Will the requirement for pre-logging surveys of all or some threatened animal species be removed or amended, and if so, what are the details of any changes?
- (f) Will some species of threatened animals have their current level of legal protection removed, and if so, which animals?
- (g) Will some species of threatened animals have their protection areas reduced or downgraded, and if so, which animals and what is the nature of each reduction or downgrade?



- (h) Which species and populations of threatened animals will retain their current protections?
- (i) What changes are proposed to stream/streamside protections?
- (j) Will streamside protection in the upper catchment headwaters and other stream protections be reduced, and if so, by how much?
  - i. If so, what is the scientific evidence and reasoning for this decision?
- (k) Will the current requirement for streamside logging exclusion buffers be amended, and if so, what is the nature of the changes?
- (l) Will the current requirement for streamside logging exclusion buffers be amended to be measured from the middle of the stream instead of the top of the stream bank?
- (m) Will logging be allowed to take place up to or near to the edge of the stream bank in any cases? Please provide details.
- (n) Will the requirement to search or survey for koalas prior to logging operations and/or the subsequent disallowance of logging in any such identified koala areas be removed or amended, and if so, what are the details of any changes?

### **Office Administration**

138. How many staff are in your ministerial office?
- (a) What was the average salary for staff members in your office during 2016-17?
  - (b) What is the estimated average salary for a ministerial staffer in your office in 2017-18 based on current appointments?
139. How many blackberries/iphones/smart phones are assigned to your staff?
- (a) For each phone, how much was each bill in 2016-17?
  - (b) How many phones have been lost or replaced due to damage in your office?
    - i. What is the cost of replacing those phones?
140. 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 2016-17?
  - (b) How many iPads or tablets have been replaced due to lost or damage in 2016-17?
    - i. What was the cost of replacing these devices?

141. Has any artwork been purchased or leased for display in your ministerial office in 2016-17?
- (a) What is the cost of this?
142. Have any floral displays or indoor plants or potplants been hired or leased for display in your ministerial office in 2016-17?
- (a) If so, what was the cost of these items?
143. Have any floral displays or indoor plants or potplants been purchased for display in your ministerial office in 2016-17?
- (a) If so, what was the cost of these items?
144. What was the total cost of all subscriptions by you and your staff to online news services, newspapers, magazines, journals and periodicals in 2016-17?
- (a) What are these services/newspapers/magazines/journals/periodicals?
- i. Who is the subscriber for each of these?
145. What was the total amount your office spent on stationery?
146. What was the total value of all gifts purchased for use by you and your office in 2016-17?
- (a) What were the gifts purchased?
- i. Who were they gifted to?
147. Do you purchase bottled water or provide water coolers for your office?
- (a) What is the monthly cost of this?
148. What non-standard features are fitted to your ministerial vehicle?
- (a) What is the cost of each non-standard feature?
149. What was the total bill for your office in 2016-17 for:
- (a) Taxi hire
- (b) Limousine hire
- (c) Private hire care
- (d) Hire car rental
- (e) Ridesharing services

150. Were any planes or helicopters chartered by you or your office and paid for with public money in 2016-17?

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

### **Hospitality**

151. How much did your ministerial office spend on hospitality, including catering and beverages, in 2016-17?

152. How much did your Department/agency spend on hospitality, including catering and beverages, in 2016-17?

### **Labour Hire Firms**

153. Do any Departments/agencies within your portfolio responsibilities utilise the services of Labour Hire Firms? If yes, please advise in table form for 2016-17:

(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**

154. How many media or public relations advisers are employed for each of your portfolio agencies and what is the total cost to employ these advisers?

155. 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?

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

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164. What was the total expenditure in 2016-17 by Departments/agencies within your portfolio on:

(a) Taxi hire

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(c) Hire car rental

(d) Ridesharing services

165. Do any senior executive service employees in your Departments/agencies have a driver that is paid for by the Departments/agencies? If so, what is the number of senior executive service employees that have a driver and which senior executive service employees have a driver?

(a) How much was spent on these drivers in 2016-17?

### **Consulting**

166. How much did the Department/agencies under your portfolio responsibility spend in legal costs in 2016-17?

- (a) For what specific purposes or matters was legal advice sought?
167. Have Department/agencies under your portfolio engaged any consultants to provide the following services or advice in 2016-17:
- (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**

168. What was the number of senior executive service employees employed by Departments/agencies within your portfolio in 2016-17?
- (a) How much was this number in 2011-12?
169. What was the expenditure on senior executive service employees employed by Departments/agencies within your portfolio in 2016-17?
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- (a) How much was this number in 2011-12?
172. How many redundancies were processed by Departments/agencies within your portfolio responsibilities during 2016-17?
- (a) Of these redundancies, how many were:
    - i. Voluntary

ii. Forced

(b) What was the total cost of all redundancies?

173. 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?

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

175. How many staff were dismissed from Departments/agencies under your portfolio responsibilities in 2016-17?

(a) What were the reason/s for each dismissal?

176. What was the total amount your Departments/agencies spent on stationery?

**Smart Phone Accounts**

177. Do the Departments/agencies within your portfolio have an iTunes account?

(a) What was the total expenditure in 2016-17 on iTunes?

i. What applications/subscriptions/services were purchased through iTunes?

178. Do the Departments/agencies within your portfolio have an Android account?

(a) What was the total expenditure in 2016-17 on Android?

i. What applications/subscriptions/services were purchased through Android?

**Websites Visited**

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

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**Merchant fees**

181. 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.

182. 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.

183. What was the total amount paid in merchant fees on credit and/or debit card payments in your Department/agency in 2016-17?

### **Probity Auditor**

184. 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.”

## **Questions from the Mr Jeremy Buckingham MLC**

### **Compliance Breaches**

185. In terms of compliance breaches on Crown Lands:

- (a) How many investigations into compliance breaches related to activities on crown lands were undertaken in each of the past 4 years?
  - i. How many of these investigations related to illegal clearing in each of the past 4 years?
- (b) How many compliance breaches related to activities on crown lands were identified in each of the past 4 years?
  - i. What action did the department take for each of these breaches? (a summary of total numbers of different actions is sufficient e.g. 12 show cause notices, 6 penalty notices etc.)
- (c) How many of these compliance breaches were for illegal clearing in each of the past 4 years?
  - i. What action did the department take for each of these breaches? (a summary of total numbers of different actions is sufficient e.g. 12 show cause notices, 6 penalty notices etc.)
- (d) How many of these compliance breaches for illegal clearing in each of the past 4 years were on Travelling Stock Reserves?

- i. What action did the department take for each of these breaches? (a summary of total numbers of different actions is sufficient e.g. 12 show cause notices, 6 penalty notices etc.)
- (e) How many compliance breaches related to illegal clearing were reported in each of the Local Land Service regions in the past 4 years?
- (f) How many penalty notices and prosecutions did the Department of Lands secure in each of the last 4 years?
  - i. How many of these penalty notices and prosecutions related to illegal clearing in each of the last 4 years?

### **Penalties**

- 186. Is the current maximum penalty notice penalty of \$2,200 a sufficient deterrent for breaches?
- 187. Is the current maximum penalty for prosecutions a sufficient deterrent for breaches?
- 188. Has the Department provided any advice or submission to the Minister or to any previous Ministers since 2011 which seeks higher maximum fines for penalty notices and/or prosecutions?

### **Compliance Officers**

- 189. How many compliance staff does the department currently employ?
  - (a) How many compliance staff did the department employ in each of the last 4 years?
- 190. How many compliance staff are currently based in each of the Local Land Service regions?
  - (a) For each of the last 4 years, how many compliance staff were based in each of the Local Land Service regions?



## **RACING**

### **Questions from the Hon Mark Pearson MLC**

#### **Horse Racing**

191. What is being done to ensure complete lifecycle tractability of thoroughbred racehorses?
192. What are the numbers of two year old racehorses that suffered career ending injuries in 2015/2016?
  - (a) Has this number increased from the previous three years?
193. What is the percentage of injuries to two year old horses in relation to all horses injured?
194. If these numbers are not recorded, why not?
195. Has your department or Racing NSW referred any complaint of animal cruelty in relation to the use of the whip to the relevant authorities?
196. How many breeches of the NSW whip rules have been recorded year on year since 2011?
197. How many fines were served for breeches of the NSW whip rules year on year since 2011?
198. Has there been any complaint or information come to your department of instances where an owner or trainer has offered to pay the jockey's whip fine so as to promote a direct breach of the NSW whip rules?

### **Questions from Dr Mehreen Faruqi MLC**

#### **Greyhound Racing**

199. Please provide a breakdown of the \$30 million that will be spent on implementing the recommendations of the Greyhound Industry Reform Panel?
  - (a) Please advise which, if any, greyhound racing tracks will be altered as part of this funding?
200. When is the NSW Greyhound Racing Industry expected to fully fund the Greyhound Welfare and Integrity Commission?

#### **Use of artificial intelligence**

201. What current uses of artificial intelligence does the department undertake?

Note: Please include all uses of AI including uses for resource allocation and administrative support, big data analysis, replacement and assistance of experts and researchers, procedural matters, or summarising diverse data – for reference this might include:

- Chatbots for customer service or advice
- Customer management systems
- Scanning legal documents to find relevant case law
- Categorising and searching documents
- Directing petitions efficiently
- Translation
- Document drafting

202. What planned uses does the department have for artificial intelligence?
203. What policy guidelines, if any, guide the exploration and use of artificial intelligence by the department?
204. What research, if any, has the department undertaken regarding the use of AI in Government services?

<b>Questions from the Hon Shaoquett Moselmane MLC (on behalf of the NSW Labor Opposition)</b>
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**Property Asset Sales – Racing**

205. How many property assets, within the Racing portfolio, were sold in financial year 2011/12 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Racing and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
206. How many property assets, within the Racing portfolio, were sold in financial year 2012/13 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Racing and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
207. How many property assets, within the Racing portfolio, were sold in financial year 2013/14 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Racing and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?

208. How many property assets, within the Racing portfolio, were sold in financial year 2014/15 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Racing and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
209. How many property assets, within the Racing portfolio, were sold in financial year 2015/16 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Racing and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
210. How many property assets, within the Racing portfolio, were sold in financial year 2016/17 and what portion, percentage or dollar value, of the funds from the assets sales were directed back into capital works for Racing and what portion, percentage or dollar value, of the funds from the asset sales were transferred across to Restart NSW?
211. For each of the Financial Years, 11/12 through to 16/17 inclusive, can you provide the breakdown, within the Racing portfolio, as to which departments/agencies sold what volume of properties and at what value, for each of the financial years?
212. Since July 1, 2011, with regard to the total sales of assets and properties across the Racing portfolio, are you able to provide a breakdown of the total number and total value of assets sold, by Electorate?

### **Office Administration**

213. How many staff are in your ministerial office?
- (a) What was the average salary for staff members in your office during 2016-17?
  - (b) What is the estimated average salary for a ministerial staffer in your office in 2017-18 based on current appointments?
214. How many blackberries/iphones/smart phones are assigned to your staff?
- (a) For each phone, how much was each bill in 2016-17?
  - (b) How many phones have been lost or replaced due to damage in your office?
    - i. What is the cost of replacing those phones?
215. 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 2016-17?

- (b) How many iPads or tablets have been replaced due to lost or damage in 2016-17?
  - i. What was the cost of replacing these devices?
- 216. Has any artwork been purchased or leased for display in your ministerial office in 2016-17?
  - (a) What is the cost of this?
- 217. Have any floral displays or indoor plants or potplants been hired or leased for display in your ministerial office in 2016-17?
  - (a) If so, what was the cost of these items?
- 218. Have any floral displays or indoor plants or potplants been purchased for display in your ministerial office in 2016-17?
  - (a) If so, what was the cost of these items?
- 219. What was the total cost of all subscriptions by you and your staff to online news services, newspapers, magazines, journals and periodicals in 2016-17?
  - (a) What are these services/newspapers/magazines/journals/periodicals?
    - i. Who is the subscriber for each of these?
- 220. What was the total amount your office spent on stationery?
- 221. What was the total value of all gifts purchased for use by you and your office in 2016-17?
  - (a) What were the gifts purchased?
    - i. Who were they gifted to?
- 222. Do you purchase bottled water or provide water coolers for your office?
  - (a) What is the monthly cost of this?
- 223. What non-standard features are fitted to your ministerial vehicle?
  - (a) What is the cost of each non-standard feature?
- 224. What was the total bill for your office in 2016-17 for:
  - (a) Taxi hire
  - (b) Limousine hire
  - (c) Private hire care
  - (d) Hire car rental

(e) Ridesharing services

225. Were any planes or helicopters chartered by you or your office and paid for with public money in 2016-17?

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

### **Hospitality**

226. How much did your ministerial office spend on hospitality, including catering and beverages, in 2016-17?

227. How much did your Department/agency spend on hospitality, including catering and beverages, in 2016-17?

### **Labour Hire Firms**

228. Do any Departments/agencies within your portfolio responsibilities utilise the services of Labour Hire Firms? If yes, please advise in table form for 2016-17:

(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**

229. How many media or public relations advisers are employed for each of your portfolio agencies and what is the total cost to employ these advisers?

230. 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?

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

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<b>Questions from Mr Justin Field MLC</b>
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### **Gambling Participation**

260. In the budget estimates hearing the Minister remarked that 65% of people in NSW gamble. What research or report is this figure drawn from?
- (a) Please provide a breakdown of the percentage of the NSW population who engage in various types of gambling?
  - (b) Please provide a breakdown, as a percentage of population, of how many people in NSW engage in one or more forms of gambling:
    - i. daily
    - ii. weekly
    - iii. monthly
  - (c) What is the 0.8% of people who are considered problem gamblers, as described by the Minister, referring to? (ie. is it 0.8% of the entire population, or 0.8% of anyone who identifies as a gambler)
    - i. Where was this figure drawn from?
    - ii. What were the methods used to determine this figure?
    - iii. What is the percentage of total losses attributed to this 0.8% of problem gamblers?

261. How does the Government define 'responsible gambling'?

### **Changes to the Category 3 ClubGrants Scheme**

262. In recent changes to the ClubGrants Guidelines, the ClubGrants Fund Committee has been abolished. What is the reason for the changes in process and the abolition of the Fund Committee?

263. Under the new guidelines an independent assessment panel may be established to provide advice on funding allocations. Has a panel been established?

(a) If yes, who is on the panel?

(b) If no, will a permanent panel be established or will panels be established as needed?

264. What are the anticipated Cat 3 funds that will be allocated in the 2017/18 Financial Year?

### **Revenue projections**

265. In this year's budget, the Government is estimating an increase in revenue from poker machines of \$60 million, or 3.9%. Given that the Government is committed to reducing the number of poker machines in NSW, why do revenue predictions continue to go up?

266. In the budget supplementary papers for this year, there is discrepancy between poker machine profit and revenue figures for the 2015 and 2016 financial years when compared to last year's budget supplementary papers. Why is there a difference in these figures when these figures should be fixed?

### **Data on poker machines**

267. Why does the Government continue to restrict the data available freely to the public regarding poker machine profits and turnover?

(a) What are the concerns they have with making the same data freely available as is in Victoria (venue name, licence number, number of poker machines, poker machine profits)?

268. Recently, the Independent Liquor and Gaming Authority reported that they had changed their internal reporting process for gaming machine data report. From 2017, the reports are based on finalised rather than preliminary financial data. Please explain this change and the whether previous reports have been accurate.

269. What is the cost incurred by Liquor and Gaming to compile, format and deliver Gaming Machine Quarterly Report by LGA for Hotels?

270. What is the cost incurred by Liquor and Gaming to compile, format and deliver Gaming Machine Quarterly Report by LGA for Clubs?

### **Responsible Gambling Fund**

271. How is the Responsible Gambling Fund (RGF) currently being managed? There was a call for Trustees in 2016, with applications closing on 19 August 2016. The positions for trustees and the chair are currently being advertised on iworkforNSW.com, and close on 1 September 2017.
- (a) Why are these positions being readvertised?
  - (b) Were the previous callouts unsuccessful?
    - i. Why?
  - (c) Has the RGF been short of trustees in this intervening period?
  - (d) Has there been an impact on the function of the RGF?
272. Why was the annual report for the RGF moved to the Department of Justice Annual Report in 2015-16, rather than the usual standalone annual report?
- (a) The 2014-14 RGF Annual report was 42 pages, excluding appendices. The most recent report in the Justice Department Annual report was only 8 pages.

### **TAB prosecution of Jelly Bean promotion**

273. What was the final penalty paid by TAB as a result of regulatory/legal actions relating to their promotional activities that breached gambling advertising guidelines?
- (a) Has the penalty been paid?
274. What was the total of the Government's legal costs related to these actions?
275. Were legal costs awarded against TAB as a result of the actions?
- (a) Have these costs been paid by TAB?
276. Were there any other regulatory actions taken in relation to breaches to gambling advertising laws in the 2016/17 financial year?
- (a) If so, please provide:
    - i. The organisation action was taken against
    - ii. The date of the action
    - iii. The reason for the action

iv. The result of the action

**Community Impact Statement Review**

277. Has every submission that was made to the evaluation of the Community Impact Statement been published on the Liquor and Gaming website?
278. Has the Government received any submissions outside of the formal process that have not been made public?
279. Did the Australian Hotels Association (AHA) make a submission to the CIS evaluation process?
280. When will the CIS review be completed?
281. Will the Government make the findings of the Community Impact Statement evaluation public?
282. In relation to the evaluation of the CIS requirement, Liquor & Gaming NSW has said that “the outcomes of the evaluation are expected to inform a broader review seeking to better align the planning and liquor approvals processes, which is proposed for later in 2017”:
- (a) What can the Government report on in terms of the purpose and scope of the proposed review of planning and liquor approvals processes?
  - (b) Will the Government make any changes to the Community Impact Statement requirements before the proposed review of planning and liquor approvals processes is finalised?

**Liquor Promotion Guidelines**

283. Has the Government commenced the review of the Liquor Promotion Guidelines? If not why not?
284. When does the Government intend to commence the review of the Liquor Promotion Guidelines that was supposed to occur in July 2016?
285. Provided the review of the Liquor Promotion Guidelines actually occurs, can the Government guarantee that this will be transparent and open consultation process?

**Liquor licence applications**

286. In the past financial year, how many of the following has Liquor and Gaming NSW received:
- (a) liquor licensing complaints
  - (b) liquor licence applications
    - i. objections to applications

### **Stakeholder meetings**

287. Since 30 June 2017, which is the last disclosure date for Ministerial diaries:

- (a) Have you met with the AHA?
  - i. If yes, what was the purpose of the meeting or what issues were covered?
  - ii. Were potential changed to the CIS process discussed?
- (b) Have you met with Clubs NSW?
  - i. If yes, what was the purpose of the meeting or what issues were covered?
  - ii. Were potential changed to the CIS process discussed?