

Budget Estimates 2017-18 - Friday 1 September 2017

Portfolio Committee No.5 - Industry and Transport

Primary Industries, Regional Water, Trade and Industry

SUPPLEMENTARY QUESTIONS

PRIMARY INDUSTRIES

Farm Trespass Policy

1. Have there been any further workshops or meetings since the August 2015 meeting?

Answer:

Yes

2. The August 2015 considered stripping animal welfare organisations of their charitable status, has that occurred?

Answer:

No

3. Will the Minister rule that out?

Answer:

Yes

4. The August 2015 meeting canvassed asking police to train farmers in surveillance tactics to monitor potential animal rights activists. It stated they will “work with industry and police to facilitate training on best practice on-farm surveillance methods”; Is that happening?

Answer:

DPI is not aware of what action NSW Police has undertaken in this regard. This is a matter for the Minister for Police, the Hon Troy Grant MP.

Dolphin Marine Magic

5. Dolphin Marine Magic’s current animal display establishment licence expired on 30 June 2017. Has the NSW Department of Primary Industries issued, or does it intend to issue, a new operating licence for Dolphin Marine Magic?

Answer:

The licence was renewed.

6. The seal enclosure at Dolphin Marine Magic is too small to comply with the Standards for Exhibiting Seals in NSW.

(a) You stated in Parliament on 30 May 2017 that your department is “satisfied with plans that have been put into place” to rectify this. Please outline how the seal enclosure will be rectified such that it complies.

Answer:

A new pool is being constructed.

7. Has a formal written undertaking been entered into between NSW DPI and Dolphin Marine Magic to achieve compliance with relation to its seals?

Answer:

No

8. The park’s seal enclosure has been non-compliant since at least 2008.

(a) How much longer will NSW DPI allow Dolphin Marine Magic to exhibit seals without a compliant seal enclosure? Why?

Answer:

Until the new pool is constructed and operational. The Department is satisfied with plans and actions being taken to achieve compliance.

9. Dolphin captivity is being phased out around the world with countries such as France, Finland, the UK, Switzerland, the US and Canada taking steps to phase out dolphin captivity. NSW and Queensland are the only states in Australia with captive dolphins.

These global and national moves to end dolphin captivity reflect scientific warnings that highly intelligent, migratory dolphins suffer in captivity. It also reflects the Australian Senate Committee on Animal Welfare which recommended in 1985 that cetacean captivity be phased out in Australia.

(a) Is it appropriate for NSW to continue to exhibit captive dolphins in 2017?

Answer:

Exhibition of dolphins in NSW must comply with stringent enforceable standards under the Exhibited Animals Protection Act 1986 to ensure that the welfare of these animals is protected.

Shark Fishing

10. How many tonnes of shark were caught in the Ocean Trap and Line Fishery in:

- (a) 2012/2013
- (b) 2013/2014
- (c) 2014/2015
- (d) 2015/2016
- (e) 2016/2017

Answer:

- (a) 160
- (b) 119
- (c) 85
- (d) 85
- (e) 72

11. How many tonnes of shark were caught in the Ocean Trawl Fishery in:

- (a) 2012/2013
- (b) 2013/2014
- (c) 2014/2015
- (d) 2015/2016
- (e) 2016/2017

Answer:

- (a) 107
- (b) 98
- (c) 76
- (d) 81
- (e) 62

12. The Ocean Trap and Line Fishery is subject to a list of conditions:

(a) What measures has the NSW DPI implemented to protect grey nurse sharks?

(b) Has the NSW DPI monitored and reviewed the adequacy of mitigation measures? and/or implemented any actions?

i. If yes, what are the results and what actions has the NSW DPI implemented?

(c) What measures has the NSW DPI implemented to protect grey nurse sharks?

(d) How many interactions has the Ocean Trap and Line Fishery had with grey nurse sharks in 2014, 2015 and 2016?

i. How many grey nurse sharks have died due to the Ocean Trap and Line Fishery in 2014, 2015, 2016?

Answer:

(a) The following measures specific to the Ocean Trap and Line Fishery have been implemented by DPI to protect Grey nurse sharks:

- implementation of an industry-funded scientific observer program to, among other things, document the degree of interaction with threatened species
- mandatory reporting of threatened species interactions enabling the collection of information on interactions with, or sightings of, threatened or protected marine species
- mandatory use of circle hooks (offset and non-offset) for all unattended commercial line fishing methods in waters of a depth of 92 metres (50 fathoms) or greater, and non-offset circle hooks for all unattended commercial line fishing methods in waters of a depth less than 92 metres (50 fathoms) to reduce gut and oesophageal hooking
- prohibiting the use of wire trace on bottom setlines used in waters within 3 nautical miles of the coastline as well as within the defined buffer zones of all identified Grey nurse shark critical habitat areas and key aggregation sites
- introduction of closures for medium and high-risk Ocean Trap and Line fishing methods around critical habitat and key aggregation sites.

(b) Yes

- (i) The use of spatial fishing closures prohibiting medium and high risk commercial line fishing methods at North and South Solitary Islands, Fish Rock, Green Island and Magic Point to reduce Ocean Trap and Line Fishery interactions with Grey nurse Sharks were reviewed and renewed for a further five year period in May 2013.

Targeted shark fishing in the Ocean Trap and Line Fishery using set lines was considered to pose a threat to Grey nurse Sharks with likely potential for interactions. To limit targeted shark fishing in the Ocean Trap and Line Fishery an annual total allowable commercial catch of 85.9 tonnes and a weekly limit of 500 kilograms applying to a combination of shark species was implemented in 2012.

(c) Refer to answer to 12 (a).

- (d) Three interactions with Grey nurse Sharks were reported by endorsements holders in the Ocean Trap and Line Fishery in 2014, no interactions with Grey nurse Sharks were reported in 2015 or 2016.

(i) None reported.

13. How many non-target shark species of shark have been caught as a result of bycatch due to the Ocean Trap and Line Fishery in 2014, 2015, 2016?

Answer:

NSW commercial fishers are not permitted to keep any threatened or protected species of shark that are caught. In addition, NSW commercial fishermen are required to record the threatened or protected species of shark that they have caught as an interaction. There were 25 recorded interactions

with non-target sharks (where threatened or protected species of shark were caught) in the Ocean Trap and Line Fishery between 2014 and 2016.

14. How many white sharks (*Carcharodon carcharias*) have died as a result of fishing in the Ocean Trap and Line Fishery in 2014, 2015, 2016?

Answer:

NSW commercial fishers are currently required to complete a "Protected Species Interaction Form" for any interactions with threatened and protected species, including White Sharks. From 2014-2016 there were no mortalities observed in the Ocean Trap and Line Fishery.

15. How many non-target species of shark have been caught as a result of bycatch due to the Ocean Trap and Line Fishery in 2014, 2015, 2016? Please list the different types of species and individual statistics.

Answer:

NSW commercial fishers are not permitted to keep any threatened or protected species of shark that are caught. In addition, NSW commercial fishermen are required to record the threatened or protected species of shark that they have caught as an interaction. The recorded interactions with non-target (threatened and or protected species of shark) caught in the Ocean Trap and Line Fishery between 2014-2016 are as follows:

2014 – 3 Grey nurse Sharks, 1 White Shark, 4 Great Hammerhead Sharks and 10 Scalloped Hammerhead Sharks

2015 – 0 Grey nurse Sharks, 2 White Sharks, 3 Great Hammerhead Sharks and 1 Scalloped Hammerhead Shark

2016 – 0 Grey nurse Sharks, 0 White Sharks, 0 Great Hammerhead Sharks and 1 Scalloped Hammerhead Shark

16. As per the conditions of implementation set out on 'Attachment 3' in the letter between the Hon Greg Hunt and Hon Katrina Hodgkinson on 6 May 2014: Has the NSW DPI implemented any of the recommendations?

(a) If so, please provide the reports and data.

Answer:

Yes.

- (a) Refer to the Department's *Assessment of the Ocean Trap and Line Fishery* prepared for the Commonwealth Department of the Environment and Energy for the purpose of assessment under Part 13 and 13 (A) of the *Environment Protection and Biodiversity Conservation Act 1999*.

An annual total allowable commercial catch of 85.9 tonnes and a weekly limit of 500 kilograms apply to a combination of shark species

(including whaler sharks (*Carcharinus* spp.) to limit shark fishing in the Ocean Trap and Line Fishery.

Sharks taken in the Ocean Trap and Line Fishery are required to be identified and recorded to the species, or in some cases genus, level. A comprehensive shark and ray identification guide was produced to assist fishers to correctly identify and subsequently report shark species.

The Department has a current Fisheries Research and Development Corporation funded project titled *Shark Futures: sustainable management of the NSW whaler shark fishery*. This project aims to provide information on stock structure and effective population size to enable a sustainable total allowable catch to be set, methods to reduce unwanted catch thereby minimizing environmental impact, and movements of target species to enable equitable state-wide access to the resource for fishers while providing temporal-spatial management options to improve risk management of shark fishing in NSW.

Management measures are in place for Gemfish, Harrison's and Southern Dogfish.

17. The last review for the Ocean Trawl Fishery was done in 2007, when is another review going to be done?

Answer:

An independent review into commercial fisheries policy, management and administration was done and the *Independent Report into NSW Commercial Fisheries Policy, Management and Administration* released in 2012.

The Commercial Fisheries Business Adjustment Program was developed in response to the independent review. This program is currently being implemented.

18. The last review for the Ocean Trap and Line Fishery was done in 2010, when is the next one?

Answer:

An independent review into commercial fisheries policy, management and administration was done in 2012 and the *Independent Report into NSW Commercial Fisheries Policy, Management and Administration* was released in 2012.

The Commercial Fisheries Business Adjustment Program was developed in response to the independent review. This program is currently being implemented.

19. How many tonnes of edible shark were exported from NSW: 2014, 2015, 2016? Please list species and destination. If unable to list by species, please list by shark species total.

(a) How many tonnes of shark were exported in 2014, 2015, 2016? Please list by destination.

(b) How many tonnes of shark were used for the Australian/NSW* pet food industry?

(c) How many tonnes of shark were used for the agriculture feed/aquaculture in NSW?

Answer:

(a) Export of shark product is managed by the Commonwealth Government and not the NSW Department of Primary Industries

(b) Unknown. NSW DPI only collects commercial wild harvest information to first point of sale.

(c) Unknown. NSW DPI only collects commercial wild harvest information to first point of sale.

20. According to the Australian Fisheries Management Initiatives (AFMA), fishing has re-opened for Gulper Sharks.

(a) What was the scientific advice?

(b) What is the status of the gulper shark?

(c) Is there a current quota for the gulper shark?

(d) Are there any current initiatives in place by the AFMA to rebuild the stocks of gummy and school shark to remove their current 'over-fished' status?

Answer:

(a) This question is best directed to the Australian Fisheries Management Authority (AFMA) for a response.

(b) The deepwater shark family Centrophoridae includes large dogfishes internationally referred to as gulper sharks. Five species of *Centrophorus* and two species of *Deania* have been recorded from NSW waters with Harrison's Dogfish and Southern Dogfish considered overfished.

(c) In NSW a commercial daily catch limit of 15 kilograms (whole weight) applies to any, or any combination of Endeavour Dogfish (*Centrophorus moluccensis*), and Greeneye Spurdog (*Squalus cholorculus*), and a prohibition on the taking of Southern Dogfish (*C. zeehaani*) and Harrison's Dogfish (*C. harrissoni*).

(d) This question is best directed to the Australian Fisheries Management Authority (AFMA) for a response.

Use of artificial intelligence

21. 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

Answer:

As outlined in the Digital Government Strategy, the NSW Government will continue to explore the use of cognitive and machine learning, and related Artificial Intelligence technologies, to simplify processes, eliminate duplication, and improve customer experience.

22. What planned uses does the department have for artificial intelligence?

Answer:

Refer to the answer to Question 21.

23. What policy guidelines, if any, guide the exploration and use of artificial intelligence by the department?

Answer:

Refer to the answer to Question 21.

24. What research, if any, has the department undertaken regarding the use of AI in Government services?

Answer:

Refer to the answer to Question 21.

Timeline for MEMA program of work

25. What is the current expected date/s for the following elements of the MEMA schedule of works:

- (a) MEMA 2016 annual progress report public released
- (b) Hawkesbury Shelf Marine Bioregion Assessment outcome announcement
- (c) Ocean Beaches and Headlands Assessment (Amendment to the Marine Estate Management (Management Rules) Regulation 1999) outcome announcement

- (d) Final State-wide Threat and Risk Assessment public release
- (e) Marine Estate Management Strategy public consultation start
- (f) Regulations public consultation start
- (g) Pilot programs for Batemans and Solitary Islands Marine Parks public consultation start

Answer:

- (a) The MEMA 2016 annual progress report was publicly released on the marine estate reforms website in June 2017.
- (b) The NSW Government is currently considering this assessment.
- (c) The NSW Government is currently considering this assessment.
- (d) The final state-wide marine estate Threat and Risk Assessment report is due for public release in late 2017.
- (e) Public consultation on the draft Marine Estate Management Strategy is scheduled to occur in late 2017.
- (f) Community engagement on the Marine Estate Management Regulation 2017 occurred from 12 June – 9 July 2017. Four minor amendments were proposed to the Regulation, 16 submissions were received and three amendments progressed based on submissions. Information is available on the marine estate reforms website at <http://www.marine.nsw.gov.au/key-initiatives/marine-legislation>
- (g) Public consultation on the marine park pilot management plans for Batemans and Solitary Islands Marine Parks is scheduled to occur in 2018.

Threat and Risk Assessment

26. The State-wide Threat and Risk Assessment identified climate change as a significantly higher threat to social and economic benefits than any other stressor. Given that Marine Protected Areas, and especially fully protected Sanctuary Zones, are recognised as one of the only mitigating tools to build resilience against the impacts of climate change, will the Minister rule out any reduction in sanctuary zones across the NSW marine protected areas network as a result of the pilot programs or any of the other processes on the MEMA schedule of works?

Answer:

The final state-wide Threat and Risk Assessment Report is due for release in late 2017. The findings quoted relate to the draft Threat and Risk Assessment Report and priorities may change in the final report, due for release in late 2017.

The pilot of new management plans for marine parks, commencing with the Batemans and Solitary Islands Marine Parks, will be developed by applying the five-step decision making process, outlined in the Marine Estate Management Authority's Principles Paper. The Marine Estate Community Survey (2014), the final state-wide Threat and Risk Assessment report and other supporting regional and local evidence will inform the new plans.

As stated in the NSW Government's response to the Independent Scientific Audit of NSW Marine Parks in 2013, the government is committed to maintaining the existing comprehensive network of marine protected areas in NSW and improving their management, within holistic management arrangements for the entire marine estate. Marine protected areas are an important management tool to address priority threats, identified via a robust evidence-based threat and risk assessment, to marine and estuarine habitats and biodiversity and to the social and economic benefits derived from the NSW marine estate. Any proposed changes to marine parks will be based on evidence, not on pre-emptive statements.

PEP11

27. Has the NSW Government made a submission to the current Environmental Plan for additional seismic testing submitted by Asset Energy to NOPSEMA?

(a) If not, why not?

(b) If yes, will the Minister make that document public?

Answer:

Yes.

(a) Not applicable

(b) Yes - the submission was made available on the DPI website in August 2016 but has subsequently been archived in a website upgrade.

28. Have any assessments been completed by DPI about the potential impact of seismic testing on fish stocks or the marine environment?

(a) If yes, will the Minister make these public?

Answer:

No.

(a) N/A

29. A new international study led by University of Queensland has found the response of Humpback Whales to seismic testing is larger than previously thought and raises questions about whether current exclusion zones are adequate to protect them from harm. Will this new evidence be part of the assessment for oil and gas exploration proposed off the Newcastle coast?

Answer:

This matter falls within the portfolio responsibilities of the Minister for the Environment, the Hon Gabrielle Upton MP, the Minister for Planning, the Hon Anthony Roberts MP, and the Minister for Resources, the Hon Don Harwin MLC.

Bow Fishing for Carp

30. Has the assessment/review of the trial been completed?

(a) If no, when will it be completed?

(b) If yes, will the Minister make the assessment/review public?

Answer:

No.

(a) Estimated mid-October 2017.

(b) The review has not been completed.

31. What has been the total cost of the 'Bowfishing for Carp trial'?

Answer:

\$103,393

32. What has been the cost of installing and maintaining signage to identify the waterway areas that were open for the trial?

Answer:

The total cost of sign installation, including site assessment for the bowfishing for carp in inland waters trial program was \$50,329. This includes salaries of staff involved with sign installation and site assessment, as well as operational costs.

33. As the Government indicated that the implementation of the 'Bowfishing for Carp trial' was linked to the Department of Primary Industries Strategic Plan and its priorities to enable job creation and opportunities for economic development and to create a positive business environment:

(a) What economic benefits were created by the trial?

(b) How many jobs were created by the trial?

(c) How did the trial create a positive business environment?

Answer:

(a) This will be determined by the Review.

(b) This will be determined by the Review.

(c) This will be determined by the Review.

North Coast Trials

34. How much did the 2016/17 North Coast shark net trial cost?

Answer:

\$1,048,065

35. What were the breakdown of costs for the following elements of the trial:

(a) cost of nets,

(b) other equipment,

(c) Contractor costs for deployment and checking

(d) scientific assessment

(e) in kind support from existing DPI resources/staff

(f) Other costs

Answer:

(a) \$103,870

(b) \$135,599

(c) \$336,155

(d) This cost was included in the in-kind DPI Fisheries contribution using existing DPI Fisheries research staff time.

(e) \$385,140

(f) \$87,301

36. How much did the 2016/17 North Coast SMART Drumline trial cost?

Answer:

\$1,059,502

37. What were the breakdown of costs for the following elements of the trial:

(a) cost of SMART drumlines,

(b) other equipment,

(c) Contractor costs for monitoring and response

(d) scientific assessment

(e) in kind support from existing DPI resources/staff

(f) Other costs

Answer:

- (a) \$312,253
- (b) \$113,137
- (c) \$634,112
- (d) This cost was included in the in-kind contribution from DPI Fisheries using existing DPI Fisheries research staff time.
- (e) There are a number of DPI staff that have assisted in the provision of Legal, Policy and Operational advice that have contributed to the trial. Their time has not been specifically costed to the trial and their in-kind contribution is unable to be quantified.
- (f) N/A

38. What reporting will be done on the outcome of the North Coast SMART drumline and nets trials and when will these reports be made public?

Answer:

The final report on the North Coast SMART drumline and net trials has been completed and is available on the DPI website.

39. When will the results of the community consultation in the North Coast be released?

Answer:

The final report on the North Coast SMART drumline and net trials has been completed and is available on the DPI website. This includes the results of community consultation pre and post the trials. Summary documents are also available on the website.

NSW Government Shark Management Strategy

40. How many DPI staff are involved full-time in the development and implementation of the Government's shark management strategy?

Answer:

Eight

41. Have any new staff been employed by DPI to contribute specifically to the Government shark management strategy?

- (a) If yes, how many staff and what are their roles?

Answer:

Yes.

- (a) Eight staff:- Program Leader, Shark Strategy and Threatened Species; Community Engagement Officer; two Fisheries Scientists;

two Fisheries Technicians; Shark Strategy Supervisor;
Administrative Officer.

42. How much has been allocated to spend on contractors to deliver the Government's shark management strategy for the 17/18 financial year in the following areas:

- (a) Existing shark meshing program?
- (b) North Coast shark net trial?
- (c) North Coast SMART drumline trial?

Answer:

(a) \$1.5 million

(b) \$720,000

(c) \$2.7 million

Historical SMART drumline data

43. As available, please provide a single data sheet incorporating the following information on animal captures that have occurred on all SMART drumlines that have been used in NSW since their introduction:

- (a) Watchlist no
- (b) Shark Number
- (c) Shark ID code
- (d) Species
- (e) Hooking location
- (f) Latitude/Longitude (decimal)
- (g) Distance Offshore (m)
- (h) Release location
- (i) Distance offshore
- (j) Latitude/Longitude (decimal)
- (k) Date tagged
- (l) Time hooked
- (m) Time boat arrived
- (n) Time secured at boat
- (o) Time released
- (p) Time between hooking and release
- (q) Time between secured at boat and release
- (r) Hook timer and number
- (s) Colour
- (t) Internal/External tagging
- (u) If no tag, reason why
- (v) If recorded, pre-caudal length, fork length and total length
- (w) Sex
- (x) Anatomical hooking location
- (y) Hooked removed
- (z) Smart buoy no
- (aa) Barbed or barbless hook

- (bb) Jaw width (cm)
- (cc) Damage on shark

Answer:

NSW DPI is providing monthly reports on SMART drumline catch. Further details about the sharks that are caught will be released in research reports and scientific publications arising from the trials, which will be made publicly available. Following publication, NSW DPI would consider making the data available to be used for further scientific investigation.

44. Will the minister commit to providing this data on a monthly basis online on the NSW Department of Primary Industries website ongoing?

Answer:

The NSW Department of Primary Industries will continue to release SMART drumline monthly reporting information.

45. How many times has a shark tagged in the SMART drumline program be re-captured on a SMART drumline or caught in a shark net?

Answer:

18 have been recaptured (as at 13 September 2017).

46. The majority of sharks tagged and registered on the NSW Department of Primary Industries website at <http://www.dpi.nsw.gov.au/fishing/sharks/management/shark-tagging-project> are no longer being tracked:

- (a) Please provide a reason why the tags are no longer operating
- (b) Please provide a reason why there are tags numbered over 100 when there are only 50 tagged sharks listed on the site
- (c) Have some of these sharks died as a result of being tagged?
- (d) Please explain why some of these tags only lasted 4 days
- (e) Why are only White Sharks being tagged?

Answer:

- (a) Satellite tags are fitted to the dorsal fin. These tags require sharks to spend some time with the dorsal fin out of the water to allow the satellite tag to download data to the satellite. After a time, the tags either run out of battery or marine growth on the aerials prevents the satellite tag from communicating with the satellite. However, White and Tiger Sharks do not need to come to the water surface, so no detections for a period of time does not mean the tags are no longer working.
- (b) The NSW DPI website currently only includes those sharks that have been tagged with satellite tags and for whom live tracking is available. DPI contractors have tagged most of the sharks caught on SMART drumlines over the past nine months. Given the

specialist training required to fit satellite tags to sharks, DPI contractors only fit an external acoustic tag.

- (c) Ongoing detections of sharks fitted with satellite and/or acoustic tags is indicating that the vast majority of sharks have survived being tagged. There has only been one recorded death of White Shark after it was tagged, from the more than 150 sharks tagged to date, suggesting this is a rare event. This shark was found deceased 5 days after being tagged however, a necropsy of this animal was inconclusive.
- (d) The shark that only had four days of downloaded satellite data was last detected on the Hawkes Nest VR4G 145 days after release. Our data indicates that this is not unusual.
- (e) The NSW DPI Shark Management Strategy tagging program includes White, Bull and Tiger Sharks. Since August 2015 we have tagged and are actively tracking 164 White Sharks, 31 Bull Sharks, and 3 Tiger Sharks (as at 11 September 2017).

47. There have been social media reports of a humpback whale being entangled in a SMART drumline off Lennox Head this year – can you confirm if any whales were entangled in any SMART drumlines across NSW?

Answer:

Nil

Ongoing SMART drumline program

48. Please provide a list of:

- (a) all SMART drumlines currently deployed in NSW
- (b) the location of relevant response teams

Answer:

- (a) Ballina to Broken Head (20 SMART drumlines)
Evans Head (15 SMART drumlines)
Coffs Harbour to Sawtell (10 SMART drumlines)
Forster to Tuncurry (10 SMART drumlines)
- (b) Ballina to Broken Head (Contractor located in the Richmond River marina)
Evans Head (Contractor located in the Evans River marina)
Coffs Harbour to Sawtell (Contractor located in the Coffs Harbour marina)
Forster to Tuncurry (Contractor located inside the river mouth at Tuncurry)

49. Does the Government purchase or construct SMART drumlines?

Answer:

NSW DPI purchases components and constructs the SMART drumlines from these components.

50. How much does one SMART drumline cost to purchase/construct, maintain, deploy and monitor for 12 months?

Answer:

The average cost of a SMART drumline is \$3,500 fully fitted with all gear; the cost of the communications between one SMART drumline and DPI Fisheries is US\$23 per month.

51. On average, how often are the SMART drumlines required to be replaced, i.e. what is their usual lifespan?

Answer:

Unknown as this is new technology and will be assessed as part of the trials.

52. How many individuals (DPI staff and/or contractor staff) form part of a response to a SMART drumline alarm and tagging operation?

Answer:

Two

53. Who conducts this tagging? (ie. DPI staff or contractors)

Answer:

Both DPI staff and contractors.

54. What are the types of shark tags being used?

Answer:

Satellite Tags – SPOT 5 and SPOT 5
Acoustic tags – V16
Spaghetti identification tags

55. How much does one shark tag cost for each type?

Answer:

Acoustic tag costs approximately \$335 per tag.
Mini-tag satellite external costs approximately \$6,279.84 per tag.
Internal tag costs approximately \$409 per tag.

56. How many of each type of tag has been used to date?

Answer:

So far the following tags have been used:

Shark	Satellite Tag	Acoustic tag	Unique shark tag
White Shark	56	162	164
Tiger Shark	1	3	3
Bull Shark	0	31	31

Note that some sharks are fitted with both satellite and acoustic tags.

57. How many people are trained within DPI to tag and release sharks?

Answer:

Nine NSW DPI Fisheries staff are trained to place external (satellite, acoustic and identification) and internal (acoustic) tags on sharks.

58. Approximately how much does it cost to train one person to tag and release sharks?

Answer:

The exact cost is unavailable as training is conducted by NSW DPI staff, overseen by experts and scientists and in accordance with approved DPI Animal Care and Ethics protocols.

59. If non-DPI staff conducts the tagging, what training/educational experiences are they required to have to undertake this work?

Answer:

Non-DPI staff undertake the same training as DPI staff, but they are not permitted to undertake any internal tagging or external satellite tagging procedures.

Non-DPI staff are only permitted to attach external acoustic and external identification dart/spaghetti tags.

60. Does the Government intend to tag all sharks caught on SMART drumlines?

(a) If no, how many sharks does the Government intend to tag?

(b) What type of sharks does the Government intend to tag?

Answer:

Yes

(a) N/A

(b) All three target sharks (Bull, White and Tiger Sharks).

61. How much does the Government spend on insurance for NSW Department of Primary Industries staff and contractors to engage in tagging and releasing sharks?

Answer:

The Department of Industry's insurance premium covers all its insurance requirements. NSW DPI is unable to determine individual costs attributable to the tagging program alone.

62. Under the SMART drumline program protocols, what is the time for a response team to reach a shark after an alert?

(a) Are there any exemptions for this?

Answer:

20 minutes

(a) No

63. What are the protocols/trigger for determining when a SMART drumline is to be removed from the water or not be deployed (ei related to bad weather, large swells, difficulties crossing river bars)?

Answer:

This is discussed between the contractor and DPI scientist, pending weather, bar and other operational conditions.

64. How will the Government minimise the risk of whale entanglements in SMART drumlines given they are intended to remain in place during the Southern whale migration period?

Answer:

Through close attendance by contractors.

65. Official figures for the NSW SMART Drumline program claim the lines have not caught a single non-shark marine animal. Yet figures from the Qld Govt's SMART lethal drumline program shows marine animals such as the Common Dolphin and Loggerhead Turtle being caught (found at https://www.daf.qld.gov.au/_data/assets/file/0012/357978/shark-catch-statistics-2016-non-target-species.csv)

Can you explain the reason for the difference in by-catch between the two programs? And how confident are you about your data given the markedly different results in our neighbouring state?

Answer:

The difference in bycatch between NSW and QLD may be attributed to NSW deploying its SMART Drumlins only during the day. Currently SMART drumlines in NSW are deployed only during daylight hours, with the contractor deploying the SMART drumlines before 0700 and removing them during the afternoon. The exact time is dependent on the weather, bar and sea conditions.

Since the start of the SMART drumline trials in December 2016, only 17 bycatch species have been caught (along with 110 target animals). A Black Ray was the only non-shark species caught at Evans Head in July 2017, and this animal was subsequently released alive.

66. What evidence exists to suggest that sharks do not return to SMART drumline location after being tagged?

Answer:

Modelling of satellite tagged White Sharks suggests that in the short term they move offshore after release. For example, they are on average 15 km away after the first 5 hours and 30 km away in the first 10 hours after release. The acoustic tracking data suggests that animals do ultimately resume their movements along the NSW coast.

67. Is the primary purpose of the tagging program to collect data on shark population sizes or for bather protection?

Answer:

The tagging program serves a dual purpose of research and mitigation. The 21 VR4Gs deployed along the NSW coast provide bathers with real-time information about the presence of tagged sharks. From a research perspective, the tagging and tracking data provides valuable data about the seasonal movement of sharks along the NSW coastline and potentially information about their population biology and ecology, as genetic material is obtained from each tagged animal.

Shark Meshing Program 2016/17

68. The 2016-17 Annual Report for the Shark Meshing (Bather Protection) Program provides that observers were present for 34 per cent of all net inspections by contractors:

(a) How many hours per region did this amount to?

(b) Was an observer present for every net haul or run as required under the Joint Management Agreement?

Answer:

(a)

Meshing Region	Total No. of Inspection days	No. of Inspection days observer present
Hunter	111	43
Central Coast North	107	39
Central Coast South	104	43
Sydney North	104	29
Sydney Central	106	39
Sydney South	105	29
Illawarra	112	27
Total	749	249

- (b) No, refer to 68(a) table above. The Joint Management Agreement does not specify observer requirements. These are outlined in the accompanying Management Plan.

69. The 2016-17 Annual Report for the Shark Meshing (Bather Protection) Program listed the following sharks as target sharks. Please provide advice on the current scientific justification for each being listed as a target shark:

- (a) Broadnose Sevengill Sharks
- (b) Bronze Whalers
- (c) Dusky Whalers
- (d) Shortfin Makos
- (e) Silky Sharks
- (f) Spinner Sharks
- (g) Common Blacktips.

Answer:

The list of 'target Sharks' for the Shark Meshing Program was re-aligned in around 2008 through the Joint Management Agreement (JMA). Only species that had been implicated in shark-human interactions were deemed 'target'. This incorporated not just Australian interactions, but where there was independent scientific species confirmation of interactions world-wide.

The new 2017 Joint Management Agreement has further refined the definition of 'target sharks' to White, Tiger and Bull Sharks in response to community consultation in early 2016.

Other elements of the Government Shark Management Strategy

70. Will helicopter flights be curtailed at the end of the current five year program?

Answer:

At the end of the five year Shark Management Strategy all mitigation methods tested and trialled will be reviewed and recommendations about use of all methods, including helicopter surveillance, will be provided

71. What measures is the Government considering for unpatrolled beaches?

Answer:

At the end of the five year Shark Management Strategy all mitigation methods tested and trialled will be reviewed and recommendations about use of all methods will be provided.

72. Will research into balloons and drones include estimates of the percentage of sharks that these techniques can see?

(a) What measures are you taking to ensure whales are not impacted by the drumlines?

Answer:

The research undertaken by the use of drones in aerial surveillance included a comparison between helicopters and drones, and the capacity to see 2D shark-like objects in the water. It is impossible to be able to assess what cannot be seen by the drones. No testing and trailing of balloons has been undertaken by DPI.

(a) All SMART drumlines are monitored by DPI contractors and/or research scientists while they are in the water. Currently all SMART drumlines are deployed during daylight hours and during the whale season are closely monitored to minimise potential interactions with whales.

73. In reference to the grant allocation for the Observation Tower Grant Program:

(a) How much money has been allocated from the available \$200,000?

(b) Who were the recipients of the grant money?

(c) How much money did each recipient receive?

(d) What was the money for each applicant used to purchase?

(e) What application timeframe will be provided for the 2017 Observation Tower Grant Program?

(f) Why was the 2016 application period 6 days, rather than a more reasonable 30 day application period?

Answer:

(a) \$200,000

(b) Ballina Coast Council, Central Coast Council, Kiama Municipal Council, Bega Valley Shire Council, Port Stephens Council, Crowdy Head Surf Life Saving Club, Pambula Surf Life Saving Club.

(c)

Applicant	Funding
Ballina Shire Council	\$43,761.50
Central Coast Council	\$23,650.00
Kiama Municipal Council	\$31,900.00
Bega Valley Shire Council	\$33,000.00
Port Stephens Council	\$34,100.00
Crowdy Head SLSC	\$28,600.00
Pambula SLSC	\$4,988.50
Total	\$200,000.00

(d)

Applicant	Purpose
Ballina Shire Council	Design and construction of observation tower at Sharpes Beach
Central Coast Council	Installation and site preparation at Wamberal Beach of currently owned observation tower held in storage
Kiama Municipal Council	Purchase Surveyor "Junior" Observation Tower for Bombo beach
Bega Valley Shire Council	Contribution to construction of a new shelter and upgrade viewing platform overlooking the main beach
Port Stephens Council	Contribution to construction of shark observation tower as part of One Mile Beach Lifesaving Facility
Crowdy Head SLSC	Purchase and trial a new remotely activated shark alarm system
Pambula SLSC	Purchase six portable digital radios

(e) To be determined, but is likely to occur at the end of October or early November 2017

(f) NSW DPI was resource constrained during this period. Such a short application period will not occur this year.

CSIRO report

74. In light of the Government not ruling out a cull on white sharks after the CSIRO releases their report later this year, what does the Government consider is a 'safe' white shark population?

Answer:

The Government will wait until the CSIRO report has been released before pre-empting responses on the east coast White Shark population.

Fish kills on south coast

75. In a response to a Question Without Notice on 28 March 2017, concerning fish kills on the South Coast, Minister Blair responded to say 'DPI Fisheries staff will

continue to monitor the situation and work with local government and Victorian authorities to investigate the reported fish kills':

- (a) Please advise if any further monitoring occurred
- (b) Please advise of any results from this monitoring, including identifying likely causes of fish kill

Answer:

- (a) NSW DPI monitored locations where dead fish were observed or reported in NSW to ascertain the extent and scale of the fish kill. This information was relayed to Victorian EPA and Fisheries agencies in both jurisdictions. As the subject incident occurred in Victorian State waters the Victorian EPA undertook the lead investigation and liaised with NSW DPI.
- (b) While it is difficult to determine exact numbers, the NSW DPI's monitoring estimated the number of dead Threadfin Leatherjacket washed ashore in NSW to be in the thousands. Victorian EPA's investigation concluded that the event was due to a combination of adverse weather conditions and a rapid decrease in ocean water temperatures. Water temperatures declined below the tolerance limits of the juvenile stage of the particular Leatherjacket species (Threadfin Leatherjacket). This species mainly occurs in tropical waters of northern Australia and juveniles are sometimes carried in large numbers down the NSW coast into Bass Strait and northern Tasmania by the East Australian Current.

76. Please advise of any other major fish kill incidents reported to DPI Fisheries on the South Coast and in other coastal locations across NSW over the past year.

Answer:

There were three other major fish kills in NSW. Major fish kills are generally considered to be in excess of a thousand individuals. There was a major fish kill at Whittakers Creek in January 2017. The Richmond and Macleay River systems also experienced major fish kill events following the March 2017 floods.

Yabby Tourism on the Terranora Lakes

77. In regards to the current scientific analysis being conducted into the impact on the Terranora lakes from trampling by 'eco-tourism' ventures taking large groups onto sand bars to pump yabbies:

- (a) When will the report be finalised?
- (b) When will the report be released to the public?

Answer:

(a) The report on the NSW Recreational Fishing Saltwater Trust funded project 'Bait Security – Ensuring sustainable and productive NSW invertebrate bait resources' is scheduled for completion in July 2018.

(b) Public release of the report will be considered.

78. What enforcement patrols/inspections have been taken since 1 July 2016 to ensure compliance of the operators with DPI set boundaries? Please provide dates of inspections conducted?

Answer:

Since 1 July 2016 DPI Fisheries Officers have undertaken vessel and vehicle patrols of the Terranora Broadwater on average two to three times a week, conducting inspections on recreational fishers and charter boat operators to ensure compliance with fisheries regulations and the charter boat operators' Code of Practice. Every location visited during a patrol is not recorded by DPI Fisheries Officers.

79. Have any warnings, fines or other penalties been issued as a result of non-compliance?

Answer:

Since 1 July 2016 three written warnings have been issued by DPI Fisheries Officers relating to contravening a charter boat fishing licence.

Clearing of TSR by Peter Harris

80. Minister – A travelling stock reserve is public land?

Answer:

Yes. Travelling Stock Reserves (TSR) are parcels of Crown land reserved under legislation for use by travelling stock.

81. Are you aware of clearing by Peter Harris of native vegetation on a Travelling Stock Reserve adjoining his property at Carinda?

Answer:

North West Local Land Services was notified by NSW Office of Environment & Heritage on 3 April 2014.

82. Are you aware that in or before 2014 the Harris' were forced to peg the boundary of the TSR that they cleared to allow the area to recover?

Answer:

A letter from North West LLS was sent to Peter Harris on 2 July 2014 with instructions to cease farming the TSR and allow the land to recover.

83. What is the current situation?

Answer:

The area has been inspected twice by North West LLS, in June 2016 and July 2017. No further farming activity has taken place since the original notification to Peter Harris in July 2014. At this stage, the TSR/property boundary has not yet been marked.

84. If there has not been satisfactory progress – are the Harris’ actively revegetating the Crown Land?

Answer:

An LLS Agronomist assessed the area on 30 August 2017 for progress of Mitchell grass recovery. There was very little difference between farmed and non-farmed site assessments and a recommendation was made to continue the natural recovery of the area and to reassess progress at a later date. This will be done after reasonable summer rainfall falls on the site to allow for grass growth.

85. If not, have you or your office spoken to the local LLS about a more “direct solution?”

Answer:

North West LLS is satisfied on progress to date, given seasonal conditions.

86. Is this particular TSR part of the TSR’s the announced last year?

Answer:

All TSRs are captured by the NSW TSR Review process, inclusive of this parcel.

87. Can you rule out this TSR will not be converted to freehold as part of the Government’s rationalisation process?

Answer:

This is highly unlikely, due to the TSR being part of the regional TSR network and the Government’s commitment to protect and manage them under the current framework.

88. Are you aware of allegation that complaints to the North West Local Land Service end up being communicated to third parties?

Answer:

No

89. Will you investigate the handling of complaints and privacy within the LLS?

Answer:

Yes – if specific complaints are made to me or to my office.

90. Are you aware of any relationship between the current Chair of North West LLS and the Member for Barwon that may raise concerns over the impartiality of the North West LLS?

Answer:

No

91. Have you investigated concerns that the Member for Barwon interfered with investigations on illegal land clearing by OEH?

Answer:

This is a matter for the Minister for the Environment.

92. Is it true now that any investigations into illegal land clearing will be carried out by LLS, not OEH?

Answer:

OEH is the compliance body for investigating and enforcing alleged illegal clearing of native vegetation.

LLS

93. Minister – changes to the budget have concealed any information about LLS asset sales? Did the LLS meet its target of \$18.8 million in asset sales?

Answer:

No. This related to vested properties to Property NSW (PNSW) under the Property Asset Utilisation Taskforce (PAUT) directive.

PNSW will follow their prescribed processes to ensure there is transparency and probity on all property transactions. The process is outside of LLS control or direction.

The sales will be recognised after a property is disposed by PNSW and revenue is transferred to LLS.

94. Where have the proceeds gone?

Answer:

N/A – no proceeds were received. Proceeds will come to LLS when a sale is complete.

95. Can you explain the cost explosions within the corporate services network which has gone from \$1.3 million in 2013 to now \$3.9 million last year?

Answer:

LLS was formed 1 January 2014. In FY 2016-17, LLS had a \$3.2 million Partnership Agreement in place for corporate services provided by the Department of Industry.

96. What was the corporate service costs last year?

Answer:

Refer to the answer to Question 95 above.

97. Has former National Party MLC Richard Bull been formally appointed as Chair of Chairs for LLS?

Answer:

Mr Bull is currently acting in the position of Chair of Chairs in a temporary capacity.

98. What is his remuneration package?

Answer:

Mr Bull's current total remuneration package is \$143,135.

99. Are you concerned about the number of National Party operatives within the Department of Industry?

Answer:

Except in instances where they are in the public domain, I am unaware of the political affiliations of any staff in the Department of Industry, however I assume they are reflective of the broader community.

100. Regarding the vegetation maps - do you agree the maps are, according to NSW Farmers – “anywhere near accurate” and a major problem” (ABC New England, 22/8/17)

Answer:

NSW Farmers' Association has consistently expressed concerns about the approach to maps. It is important that landowners have confidence in the regulatory tools including the maps. The process of map development and engagement with stakeholders is ongoing.

Scott Barrett

101. When did Scott Barrett commence work at Orange DPI?

Answer:

21/03/2017.

102. How many applications were received for the role?

Answer:

Four.

103. Who was on the interview panel?

Answer:

Dianna Watkins, Group Director Policy, Legislation, Performance and Consultation; Biosecurity and Food Safety

Emma Hancock, Recruitment Business Partner; Corporate Service Partners

Charlie Dowsett, Executive Director Industry Investment and Export Support; Skills and Economic Development

104. Minister, did you have any conversation with anyone within DPI or LLS about Scott Barrett's application for this role?

Answer:

As an application by a former ministerial staff member would inevitably be in the public domain in due course, I was made aware of it, however I played no role in the process.

105. What is his role?

Answer:

Manager Projects and Programs, Biosecurity.

106. Is this full time permanent? Contract?

Answer:

107. When did he start?

Answer:

Refer to answer to Question 101.

108. Are you aware that it took Mr Barrett more than 3 weeks to respond to an email from an energy provider wishing to understand the implications of the Biodiversity Act?

Answer:

These matters were discussed in the Budget Estimates hearing on 1 September 2017.

109. Are you even more concerned that Mr Barrett finally responded just 2 days before the legislation was to come into affect?

Answer: See response to Q108.

110. Minister – as a National Party power broker, can you rule out Scott Barrett putting his hand up again for the 2019 Orange election?

Answer: I reject the assumption of the question.

111. Are you concerned that public service positions are being seen as rewards for National Party operatives?

Answer: See response to Q99.

Commercial Fishing reforms

112. Minister – can you guarantee that no further small fishing businesses will go under as a result of your reforms – yes or no?

Answer:

Commercial fishers manage their own individual businesses and business decisions. The NSW Government has provided up to \$3,000 in grants to assist with obtaining professional advice for fishing businesses affected by the commercial fishing reforms.

113. Minister – can you guarantee that no fishing co-op will cease trading as a result of your reforms? Yes or no?

Answer:

Fishing co-operatives manage their own individual businesses and business decisions. The NSW Government has provided \$30,000 grants to assist with obtaining professional advice for fishing co-operatives affected by the commercial fishing reforms.

Sharks

114. Minister – has the funding for the \$16 million shark strategy been fully allocated and/or spent?

Answer:

The program is fully committed and will go ahead as planned.

115. Will there be additional funding for shark deterrent measures?

Answer:

The annual grants program is available each year to fund potential shark deterrent measures.

APVMA

116. Do you support the relocation of the Australian Pesticide and Veterinarian Medicines Authority to Armidale?

Answer:

. This is a matter for the Commonwealth Government.

117. Are you concerned with the loss of corporate and expert knowledge from within this organisation?

Answer:

This is a matter for the Commonwealth Government.

118. Are you taking any action yourself to fill the breach from the departure of key Canberra based bureaucrats?

Answer:

This is a matter for the Commonwealth Government.

119. Has your Department picked up any staff from the APVMA?

Answer:

NSW DPI has recently appointed a former APVMA staff member to the position of Farm Chemicals Officer within the Division of Biosecurity and Food Safety.

Deer Management

120. How much did the NSW Government spend on wild deer management across the state in:

- (a) 2016-17
- (b) 2015-16
- (c) 2014-15
- (d) 2013-14

Answer:

It is not possible to precisely quantify the whole of Government investment into wild deer management across the state because there are a number of agencies who invest and in some cases their investments are not recorded centrally against specific projects relating to deer. For example, the National Parks and Wildlife Service invests in deer control on the land they manage, the Department of Primary Industries invests in deer research and management, both through the Invasive Plants and Animals Unit and the Game Licensing Unit, and Local Land Services (LLS) invest in deer management programs in some of the regions.

121. How much did the NSW Government spend on wild deer management in the Illawarra as part of the Northern Illawarra Deer Management Program in:

- (a) 2016-17
- (b) 2015-16
- (c) 2014-15
- (d) 2013-14

Answer:

- (a) \$160,223
- (b) \$216,165
- (c) \$121,751
- (d) \$81,030

122. How much money will the NSW Government spend on wild deer management across the state in:

- (a) 2017-18
- (b) 2018-19

(c) 2019-20

Answer:

It is not possible to precisely quantify the future whole of Government investment into wild deer management across the state because there are a number of agencies who invest, their investments have not been locked in for future years, and in some cases their investments are not recorded centrally against specific projects relating to deer. For example, the National Parks and Wildlife Service invests in deer control on the land they manage, the Department of Primary Industries invests in deer research and management, both through the Invasive Plants and Animals Unit and the Game Licensing Unit, and LLS invest in deer management programs in some of the regions.

123. How will the Minister determine the amount of funding available to each Regional Pest Management Committees for wild deer management under the new Biosecurity reforms?

(a) Will this amount be an increase to the funding currently available for deer management in each Region?

(b) By how much will the funding increase?

Answer:

(a) and (b): Funding will be dependent upon deer being identified by the regional pest animal committees as a priority for the region to take action on. Not all regions have a deer management issue or see deer as a priority. Funding allocation decisions will be influenced by the relative priorities of the species being managed and will be made on a regional basis by those most impacted by those species.

124. Will the Minister commit to the Government increasing funding to the Northern Illawarra Wild Deer Management Program in recognition of its underperformance due to lack of resources in:

(a) 2017-18?

(b) 2018-19?

Answer:

The Government is committed to working with the local council and residents in the Illawarra to manage wild deer populations. It will continue to fund the program according to the priorities set by South East Local Land Services.

125. Can the Minister explain how the Government will address the rapidly increasing populations of wild deer across the state over the coming years while we await the development and establishment of the new Invasive Species Plans, Local Land Services Strategic Plans, Regional Pest Management Committees, Regional Pest Animal Management Plans and Local Management Plans, as part of the Biosecurity reforms announced this year?

Answer:

As part of the response to the review of pest animal management in NSW, the Government has taken proactive steps to remove any impediments to effective deer control in NSW. This includes establishing the State Pest Animal Committee and committing to an LLS-based regional management model that will empower regional decision making and action.

As an interim step, suspensions of game hunting regulations have been implemented in nine local government areas in NSW that will enable licensed hunters to assist private landowners with deer control via, for example, shooting at night with the aid of a spotlight from a vehicle.

Land clearing and native vegetation

126. Given the Native Vegetation Regulatory Map is not available to allow landholders to confirm the category of land they wish to clear, what will be the penalty if vegetation is cleared without the required approval?

Answer:

The legislation provides clear guidance on what vegetation is regulated and penalties apply for non-compliance with legislative requirements. Local Land Services is available to assist landholders to determine which land is regulated and which is not. If a landholder is in any doubt they should contact Local Land Services.

127. How many Local Government Areas (LGAs) have identified core Koala habitat that will show up on the current regulatory map as category 2 sensitive lands?

(a) What will protect other koala habitat outside of these LGAs being open to potential clearing under the Land Management Codes?

Answer:

The Minister for the Environment has responsibility for the identification and mapping of core koala habitat. The LLS Land Management Code cannot be applied to core koala habitat mapped as Category 2 sensitive regulated land.

128. How does the new regime provide protection for *Environment Protection and Biodiversity Conservation Act 1999*-listed threatened and migratory species and communities and how will a landholder know whether they need federal approval under the Act for the clearing they wish to undertake?

Answer:

The *Environment Protection and Biodiversity Conservation Act 1999* applies in NSW. It is the responsibility of the landowner to comply with all legal requirements. LLS will work with landowners to ensure their awareness of requirements.

129. Has the Government conducted a cost benefit analysis into the Biodiversity Offsetting Scheme?

(a) If so, what were the key findings in relation to whether the new scheme would be a positive or negative impact on the NSW community?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

130. Given the regulations and codes under the Biodiversity Conservation Act 2016 and the Local Land Services Amendment Act 2016 were not released until 25 August 2017, the date they came in to force, what training have LLS and OEH compliance staff had in the details of the new regime?

Please outline the length of training, the number of staff who undertook such training from each agency and the dates of the training.

Answer:

The relevant regulations and Code have been in development for some time and drafts of these instruments were publicly exhibited through May and June 2017. LLS officers have undergone training relevant to the administration of the LLS Land Management Code and the broader reform framework more generally. Issues concerning OEH staff are a matter for the Minister for the Environment, the Hon Gabrielle Upton MP.

SLM staff are all qualified in natural resource management and have experience with on ground natural resource management. All SLM officers have been provided with a mix of on-line and face to face training in the lead up to the commencement of the reforms, and will continue to be supported through mentoring and ongoing training.

131. Has there been an assessment of the extent of clearing that could occur using each of the codes?

(a) If so, when will this be released publicly?

(b) Has there been an impact assessment done to quantify the impact those extents will have on threatened species and endangered ecological communities?

Answer:

It is not possible to predict the level of activity under the LLS Land Management Code as it is dependent on a range of external factors. Factors include rate of uptake, cost of relevant land management activities and broader economic and climatic conditions. There are a number of safeguards to ensure the LLS Land Management Code supports outcomes consistent with the principles of ecologically sustainable development.

132. Is the Government committed to protecting in perpetuity the equivalent biodiversity values that will be cleared by landholders under this new regime?

Answer:

Under the LLS Land Management Code set-aside areas are in perpetuity and run with the land. Set-aside areas will typically be a multiple of the treatment area.

133. Can the Government confirm how regularly and within what time period satellite data will be made publically available which outlines the extent of native vegetation clearing?

Answer:

The Native Vegetation Regulatory map is administered by the Office of Environment and Heritage. Details on how satellite data will be used fall within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

134. Will there be interim core habitat layer produced for the regulatory map, based on expert knowledge of Koala distribution and preferred food trees at the local scale, until comprehensive statewide mapping is completed?

Answer:

The Native Vegetation Regulatory map is administered by the Office of Environment and Heritage, which falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

135. Will the set asides and offsets be monitored regularly by an independent auditor?

Answer:

Landholders must make reasonable effort to manage a set-aside area in a manner expected to promote vegetation integrity and consistent with management strategies set out in the LLS Land Management Code. LLS will monitor set-asides.

136. How is the application of the Biodiversity Assessment Method to determine offsets and credits going to be audited?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

137. How will the Government ensure that the carbon emissions from all clearing which takes place is counted in the Government's pledge to reach net zero emissions by 2050?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

138. What model of private landowner support and compliance will the new Biodiversity Conservation Trust (BCT) adopt under its stewardship program and what resources will be allocated to this function?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

139. How will the BCT be able to move quickly enough to secure, sell and protect high conservation value land at acceptable commercial rates as a government entity?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

140. How does the Government or the BCT plan to fund the BCT in the long term?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

141. As NSW will be the only State without an NGO covenanting entity, have the experiences in other States been fully assessed regarding this change in NSW?

(a) If so, what were the outcomes of this assessment?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

142. How will landholders know what money is available to them for stewardship payments, as an alternative to clearing, if there is no private conservation investment strategy in place to identify the price per hectare?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

143. How is the Government addressing concerns that once the new laws are implemented, significant cultural heritage sites, such as scar trees could be destroyed?

(a) What resources has the Government allocated to ensuring compliance with the new laws?

Answer:

Consistent with former practice, LLS will advise landholders about related legislative frameworks and obligations including cultural heritage requirements. The Office of Environment and heritage is the regulator for cultural heritage and compliance questions should be referred to the Minister for the Environment.

144. Has the Government allocated funds for awareness and education about the new laws to ensure that landholders properly understand them?

(a) If so, how much?

(b) How are the funds being targeted across NSW?

Answer:

LLS has been allocated funds to implement the new LLS Land Management Framework. An important part of implementation is to engage with rural and regional landholders to enhance awareness and education on the new framework. Traditional communication methods have been deployed to convey information including websites, printed materials and workshops. LLS is placing an emphasis on direct engagement with landholders to provide advice and support in understanding what the reforms mean for them on their properties.

145. Of the \$240 million announced for the new Biodiversity Conservation Trust:

(a) How much will be made available in 2017/18?

(b) When will funds become available?

(c) Will all land holders be able to access the funds or only landholders who meet a certain threshold or criteria, and if so what is the criteria?

Answer:

These matters fall within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

146. Of the \$100 million announced for the Saving our Species program

(a) Are these funds are quarantined for government spending or whether there will be any specific streams of funding that land holders will be able to access or apply for?

(b) How much will be made available in 2017/18?

Answer:

These matters fall within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

147. Will the Government publicly release all submissions to the consultation on the draft Regulations and other key products supporting the Biodiversity Conservation Act 2016 and Local Land Services Amendment Act 2016?

(a) If so, when?

(b) If not, why not, considering all submissions to the original draft bill were made public?

Answer:

The Government released a summary report on the draft regulations and other key products supporting the *Biodiversity Conservation Act 2016* and *Local Land Services Act 2016* in August 2017. A submissions report and submissions have been published and are available at www.landmanagement.nsw.gov.au

148. Has the Government considered or reviewed the impact of the new land clearing and native vegetation laws to threatened and migratory species and endangered ecological communities listed in the federal Environment Protection and Biodiversity Conservation Act 1999?

(a) If so, what were the findings?

(b) If not, why not?

Answer:

The *Environment Protection and Biodiversity Conservation Act 1999* applies in NSW. It is the responsibility of the landowner to comply with all legal requirements. LLS will work with landowners to ensure their awareness of requirements.

149. Does the current Native Vegetation Regulatory Map include coastal and Ramsar wetlands, littoral rainforest, core koala habitat, critically endangered ecological communities, old growth forests and high conservation value grasslands?

Answer:

The Native Vegetation Regulatory map, together with the terms of the LLS Land Management Code, provide a range of protections for environmental priorities and concerns. The Native Vegetation Regulatory Map is administered by the Office of Environment and Heritage. Questions concerning the map fall within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

150. How will the loss of biodiversity at the property level be mitigated at the regional level?

Answer:

Consistent with the independent expert panel review of biodiversity legislation in NSW, the new land management framework focuses on conserving biodiversity at a bioregional or state scale. This will be achieved through a range of measures provided for by the land management and biodiversity conservation reforms. This includes:

- strategic investment in private land conservation through the Biodiversity Conservation Trust,
- safeguards in the policy settings incorporated into the Code, including requiring landholders to set aside for high risk applications of the Code, and
- the operation and application of the Biodiversity Assessment Method and Biodiversity Offsets Scheme.

151. How will the objective to address biodiversity decline be achieved by the increased dependence on offsetting in the proposed system?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

152. How do the regulations apply the principles of ecologically sustainable development?

Answer:

The principles of ecologically sustainable development inform, and are incorporated in, the integrated components of the Land Management framework including:

- a new biodiversity offsets scheme,
- a consistent and scientifically informed Biodiversity Assessment Method,
- the establishment of a Biodiversity Conservation Fund,
- a new State Environment Planning Policy (Urban Vegetation) 2017,
- a new LLS Regulation and LLS Land Management Code,
- the establishment of the Saving our Species program,
- the expansion of Biodiversity Certification.

The Biodiversity Conservation and Local Land Services regulations operationalise these initiatives by applying the principles of ecologically sustainable development.

153. Will the Biodiversity Assessment Method be applied for most rural clearing?

(a) If not, how are the regulations a scientifically robust way of assessing and conserving biodiversity?

Answer:

The Biodiversity Assessment Method will apply to agricultural developments that trigger the Biodiversity Assessment Method threshold. The extent to which this occurs will depend on a number of factors including rate of uptake, extent of clearing proposed, broader economic and climatic factors and other drivers relevant to land use change in rural areas.

154. Will there be special considerations and limitations based on the regional extent of native vegetation, such as the over-cleared North West floodplains and lower slopes east of Moree?

Answer:

There are a number of protections incorporated into the Land Management Framework to ensure biodiversity conservation at the bioregional scale in areas like the North West floodplains. This includes:

- strategic and prioritised investment in private land conservation through the Biodiversity Conservation Trust,
- safeguards in the policy settings incorporated into the LLS Land Management Code, including requiring landholders to set aside for high risk applications of the Code, and
- the operation and application of the Biodiversity Assessment Method and Biodiversity Offsets Scheme.

155. How will Koala habitat be protected in over-cleared landscapes considering that two of their main preferred food trees Bimble box and River Red gum have the least protection as paddock trees and can be cleared as invasive species?

Answer:

The LLS Land Management Code cannot be applied to core koala habitat mapped as Category 2 sensitive regulated land. The Minister for the Environment has responsibility for the identification and mapping of core koala habitat.

156. Can Koala habitat be cleared using the Biodiversity Assessment Method and the use of offsets?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

157. Will the LLS be able to refuse clearing applications in over cleared landscapes when the application is consistent with the codes?

Answer:

Mandatory code compliant certificates will be assessed by LLS on a case-by-case basis, consistent with the terms of the legislation and the LLS Land Management Code.

158. Will the equity code enable broadscale clearing of woodlands, open forests and grasslands previously not cleared?

Answer:

Consistent with the independent expert panel review, mandatory code compliant certificates will be assessed by LLS on a case-by-case basis, consistent with the terms of the legislation and the LLS Land Management Code.

159. Can the Equity Code still clear up to 625ha or down to 10% category 2 remnant vegetation per property?

Answer:

The landholding restriction, treatment area restrictions and set aside requirements are all set out in the LLS Land Management Code. A copy of the Code is available at: <https://www.legislation.nsw.gov.au/regulations/2017-468>.

160. Can Invasive Native Species thinning clear up to 900ha, including trees up to 30cm dbh, and retain just 20 trees per ha?

Answer:

The landholding restriction, treatment area restrictions and set aside requirements are all set out in the LLS Land Management (Native Vegetation) Code 2017. A copy of the Code is available at: <https://www.legislation.nsw.gov.au/regulations/2017-468.pdf>

161. Can pasture expansion activities thin trees up to 90cm dbh, providing the area does not to exceed 30% of total property?

Answer:

The landholding restriction, treatment area restrictions and set aside requirements are all set out in the LLS Land Management (Native Vegetation) Code 2017. A copy of the Code is available at: <https://www.legislation.nsw.gov.au/regulations/2017-468.pdf>

162. Can farm plan code clearing remove up to 25% of category 2 remnant vegetation on a property?

Answer:

The landholding restriction, treatment area restrictions and set aside requirements are all set out in the LLS Land Management (Native Vegetation) Code 2017. A copy of the Code is available at:
<https://www.legislation.nsw.gov.au/regulations/2017-468.pdf>

163. Will determining serious and irreversible impacts be at the Minister's discretion?

Answer:

For applications to clear native vegetation under Division 6 of the *Local Land Services Act 2013*, the Native Vegetation Panel is the approval authority. The Panel must refuse to grant approval if the Panel is of the opinion that the proposed clearing of native vegetation is likely to have serious and irreversible impacts on biodiversity values, as determined under section 6.5 of the *Biodiversity Conservation Act 2016* [section 60ZF(6) of the LLS Act].

164. Will the loss from clearing be balanced by gains from plantings, set asides, offsets and stewardship agreements?

(a) If so, over what timeframe are such gains estimated be achieved?

Answer:

The land management framework focuses on conserving biodiversity at a bioregional scale. The timeframes on biodiversity gains will depend on a number of factors, including the nature and extent of plantings, the nature and extent of land set aside and the land's ongoing management and the nature, extent and management of stewardship sites. Additionally, there are other features of the reform that promote biodiversity outcomes including major, new direct funding for conservation such as the private land conservation program and significant increases in funding for the Saving our Species program.

165. For category 1 land, how will property vegetation planning be incorporated to consider the landscape significance of the vegetation and factors such as soil erosion, salinity recharge and discharge areas, protected lands, stream buffers, landscape corridors, and protection of hollow trees?

Answer:

LLS provide advice to landholders on best practise land management generally.

166. Will all clearing be considered according to the 'maintain or improve' standard for both the property and region levels?

Answer:

The independent expert panel review recommended the removal of the "maintain or improve" standard. Consistent with the independent expert panel review of biodiversity legislation in NSW, the land management framework focuses on conserving biodiversity at a bioregional scale.

167. Does the principle of no net loss apply?

Answer:

Consistent with the independent expert panel review of biodiversity legislation in NSW, the land management framework focuses on conserving biodiversity at a bioregional scale.

168. How do people nominate areas of Outstanding Biodiversity Value?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

169. What is included in vulnerable regulated land and how have they been identified and mapped?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

170. What is included in sensitive regulated land and how have they been identified and mapped?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

171. What scientific evidence underpins the assumption that offsetting is successful in the timeframe necessary to conserve threatened species?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

172. What will be the acceptable minimum standard for offsets in terms of age classes and time to regenerate mature habitats for threatened species?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

173. Is protection of existing remnant vegetation not under threat considered a conservation gain if it offsets the loss of an area of habitat that was a larger total area?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

174. Do the regulations allow offsets across a species range and swapping between species?

(a) If so, what is the scientific evidence that this will lead to positive biodiversity outcomes?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

175. What scientific evidence underpins the use of flexible and indirect offsets?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

176. What assurance or security is there to guarantee that an offset will achieve a biodiversity gain?

Answer:

This matter falls within the portfolio responsibility of the Minister for the Environment, the Hon Gabrielle Upton MP.

Office Administration

177. 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?

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

178. 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?

Answer:

There were 240 smart phones allocated across the Ministerial Offices in 2016-17. The total usage cost of these smart phones and other mobile devices (including iPads) was \$269,644, a 53.4% 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, Corporate and Ministerial Services.

179. 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?

Answer:

There were 139 iPads in use across the Ministers' IT network in 2016-17. 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, Corporate and Ministerial Services.

180. Has any artwork been purchased or leased for display in your ministerial office in 2016-17?

(a) What is the cost of this?

Artwork in the Minister's office includes art donated at no cost.

181. Have any floral displays or indoor plants or pot plants been hired or leased for display in your ministerial office in 2016-17?

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

Answer:

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

182. Have any floral displays or indoor plants or pot plants been purchased for display in your ministerial office in 2016-17?

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

Answer:

Refer to the answer to Question 181.

183. 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?

Answer:

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

184. What was the total amount your office spent on stationery?

Answer:

Expenditure on stationery in 2016-17 across the Ministry was \$146,596. This includes the cost of printed stationery (business cards and letterheads).

185. 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?

Answer:

Gifts are presented to dignitaries during overseas missions and to dignitaries visiting NSW.

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

(a) What is the monthly cost of this?

Answer:

No.

187. 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 2016-17 all costs associated with these vehicles were paid from the relevant office's budget.

188. 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

Answer:

Expenditure on taxis, hire cars and ride share services in 2016-17 across the Ministry was \$82,771, down from \$99,463 last year. This compares with 2009-10 expenditure of \$175,776.

189. 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?

Answer:

Expenditure on charter flights for the Ministry totalled \$6,921 in 2016-17, down from \$28,706 last year. This compares with expenditure in 2009-10 of \$281,567.

Hospitality

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

Answer:

Expenditure on hospitality across the Ministry totalled \$32,021 in 2016-17- which includes catering for stakeholder meetings and courtesy calls with visiting dignitaries

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

Answer:

Costs are managed within each agency's recurrent budget.

Labour Hire Firms

192. 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

Answer:

The Industry Cluster 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

193. 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?

Answer:

Department of Industry staff numbers are included in the Annual Report.

194. 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:

Industry staff numbers undertaking media or public relations activities are commensurate with need and can go down or up as required.

195. 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.

196. By how much has the number of media or public relations advisers employed for each of your portfolio agencies increased since 2011-12 to the current date?

Answer:

A centralised media function was established for the Department of Industry in 2016.

197. By how much has the expenditure on media or public relations advisers employed for each of your portfolio agencies increased since 2011-12 to the current date?

Answer:

A centralised media function was not established for the Department of Industry until 2016.

198. 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 2016-17?

Answer:

No.

Facebook

199. How much did your ministerial office spend on Facebook advertising or sponsored posts in 2016-17?

Answer:

Nil

200. How much did your Department/agency spend on Facebook advertising or sponsored posts in 2016-17?

Answer:

Where appropriate social media is used by agencies alongside other forms of advertising as a cost-effective medium of communication.

Overseas Trips

201. 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.

202. 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:

Refer to the answer to Question 201.

Department/Agency Travel

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

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

Answer:

All Departments' travel in 2016-17 was accordance with NSW Treasury and Finance Circular OFS-2014-07 and the Department of Industry's internal travel policies. Department of Industry travel costs for 2016-17 were:

- (a) \$746,761
- (b) \$2,216
- (c) \$303,267
- (d) \$2,216

204. 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?

Answer:

No

Consulting

205. 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?

Answer:

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

206. 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

Answer:

Refer to the answer to Question 205.

Department/Agency Staffing

207. 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?

Answer:

Public Service Senior Executive (PSSE) numbers are reported in the Annual Reports of agencies within the Industry Cluster.

208. What was the expenditure on senior executive service employees employed by Departments/agencies within your portfolio in 2016-17?

- (a) How much was this number in 2011-12?

Answer:

Public Service Senior Executive (PSSE) remuneration is reported in the Annual Reports of agencies within the Industry Cluster.

209. What was the number of internal legal counsel employees employed by Departments/agencies within your portfolio in 2016-17?

- (a) How much was this number in 2011-12?

Answer:

Staff numbers and their cost are managed within the agency's Labour Expense Cap, as part of the sector's Budget Controls.

210. What was the expenditure on internal legal counsel employees employed by Departments/agencies within your portfolio in 2016-17?

(a) How much was this number in 2011-12?

Answer:

Refer to the answer to Question 209.

211. 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?

Answer:

Voluntary redundancies are a component for agencies to achieve their efficiency dividends. Redundancy figures across the sector for 2016/17 are anticipated to be in the order of 1,222, totalling 12,999 since July 2011. The Labour Expenses Cap introduced in the 2012-13 Budget also continues to give Secretaries as much flexibility as possible to achieve these savings in the most appropriate ways to meet the service requirements of their agencies. Nurses, policy officers and teachers in schools have been quarantined from this measure.

212. 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:

Refer to the answer to Question 211.

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

Answer:

Yes – refer to answers to questions 101-110.

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

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

Answer:

Seven from the Department of Industry, including the Executive Agency of Local Land Services.

(a) All were for misconduct.

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

Answer:

Stationary expenses are accounted for in agencies recurrent budgets.

Smart Phone Accounts

216. 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?

Answer:

IT costs are managed within each agency's budget and are guided by NSW Government's ICT and procurement policies and frameworks.

217. 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?

Answer:

Refer to the answer to Question 216.

Websites Visited

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

Answer:

The configuration of the Ministers' IT network infrastructure by our third party service providers does not allow the determination of such data.

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

Answer:

Refer to the answer to Question 218.

Merchant fees

220. 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 charged customers a surcharge on payments made via credit and debit cards through the Visa, Mastercard, American Express and Diners schemes, when a payment was made using the Department of Industry's internet payment pages, via the phone using the 1300 number listed on invoices and where payment were made at counters with physical merchant terminals.

The Department of Industry invoices include alternative payment options of Bpay and cheque, which don't have a surcharge for customers.

221. 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:

The Department of Industry's charges are as follows:

Visa	0.4 per cent
Mastercard	0.4 per cent
American Express	1.5 per cent
Diners	2.4 per cent

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

Answer:

The Department of Industry received \$25,124 in surcharge from payments paid by customers. Westpac applied merchant fee charges totalling \$19,317 for facilities administered directly by the Department of Industry. This does not include TAFE NSW and Office of Sport.

Probity Auditor

223. 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:

Details relating to probity advice for Sustaining the Basin: Irrigated Farm Modernisation Program (STBIFM) is provided in following table.

Company/Individual	Project	Engagement Dates	Total remuneration
O'Conner Marsden & Associates Pty Ltd (OCM) – Andrew Marsden and Sarah Mullins	Sustaining the Basin: Irrigated Farm Modernisation Program (STBIFM)	1.10.2012 – 30.6.2019	\$42,544.66 * Please note this amount is for the life of the project up until 12/9/17.

KPMG were not specifically engaged to provide a Probity Auditor, however their involvement in this process required them to provide this. KPMG were engaged to scope, design and assist in executing an Expression of Interest (EOI) to identify a short list of potential vendors who would be invited to respond to an RFQ for cloud based infrastructure as a service (IAAS) for Biosecurity Systems. The letter of offer was dated 19 March 2013 and the closure letter 7 March 2014. The original engagement was for \$80,000, due to delays and a scope change there was an additional \$25,000 added totalling \$105,000.

Company/Individual	Project	Engagement Dates	Total remuneration
KPMG	scope, design and assist in executing an (EOI) to identify a short list of potential vendors who would be invited to respond to an RFQ for cloud based IAAS for Biosecurity Systems	19 March 2013 to 7 March 2014	\$105,000

Details of Probity Auditors engaged by DPI Fisheries are provided in the following table:

Advisor	Project Task Name	Engagement	Balance
MASTERS LE MESURIER INTERNATIONAL PL ATF	Commercial Reform Program	2016-2017	\$26,053.27

INTERNAL AUDIT BUREAU OF NSW IAB SERVICES	Abalone Share Mgt Fishery	2015-2016	\$690.00
INTERNAL AUDIT BUREAU OF NSW IAB SERVICES	Abalone Share Mgt Fishery	2015-2016	\$460.00
INTERNAL AUDIT BUREAU OF NSW	Commercial Fisheries	2014-2015	\$8,030.00
INTERNAL AUDIT BUREAU OF NSW	Commercial Fisheries	2013-2014	\$1,320.00
PAJI P/L	Aquaculture Mgt & Admin	2012-2013	\$1,800.00

The Nimmie-Caira Project has contracted Maddocks as their probity advisors to support the open tender and divestment process of the Project. Maddocks commenced work for the Project in March 2017 and will continue to provide support through to handover of the property to a suitable Non-Government Entity in early-mid 2018.

Company / Individual	Project	Engagement Dates	Remuneration
Maddocks (Patrick Ibbotson - Partner, Chairman)	Nimmie-Caira System Enhanced Environmental Water Delivery Project	March 2017, ongoing expected through to mid-2018	\$25,000 to date with a further \$25,000 expected spend through to mid-2018.
Australian National Audit Office (ANAO)	Nimmie-Caira System Enhanced Environmental Water Delivery Project	2014 / 2015	Nil

Financial Audits

Company / Individual	Project	Engagement Dates	Remuneration
IAB	Metering Pilot	FY 2012	
IAB	Basin Pipe	FY 2013	\$4,070.00
IAB	Healthy Floodplain	FY 2013	\$2,860.00
IAB	Metering Project	FY 2013	\$6,539.50
IAB	Metering Pilot	FY 2013	
IAB	NSW Pipeline	FY 2013	\$7,590.00
IAB	Basin Pipe	FY 2014	\$5,082.00

IAB	Healthy Floodplain incl OEH	FY 2014	\$9,548.00
IAB	Metering Project Incl Water NSW	FY 2014	\$9,856.00
IAB	Metering Pilot	FY 2014	\$8,008.00
IAB	Nimmie Caira Project	FY 2014	\$6,776.00
IAB	Nimmie Caira External Income	FY 2014	Part of \$6776
Forsyths	Basin Pipe	FY 2015	\$5,500.00
Forsyths	Healthy Floodplain	FY 2015	\$5,500.00
Forsyths	Metering Project	FY 2015	\$5,500.00
Forsyths	Nimmie Caira Project	FY 2015	\$5,500.00
Forsyths	Nimmie Caira External Income	FY 2015	\$3,300.00
Forsyths	Achieving Sustainable Groundwater Entitlements	FY 2015	\$16,500.00
Forsyths	Basin Pipe	FY 2016	\$5,665.00
Forsyths	Healthy Floodplain	FY 2016	\$5,665.00
Forsyths	Metering Project	FY 2016	\$5,665.00
Forsyths	Nimmie Caira Project	FY 2016	\$3,410.00
Forsyths	Constraints	FY 2016	\$5,665.00
Forsyths	Basin Pipe (In Progress)	FY 2017	\$5,830.00
Forsyths	Healthy Floodplain (In Progress)	FY 2017	\$8,140.00
Forsyths	Nimmie Caira Project (In Progress)	FY 2017	\$5,830.00
Forsyths	Metering Project (Final)	FY 2017 (Dec 16)	\$7,150.00

Audit Office of NSW	Water Monitoring Framework (CAPEX)	FY 2017	Nil
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For WaterNSW:

Date	Probity Advisor	Matter	Cost
13 March 2017* *Date of Probity Report	Ken Elliott* *In House Corporate Lawyer employed by WaterNSW	Maintain Capability Works Panel-Selection of Pre-qualified tenderers	NIL
22 August 2016*	Ken Elliott	Keepit Dam Post Tensioning	NIL
24 June 2016*	Ken Elliott	Integrated Project Management Solution	NIL
3 December 2015*	Ken Elliott	Burrawang Pumping Station Electrical Up grade.	NIL
3 June 2015*	Ken Elliott	Test Water Bore Construction & Yield Testing – Talyawalka Flood Plan	NIL
16 April 2015*	Ken Elliott	Upper Canal Control Gates	NIL
O'Connor Marsden Associates	Ken Elliott	Bendeela Pondage-Toe Drain Replace	NIL
24 June 2013	Scott Alden DLA Piper	Field Services	\$28,160.00
24 June 2013	Scott Alden DLA Piper	Analytical Services	\$28,160.00
17 January 2014	O'Connor Marsden Associates	iSMART Prime Contractor EOI/RFT	\$13,167
31 May 2014	O'Connor Marsden Associates	Independent Probity Overview	\$8,569.00
31 May 2014	O'Connor Marsden Associates	External Probity Adviser	\$16,830.00
21 September 2015	Efthimia Goudakis DLA Piper	Prospect Reservoir outlet refurbishment works	\$18,000
31 August 2017	O'Connor Marsden Associates	Warragamba Dam Raising	\$8,943* *paid to date
31 August 2017	O'Connor Marsden Associates	Broken Hill Pipeline tender evaluation	\$30,976.62* *paid to date

Animal Cruelty Inspection in Pounds

224. What measures are in place when a complaint, or many, are lodged to her/his department in respect to how a council operates and manages its impounding facility? I note that initial responsibility may reside with the Office of Local Government, but issues over animal welfare are her department's responsibility.

Answer:

Complaints concerning animal welfare are directed to the enforcement agencies. These are the independent Approved Charitable Organisations RSPCA NSW and Animal Welfare League NSW (AWL), as well as the NSW Police, under the *Prevention of Cruelty to Animals Act 1979* (POCTA).

225. Is the Minister also aware that complaints have been lodged, over the years, about the lack of enforcement of the various animal welfare codes of practice along with the Prevention of Cruelty to Animals Act?

Answer:

The Minister is unaware of the complaints referred to in the question, however if greater detail is provided, this can be investigated further.

226. Similarly is the Minister aware that many complaints involve breaches of this Act by numerous New South Wales Council pounds including, but not limited to, Cowra and Griffith councils?

(a) Furthermore, as a sign of the lack of enforcement, is the Minister aware that complaints have also been lodged to her/his department about the RSPCA NSW where, it has been claimed, that the RSPCA have whitewashed various reports when prosecutions against such councils should have been conducted instead?

(b) Can the Minister reassure this Parliament, as well as the People of New South Wales, that her/his department is not only ensuring compliance with the above Act but also its associated Codes of Practice?

(c) Can she/he also explain what steps are being made to ensure that councils, who are in breach of the Act and the respective Codes of Practice, are being forced to comply with them as is their legal duty?

(d) Why have none been prosecuted to date when clear breaches have occurred for years?

(e) And if these breaches continue, what measures will be taken against those councils who continue to break the law?

Answer:

This is a question for the Minister for Local Government.

227. Given your department is geared towards supporting primary industries, including the likes of puppy farmers, how can the department justify a clear conflict of interest in both supporting the industry whilst also being responsible for animal welfare?

Answer:

The term 'puppy farmers' has been used incorrectly and should not be linked with primary industries and/or production.

However, any person involved in a business in the course of which dogs or cats are bred for fee or reward is required to comply with the *Prevention of Cruelty to Animals Act 1979* (POCTA) and the enforceable Animal Welfare Code of Practice - Breeding Dogs and Cats. These are enforced by the independent Approved Charitable Organisations RSPCA NSW and Animal Welfare League NSW (AWL), as well as the NSW Police.

228. Given the continuing pathetic stories of animal abuse, not to mention it being a consumer matter, surely the Office of Fair Trading or another body, such as an independent office of animal welfare, is in a far better position to handle animal welfare matters, in a non-biased fashion, than the Department of Primary Industries?

Answer:

The Department of Primary Industries does not enforce POCTA. The independent Approved Charitable Organisations RSPCA NSW and Animal Welfare League NSW (AWL), as well as the NSW Police, enforce POCTA.

Animal Welfare at Saleyards

229. Can the Minister advise whether your department has received any complaints about animal cruelty at saleyards in the last 3 years?

(a) If so, what were the outcomes of any investigations?

Answer:

The Department has not received any complaints about animal cruelty at saleyards in the last 3 years.

230. Has the Minister or his department referred any animal cruelty complaints at saleyards to the RSPCA for investigation?

(a) If so, were the details or outcome of the investigation sent to the Minister or his department?

(b) Has your department assisted with any advice or support to the RSPCA on any investigations of animal cruelty at saleyards?

Answer:

No

(a) N/A

(b) No

231. Has the Minister or his department been notified of any instances of horses being left to suffer and die with no veterinary treatment at saleyards?

Answer:

No

REGIONAL WATER

232. What is the current pensioner rebates for water and sewerage services from Sydney Water?

Answer:

This matter falls within the portfolio responsibility of the Minister for Energy and Utilities, the Hon Don Harwin MLC.

233. What is the current pensioner rebates for water and sewerage services for residents living in New South Wales rural, regional and coastal communities?

Answer:

In rural, regional and coastal communities in NSW (excluding the areas of operation of Sydney Water and Hunter Water), the Local Government Act, section 575, states that eligible pensioners pay a reduced rate for access charges; either half of the typical rate or up to \$87.50. This relates to both water and sewerage services.

234. Is the Minister aware that the pensioner rebates for water and sewerage services from Sydney Water are substantially higher than the rebates received by pensioners in rural, regional and coastal New South Wales?

Answer:

Water and sewerage service charges vary between the many local water utilities covering rural and regional NSW and the major water utilities of Sydney Water and Hunter Water. Refer also to the answer to Question 235 below.

235. What is the Government doing to address this inequity to give our regional, rural and coastal pensioners a fair go and equal rebates?

Answer:

Beyond the mandated Pensioner Rebates, the Government is responsible for the administration of the *NSW Best-Practice Management of Water Supply and Sewerage Framework*.

The Framework enables the local water utilities in regional NSW to provide appropriate, affordable and cost-effective water supply and sewerage services for their customers.

Water extraction rates

236. What was the total annual extraction of water from the following water sharing plans in each year since 2010:

- (a) Barwon-Darling Unregulated and Alluvial
- (b) North-Western Unregulated Water Sources and the North-Western Fractured Rock Groundwater
- (c) Gwydir Regulated River
- (d) Gwydir Unregulated and Alluvial
- (e) NSW Border Rivers Regulated River
- (f) NSW Great Artesian Basin Groundwater
- (g) NSW Great Artesian Basin Shallow Groundwater
- (h) NSW Murray-Darling Basin Fractured Rock Groundwater
- (i) NSW Murray-Darling Basin Porous Rock Groundwater
- (j) Intersecting Streams Unregulated and Alluvial
- (k) Lower Gwydir Groundwater
- (l) Rocky Creek, Cobbadah, Upper Horton and Lower Horton
- (m) Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock
- (n) Phillips Creek, Mooki River, Quirindi Creek and Warrah Creek
- (o) Upper and Lower Namoi Groundwater
- (p) Upper Namoi and Lower Namoi Regulated River
- (q) Namoi Unregulated and Alluvial Water
- (r) Lower Macquarie Groundwater
- (s) Macquarie Bogan Unregulated and Alluvial
- (t) Macquarie and Cudgegong Regulated Rivers
- (u) Castlereagh River above Binnaway
- (v) Castlereagh River (below Binnaway) Unregulated and Alluvial

Answer:

Year	2010	2011	2012	2013	2014	2015	2016	Grand Total
Barwon Darling Unregulated and Alluvial Water Sources			573517.5	80965.6	34092.9	130036.1	260619.7	1079231.8

Castlereagh (below Binnaway) Unregulated and Alluvial Water Sources	417.2	476.2	628.1	0	0	624.2	605.7	2751.4
Gwydir Regulated River Water Source	944095.9	342522.2	776697.5	491290.1	417320.9	137450.4	548735.8	3658112.8
Gwydir Unregulated and Alluvial Water Sources			309.9			357.4	48	715.3
Intersecting Streams Unregulated and Alluvial Water Sources		0				0	0	0
Lower Gwydir Groundwater Source	36129.6	27246.7	35180.3	49939.8	56990.1	60191.9	28002.3	293680.7
Lower Macquarie Groundwater Sources	13613.4	20562.4	45957.1	53037.7	53369.7	56219.2	26680.2	269439.7
Macquarie and Cudgegong Regulated Rivers Water Source	459187.8	620967.2	738642.6	2199811.7	1074432.2	167676.1	371835.8	5632553.4
Macquarie Bogan Unregulated and Alluvial Water Sources			541800.4	31764.4	47220.2	98440.6	66163.9	785389.5
Namoi Unregulated and Alluvial Water Sources			616.9	667.7	400.2	1385.8	1097.2	4167.8
North Western Unregulated and Fractured Rock Water Sources			0				0	0
NSW Border Rivers Regulated River Water Source	324777.8	188231.3	325750.1	198509.9	49142.8	126285.7	295679.3	1508376.9
NSW Great Artesian Basin Groundwater Sources	10663.3	11896.9	15429.2	20579.2	19659	22016.1	17836	118079.7
NSW Great Artesian Basin Shallow Groundwater Sources		931.8	1853	1180	1217	212	2136.4	7530.2
NSW Murray Darling Basin Fractured Rock Groundwater Sources		2953.1	8569.4	10849.3	7213.8	12793.6	42804.5	85183.7
NSW Murray Darling Basin Porous Rock Groundwater Sources		8656.4	12890.5	12444.7	9978.5	12649.4	11740.6	68360.1
Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources	23375.2	17118.3	111553.2	48652.4	21121.9	770362.7	16557.3	1008741
Upper and Lower Namoi Groundwater Sources	95679.7	85833.7	2908430.5	1254634.4	1584541.6	596147.7	131113	6656380.6
Upper Namoi and Lower Namoi Regulated River Water Sources	648109.9	627237.9	565795.2	1078747.5	638844.1	221931.5	578883.9	4359550
Grand Total	2556049.8	1954634.1	6663621.4	5533074.4	4015544.9	2414780.4	2400539.6	25538244.6

Note: Some water sources listed above are in the Water Sharing Plans which is reflected in the Total Water Extraction.

- Rocky Creek, Cobbadah, Upper Horton and Lower Horton are actually water sources which are included in the Gwydir Unregulated and Alluvial Water Sharing Plan
- Phillips Creek, Mooki River, Quirindi Creek and Warrah Creek are actually water sources which are included in the Namoi Unregulated and Alluvial Water Sharing Plan
- Castlereagh River above Binnaway & Castlereagh River (below Binnaway) Unregulated and Alluvial are both included in the Castlereagh River Unregulated and Alluvial Water Source 2016

Whitehaven coal

237. What are the license numbers and total allowable extraction amounts for each water license held by Whitehaven coal and/or its related companies?

Answer:

DPI Water does not have a record of the related companies to Whitehaven Coal Mining Limited.

Water access licence numbers and total allowable extraction amounts for each water license held by Whitehaven Coal are listed below.

WAL#	Licence	Holder	Share Component M/L
2577	90AL801777	Whitehaven Coal Mining Limited	144
2578	90AL801778	Whitehaven Coal Mining Limited	15.7
2682	90AL802034	Whitehaven Coal Mining Limited	486
2683	90AL802035	Whitehaven Coal Mining Limited	53
13051	90AL802396	Whitehaven Coal Mining Limited	96
13052	90AL802397	Whitehaven Coal Mining Limited	10.5
12622	90AL806770	Whitehaven Coal Mining Limited	263
12625	90AL806778	Whitehaven Coal Mining Limited	57
12645	90AL806828	Whitehaven Coal Mining Limited	35
12681	90AL806924	Whitehaven Coal Mining Limited	47

12701	90AL806970	Whitehaven Coal Mining Limited	20
12714	90AL807001	Whitehaven Coal Mining Limited	133
12716	90AL807005	Whitehaven Coal Mining Limited	43
12724	90AL807026	Whitehaven Coal Mining Limited	45
12731	90AL807044	Whitehaven Coal Mining Limited	3
14936	90AL809885	Whitehaven Coal Mining Limited	1056
29458	90AL822497	Whitehaven Coal Mining Limited	50
29548	90AL822535	Whitehaven Coal Mining Limited	50
29461	90AL822540	Whitehaven Coal Mining Limited	120
29561	90AL822542	Whitehaven Coal Mining Limited	20
31084	90AL827847	Whitehaven Coal Mining Limited	250
36641	90AL832175	Whitehaven Coal Mining Limited	800
36576	90AL832177	Whitehaven Coal Mining Limited	600
36548	90AL832291	Whitehaven Coal Mining Limited	36
36758	90AL832697	Whitehaven Coal Mining Limited	700

238. How much High Security water did Whitehaven Coal and/or its related companies take under licence in:

- (a) 2014
- (b) 2015
- (c) 2016
- (d) 2017

Answer:

Whitehaven Coal Mining Pty Ltd do not hold any high security water access licences.

239. How much did Whitehaven Coal and/or its related companies pay for High Security water in:

- (a) 2014
- (b) 2015
- (c) 2016
- (d) 2017

Answer:

Refer to answer to Questions 238 above.

240. On what dates did any High Security water purchases by Whitehaven Coal and/or its related companies take place during:

- (a) 2014
- (b) 2015
- (c) 2016
- (d) 2017

Answer:

Refer to answer to Question 238 above.

241. How much General Security water did Whitehaven Coal and/or its related companies take under licence in:

- (a) 2014
- (b) 2015
- (c) 2016
- (d) 2017

Answer:

Water Source	Licence	Licence Category	Year 2014-15	Year 2015-16	Year 2016-17	Grand Total
GUNNEDAH - OXLEY BASIN MDB GROUNDWATER SOURCE	90AL822497	AQUIFER	0	0		0
	90AL822535	AQUIFER	0			0
	90AL822542	AQUIFER	0			0
LOWER NAMOI REGULATED RIVER WATER SOURCE	90AL801777	REGULATED RIVER (GENERAL SECURITY)	0	0	0	0
	90AL801778	SUPPLEMENTARY WATER	0	0	0	0
	90AL802034	REGULATED RIVER (GENERAL SECURITY)	0	0	0	0
	90AL802035	SUPPLEMENTARY WATER	0	0	0	0
	90AL802396	REGULATED RIVER (GENERAL SECURITY)	0	0	0	0
	90AL802397	SUPPLEMENTARY WATER	0	0	0	0
	90AL809885	REGULATED RIVER (GENERAL SECURITY)	0	0	0	0
UPPER NAMOI ZONE 4 NAMOI VALLEY (KEEPIT DAM TO GIN'S LEAP) GROUNDWATER SOURCE	90AL806828	AQUIFER	35	35	35	105
	90AL806970	AQUIFER	0	0		0
	90AL807005	AQUIFER	0.2	0	0	0.2
	90AL807026	AQUIFER	68	79	43	190
	90AL832291	AQUIFER	0	0	0	0
Year Total			103.2	114	78	295.2

242. How much did Whitehaven Coal and/or its related companies pay for General Security water in:

- (a) 2014
- (b) 2015
- (c) 2016
- (d) 2017

Answer:

- (a) 2014-15: \$18,109.28
- (b) 2015-16: \$19,138.72
- (c) 2016-17: \$19,316.92

243. On what dates did any General Security water purchases by Whitehaven Coal and/or its related companies take place during:

- (a) 2014
- (b) 2015
- (c) 2016
- (d) 2017

Answer: There were no 71T trades or share component changes processed from the licence list provided in the answer to Q. 241.

244. Is there a current ban on pumping of Zone 11 groundwater, if so, what is the nature of this restriction?

Answer:

No. There has not been any restriction on pumping groundwater in Upper Namoi Zone 11 since a S324 order ceased on 30 June 2010.

Maules Creek Coal mine

245. Does the Maules Creek Coal Mine hold enough groundwater entitlement to offset the continuous pumping of water that is happening on a daily basis out of the pit?

Answer:

Whitehaven Coal Mining Ltd owns Maules Creek Coal Mine and has a legal obligation not to exceed the conditions of their licence.

246. Is the water that is pumped out of the pit classified as groundwater?

Answer:

Yes

247. How much of groundwater was pumped at the Maules Creek coal mine in 2014, 2015, 2016 and 2017?

Answer: See answer to Question 241

248. How much surface water was pumped at the Maules Creek coal mine in 2014, 2015, 2016 and 2017?

Answer: See answer to Question 241

249. Is there a requirement for water meters to be installed on these pumps?

(a) If so, are they installed?

(b) When were they last audited?

Answer:

No

(a) N/A

(b) N/A

250. Is WAL 13050 on the Lower Namoi Regulated River for 3,000 Megalitres an entitlement purely for the use of Maules Creek coal mine or is it also used on other Whitehaven Coal mines?

(a) If so which mines share the water from this license?

Answer:

For major projects the approval provisions for water use, including where it can be used, arise under section S89J of the *Environmental Planning & Assessment Act 1979*, rather than the *Water Management Act 2000*.

(a) N/A

251. Why was Licence Number 90SL101060, issued in 1995 as “Description – Overshot Dam 150mm Centrifugal Pump” updated to be named: “Catchment: Unnamed Water Source – Purpose: irrigation and Mining”?

(a) Who made the decision to change the name?

(b) What is the significance of the name change?

(c) Is this licence metered?

i. If yes, is the water meter installed, serviced and audited by the DPI?

(d) Is this water licence classified as an Unregulated Water Entitlement?

(e) How much can be pumped from this water source?

Answer:

Water licences do not have a name. The reference described as a name in the question is a summary description of the licence authorisation. This description is not a term or condition of the licence and has no legal effect.

Licence 90SL101060 was issued on 11 November 2010 to replace Licence 90SL51655. The former Licence 90SL51655 was issued in 1995 and was cancelled on its replacement by Licence 90SL101060.

The former Licence 90SL51655 was issued for the purpose of irrigation and authorised the construction and use of a 150mm centrifugal pump, overshot dam, and a cutting; and the irrigation of 10 hectares.

The replacement of Licence 90SL51655 with Licence 90SL101060 in 2010 was made to give effect to the granting of an application to add the purpose of mining to the licence authorisation. The replacement Licence 90SL101060 was issued for the purpose of irrigation and mining, and authorised the construction and use of the 150mm centrifugal pump and overshot dam; and the irrigation of 10 hectares. The replacement Licence 90SL101060 did not authorise the cutting because it had not been constructed and was no longer required.

- (a) The NSW Government.
- (b) The description of the replacement Licence 90SL101060 was changed to reflect the addition of the purpose of mining to the licence authorisation. The description of the replacement Licence 90SL101060 reflects that the purpose of the licence is irrigation and mining, and that the land to which the licence relates is located in the catchment of an unnamed watercourse.
- (c) There are no specific conditions on that licence requiring a meter.
 - (i) N/A
- (d) Yes
- (e) This licence is issued under the *Water Act 1912* and has not converted yet under the *Water Management Act*. At present it has a maximum of 30 ML for irrigation purpose only. The licence also authorises the purpose 'mining [low security]' however no volume is attached to it. On conversion there will be an entitlement for mining provided for that licence.

The licence sits within the Namoi Unregulated and Alluvial Water Sources 2012 Water Sharing Plan. The total volume of this water source - Maules Creek Water Source - Maules Creek Tributaries Management Zone – as estimated in the Water Sharing Plan is 1413 ML, comprising Stock and Domestic - 7 ML; Unregulated - 1406 ML.

Climate Change

252. How much money has the DPI budgeted for each of the next 4 years on research into the impacts and responses to climate change for agriculture?

Answer:

DPI Agriculture has budgeted for approximately \$4 million for expenditure on climate change in agriculture for 2017-18.

253. How much money has the DPI spent for each of the past 4 years on research into the impacts and responses to climate change for agriculture?

Answer:

DPI expenditure on climate change in agriculture has averaged \$4.07 million per annum over the last 4 years (\$16.29 million in total). This reflects expenditure in the climate mitigation and climate adaptation program components which form the Climate Resilience sub program of DPI Agriculture.

Table: NSW DPI Climate Change Expenditure for Agriculture – 2014 to 2017

	2014	2015	2016	2017	Total	Avg
Climate Adaptation	0.08	0.35	1.61	1.62	3.65	0.91
Climate Mitigation	3.96	4.15	2.78	1.74	12.64	3.16
Total	4.05	4.50	4.38	3.36	16.29	4.07

Probity

254. What are the procedures and probity measures used by the Office of Water for the sale or grant of public assets to private companies or individuals?

(a) Are these measures always followed?

Answer:

DPI Water's asset disposal strategy is reflected in the Department of Industry's Asset Utilisation and Recycling Plan (AURP) as submitted to NSW Treasury according to each annual and half yearly Budget request .

Proposed disposals are communicated to the Department of Industry's Corporate Operation's Property Services Team to facilitate the disposal process, including liaising with NSW Property in accordance with Premier & Cabinet M2012-20 Principle 9:-

All proposed real property disposals will be undertaken, managed and approved by Government Property NSW unless Government Property NSW approves another agency undertaking those functions.

Disposal mechanism (Tendering) and associated governance is determined by Property NSW in conjunction with Property Services.

All Department disposals are approved according to the department's asset disposal financial delegation limits.

- (a) Yes, with the current exception of the sale of Nimmie Caira. The sale of Nimmie Caira land, as owned by the Water Administration Ministerial Corporation (WAMC), has not been included in the Department of Industry's Treasury returns to date, as the sale is governed by a Head of Agreement signed by the Commonwealth Minister for Sustainability, Water, Environment, Population and Communities and the NSW Minister for Primary Industries (28 June 2013).

Proceeds from the sale or lease of said property will be used to fund environmental and cultural outcomes as per the Commonwealth funding deed.

Final recommendations for the divestment of the property to a Non-Government entity (NGE), following an open market expression of interest process, will be determined by a governance group comprising representatives from Dept. Agriculture and Water Resources, DPI Water, NSW Treasury and Property NSW. The final decision will be made by the relevant NSW Minister.

H2OX

255. Following the conclusion of the \$425 million Water for Rivers program in 2013, all the data which had been gathered by the program relating to water use and trading was given to private water trading platform H2OX, established by the ex-CEO of Water for Rivers, Neville Smith, in August 2015.

- (a) When was this data made available to H2OX?
- (b) Who made the decision to grant the data to H2OX?
- (c) Was this data granted to H2OX or was it sold?
 - i. If sold, how much for?
- (d) Who owns the data now?
- (e) How was the decision to give this proprietary data collected using tax payers money to H2OX made?
- (f) Did it follow the normal probity measures and procedures?
- (g) Was the value of the data ever independently assessed?
- (h) Was the intended use of the data by H2OX ever formally analysed?
- (i) Were any other businesses offered this data?

Answer:

- (a) DPI Water has no knowledge of having provided data to H2Ox.
- (b) Refer to answer to (a) above.
- (c) Refer to answer to (a) above.
- (d) All usage and trade data generated by the NSW Government remains the property of NSW Government. All trading information, except private detail, is available on the NSW Water Register and is also available via the BOM website.

This includes information on the Water for Rivers savings measures. A summary of the entitlements and allocations to the individual savings measures, the cumulative volumes that have been apportioned to the Snowy and Murray Rivers is publicly available at: http://www.water.nsw.gov.au/__data/assets/pdf_file/0009/548307/snowy-savings-table-march-2017.pdf

- (e) Refer to answer to (a) above.
- (f) Refer to answer to (a) above.
- (g) Refer to answer to (a) above. DPI Water has never had data valued.
- (h) Refer to answer to (a) above.
- (i) All trading information excepting private detail is available on the NSW Water Register and is also available via the BOM website.

256. In 2014, the NSW Ombudsman conducted an investigation into the NSW Office of Water and the Ombudsman's recommendations included "That a review be conducted of policies related to investigations of alleged breaches to the Water management Act 200 or the Water Act 1912" and "That a comprehensive review of the water regulatory system be conducted".

(a) Were these reviews ever carried out?

i. If so, what were the findings and will you make the results of these reviews public?

ii. If not, why not?

(b) What was the full list of recommendations from the Ombudsman's 2014 report?

i. Have each of these been implemented in full?

I. If not, why not?

(c) Will you make the full 2014 Ombudsman's report public?

i. If not, why not?

Answer:

(a) Ombudsman reviews are confidential

(i) N/A

(ii) N/A

(b) Ombudsman reviews are confidential.

(i) N/A

(ii) N/A

(c) Ombudsman reviews are confidential.

(i) N/A

Menindee Lakes

257. The NSW Government has submitted to the MDBA that 'Structural and operational changes at Menindee Lakes' are a supply measure and says that "a package of operational changes and infrastructure works" will be undertaken to "deliver greater water efficiency savings"

(a) What are the new works and measures proposed in this project?

(b) Is the business case for this project publicly available?

(c) How much water will this project save?

(d) How will this project provide improved benefits for environmental outcomes?

(e) What transparent governance arrangements have been set out and how is the NSW Government consulting with communities?

Answer:

- (a) The Menindee Lakes Water Savings Project Concept Design Preliminary Business Case (June 2017) includes a package of five categories of works and measures;
 - 1. Infrastructure works
 - 2. Structure adjustment measures
 - 3. Changes to institutional arrangements and operating rules
 - 4. Concurrent measures
 - 5. Other measures
- (b) The Menindee Lakes Water Savings Project Concept Design Preliminary Business Case (June 2017) contains commercial-in-confidence details that will not be released until the structural adjustment processes have been completed. This is to ensure the report does not adversely impact the water market and commercial negotiations between the Commonwealth and water holders; particularly as this relates to the structural adjustment measures in the Lower Darling and Tandou area.
- (c) The Sustainable Diversion Limit (SDL) Adjustment calculations are not attributed at a singular project level. The water modelling is at the scale of the whole SDL Package. The MDBA has advised that the Menindee proposal is important in creating an adjustment that will 'bridge the gap' to the SDL set by the Basin Plan.
- (d) The Menindee project will involve the creation of a new licence, which will be held by the environmental water holders and, in conjunction with existing environmental water, will provide the opportunity to deliver outcomes in line with environmental watering plans and improve the flexibility in the delivery of water. The Lakes will be managed to reduce the amount of water lost through evaporation. The increased capacity at Menindee Lakes will address current operational constraints and enable realisation of targeted environmental flows and higher flow levels without landholder impacts. Environmental measures will go beyond improvements to environmental flows and include the provision of additional fish passageways.
- (e) Consultation for Menindee includes:
 - Existing inter-jurisdictional working group
 - Existing NSW state agency working group
 - Community advisory panel, to be established in 2018

Details of the community advisory panel will be worked out in early 2018 in the context of a broader engagement strategy of all SDL Projects NSW is involved in. Until this process is established, information will be shared on the project with local communities and

the fuller documentation provided once the Commercial in Confidence processes have been completed.

The framework for project engagement has been provided in the Menindee Lakes Water Savings Project Concept Design Preliminary Business Case (June 2017) and the details of the project will be worked through with the community during the development of the final business case and EIS process.

The Murray–Darling Basin Authority (MDBA) and DPI Water are conducting a series of Basin information sessions to provide an update on the Basin Plan in September 2017 including in Menindee.

The meetings focus on the Sustainable Diversion Limit Adjustment Mechanism, which is a key step in implementing the Basin Plan and is designed to ensure communities appreciate how the Adjustment Mechanism will affect them and why it is so important in the delivery of the Basin Plan.

Old data

258. Under the current Water Management Act, Water Sharing Plans only use data created before when the plans commenced, meaning that they exclude the use of post-2004 data, which excludes the millennium drought and the past 13 years of data, to inform decisions about water releases.

(a) Why are you not using up-to-date flow information held by the New South Wales Office of Water to make decisions about water retention for high security water users?

(b) If up-to-date data had been used how much extra water would have been retained in storages in 2016/17?

(c) Will the Government commit to amending the Water Sharing Plans to ensure that up-to date data is used, even if it results in less water being allocated to irrigators?

Answer:

(a) All available data is used in the design and preparation of policies and water sharing plans. However, rather than lock-up more water every year in reserves to cater for the occasional year of severe drought, stakeholders and communities asked that the water allocation criteria at the commencement of the first plan be retained. In other words, the inflow sequence at the start of the first water sharing plan is assumed when allocating water, as it provides more water to communities than would be provided on the assumption of a repeat of the Millennium drought. This maintains the balance between drought security and productive use of water. Contingency measures are used, rather than increased reserves, to ensure that high priority water needs could always be met.

- (b) The most significant impact would be seen in the Lachlan Valley, as the worst period of low inflows prior to the WSP was about two and a half years, and the worst period to-date including the Millennium Drought is almost four years. This means that on average one additional year of essential requirement volumes would need to be constantly set aside as increased reserve. Depending on the month of the assessment, this impact ranges between 15 per cent to 30 per cent of “lost” General Security allocation (90 to 185 GL), or about 20 per cent per year on average (130 GL).
- (c) The water sharing plans are currently being re-cast as water resource plans, compliant with the Basin Plan and the most up-to-date information is being used. In consultation with stakeholders, allocations will continue to strike a balance between drought security and productive use of water. Further, as part of the water resource planning process, a Managing Extreme Events policy is being developed to provide principles and processes for alternative water access arrangements during extreme events. This policy will importantly provide public transparency for how critical water needs will be met during droughts.

Mathews Report

259. In your evidence to the committee you said that the report was delayed a week so that it “does not prejudice any other investigation”. What investigations specifically are you concerned that releasing it on time would have prejudiced?

Answer:

Please refer to Mr Matthews interim report.

260. How many people were interviewed for the report?

Answer:

Please refer to Mr Matthews interim report.

261. Was Kevin Humphries interview for the report?

Answer:

Please refer to Mr Matthews interim report.

Jamie Morgan

262. When did Jamie Morgan request that a major redeployment of resources for an investigation into non-compliance in the Barwon-Darling?

Answer:

Matters raised in the Four Corners program are covered by the Matthews and other inquiries.

263. Who did he make this request to?

Answer:

Refer to answer to Question 262 above.

264. Why was his request denied?

Answer:

Refer to answer to Question 262 above.

Strategic Investigations Unit

265. How many personnel were in the Strategic Investigations Unit inside the NSW Department of Primary Industries?

Answer:

The number of personnel in the Strategic Investigations Unit changed over time. When the Unit was disbanded there were 6 personnel in the unit.

266. On what date was the Strategic Investigations Unit disbanded?

Answer:

Changes to the Strategic Investigations Unit came into effect on 1 July 2016, as part of NSW water reforms between DPI Water and WaterNSW.

267. Was the decision to disband the Strategic Investigations Unit inside the NSW Department of Primary Industries in any way related to safety concerns, following the murder of EPA compliance officer Glen Turner?

Answer:

No

268. In his evidence to the Committee, Mr Hansen said that the decision to disband the Strategic Investigations Unit was made by “the leader of our regulatory group”. Who is this person?

Answer:

Frank Garofalow, Group Director Water Regulation.

269. How many staff did not make the transition across to water regulatory units in DPI Water or Water NSW after the Strategic Investigations Unit was disbanded?

Answer:

All staff were transferred to water regulatory units in DPI Water or WaterNSW after the Strategic Investigations Unit was disbanded.

270. How many staff from the Strategic Investigations Unit, no longer work for the Department?

Answer:

Three staff members.

Compliance staff

271. Was the decision to restructure compliance staff in any way related to safety concerns, following the murder of EPA compliance officer Glen Turner?

Answer:

No

272. How many compliance staff for DPI Water or WaterNSW are currently working in each of the following regions:

- (a) Central Tablelands
- (b) Central West
- (c) Greater Sydney
- (d) Hunter
- (e) Murray
- (f) North Coast
- (g) North West
- (h) Northern Tablelands
- (i) Riverina
- (j) South East
- (k) Western

Answer:

DPI Water compliance staff are currently based in the following regions:
Central Tablelands, Central West and Western - 5 DPI Water compliance staff
Greater Sydney - 9 DPI Water compliance staff
Hunter - 9 DPI Water compliance staff
Murray - 5 DPI Water compliance staff
North Coast and Northern Tablelands - 4 DPI Water compliance staff
North West - 9 DPI Water compliance staff
Riverina - 2 DPI Water compliance staff
South East - 3 DPI Water compliance staff

DPI Water compliance staff service the whole of NSW depending on operational requirements and are not limited to compliance matters within their regional location.

WaterNSW currently has 74 people (69 permanent and 5 fixed term) involved in compliance activities across the State. Those activities cover customer information services, customer advisory services, Administrative Compliance (issuing Penalty Infringement Notices, advisory/ warning letters, official cautions etc) and Regulatory Compliance (statutory notices, investigations and prosecutions). It is not possible to allocate that total number to each of the regions identified as specialist staff, while based in a particular location, will travel and conduct their functions across large parts of the State.

273. How many compliance staff for DPI Water or WaterNSW were working in each of the following regions before the “water transformation in relation to personnel” referred to in the Minister’s evidence:

- (a) Central Tablelands
- (b) Central West
- (c) Greater Sydney
- (d) Hunter
- (e) Murray
- (f) North Coast
- (g) North West
- (h) Northern Tablelands
- (i) Riverina
- (j) South East
- (k) Western

Answer:

Before the water transformation, DPI Water compliance staff were based in the following regions:

Central Tablelands and Central West - 19 DPI Water compliance staff

Greater Sydney - 11 DPI Water compliance staff

Hunter - 11 DPI Water compliance staff

Murray - 10 DPI Water compliance staff

North Coast and Northern Tablelands - 10 DPI Water compliance staff

North West - 22 DPI Water compliance staff

Riverina - 11 DPI Water compliance staff

South East - 12 DPI Water compliance staff

Western - 2 DPI Water compliance staff

At this time, DPI Water compliance staff serviced the whole of NSW depending on operational requirements and were not limited to compliance matters within their regional location.

Immediately prior to the transfer of functions on 1 July 2016, WaterNSW had 16 permanent staff involved in compliance tasks.

274. How many compliance staff for DPI Water or WaterNSW were working in each of the following regions in each of the years since 2011/12:

- (a) Central Tablelands

- (b) Central West
- (c) Greater Sydney
- (d) Hunter
- (e) Murray
- (f) North Coast
- (g) North West
- (h) Northern Tablelands
- (i) Riverina
- (j) South East
- (k) Western

Answer:

In 2012, DPI Water compliance staff were based in the following regions:

Central Tablelands and Central West - 3 DPI Water compliance staff
 Greater Sydney - 2 DPI Water compliance staff
 Hunter - 1 DPI Water compliance staff
 Murray - 3 DPI Water compliance staff
 North Coast and Northern Tablelands - 2 DPI Water compliance staff
 North West - 2 DPI Water compliance staff
 Riverina - 0 DPI Water compliance staff
 South East - 3 DPI Water compliance staff
 Western - 1 DPI Water compliance staff

In 2013, DPI Water compliance staff were based in the following regions:

Central Tablelands and Central West - 4 DPI Water compliance staff
 Greater Sydney - 4 DPI Water compliance staff
 Hunter - 4 DPI Water compliance staff
 Murray - 5 DPI Water compliance staff
 North Coast and Northern Tablelands - 3 DPI Water compliance staff
 North West - 6 DPI Water compliance staff
 Riverina - 5 DPI Water compliance staff
 South East - 7 DPI Water compliance staff
 Western - 2 DPI Water compliance staff

In 2014, DPI Water compliance staff were based in the following regions:

Central Tablelands, Central West, Western - 27 DPI Water compliance staff
 Greater Sydney, Hunter and South East - 36 DPI Water compliance staff
 Murray, Riverina - 26 DPI Water compliance staff
 North Coast, Northern Tablelands and North West - 23 DPI Water compliance staff

In 2015, DPI Water compliance staff were based in the following regions:

Central Tablelands and Central West - 20 DPI Water compliance staff
 Greater Sydney - 14 DPI Water compliance staff
 Hunter - 11 DPI Water compliance staff
 Murray - 12 DPI Water compliance staff
 North Coast and Northern Tablelands - 13 DPI Water compliance staff
 North West - 23 DPI Water compliance staff
 Riverina - 12 DPI Water compliance staff
 South East - 16 DPI Water compliance staff
 Western - 2 DPI Water compliance staff

At all times, DPI Water compliance staff serviced the whole of NSW depending on operational requirements and were not limited to compliance matters within their regional location.

WaterNSW had the following number of staff working on compliance activities in each of the following years:

2011/12 - 24

2013/14 – 24

2014/15 – 16

2015/16 - 16

Broken Hill Pipeline

275. On what basis did the Minister give evidence to the Committee that “the majority of people of Broken Hill do support the pipeline”?

Answer:

The pipeline is a once-in-a-lifetime opportunity to ensure Broken Hill’s long-term water security. The NSW Government has undertaken an extensive assessment and analysis of all possible solutions – spanning a broad list of 19 options. Each project option was meticulously reviewed by water, infrastructure and financial experts.

A shortlist of project options were further analysed against strict economic, environmental and social criteria – to determine which project best meets the needs of the region and supports Broken Hill’s economic prosperity for years to come. The analysis was performed in a transparent, robust and structured manner – overseen by experts from DPI Water, NSW Public Works and Infrastructure NSW.

276. Why did Gavin Hanlon lie state at a Community Round Table meeting in Broken Hill on March 30th that the Murray-Broken Hill Pipeline Business Case was already uploaded to Water NSW Website and if it wasn't he would make available as soon as possible?

Answer:

Due to the active River Murray to Broken Hill Pipeline tender process, it would commercially disadvantage the NSW taxpayer to release the details of the business case at this point.

While the NSW Government cannot release the document at this stage, it has kept the community informed through the development of the business case, and also throughout the planning and pre-construction phases.

277. Will you guarantee the public release of the assessment of 19 possible project options undertaken by water, engineering and infrastructure experts that led to the decision to construct a new pipeline from the Murray River to Broken Hill once the tender process for the construction of the pipeline is completed?

Answer:

The NSW Government will release information on the business case once WaterNSW has concluded the tender process and once Government is confident it won't impact on the commercial outcomes of the project or on its ability to get the best deal for the people of NSW.

278. Will you guarantee the public release of the business case for the pipeline once the tender process for the construction of the pipeline is completed?

Answer:

The NSW Government will release information on the business case once WaterNSW has concluded the tender process and once Government is confident it won't impact on the commercial outcomes of the project or on its ability to get the best deal for the people of NSW.

279. Where is the tender process for the construction of the pipeline up to?

- (a) When is it expected to be concluded?
- (b) How many tender bids has the government received?

Answer:

Tenders closed on 29 August and are currently being assessed.

- (a) A preferred tenderer will be selected and contract awarded in October 2017.
- (b) In May 2017 WaterNSW shortlisted four firms to tender for the design and construction of the Broken Hill pipeline. The tenderers are: Downer Spiecapag Joint Venture, John Holland/MPC Group JV, McConnell Dowell, and UGL/Veolia.

Illegal flood works

280. Has the Department conducted an assessment of the extent of flood works currently constructed in the Barwon-Darling area that do not have approval?

- (a) How many kilometres of flood works are there which do not have approval?
- (b) How much water do these unapproved flood works hold?
- (c) How many of them are on properties owned by Peter Harris?
 - i. What quantity of water do the unapproved works on properties owned by Peter Harris hold?

Answer:

No, WaterNSW considers applications when they are made to them.

(a) and (b) : N/a

(c) WaterNSW is aware of one unauthorised work the subject of application A006702 which was lodged by Budvalit Pty Ltd of which Peter Harris is a Director.

(i) The works subject to the application are listed as pipes.

281. Are there any ongoing investigations into flood works currently constructed that do not have approval?

(a) If so, how many?

Answer:

The Department does not comment on current investigations.

282. What regulatory tools does the Department have to deal with the construction of flood works without approval?

Answer:

The rules relating to flood works are set in place by various Floodplain Management Plans under Division 5 of the Water Management Act 2000. Note that not all Floodplain Management Plans have rules.

Most specifically, the Department has regulatory tools under sections 90(4), 91D and 256. These sections deal with water management work approvals; construction and use of flood works authorised by a flood work approval and; the construction of fences, structures and flood works.

283. What will happen if an application made for retrospective approval for a flood work is declined?

(a) Will the person who built the illegal work be prosecuted?

(b) Will there be a direction to remove the work?

(c) Will there be an attempt to recover the costs of any water stolen?

Answer:

The applicant would be issued with a letter informing them of the refusal, and in the letter would be advised that the flood work was to be removed to (usually) natural level.

The applicant would be given a time period for that removal and a check should be undertaken to ensure that the work had been removed.

If the work was found not to have been removed, a further breach would be reported.

- (a) The subject of prosecution would depend on the impact of the works, and the record of the landholder and their willingness to cooperate in the process and willingness to achieve compliance. Legislative actions run from warning letters, directions, Penalty Infringement Notices (PINs), then prosecution. Prosecutions could involve fines as well as possible convictions.
- (b) Yes there should be direction to remove the work in the advisory letter. A formal direction would be issued if there was a failure to remove the work.
- (c) It is unknown if this would be a possibility, as the calculation of floodplain harvesting is difficult and more so in areas where there are no floodplain management plans in place. To recover the costs it would have to be proven how much was harvested, used and how much was lost to evaporation and seepage. Then a calculation would have to be made as to the material cost of the water involved. As most harvesting occurs in areas over prolonged periods of time, water prices in the market are highly variable over time.

Phone call with irrigators

284. Who was on the phone call reported on the ABC's 4 Corners between Gavin Hanlon and Irrigators in which he said: "in terms of having structure and detail and discussions in confidence, I only do it here"?

Answer:

Matters raised in the Four Corners program are covered by the Matthews and other inquiries.

285. Have any other staff members of from the DPI faced any action, disciplinary or otherwise, following the 4 Corners report?

- (a) If so, who and what?

Answer:

Matters raised in the Four Corners program are covered by the Matthews and other inquiries.

Wilcannia Weir

286. For how long have the people of Wilcannia been asking for a new weir?

Answer:

Wilcannia weir was built in 1942 and upgraded in 1988 following an investigation completed in 1986. Since the upgrade in 1988, Council initiated some investigative work in 1997.

287. How many investigations have been conducted by the NSW Government into the construction of a new weir for Wilcannia?

Answer:

Since the upgrade in 1988, there have been three further options investigations and one geotechnical investigation. These do not include the latest scoping study and business case finalised in 2016.

288. In the investigation into options referred to by the Minister in his evidence to the committee:

- (a) What were the options that were presented?
- (b) What was the option that was calculated at \$10 million?
- (c) What was the cost-benefit ratio determined for the option calculated at \$10 million?
- (d) What was considered in the cost-benefit analysis?
- (e) Were the amenity values of a new weir considered as part of the cost-benefit ratio?
- (f) Were the cultural values of a new weir considered as part of the cost-benefit ratio?

Answer:

- (a) A number of downstream site options were considered as part of the community consultative process, with a single downstream site eventually adopted for the business case following a multi criteria analysis. Three options were then assessed in detail in the business case including:

- do nothing
- replace the weir at the existing site
- construct a new weir downstream.

In addition to these, a fourth option of upgrading the existing weir, to address structural issues, was included as an appendix to the business case but was not assessed in detail as the business case focused on weir replacement.

- (b) The exact costs of the options have not been publically released.
- (c) The cost benefit ratio has not been publically released.
- (d) Whilst there are multiple potential social, cultural, environmental and health benefits, some are quantifiable and others are not. The cost benefit ratio analysis considered quantifiable benefits, such as avoided costs associated with bore water and other pumping, and reductions in water restrictions.

- (e) Whilst there are multiple potential social, cultural, environmental and health benefits, some are quantifiable and others are not. The cost benefit ratio considered quantifiable benefits.
- (f) Whilst there are multiple potential social, cultural, environmental and health benefits, some are quantifiable and others are not. The cost benefit ratio considered quantifiable benefits.

Use of artificial intelligence

289. 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

Answer:

As outlined in the Digital Government Strategy, the NSW Government will continue to explore the use of cognitive and machine learning, and related Artificial Intelligence technologies, to simplify processes, eliminate duplication, and improve customer experience.

290. What planned uses does the department have for artificial intelligence?

Answer:

Refer to the answer to Question 289.

291. What policy guidelines, if any, guide the exploration and use of artificial intelligence by the department?

Answer:

Refer to the answer to Question 289.

292. What research, if any, has the department undertaken regarding the use of AI in Government services?

Answer:

Refer to the answer to Question 289.

Water Sharing Plan

293. With respect to licences within the Water Sharing Plan for the Barwon-Darling Unregulated and Alluvial Water Sources

- (a) What are the total number of A class licences?
- (b) What are the total number of B class licences?
- (c) What are the total number of C class licences?
- (d) What are the total number of active A class licences?
- (e) What are the total number of active B class licences?
- (f) What are the total number of active C class licences?
- (g) What are the total number of inactive A class licences?
- (h) What are the total number of inactive B class licences?
- (i) What are the total number of inactive C class licences?

Answer:

(a) 121

(b) 84

(c) 18

(d) – (i) DPI Water does not classify licenses as active or inactive, rather they classify water access licences as current, cancelled and suspended.

Of the total number of water access licences:

6 of 121 A class licences have a cancelled status

2 of 84 B class licences have a cancelled status

3 of 18 C class licences have a cancelled status

294. With respect to licence holders within the Water Sharing Plan for the Barwon-Darling Unregulated and Alluvial Water Sources

(a) What are the number of holders of each of A, B and C class licences (i.e if a person holds three A class licences – that is counted as 1 person)?

(b) What is the number of holders of active licences of each of A, B and C class licences?

(c) What is the number of holders of active licences irrespective of class (i. if a person holds 3 A class and 2 B class that is counter as one person)?

(d) What is the number of holders of inactive licences of each of A, B and C class?

(e) What is the breakdown of other licence holders, including number of licences in each category and volumes of entitlements (for example, town water supplies, joint stock and domestic schemes)

(f) What is the cumulative total volume of annual water entitlement in A, B and C class held by the two largest licence holders?

(g) What is the total volume of annual water entitlement in each class held by the Commonwealth Water holder?

Answer:

- (a) Each water access licence is held by a holder. A particular holder may have one or more water access licences. The total number of holders for each class is A class – 121; B class – 84; C class – 18.
- (b) It is difficult to ascertain if a licence is active or not. A work approval may not be in use, however the associated access licence may in fact be active as it is being actively traded (allocation assignment) and utilised by another party.
- (c) 158
- (d) Inactive licences are mainly environmental water where there is no take of water and water is reserved for salinity management.
- (e)

Category	Volume (M/L) of unit shared	Number of water access licence/s
Aquifer	5	1
Domestic and stock	2845	23
Local Water Utility	5593	8
Salinity and Water Table Management	3300	1
Unregulated River	1488	1

(f) DPI Water can provide the share components held by the two largest licence holders in A, B & C class:

Class	Share Component	Holder
A	4031.5	Bengerang Limited
	500	Francis John & Robyn Jean Old
B	33517.1	Bengerang Limited
	13261	Peter & Jane Maree Harris
C	26278	Budvalt Pty Ltd
	6963	Commonwealth of Australia

(g) DPI Water does not hold the details of annual water entitlement. DPI Water does hold the share component in A, B and C class for the Commonwealth of Australia:

Class	Total Share Component	Holder
A	73	Commonwealth of Australia
B	12329	Commonwealth of Australia
C	12498	Commonwealth of Australia

295. With respect to the account water balances in the Water Sharing Plan for the Barwon-Darling Unregulated and Alluvial Water Sources

- (a) What are the total volumes of water in each of A, B and C class accounts as at 1 July 2016?
- (b) What are the actual or estimated total volumes of water of each of A, B and C class accounts as a 1 July 2017?

Answer:

- (a)
 - A class – 64,877 unit shares
 - B class – 710,489 unit shares
 - C class – 355,895 unit shares

- (b)
 - Barwon Darling usage for 2016-17 water year has not yet been reconciled.

296. With respect to the concessional conversions allowed under the Water Sharing Plan for the Barwon-Darling Unregulated and Alluvial Water Sources

- (a) What were the total volumes of water converted from B class to A class during the period that Concessional Conversions were allowable?
- (b) What were the total volumes of water converted from C class to A class during the period that Concessional Conversions were allowable?
- (c) What were the total volumes of water converted from C class to B class during the period that Concessional Conversions were allowable?
- (d) What were the total volumes of B and C Class water that had not accessed the Concessional Conversion option prior to 30 June 2017, being the date this concessional opportunity is understood to have ceased?

Answer:

- (a) 2514 shares were converted from B to A class (under a 173 GL CAP model).
- (b) Conversions from C to A are not permissible in the WSP. No conversions from C to A occurred pre-WSP
- (c) 20,206 shares were converted from C to B class (under a 173 GL CAP model)
- (d) The Concessional Conversion limits are defined in the Water Sharing Plan at:
<https://www.legislation.nsw.gov.au/#/view/regulation/2012/488/sch7>

The schedule in the Water Sharing Plan excluded 85SA12503 which had an A class concessional conversion allowance of 2514 shares.

Total conversion allowances were:
A – 2799 shares ie including 85SA12503
B - 25674 share
C – 3927 shares

The allowances remaining that could have converted at 1 July were:
A – 285 shares (ie 2799 – 2514)
B – 5468 shares (ie 25674 – 20206)
C – 3927 shares

297. With respect basic right holders

- (a) What is the estimated number of stock and domestic users?
- (b) What is the estimated number of other basin right users?

Answer:

- (a) There are 20 domestic and stock holder licences in the Barwon Darling, representing 967.5ML of licenced water.
- (b) Under the *Water Management Act 2000*, an owner or occupier of a landholding is entitled to take water from a river, estuary or lake which fronts their land or from an aquifer which is underlying their land for domestic consumption and stock watering without the need for an access licence. This is a domestic and stock right.

298. Please provide the length of the river in each reach within the Water Sharing Plan for the Barwon-Darling Unregulated and Alluvial Water Sources

Answer:

Water Sharing Plan for the Barwon Darling Unregulated and Alluvial Water Sources
2012 - Management Zones

Zone	Name	Length (km)
1	Mungindi to Boomi River Confluence Management Zone	59.64
2	Boomi River Confluence to Upstream of Mogil Mogil Weir Pool Mgt Zone	40.13
3	Mogil Mogil Weir Pool Management Zone	4.08
4	Downstream Mogil Mogil to Collarenebri Management Zone	35.80
5	Collarenebri to Upstream Walgett Weir Pool Management Zone	23.27
6	Walgett Weir Pool Management Zone	6.94
7	Downstream Walgett to Boorooma Management Zone	117.19
8	Boorooma to Brewarrina Management Zone	116.18
9	Brewarrina to Culgoa River Junction Management Zone	93.93
10	Culgoa River Junction to Bourke Management Zone	88.87
11	Bourke to Louth Management Zone	225.12
12	Louth to Tilpa Management Zone	133.56
13	Tilpa to Wilcannia Management Zone	275.45
14	Wilcannia to Upstream Lake Wetherell Management Zone	144.82

Nature of the investigation

299. Why did the Minister change his mind and move the investigation away from the Secretary and appoint Mr Ken Matthews?

Answer:

Mr Matthews was appointed because he is a former Commonwealth Department Head with a long and accomplished career in the Australian Public Service and has significant experience in water management issues.

Mr Matthews served as the foundation Chair and Chief Executive Officer of the National Water Commission (NWC) responsible for working with the State and Territory governments to implement the National Water Initiative, an inter-governmental agreement to improve national water management.

300. How much work had been undertaken by the Secretary or his office prior to Mr Matthews appointment?

Answer:

The Secretary had taken appropriate steps available to him but did not commence an investigation himself.

301. Was this your decision, or were you instructed to move the investigation to someone outside your Department?

Answer:

Both the Minister and the Secretary agreed an independent investigation was required and Ken Matthews was appointed on 26 July to lead that investigation.

302. Did the Secretary undertake any investigative work prior to the appointment of Mr Matthews?

Answer:

See response to 301.

Ken Matthews team

303. Can you advise who is on Ken Matthews team?

Answer:

We cannot comment on individual staff members or contractors. Mr Matthews selected all team members.

304. Did you or your office have any contact with Ken Matthews since his appointment?

Answer:

On Monday 7 August 2017 the Secretary of the Department of Industry and I met Mr Matthews for an introductory meeting during which I offered him whatever resources he required for the duration of his inquiry. Mr Matthews indicated he was very happy with the arrangements in place for the conduct of his independent investigation. He also provided me with a broad overview of

his investigation, however no specific allegations were discussed. On Saturday 9 September, Mr Matthews provided a briefing on the findings of his interim report.

305. Did you or your office have any contact with any member of the team?

Answer:

No

306. When did you receive any iteration of the Ken Matthews report?

Answer:

On Friday 8 September I received a copy of Mr Matthews interim report, however as I was on a trade mission in China, I was not briefed on its contents until after my return to Sydney on Saturday 9 September.

Monica Marona

307. Where there other DPI Water officers on the conference call Hanlon had with irrigator lobbyists?

Answer:

The NSW Government takes the matters raised by Four Corners very seriously, as evidenced by the immediate action taken to establish Ken Matthews' independent investigation.

Mr Matthews' interim report has recommended a comprehensive set of reforms in a Water Management Compliance Improvement Package.

The package sets out strategic structural reforms, administrative and operational improvements for water management in NSW, as well as recommendations for improved compliance across the Murray Darling Basin Authority and better protections for environmental flows.

The Government accepts the principles set out in the Water Management Compliance Improvement Package and taking action on the issues identified in the report will start immediately.

The Government has already started investigating the steps to create a new Natural Resource Asset Division and Natural Resource Access Regulator as flagged in the interim report.

The report found a sufficient case may exist for the Secretary to commence misconduct processes against staff members whose actions may not have been in keeping with departmental policies and procedures.

I note the Secretary issued a statement this month about the resignation of the former Deputy Director General at DPI Water.

I will not be commenting on individual staff members, current or former, nor on any matters that might be the subject of further investigations or separate actions.

308. Who were they?

Answer:

Please see response to 308.

309. What action did they take following the call?

Answer:

Please see response to 308.

310. Was Monica Morona, the Director of Stakeholder Relations on the call?

Answer:

Please see response to 308.

311. Does Monica Morona's career involve experience in working for irrigators and as a staffer to Liberal and Nationals MPs?

Answer:

Please see response to 308.

312. If she was on the call, she would be fully aware of what was going on - why hasn't she been stood down?

Answer:

Ms Morona no longer works for the Department.

Tara Black

313. What role has the Secretary's office played in the Matthews inquiry?

Answer:

The Secretary's office is ensuring the inquiry has the necessary resources to complete its work. It is not involved in the investigation itself.

314. Was any member of the Secretary's office privy to any aspect of the Mathews investigation? If so - in what way?

Answer:

No.

315. Is it true that the Director of the Office of the Secretary is Ms Tara Black – who spent almost a decade working as a political staffer in Andrew Stoner’s office?

Answer:

We cannot comment on individual staff, but Ms Black is not currently working in the Office of the Secretary, nor has done so in the period since the 4 Corners program was broadcast.

316. Have you or your office had any conversations with Ms Black since the Four Corners program on the Barwon Darling was aired?

Answer:

Ms Black holds a senior role in the Department of Primary Industries which requires her to interact with me and my office on a regular basis. She carries out this role with integrity. As her role has nothing to do with either water policy or regulation, neither I or my office have had any discussion with her on any matters raised in the Four Corners program or any related issue.

Gavin Hanlon meeting

317. Were you or your staff aware that Mr Hanlon was offering debadged information to certain irrigators or their representatives?

Answer:

No.

318. Are you confident Mr Hanlon’s other bosses, - the Director General of Primary Industries – or the Secretary of Industry – or their offices – knew of Mr Hanlon’s activities prior to the Four Corners report.

Answer:

I am satisfied that neither the Secretary of the Department of Industry nor the Director General of the Department of Primary Industries were aware of the activities outlined in the Four Corners program, however these matters are now covered by the Matthews and other inquiries.

319. Minister – was anyone associated with your office involved in that meeting?

Answer:

No.

320. When did you first become aware of the secret meetings held by Mr Hanlon?

Answer:

As part of their research for the Four Corners program, producers put a series of questions to the Department of Primary Industries including a number of questions in relation to consultation with stakeholders. These questions and DPI's answers are on the Four Corners website. However I was unaware of any of the specific allegations until they were aired on Monday 24 July 2017.

Water Theft Allegations

321. On what date did the Minister first become aware that Peter Harris, an associate of Peter Harris, or a business that Peter Harris or associates own or operate had applied to WaterNSW for approval of works?

Answer:

I have no role in processing applications. I first became aware of the applications following media reports and the matter being put to me in Question Time on 8 August 2017. As Hansard shows, I took the question on notice at that time. The answer was prepared by WaterNSW and received in my office on 22 August before being submitted to the Clerk of the Legislative Council. The question was also answered by CEO WaterNSW during Budget Estimates on 1 September.

322. During your time as Minister, how many times have you met with:

- (a) Jack Harris?
- (b) Ron Harris?
- (c) Anthony Barlow?
- (d) representatives of Miralwyn?
- (e) representatives of Burren Downs?
- (f) representatives of Rumleigh?
- (g) representatives of Clyde Cotton?
- (h) representatives of Webster Limited?

Answer:

(a) – (h): My diaries are publicly available and comply with Premier's Memorandum M2015-05.

323. During your time as Minister, how many times have you communicated with:

- (a) Jack Harris?
- (b) Ron Harris?
- (c) Anthony Barlow?
- (d) representatives of Miralwyn?
- (e) representatives of Burren Downs?
- (f) representatives of Rumleigh?
- (g) representatives of Clyde Cotton?
- (h) representatives of Webster Limited?

Answer:

(a) – (h): My ministerial role involves ‘communicating with’ a broad range of stakeholders on a broad range of issues via a range of mediums including TV, radio, online and print as well as direct correspondence and meetings. It is therefore not possible to specifically answer this non-specific question. However, if I take the question to refer to how many times I have directly communicated with any of the above on matters either broadly or specifically related to allegations raised in the Four Corners program, the answer is none.

324. Do you believe Kevin Humphries behaved ethically in his time as the Minister for Water?

Answer:

The NSW Ministerial Code of Conduct prescribes standards of ethical behaviour and imposes internal governance practices directed toward ensuring that possible breaches of ethical standards are avoided. The NSW Ministerial Code of Conduct is adopted for the purposes of section 9 of the Independent Commission Against Corruption Act 1988. The Code of Conduct is issued by the Premier.

325. Did you or your Minister’s office ever receive allegations regarding Mr Humphries conduct as Water Minister?

Answer:

No.

Gavin Hanlon

326. Since July 1 2016, how many meetings have you attended with Gavin Hanlon?

Answer:

Matters raised in the Four Corners program, including the conduct of NSW officials, are covered by the Matthews and other inquiries.

327. Since July 1 2016, how many functions have you attended with Gavin Hanlon?

Answer:

Matters raised in the Four Corners program, including the conduct of NSW officials, are covered by the Matthews and other inquiries.

328. Since July 1 2016, how many letters have you received from Gavin Hanlon?

Answer:

Matters raised in the Four Corners program, including the conduct of NSW officials, are covered by the Matthews and other inquiries.

329. Since July 1 2016, how many letters have you sent Gavin Hanlon?

Answer:

Matters raised in the Four Corners program, including the conduct of NSW officials, are covered by the Matthews and other inquiries.

330. Since July 1 2016, how many emails have you received from Gavin Hanlon?

Answer:

Matters raised in the Four Corners program, including the conduct of NSW officials, are covered by the Matthews and other inquiries.

331. Since July 1 2016, how many emails have you sent Gavin Hanlon?

Answer:

Matters raised in the Four Corners program, including the conduct of NSW officials, are covered by the Matthews and other inquiries.

332. Since July 1 2016, how many briefings have you received from Gavin Hanlon?

Answer:

Matters raised in the Four Corners program, including the conduct of NSW officials, are covered by the Matthews and other inquiries.

333. Did you or your office receive/send any communication from/ to Gavin Hanlon, between July 25 2017 and the establishment of the Matthews inquiry?

Answer:

Matters raised in the Four Corners program, including the conduct of NSW officials, are covered by the Matthews and other inquiries.

Meeting and Function with Peter Harris

334. With regard to the dinner at a Chinese restaurant on 29 October 2015 in Moree in which Peter Harris attended:

- (a) What time did the dinner start?
- (b) What time did the dinner end?

- (c) What time did you arrive?
- (d) What time did you depart?
- (e) What were the names of the attendees seated either side of you at the table?
- (f) What were the names of the attendees seated at your table?
- (g) What was the total cost of this function for your Ministerial office?
- (h) How many Departmental personnel attended?
- (i) What is the position title of each Departmental attendee?
- (j) How many staff from your Ministerial office attended?
- (k) What is the name and position title of each Ministerial Office attendee?
- (l) In what capacity did Peter Harris attend?
- (m) Which stakeholder group did Peter Harris represent?
- (n) Was an agenda prepared for this dinner?
- (o) Will you release the agenda and any draft agendas prepared for this dinner?

Answer:

(a) – (o): My diaries are publicly available and comply with Premier's Memorandum M2015-05. As outlined in the Media Release I issued on 31 October 2015, the purpose of the visit was to discuss the impact of the drought on local farmers.

335. With regard to the meeting in the Crown Lands office in May 2015, in which Peter Harris attended:

- (a) What date and time did the meeting take place?
- (b) What time did the meeting finish?
- (c) What was the total cost of this function for the Department?
- (d) What was the total cost of this function for your Ministerial office?
- (e) How many Departmental personnel attended?
- (f) What is the position title of each Departmental attendee?
- (g) How many staff from the your Ministerial office attended?
- (h) What is the name and position title of each Ministerial Office attendee?
- (i) In what capacity did Peter Harris attend?
- (j) Which stakeholder group did Peter Harris represent?
- (k) Who else was in attendance and what organisations, corporations or lobby groups did they represent?
- (l) What food or drinks were provided?
- (m) Were minutes or notes of this meeting taken?
- (n) Will you release the minutes or notes of this meeting?
- (o) Was a draft agenda of this meeting prepared?
- (p) Will you release the agenda and any draft agendas prepared for this meeting?

Answer:

(a) – (p): My diaries are publicly available and comply with Premier's Memorandum M2015-05. As outlined in the Media Release I issued on 19 May 2015, the purpose of the meeting was to discuss the impact of the water embargo on local farmers.

Matthews Inquiry

336. What is total cost of the inquiry to date for the Department?

Answer:

The total cost for the Inquiry will not be known until next year.

337. What is the total estimated cost of the inquiry?

Answer:

The total cost for the Inquiry will not be known until next year.

338. What monies has the Department set aside for costs incurred in relation to the inquiry?

Answer:

The investigation is ongoing and Ken Matthews and his team have the resources required to complete their work.

Public Interest Disclosures

339. What training does your Department provide to staff, whose responsibilities involve compliance, regarding Public Interest Disclosures? Please provide as much detail as possible.

Answer:

A new PID Policy was approved in August 2016 which provides for all Senior Executives to be able to accept PID reports. This is a substantial increase in the number of people to whom staff can raise concerns regarding possible corruption or misconduct.

In addition to accessing on-line training which is available at any time, a face-to-face training program for Senior Executives and staff is being conducted in conjunction with the NSW Ombudsman.

That training provides information on the role of the NSW Ombudsman, the process for making a PID, the specific aspects of the NSW Industry PID Policy, the responsibilities of Senior Executives, strategies to minimise the risk to staff making a PID and managing the parties involved in the disclosure.

340. How many public interest disclosures were made by employees of the Department of Primary Industry in 2016-2017?

(a) How many were primarily about corrupt conduct?

Answer:

Three PIDs were received by the Department of Industry during 2016-2017.

One of those was anonymous, but could reasonably be concluded as having been made by a NSW DPI staff member due to the subject and level of detail in the content.

Another was made by a NSW DPI staff member, however, it concerned the actions of a staff member from a different Division of NSW Industry.

The remaining matter did not concern NSW DPI.

(a) Both DPI related PIDs concerned potential corrupt conduct.

341. How many public interest disclosures were made by employees of Water NSW in 2016-2017?

Answer:

Nil

342. How many public interest disclosures have been made since 1 July 2017 by employees of the Department of Primary Industry?

(a) How many were primarily about corrupt conduct?

Answer:

Three PIDs have been received from DPI staff since 1 July 2017.

(a) One PID by a DPI staff member concerned possible corrupt conduct

343. How many public interest disclosures have been made since 1 July 2017 by employees of WaterNSW?

Answer:

Nil

Water Theft

344. Of the 500 allegations that have been “looked into” by your compliance teams over the last five years:

- (a) How many resulted in no further action?
- (b) How many resulted in warnings?

- (c) How many resulted in penalty notices being issued?
- (d) How many resulted in prosecutions?
- (e) How many resulted in fines?
- (f) How much has actually been paid in fines?

Answer:

666 warning letters were issued from 2012-13 to 2016-17.
 306 penalty notices were issued from 2012-13 to 2016-17.
 18 prosecutions were undertaken from 2012-13 to 2016-17.

345. What is the maximum penalty available for water theft or breaches of water licences?

- (a) On how many occasions in the last five years has the maximum penalty been imposed?

Answer:

The maximum penalty available for water theft under section 60A or 60C of the *Water Management Act 2000* is a Tier 1 penalty, being:

- for a corporation - 20,000 penalty units (\$2.2 million) and, in the case of a continuing offence, a further penalty of 2,400 penalty units (\$264,000) for each day the offence continues
- for persons other than a corporation - 2 years imprisonment or 10,000 penalty units (\$1.1 million), or both and, in the case of a continuing offence, a further penalty of 1,200 penalty units (\$132,000) for each day the offence continues.

Under section 17 of the *Crimes (Sentencing Procedure) Act 1999*, a penalty unit is equal to \$110.

The maximum penalty available for breaches of water access licences under section 60B of the *Water Management Act 2000* is a Tier 2 penalty, being:

- for a corporation - 10,000 penalty units (\$1.1 million) and, in the case of a continuing offence, a further penalty of 1,200 penalty units (\$132,000) for each day the offence continues
- for persons other than a corporation - 2,250 penalty units (\$247,500), and, in the case of a continuing offence, a further penalty of 600 penalty units (\$66,000) for each day the offence continues.

Under section 17 of the *Crimes (Sentencing Procedure) Act 1999*, a penalty unit is equal to \$110.

- (a) The application and degree of penalties are the responsibility of the court system. The maximum penalty has never been applied.

346. Can a breach of a water licenses result in the cancellation of water licences?

Answer:

Yes, under section 78(1) of the *Water Management Act 2000* the Minister may cancel a water access licence on specified grounds, including:

- the licence holder failed to comply with any term or condition of the licence, or
- the licence holder has been convicted of an offence against the Act or regulations.

347. Are irrigators in the southern valleys required to use government water meters?

Answer:

Yes, for some users in selected Water Sharing Plan areas.

348. Are irrigators in the northern valleys required to use government water meters?

Answer:

No

349. Will you release to the public all the documents that Gavin Hanlon released to the irrigators' lobbyists, including documents that were "de-badged" and legal advice?

Answer:

Matters raised in the Four Corners program, including the conduct of NSW officials, are covered by the Matthews and other inquiries.

350. Apart from Gavin Hanlon, how many DPI Water staff were on the teleconference with irrigator lobbyists?

(a) What positions did these people hold at the time of the teleconference?

(b) Have any of these people been stood aside or stood down?

(c) Do they still hold the same positions? If so, why?

Answer:

Please see response 307.

351. Who were the participants on the Hanlon teleconference and what organisations did they represent?

Answer:

Please see response 307.

352. How many stakeholder engagement sessions did Gavin Hanlon participate in during 2015, 2016 and 2017?

(a) Will you release the minutes, file notes and records of these stakeholder engagement sessions?

Answer:

This matter is subject to ongoing inquiries, including an independent review currently being undertaken by Ken Matthews. Mr Matthews' interim report has been released (<http://www.industry.nsw.gov.au/about/our-business/independent-review-water-management-and-compliance>) and a final report is expected by November 2017.

The Department is fully cooperating with these investigations.

(a) This matter is subject to ongoing inquiries, including an independent review currently being undertaken by Ken Matthews. Mr Matthews' interim report has been released (<http://www.industry.nsw.gov.au/about/our-business/independent-review-water-management-and-compliance>) and a final report is expected by November 2017.

The Department is fully cooperating with these investigations

353. Will you reveal the names of the irrigators who have applied for exoneration under the Government's new regulation to retrospectively approve illegal works?

(a) If so, who?

Answer:

See answer to Q 321. In addition DPI Water is currently processing a number of applications for controlled works approvals submitted under and prior to the repeal of Part 8 of the *Water Act 1912*. These applications seek to gain approval for existing constructed flood works. Any controlled works approvals granted through this process would be converted to a flood work approval under the *Water Management Act 2000*.

Floodplain management plans which have commenced for the Barwon-Darling valley and Gwydir valley permit applications for a flood work approval for a flood structure which was constructed at the plan commencement date. The plans provide a number of assessment criteria which the flood work must meet in order for the approval to be granted. These rules recognise some flood works are critical for protecting life and property, and reducing potential negative socio-economic impacts from flooding.

Applications for flood work approvals received under the *Water Management Act 2000*, lodged by irrigators, would generally be assessed by WaterNSW.

All new applications from irrigators, resulting from the Barwon Darling Floodplain Management Plan that do not have an application for approval currently lodged, would be a matter for WaterNSW.

354. How many of the irrigators who have applied for approval for illegal works are donors to the National Party?

Answer:

Applications for works approvals are processed by the appropriate authority. Matters in relation to political donations are handled by the Head Office of the NSW Nationals.

355. Have you ever been lobbied by an MP to drop enforcement action by DPI Water against an irrigator?

Answer:

No.

356. Where you aware of the widespread theft of water and a lack of compliance with existing water rules when you abolished the special investigations unit?

Answer:

I reject the assumptions of the question. Matters raised in the Four Corners program, including the conduct of NSW officials, are covered by the Matthews and other inquiries.

357. Why do the Terms of Reference provided to Ken Matthews not require him to investigate whether Minister Humphries had “given a room full of irrigators permission to pump” during an embargo, as reported on Four Corners?

Answer:

Matters raised in the Four Corners program, including the conduct of NSW officials, are covered by the Matthews and other inquiries.

358. Why do the Terms of Reference restrict Matthews’s investigation to only the four alleged cases of water theft highlighted on Four Corners?

(a) Should there be other instances of water theft reported to Matthews, how will these be investigated?

Answer:

Mr Matthews was asked to investigate the allegations made in the program and to report on any further potentially illegal or corrupt activities his investigation may identify.

- (a) The Matthews Investigation is still open for inquiries. Should other instances of water theft be reported they will be investigated.

359. Does the Public Interest Disclosure Act apply to the Matthews investigation?

Answer:

A Public Interest Disclosure Act offers protections for public officials to make a report to a public or investigative authority, such as the Ombudsman or ICAC.

All staff offering information to the Matthews' Inquiry have been and will continue to be advised that if they would prefer to make statements in line with the PID Act, they will be given the opportunity to do so.

A PID submission will be accepted if information provided shows an honest belief, based on reasonable grounds, that corrupt behaviour or misconduct has occurred.

PID submissions can be assessed by a Department Senior Executive, the Ombudsman or ICAC.

360. Are any of the four investigative officers engaged to support the Matthews investigation currently employed in DPI?

Answer:

No.

361. Have any of the investigative officers engaged to support the Matthews investigation previously been employed in the NSW public sector?

- (a) If so, when did their employment in the NSW public sector cease?

Answer:

Yes.

- (a) We cannot comment on individual staff members.

362. Are any of the staff engaged to support the Matthews investigation currently employed by DPI or elsewhere in the NSW public sector?

- (a) If so, where have they previously been employed?

Answer:

None of the staff engaged by the Matthews investigation are employed by DPI Water.

(a) N/A

Murray Pipeline

363. What will be the annual recurrent cost of running the \$500 million Murray to Broken Hill pipeline?

Answer:

Tenders are currently being assessed and a determination on the annual recurrent cost of running the pipeline will be made once the contract is awarded.

364. Who will meet the ongoing recurrent costs of running the Murray to Broken Hill pipeline?

Answer:

The upfront capital costs of the pipeline will be fully funded by WaterNSW. Once constructed, ongoing costs will be funded by both the NSW Government and Essential Water as determined by IPART. IPART will ensure that the share of the cost borne by Essential Water is fair and affordable. All other costs above that will be met by the NSW Government.

365. Will you release the business case before signing the final contracts on the Murray to Broken Hill pipeline?

Answer:

The NSW Government will release information on the business case once WaterNSW has concluded the tender process and once Government is confident it won't impact on the commercial outcomes of the project or on its ability to get the best deal for the people of NSW.

366. Will you reveal to the community who will pay the ongoing annual costs of the Murray to Broken Hill pipeline before contracts are signed?

Answer:

The Government has previously stated publicly that the upfront capital costs of the pipeline will be fully funded by WaterNSW and that, once constructed, ongoing costs will be funded by both the NSW Government and Essential Water as determined by IPART.

The Independent Pricing and Regulatory Tribunal (IPART) will ensure that the share of the cost borne by Essential Water is fair and affordable. All other costs above that will be met by the NSW Government.

Stakeholder Engagement

367. With regard to the stakeholder dinner held in a Chinese restaurant in Moree in October 2015 with irrigators:

- (a) What was the name of the restaurant?
- (b) What was the total cost of this function for the Department?
- (c) What dishes were served?
- (d) How much was spent in total on drinks?
- (e) How much was spent on beer?
- (f) How much was spent on wine?
- (g) How much was spent on spirits and liqueurs?
- (h) Who was in attendance and what organisations, corporations or lobby groups did they represent?
- (i) As a Departmental function, were any photographs taken to record the dinner?
- (j) As a Departmental function, were any notes or minutes taken of the discussion?
- (k) Who issued the invitations to the dinner?
- (l) Who drew up and approved the invitation list?
- (m) Who made the booking with the restaurant?

Answer:

See answer to Q 334.

368. During your time as Minister, how many dinners in Chinese restaurants have you hosted for representatives of indigenous communities with an interest in the health of our river systems?

Answer:

My diaries are publicly available and comply with Premier's Memorandum M2015-05.

369. During your time as Minister, how many dinners in Chinese restaurants have you hosted for representatives of environmental groups with an interest in the health of our river systems?

Answer:

My diaries are publicly available and comply with Premier's Memorandum M2015-05.

370. During your time as Minister, how many other lunches, breakfasts, brunches, dinners, cocktail parties and soirees have you hosted for irrigators?

Answer:

My diaries are publicly available and comply with Premier's Memorandum M2015-05.

Warragamba Dam wall

371. What estimates have been made of the additional area of land which will need to be added to the Warragamba Special Area if the dam wall is lifted?

Answer:

The Flood Strategy does not propose a change to the permanent full supply level of Warragamba Dam. The modelled temporary inundation extent undertaken to inform the Flood Strategy is within the boundary of the current Warragamba Special Area.

WaterNSW will determine through the environmental impact assessment process any impacts to the Warragamba Special Area.

372. Given the raising of the dam will flood World Heritage-listed Blue Mountains national parks and destroy large areas of wild rivers and native vegetation, will the dam wall project's environmental assessment consider these environmental impacts?

Answer:

An Environmental Impact Statement will be prepared for the project in accordance with Part 3 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*. As the project has also been determined a Controlled Action under the *Environment Protection and Biodiversity Conservation Act 1999*, any Protected Matters that may be impacted by the project will be included within the assessment.

373. Will any additional land need to be acquired for the extension of the inundation zone or Special Areas?

(a) What is the cost of the land to be acquired?

Answer:

The Flood Strategy does not propose a change to the permanent full supply level of Warragamba Dam. The modelled temporary inundation extent undertaken to inform the Flood Strategy is within the boundary of the current Warragamba Special Area.

WaterNSW will determine through the environmental impact assessment process any impacts to the Warragamba Special Area.

374. Has the Minister consulted the EPA about the environmental impacts of the proposed upgrade of the dam?

Answer:

WaterNSW made an application to the Department of Planning and Environment for the project to be State Significant Infrastructure. During the development of the Secretary's Environmental Assessment Requirements (SEARs) various government departments were consulted for their specific input.

375. Will the government revoke any of the declaration of Blue Mountains national parks (for example, Blue Mountains, Kanagra Boyd and Nattai NPs and Yerranderie and Burragorang State Conservation Areas) if the Warragamba Dam wall is lifted?

Answer:

This is a matter for the environmental impact assessment.

Office Administration

376. 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?

Answer:

Refer to answer to Question 177.

377. 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?

Answer:

Refer to answer to Question 178.

378. 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?

Answer:

Refer to answer to Question 179.

379. Has any artwork been purchased or leased for display in your ministerial office in 2016-17?

(a) What is the cost of this?

Answer:

Refer to Question 180.

380. 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?

Answer:

Refer to answer to Question 181

381. 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?

Answer:

Refer to answer to Question 182.

382. 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?

Answer:

Refer to answer to Question 183.

383. What was the total amount your office spent on stationery?

Answer:

Refer to answer to Question 184.

384. 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?

Answer:

Refer to answer to Question 185.

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

(a) What is the monthly cost of this?

Answer:

Refer to answer to Question 186.

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

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

Answer:

Refer to answer to Question 187.

387. 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

Answer:

Refer to answer to Question 188.

388. 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?

Answer:

Refer to answer to Question 189.

Hospitality

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

Answer:

Refer to answer to Question 190.

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

Answer:

Refer to answer to Question 191.

Labour Hire Firms

391. 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

Answer:

Refer to answer to Question 192.

Media and Public Relations

392. 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?

Answer:

Refer to answer to Question 193.

393. 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:

Refer to answer to Question 194.

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

Answer:

Refer to answer to Question 195.

395. By how much has the number of media or public relations advisers employed for each of your portfolio agencies increased since 2011-12 to the current date?

Answer:

Refer to answer to Question 196.

396. By how much has the expenditure on media or public relations advisers employed for each of your portfolio agencies increased since 2011-12 to the current date?

Answer:

Refer to answer to Question 197.

397. 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 2016-17?

Answer:

Refer to answer to Question 198.

Facebook

398. How much did your ministerial office spend on Facebook advertising or sponsored posts in 2016-17?

Answer:

Refer to answer to Question 199.

399. How much did your Department/agency spend on Facebook advertising or sponsored posts in 2016-17?

Answer:

Refer to answer to Question 200.

Overseas Trips

400. 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:

Refer to answer to Question 201

401. 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:

Refer to answer to Question 202.

Department/Agency Travel

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

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

Answer:

Refer to answer to Question 203.

403. 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?

Answer:

Refer to answer to Question 204.

Consulting

404. 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?

Answer:

Refer to answer to Question 205.

405. 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

Answer:

Refer to answer to Question 206.

Department/Agency Staffing

406. 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?

Answer:

Refer to answer to Question 207.

407. What was the expenditure on senior executive service employees employed by Departments/agencies within your portfolio in 2016-17?

(a) How much was this number in 2011-12?

Answer:

Refer to answer to Question 208.

408. What was the number of internal legal counsel employees employed by Departments/agencies within your portfolio in 2016-17?

(a) How much was this number in 2011-12?

Answer:

Refer to answer to Question 209.

409. What was the expenditure on internal legal counsel employees employed by Departments/agencies within your portfolio in 2016-17?

(a) How much was this number in 2011-12?

Answer:

Refer to answer to Question 210.

410. 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?

Answer:

Refer to answer to Question 211.

411. 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:

Refer to answer to Question 212.

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

Answer:

Refer to answer to Question 213.

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

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

Answer:

Refer to answer to Question 214.

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

Answer:

Refer to answer to Question 215.

Smart Phone Accounts

415. 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?

Answer:

Refer to answer to Question 216.

416. 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?

Answer:

Refer to answer to Question 217.

Websites Visited

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

Answer:

Refer to answer to Question 218.

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

Answer:

Refer to answer to Question 219.

Merchant fees

419. 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:

Refer to answer to Question 220.

420. 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:

Refer to answer to Question 221.

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

Answer:

Refer to answer to Question 222.

Probity Auditor

422. 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:

Refer to answer to Question 223.

TRADE AND INDUSTRY

Use of artificial intelligence

423. 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

Answer:

Refer to answer to Question 21.

424. What planned uses does the department have for artificial intelligence?

Answer:

Refer to answer to Question 22.

425. What policy guidelines, if any, guide the exploration and use of artificial intelligence by the department?

Answer:

Refer to answer to Question 23.

426. What research, if any, has the department undertaken regarding the use of AI in Government services?

Answer:

Refer to answer to Question 24.

Office Administration

427. 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?

Answer:

Refer to answer to Question 177.

428. 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?

Answer:

Refer to answer to Question 178.

429. 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?

Answer:

Refer to answer to Question 179.

430. Has any artwork been purchased or leased for display in your ministerial office in 2016-17?

(a) What is the cost of this?

Answer:

Refer to answer to Question 180.

431. 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?

Answer:

Refer to answer to Question 181.

432. 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?

Answer:

Refer to answer to Question 182.

433. 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?

Answer:

Refer to answer to Question 183.

434. What was the total amount your office spent on stationery?

Answer:

Refer to answer to Question 184.

435. 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?

Answer:

Refer to answer to Question 185.

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

(a) What is the monthly cost of this?

Answer:

Refer to answer to Question 186.

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

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

Answer:

Refer to answer to Question 187.

438. 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

Answer:

Refer to answer to Question 188.

439. 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?

Answer:

Refer to answer to Question 189.

Hospitality

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

Answer:

Refer to answer to Question 190.

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

Answer:

Refer to answer to Question 191.

Labour Hire Firms

442. 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

Answer:

Refer to answer to Question 192.

Media and Public Relations

443. 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?

Answer:

Refer to answer to Question 193.

444. 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:

Refer to answer to Question 194.

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

Answer:

Refer to answer to Question 195.

446. By how much has the number of media or public relations advisers employed for each of your portfolio agencies increased since 2011-12 to the current date?

Answer:

Refer to answer to Question 196.

447. By how much has the expenditure on media or public relations advisers employed for each of your portfolio agencies increased since 2011-12 to the current date?

Answer:

Refer to answer to Question 197.

448. 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 2016-17?

Answer:

Refer to answer to Question 198.

Facebook

449. How much did your ministerial office spend on Facebook advertising or sponsored posts in 2016-17?

Answer:

Refer to answer to Question 199.

450. How much did your Department/agency spend on Facebook advertising or sponsored posts in 2016-17?

Answer:

Refer to answer to question 200.

Overseas Trips

451. 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:

Refer to answer to question 201.

452. 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:

Refer to answer to Question 202.

Department/Agency Travel

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

(a) Taxi hire

(b) Limousine/private car hire

(c) Hire car rental

(d) Ridesharing services

Answer:

Refer to answer to Question 203.

454. 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?

Answer:

Refer to answer to Question 204.

Consulting

455. 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?

Answer:

Refer to answer to Question 205.

456. 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

Answer:

Refer to answer to Question 206.

Department/Agency Staffing

457. 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?

Answer:

Refer to answer to Question 207.

458. What was the expenditure on senior executive service employees employed by Departments/agencies within your portfolio in 2016-17?

- (a) How much was this number in 2011-12?

Answer:

Refer to answer to Question 208.

459. What was the number of internal legal counsel employees employed by Departments/agencies within your portfolio in 2016-17?

- (a) How much was this number in 2011-12?

Answer:

Refer to answer to Question 209.

460. What was the expenditure on internal legal counsel employees employed by Departments/agencies within your portfolio in 2016-17?

- (a) How much was this number in 2011-12?

Answer:

Refer to answer to Question 210.

461. 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?

Answer:

Refer to answer to Question 211.

462. 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:

Refer to answer to Question 212.

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

Answer:

Refer to answer to Question 213.

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

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

Answer:

Refr to answer to Question 214.

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

Answer:

Refer to answer to Question 215.

Smart Phone Accounts

466. 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?

Answer:

Refer to answer to Question 216.

467. 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?

Answer:

Refer to answer to Question 217.

Websites Visited

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

Answer:

Refer to answer to Question 218.

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

Answer:

Refer to answer to Question 219.

Merchant fees

470. 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:

Refer to answer to Question 220.

471. 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:

Refer to answer to Question 221.

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

Answer:

Refer to answer to Question 222.

Probity Auditor

473. 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:

Refer to answer to Question 223.