



Mr David Blunt
Clerk of the Parliaments
Legislative Council
Parliament House
Macquarie Street
Sydney NSW 2000

Dear Mr Blunt

Order for Papers – Changes to water restrictions in the Greater Sydney region

I refer to the above resolution of the Legislative Council under Standing Order 52 made on 11 November 2021 and your correspondence of 12 November 2021.

I am now delivering to you documents referred to in that resolution. The documents have been obtained from:

- NSW Treasury
- Department of Planning, Industry and Environment
- Water NSW.

Enclosed at **Annexure 1** are certification letters from the following officers certifying that, to the best of their knowledge, either all documents held and covered by the terms of the resolution and lawfully required to be provided have been provided or that no documents are held:

- Executive Director – Parliament, Office of the Premier
- Chief of Staff, Office of the Treasurer
- Chief of Staff, Office of the Minister for Water, Property and Housing
- General Counsel, Department of Planning, Industry and Environment
- General Counsel, NSW Treasury
- Chief Executive Officer, Water NSW.

I can also certify that, to the best of my knowledge, the Department of Premier and Cabinet does not hold any documents which are covered by the terms of the resolution and are lawfully required to be provided.

Enclosed at **Annexure 2** is an index of all the non-privileged documents that have been provided in response to the resolution.

Should you require any clarification or further assistance, please contact the Legal Branch of the Department of Premier and Cabinet.

Yours sincerely

Michael Coutts-Trotter
Secretary

[Click here to enter a date.](#)

Two boxes non-privileged documents received at 4.00pm Thursday 2 December 2021



Mr Mark Hare
Executive Director, Legal
Legal Branch, Office of General Counsel
Department of Premier and Cabinet
Level 14, 52 Martin Place
SYDNEY NSW 2000

Dear Mr Hare

Standing Order 52 – Order for Papers – Changes to Water Restrictions in the Greater Sydney region

I refer to the Department of Premier and Cabinet's correspondence of 18 November 2021 in relation to a Standing Order 52 on changes to water restrictions in the Greater Sydney region.

I certify to the best of my knowledge that no documents that are covered by the terms of the resolution, and required to be provided, are held by the Office of the Premier of NSW.

Please contact me on (02) 8574 5000 if you have any questions in relation to this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read "Peter Phelps", with a long, sweeping flourish extending to the right.

Peter Phelps
Executive Director – Parliament
Office of the Premier



The Hon. Matt Kean MP
Treasurer
Minister for Energy and Environment

25 November 2021

Mr Mark Hare
Executive Director, Legal
Legal Branch, Office of General Counsel
Department of Premier and Cabinet
Level 14, 52 Martin Place
SYDNEY NSW 2000

Dear Mr Hare,

STANDING ORDER 52 – Order for Papers – Changes to water restrictions in the Greater Sydney region

I refer to the Legislative Council's Standing order 52 dated 11 November 2021:

*That, under standing order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created between 1 December 2019 and 30 June 2020 in the possession, custody or control of the Minister for Water, Property and Housing, Premier, Department of Premier and Cabinet, Treasurer, Treasury, Department of Planning, Industry and Environment and Water NSW relating to **changes to water restrictions in the Greater Sydney region**:*

- a) all documents relating to changes to water restrictions in the Greater Sydney region, and*
- b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.*

Because the order refers only to the Treasurer, it has been interpreted to apply to the Treasurer and Minister for Energy and Environment in his capacity as Treasurer only.

I note that as the Treasurer was appointed to the position on 5 October 2021, the scope of this order falls outside of this period.

Should you require further information, please do not hesitate to contact the Office on (02) 8574 6150.

Yours Sincerely,

Ben Coles
Chief of Staff
Office of the Hon. Matt Kean MP
Treasurer and Minister for Energy and Environment

24 November 2021

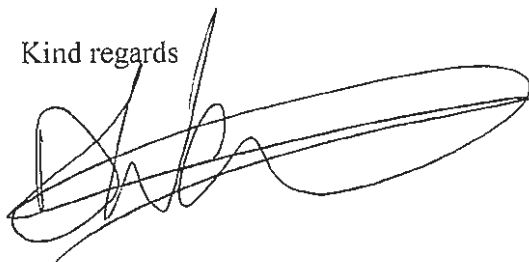
Mr Matt Richards
A/Executive Director, Legal Branch
Department of Premier and Cabinet
Level 14, 52 Martin Place
SYDNEY NSW 2000

Dear Mr Richards

Order for Papers – Standing Order 52 – Changes to water restrictions in the Greater Sydney region

I certify to the best of my knowledge that no documents are held by the Office of the Hon Melinda Pavey MP that are covered by the terms of the resolution and are lawfully required to be provided.

Kind regards

A handwritten signature in black ink, appearing to read 'D Walther', written over a horizontal line.

Douglas Walther
Chief of Staff to the Hon Melinda Pavey MP
Minister for Water, Property and housing



Mr Mark Hare
Executive Director, Legal
Office of General Counsel
Department of Premier and Cabinet
Level 14, 52 Martin Place
SYDNEY NSW 2000

Dear Mr Hare

I refer to correspondence from Department of Premier and Cabinet concerning an order for papers under Standing Order 52 passed by the Legislative Council on 11 November 2021 and titled "*Changes to Water restrictions in the Greater Sydney region*".

Enclosed at Annexure 1 is an index of the documents that have been provided in response to the resolution.

The Department has provided the documents that are responsive to the Order including all documents that evidence a decision, step in an administrative process, statement of policy position or approach or which are otherwise material to the subject of the Order. The Department has not produced ephemeral or facilitative records, as those terms are defined by *State Records Regulation 2015*, Schedule 2 ie:

- *ephemeral*, in respect of records, means records of little value that only need to be kept for a limited or short period of time.
- *facilitative*, in respect of records, means records of little value and of a routine instructional nature that are used to further some activity.

The terms of the order captured a large volume of formal correspondence sent to members of the public about changes to water restrictions. The Department has produced a template of the response letter rather than the individual responses that were sent to members of the general public. If the House is seeking the individual letters please these can be provided.

I certify to the best of my knowledge that all documents held by the Department that are covered by the terms of the order and lawfully required to be provided have been provided.

If you have any questions or would like further information, please contact Jessica Khalil, Senior Information Access and Privacy officer on 02 9895 7597.



James Hebron
General Counsel
Department of Planning, Industry and Environment
November 2021

Encl.

1. Index of non-privileged documents

29 November 2021

Mr. Mark Hare
Executive Director, Legal
Legal Branch, Office of General Counsel
Department of Premier and Cabinet
Level 14, 52 Martin Place
SYDNEY NSW 2000

Dear Mr. Hare,

ORDER FOR PAPERS – 11 NOVEMBER 2021 – GREATER SYDNEY WATER RESTRICTIONS

I refer to the Order for Papers issued under Standing Order 52 by the Legislative Council on 11 November 2021, for Greater Sydney Water Restrictions (**Order**). This Certification accompanies the documents returned in response to the Order.

I certify, to the best of my knowledge, that all documents held by WaterNSW that are covered by the terms of the Order and are lawfully required to be provided have been provided.

Yours sincerely,

A handwritten signature in black ink, appearing to be "Andrew George", written in a cursive style.

Andrew George
Chief Executive Officer



Treasury

Contact: Peter Brandt
Telephone: 9228 3517
Our reference: TA21/2160

Mr Mark Hare
Executive Director, Office of General Counsel
Department of Premier and Cabinet
Level 14, 52 Martin Place
SYDNEY NSW 2000

Dear Mr Hare,

Standing Order 52 – Order for Papers – Greater Sydney Water Restrictions

I refer to the Legislative Council's Standing Order 52 passed on 11 November 2021, calling for the tabling of documents relating to Greater Sydney Water Restrictions. The resolution requires the tabling of papers by Thursday, 2 December 2021.

Claim of privilege

No claim of privilege is made in relation to the produced documents.

Certification

I certify that to the best of my knowledge, all documents provided in this return that are covered by the terms of the resolution and are lawfully required to be provided, have been provided by NSW Treasury.

If you require further information, please contact Peter Brandt, Senior Information Access and Governance Officer on (02) 9228 3517 or at iag@treasury.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be "Charles Cho", written over a horizontal line.

Charles Cho
General Counsel
NSW Treasury

29 November 2021

DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT
ORDER FOR PAPERS – Changes to water restrictions in the Greater Sydney region
NON - PRIVILEGED

Created between 1 December 2019 and 30 June 2020;

Part (a) *all documents relating to changes to water restrictions in the Greater Sydney region, and*

Document No.	Document	Date of Creation	Author	Privilege Claim
DPIE.WRGS.01	200122 Level 3 Restrictions	24- Jan - 2020	Sydney Water	No
DPIE.WRGS.02	SW Drought Report January 2020 (002)	Dec - 2019	Sydney Water	No
DPIE.WRGS.03	Sydney Water Restrictions Glow Research Results_April 2020	24 – April - 2020	Sydney Water	No
DPIE.WRGS.04	Greater-Sydney-Monthly-Drought-Report-Summer-2020	3 – March - 2020	WaterNSW	No
DPIE.WRGS.05	Greater-Sydney-Monthly-Drought-Report-December-2019	12 – December – 2019	WaterNSW	No
DPIE.WRGS.06	Standard wording/example response to member of the public on Water Restrictions in Greater Sydney used during March/April 2020	Undated	DPIE	No

Part (b) *any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.*

There are no documents for the order

ORDER FOR PAPERS

**DOCUMENTS PREPARED BY WATERNSW
IN RELATION TO GREATER SYDNEY WATER RESTRICTIONS (DATED 11 NOVEMBER 2021)**

NON-PRIVILEGED DOCUMENTS

Document ID	Relevant Item	Document Type	Title	Document Date	Author	Privilege Claim
WWR.001.001.0025	(a)	Email	FW: [Sensitive] Fact check of HYR draft	3/12/2019 8:48	Water NSW	No
WWR.001.001.0027	(a)	Document	Water commentary - HYR.docx	2/12/2019 16:59	NSW Treasury	No
WWR.001.001.0430	(a)	Email	Political Alert - Level two water restrictions from tomorrow in Greater Sydney and the Illawarra (NSW)	9/12/2019 13:16	CCH Parliament <politicalalert@cc h.com.au>	No
WWR.001.001.0431	(a)	Document	343W2000.PDF	13/12/2019 17:49	Mark Taylor	No
WWR.001.001.2076	(a)	Email	Water Restrictions	10/02/2020 17:00	Water NSW	No
WWR.001.001.2077	(a)	Email	RE: Water Restrictions	10/02/2020 17:14	Water NSW	No
WWR.001.001.2378	(a)	Email	FW: FOR URGENT REVIEW	14/02/2020 16:32	Water NSW	No
WWR.001.001.2380	(a)	Document	water restrictions L2 to L1MC edits.docx	14/02/2020 14:59	Sydney Water	No
WWR.001.001.2381	(a)	Email	FW: FW: FOR URGENT REVIEW	14/02/2020 17:23	Water NSW	No
WWR.001.001.2383	(a)	Image	image001.png	14/02/2020 16:06		No
WWR.001.001.2384	(a)	Document	water restrictions L2 to L1MC edits.docx	14/02/2020 17:21	Water NSW	No
WWR.001.001.2420	(a)	Email	Estimates call Tuesday 1pm	17/02/2020 13:08	DPIE	No
WWR.001.001.2422	(a)	Email	FW: Estimates call Tuesday 1pm	17/02/2020 13:34	Water NSW	No

Document ID	Relevant Item	Document Type	Title	Document Date	Author	Privilege Claim
WWR.001.001.2424	(a)	Email	Fwd: Melinda Pavey Media Alert - 1pm TODAY - Grahamstown Dam	18/02/2020 7:52	Water NSW	No
WWR.001.001.2425	(a)	Document	Minister Pavey media alert - 1pm TODAY - Ferodale NSW.pdf	18/02/2020 7:52	Mark Taylor	No
WWR.001.001.2430	(a)	Email	FW: Melinda Pavey Media Alert - 1pm TODAY - Grahamstown Dam	18/02/2020 8:45	Minister's Office	No
WWR.001.001.2431	(a)	Document	Minister Pavey media alert - 1pm TODAY - Ferodale NSW.pdf	18/02/2020 6:45	Mark Taylor	No
WWR.001.001.2432	(a)	Email	RE: Melinda Pavey Media Alert - 1pm TODAY - Grahamstown Dam	18/02/2020 8:49	Water NSW	No
WWR.001.001.2441	(a)	Email	Political Alert - Greater Sydney water restrictions expected to be relaxed on 1 March (NSW)	18/02/2020 9:59	CCH Parliament <politicalalert@cc h.com.au>	No
WWR.001.001.2442	(a)	Document	049X2803.PDF	18/02/2020 10:00	Mark Taylor	No
WWR.001.001.2447	(a)	Email	Political Alert - Relaxing water restrictions irresponsible: Greens (NSW)	18/02/2020 12:19	CCH Parliament <politicalalert@cc h.com.au>	No
WWR.001.001.2448	(a)	Document	049X2500.PDF	18/02/2020 12:19		No
WWR.001.001.2449	(a)	Email	FW: Political Alert - Relaxing water restrictions irresponsible: Greens (NSW)	18/02/2020 12:47	Water NSW	No
WWR.001.001.2450	(a)	Document	049X2500.PDF	18/02/2020 12:47		No
WWR.001.001.2453	(a)	Email	FW: Political Alert - Relaxing water restrictions irresponsible: Greens (NSW)	18/02/2020 13:01		No
WWR.001.001.2454	(a)	Document	049X2500.PDF	18/02/2020 12:19		No
WWR.001.001.2455	(a)	Email	FW: Political Alert - Relaxing water restrictions irresponsible: Greens (NSW)	18/02/2020 13:01	Water NSW	No
WWR.001.001.2456	(a)	Document	049X2500.PDF	18/02/2020 13:01		No
WWR.001.001.2457	(a)	Email	FW: Estimates call Tuesday 1pm	18/02/2020 13:04	Water NSW	No
WWR.001.001.2461	(a)	Email	RE: Political Alert - Relaxing water restrictions irresponsible: Greens (NSW)	18/02/2020 14:17	Water NSW	No

Document ID	Relevant Item	Document Type	Title	Document Date	Author	Privilege Claim
WWR.001.001.2462	(a)	Document	Media statement - Restrictions and Water Quality - Feb 2020.docx	18/02/2020 14:15	Water NSW	No
WWR.001.001.2464	(a)	Email	Re: Political Alert - Relaxing water restrictions irresponsible: Greens (NSW)	18/02/2020 14:31	Water NSW	No
WWR.001.001.2476	(a)	Email	Holding statement RE restrictions and WQ	18/02/2020 15:30	Water NSW	No
WWR.001.001.2477	(a)	Document	Media statement - Restrictions and Water Quality - Feb 2020.docx	18/02/2020 15:29	Water NSW	No
WWR.001.001.2479	(a)	Document	Greens press release.PDF	18/02/2020 15:29		No
WWR.001.001.2556	(a)	Email	Greater Sydney Drought Report	19/02/2020 11:45	Water NSW	No
WWR.001.001.2852	(a)	Email	RE: URGENT - Monthly drought report	21/02/2020 9:00	Water NSW	No
WWR.001.001.2854	(a)	Document	WNSW MO Drought Report - 20 February 2020.docx	6/11/2021 23:06	Water NSW	No
WWR.001.001.2858	(a)	Email	Fw: URGENT - Monthly drought report	21/02/2020 9:34	Water NSW	No
WWR.001.001.2861	(a)	Document	WNSW MO Drought Report - 20 February 2020.docx	6/11/2021 23:06	Water NSW	No
WWR.001.001.2979	(a)	Email	Content Manager Document : D2020/17330 : WNSW MO Drought Report - 24 February 2020	24/02/2020 15:21	Water NSW	No
WWR.001.001.2980	(a)	Document	WNSW MO Drought Report - 24 February 2020.DOCX	6/11/2021 23:06	Water NSW	No
WWR.001.001.2985	(a)	Email	WNSW MO Drought Report - 24 February 2020	24/02/2020 16:07	Water NSW	No
WWR.001.001.2986	(a)	Document	WNSW MO Drought Report - 24 February 2020.DOCX	15/12/2020 17:53	Water NSW	No
WWR.001.001.3228	(a)	Email	Customer E-Newsletter February 2020	28/02/2020 12:35	Water NSW	No
WWR.001.001.3233	(a)	Email	Customer E-Newsletter February 2020	28/02/2020 12:35	Water NSW	No
WWR.001.001.3297	(a)	Email	Fwd: Melinda Pavey med rel - GREATER SYDNEY WATER RESTRICTIONS EASED TO LEVEL 1 FROM TODAY	1/03/2020 6:19	Water NSW	No

Document ID	Relevant Item	Document Type	Title	Document Date	Author	Privilege Claim
WWR.001.001.3299	(a)	Document	01032020 Melinda Pavey med rel - GREATER SYDNEY WATER RESTRICTIONS EASED TO LEVEL 1 FROM TODAY.pdf	1/03/2020 6:19	Mark Taylor	No
WWR.001.001.3342	(a)	Email	Political Alert - Greater Sydney water restrictions eased to level 1 from today (NSW)	2/03/2020 8:18	CCH Parliament <politicalalert@cch.com.au>	No
WWR.001.001.3343	(a)	Document	061X2701.PDF	2/03/2020 8:19	Mark Taylor	No
WWR.001.001.3365	(a)	Email	Greater Sydney Monthly Drought Report Summer 2020_FINAL	2/03/2020 14:12	Water NSW	No
WWR.001.001.3366	(a)	Document	Greater Sydney Monthly Drought Report Summer 2020.docx	6/11/2021 23:09	Water NSW	No
WWR.001.001.3505	(a)	Email	Greater Sydney Drought Report	4/03/2020 13:12	Water NSW	No
WWR.001.001.3506	(a)	Document	Greater Sydney Monthly Drought Report Summer 2020.docx	6/11/2021 23:13	Water NSW	No
WWR.001.001.3589	(a)	Email	Content Manager Document : D2020/22597 : WNSW MO Drought Report - 9 March 2020	9/03/2020 15:51	Water NSW	No
WWR.001.001.3590	(a)	Document	WNSW MO Drought Report - 9 March 2020.DOCX	6/11/2021 23:15	Water NSW	No
WWR.001.001.3833	(a)	Email	March Board Report	17/03/2020 12:32	Water NSW	No
WWR.001.001.3834	(a)	Document	WaterNSW Board Meeting - March 2020 - Drought Dashboard Board.docx	6/11/2021 23:16	Water NSW	No
WWR.001.001.3845	(a)	Email	Fw: March Board Report	17/03/2020 13:55	Water NSW	No
WWR.001.001.3846	(a)	Document	WaterNSW Board Meeting - March 2020 - Drought Dashboard Board.docx	6/11/2021 23:16	Water NSW	No
WWR.001.001.3879	(a)	Email	FW: WaterNSW MO Drought Report - submitted 10 March 2020	18/03/2020 13:45	Water NSW	No
WWR.001.001.3880	(a)	Document	WNSW MO Drought Report - 10 March 2020.docx	18/03/2020 13:43	Water NSW	No
WWR.001.001.3922	(a)	Email	WNSW MO Drought Report - 19 March 2020	19/03/2020 11:05	Water NSW	No
WWR.001.001.3923	(a)	Document	WNSW MO Drought Report - 19 March 2020.DOCX	19/03/2020 10:56	Water NSW	No

Document ID	Relevant Item	Document Type	Title	Document Date	Author	Privilege Claim
WWR.001.001.4520	(a)	Email	FW: Water Sector Leadership Group meeting	1/04/2020 17:08	Water NSW	No
WWR.001.001.4708	(a)	Email	Content Manager Document : D2020/31513 : WNSW MO Drought Report - 6 April 2020	6/04/2020 15:34	Water NSW	No
WWR.001.001.4709	(a)	Document	WNSW MO Drought Report - 6 April 2020.DOCX	6/11/2021 23:22	Water NSW	No
WWR.001.001.4720	(a)	Email	FW: Minister's Drought Report and Rainfall Event Update	6/04/2020 16:59	Water NSW	No
WWR.001.001.4721	(a)	Document	WNSW MO Drought Report - 6 April 2020.docx	15/12/2020 22:30	Water NSW	No
WWR.001.001.4726	(a)	Document	Minister Rainfall Event Briefing 06 Apr 2020.DOCX	6/04/2020 16:55	Water NSW	No
WWR.001.001.4895	(a)	Email	Question for Interagency Drought Report - 15 April 2020	15/04/2020 11:05	Water NSW	No
WWR.001.001.4896	(a)	Document	Interagency Drought Report - 15 April 2020 (WaterNSW) BS.docx	6/11/2021 23:26	Water NSW	No
WWR.001.001.5844	(a)	Email	Greater Sydney Operations report	8/05/2020 13:12	Water NSW	No
WWR.001.001.5847	(a)	Email	Greater Sydney Operations report	8/05/2020 13:12	Water NSW	No
WWR.001.001.6596	(a)	Email	Greater Sydney Storage and supply report	4/06/2020 17:47	Water NSW	No
WWR.001.001.7283	(a)	Document	WNSW MO Drought Report - 2 April 2020.DOCX	18/11/2021 17:01	Water NSW	No
WWR.001.001.7300	(a)	Document	Greater Sydney Monthly Drought Report - Summer 2020.pdf	26/11/2021 19:21	Water NSW	No
WWR.001.001.7305	(a)	Document	Greater-Sydney-Monthly-Drought-Report-December-2019.pdf	26/11/2021 19:21	Water NSW	No

NSW TREASURY

ORDER FOR PAPERS – CHANGES TO WATER RESTRICTIONS IN THE GREATER SYDNEY REGION NON-PRIVILEGED DOCUMENTS

Document No.	Item	Document	Date of creation	Author	Privilege claim N/P
1	(a)	Blank email	5/03/2020	Treasury	N
3	(a)	Request for feedback on a draft version of the Metropolitan Water Plan cabinet submission	4/03/2020	Treasury	N
6	(a)	Notification that the Metropolitan Water Plan cabinet submission has been uploaded on to eCabinet	17/03/2020	DPIE	N
11	(a)	Request for feedback on a draft version of the Metropolitan Water Plan cabinet submission	6/03/2020	DPIE	N
14	(a)	Covering email for the attachment of a draft of the Metropolitan Water Plan cabinet submission	2/03/2020	DPIE	N
16	(a)	Covering email for the attachment of papers for a Sydney Drought Committee meeting	28/02/2020	DPIE	N
17	(a)	Minutes of a Sydney Drought Committee meeting	20/01/2020	DPIE	N
18	(a)	Agenda of a Sydney Drought Committee meeting	17/02/2020	DPIE	N
21	(a)	Advice on the ability of the Minister to implement of lift water restrictions	19/03/2020	Treasury	N