

No.	Transcript (with Question)	Proposed Response
1.	<p><u>EIS TIMELINE</u></p> <p>The Hon. PENNY SHARPE: What is the timeframe from here to the start of constructions? What timeframe are we looking at for a decision point in the first instance and then the starting of construction, if approved?</p> <p>DAVID GAINSFORD: I think that would be a question better for WaterNSW in terms of the time frames.</p> <p>RONAN MAGAHARAN Yes, thank you Mr Gainsford. I think obviously we have just received, as I pointed out in my opening statement, and Mr Gainsford has pointed, out a large number of filed submissions which we now need to work through and provide to the department in the form of that submissions report. We still are establishing what we believe is the timeframe we are going to need to respond to those adequately, and as such that is where we are in the process. That process we will then hand over to Mr Gainsford and sit down to what next steps need to be taken in terms of determining the EIS.</p> <p>The Hon. PENNY SHARPE: Thank you for that. That is the process, but are you able to give me any ballpark figure? How long do you think that will take WaterNSW to get to that point where it then goes to planning?</p> <p>RONAN MAGAHARAN We are still working through that, as you appreciate—</p> <p>The Hon. PENNY SHARPE: Yes, I know I appreciate it. A month, three months, six months?</p> <p>RONAN MAGAHARAN It definitely will be more than a month. The process will be months.</p> <p>The Hon. PENNY SHARPE: Three months? I will not hold you to it. I am just trying to</p>	<p>At this point of time we anticipate the Response to Submissions report to be submitted to the Department of Planning in the middle of the year. However, this timeframe is reliant upon discussions with agencies on the extent of their further requirements. Once this is established WaterNSW will be able to provide a more accurate completion date.</p>

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	<p>get an understanding of the timeframe is in terms of decision making.</p> <p>RONAN MAGAHARAN I am happy to take that on notice and come back to you with an estimate for a discussion with the team to understand what we believe we can do.</p>	
2.	<p><u>2015 DOCUMENT – LEGISLATIVE CHANGES</u></p> <p>The Hon. ADAM SEARLE: Mr Chair, I have got some questions, if that is okay. [Audio malfunction] I will proceed until interrupted. This is a question to WaterNSW. Ms Sharpe asked about whether or not any legislation had been prepared in relation to the issue of statutory limitation of liability for the operator of the dam.</p> <p>I think the answer was no, but has WaterNSW sought from government as part of this process any commitment to such legislation, bearing in mind there is a 2015 document from WaterNSW saying that extensive legislative change around those issues for directors, officers and others in relation to the operation of the dam was necessary as part of this project?</p> <p>RONAN MAGAHARAN: Thank you for that question. I would first say if the project was to proceed there are a number of elements related with WaterNSW's operating licence and its works approval which a change would need to be made to as a result of the change in operation of the dam. The item which you refer to I would have to take on notice and answer that further in order to provide the Committee with an adequate response.</p> <p>The Hon. ADAM SEARLE: By "the item" you mean the document I was referring to?</p> <p>RONAN MAGAHARAN: I do not have a copy of that document.</p>	<p>The <i>Water NSW Act</i> already grants WaterNSW the legislative power and some statutory protections to undertake flood mitigation activities. However, changes to subordinate instruments (including the WaterNSW operating license and works approval) are required for WaterNSW to execute this responsibility in Greater Sydney.</p>

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	<p>The Hon. ADAM SEARLE: I am happy to provide a copy of this to the Committee so it can be forwarded to you, so you can take this on notice.</p>	
3.	<p><u>LEGISLATIVE CHANGES</u></p> <p>The Hon. ADAM SEARLE: Is it your evidence that any legislative changes are necessary?</p> <p>RONAN MAGAHARAN: I am not aware and I would have to take that on notice to understand that in more detail, but, as it stands, we do know that those changes to our works approval and operating licence would be required.</p>	<p>The <i>Water NSW Act</i> already grants WaterNSW the legislative power and some statutory protections to undertake flood mitigation activities. However, changes to subordinate instruments (including the WaterNSW operating license and works approval) are required for WaterNSW to execute this responsibility in Greater Sydney.</p>
4.	<p><u>SMEC CONTRACT RENEGOTIATION</u></p> <p>The CHAIR: I am happy to jump in for a little bit. I wanted to continue with some of my questions from earlier, but this time redirect them to WaterNSW, so potentially you, Mr Magaharan. The contract with SMEC, are you able to provide the Committee with advice on the value of the contract to prepare the EIS?</p> <p>RONAN MAGAHARAN: I do not have that number in front of me, but I understand those figures are available on our website and in our annual reporting.</p> <p>The CHAIR: I will have a look there. Can you provide us with advice on how many times the contract has been renegotiated since, I think it was initially 2017 when it was started</p> <p>RONAN MAGAHARAN: No, I would not be able to provide you that advice here today. I do not have that in front of me.</p> <p>The CHAIR: Could you take it on notice?</p>	<p>SMEC was engaged by WaterNSW as a consultant in mid-2017 and a variation was approved once in late 2020 to address changes to the scope of services. The contract has not been renegotiated.</p>

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	RONAN MAGAHARAN: Sure. Yes, absolutely.	