

Budget Estimates 2020-21 – Friday 5 November 2021

Portfolio Committee No. 4 – Regional NSW, Water and Agriculture

Questions taken on notice

Answers to questions taken on notice during the Property and Housing segment of the hearing (Attachment B)

Question (Page 6 of transcript)

The Hon. ROSE JACKSON: How many social housing properties were sold in 2020-21?

Mrs MELINDA PAVEY: I will take that on notice, but I did do some other research which showed the number of properties that Land and Housing Corporation [LAHC] has sold in the past three years compared to Labor for the past three years—it is 78 per cent less.

The Hon. ROSE JACKSON: That is not the question that I asked though, Minister.

Mrs MELINDA PAVEY: No, but that is the answer I am providing, Ms Jackson.

The Hon. ROSE JACKSON: Can you also provide—presumably take it on notice if you do not know—the revenue generated from the sale of social housing in 2020-21?

ANSWER:

During the 2020-21 financial year, 247 residential properties, one community special purpose property, and 133 vacant land lots were sold. The value of properties sold was \$194.6 million. Sale proceeds fund new fit for purpose social housing and capital maintenance of existing homes.

Question (Page 7-8 of transcript)

The Hon. EMMA HURST: Thank you. Further to that, I guess that is actually the crux of the question. At the roundtables that I have been having, every service group is saying that any kind of new housing that is being built needs to be designed to be animal friendly because this is an ongoing issue. It is not so much how many pets people can have; that is not the issue. The issue is that people remain in dangerous situations or they remain homeless if they cannot take the animals with them. So, when you say that the design standards are all being met, does that include the idea that the actual property would be animal friendly?

Mr CASSEL: I cannot speak to what has been said at the roundtables because I have not—

The Hon. EMMA HURST: No, sorry, the only thing that came out of the roundtables was that the organisations in this space are calling for that, to make sure that changes are put into place. So my question to you is: Are the design standards inclusive of that?

Mr CASSEL: I do not know specifically what they are referring to. All I can do is take that question on notice and be able to respond when I talk to the design teams around what that criteria is and [inaudible].

The Hon. EMMA HURST: Thank you. That question on notice would be: Do the design standards actually consider developing the property to be animal friendly? Thank you for taking that on notice.....

ANSWER:

Information about social housing design standards is available at www.dpie.nsw.gov.au/land-and-housing-corporation/news/good-design-for-social-housing.

The 'During a Tenancy Policy', managed by the Department of Communities and Justice, outlines tenants' responsibilities for keeping pets and companion animals in LAHC-owned properties. Questions about tenancy agreements should be referred to the Minister for Families, Communities and Disability Services.

Question (Page 8 of transcript)

The Hon. EMMA HURST: Minister, you recently announced a 30-kilometre exclusion fence in south-west New South Wales to stop wild pigs entering local farmland. Are you aware that RSPCA Australia has raised significant animal welfare concerns with exclusion fencing, including the fact that it can cause native animals injury, distress and prolong death through starvation first or exposure?

Mrs MELINDA PAVEY: Where was that fencing, Emma?

The Hon. EMMA HURST: It came off a press release from you—Dareton. Have I pronounced that correctly?

Mrs MELINDA PAVEY: Yes, you have. Dareton, yes.

The Hon. EMMA HURST: A 30-kilometre fence.

Mrs MELINDA PAVEY: Is that Crown Lands?

Ms HAWYES: Yes, Minister.

Mrs MELINDA PAVEY: This is our deputy secretary for Crown Lands, Mel Hawyes.

Ms HAWYES: The question was: Am I aware of RSPCA concerns about exclusion fencing generally?

The Hon. EMMA HURST: Yes, there are significant animal welfare concerns, and whether the views of experts were taken into account in determining the building of this fence.

Ms HAWYES: I will need to take on notice how the design specs were put together, but we exercise best practice. As you would appreciate, as a public land management agency we have responsibilities that include the management of feral animals and various landholder interests. I will take on notice and get to you the design specs and I would be happy if you refer your contact in the RSPCA to me to have a discussion.

ANSWER:

The fence was specifically designed and installed in a way that would mitigate concerns held by some groups, using alternative materials to most standard fencing.

The exclusion fence used larger wire mesh rather than netting to allow for the movement of smaller native animal and reptile species through the fence while still preventing the movement of feral pigs. In addition, rather than utilising barb wire on the top of the fence a white plastic covered sighter wire was installed so native wildlife, particularly kangaroos had less chance of being entangled and trapped in the fence.

Question (Page 9 of transcript)

The CHAIR: Okay, so her current role now with Crown Cemeteries, does that include clearing out the deadwood in CEOs? Because my understanding is they have lost four CEOs in 12 months. So there seems to be a bit of a toxic culture developing there where four CEOs—and I do not particularly wish to name them—have either been sacked or resigned.

Mrs MELINDA PAVEY: I think we would need to take that question on notice to establish the accuracy of that claim. In relation to the work that she is doing, essentially there were four boards that have been replaced by her administration. So that is going some way—

The CHAIR: That may be what it is.

Mrs MELINDA PAVEY: That is a very different thing and you have been told and briefed on, Mr Banasiak.

The CHAIR: I will allow you to take it on notice

ANSWER:

On 28 May 2021, Leedar Investments Pty Ltd (Ms Lee Shearer being the nominated personnel) was appointed Administrator of:

- Southern Metropolitan Cemeteries Land Manager;
- Northern Metropolitan Cemeteries Land Manager;
- Rookwood General Cemeteries Reserve Land Manager; and
- Rookwood Necropolis Land Manager.

A key focus of Ms Shearer's role is to reform the operation of the Metropolitan Crown cemetery sector so that it functions in a more efficient, cost effective and transparent manner; ensuring consumers have access to affordable and appropriate burial services now and into the future. Losses within the executive cohort, while unfortunate, are an unavoidable part of any major reform such as this.

Question (Page 10 of transcript) – for the MO to answer

Mr DAVID SHOEBRIDGE: Minister, have you met with the Catholic Metropolitan Cemeteries Trust or the Catholic Cemeteries Board?

Mrs MELINDA PAVEY: I have over time and I am prepared on notice to provide you with the details of the meeting times over the past 2½ years. I will take that on notice.

Mr DAVID SHOEBRIDGE: I appreciate that, Minister. When was the last time you met with the Catholic Cemeteries Board?

Mrs MELINDA PAVEY: It would be four to five months ago, I think. I do not have a date in front of me but I will provide that on notice.

ANSWER:

Ministerial diary disclosures are published quarterly and can be found on the Department of Premier and Cabinet website.

Question (Page 10 of transcript)

Mr David Shoebridge: I am not asking about the future. I am asking you now: How many of the 42 recommendations have been implemented? Which of the 42 recommendations have been implemented?

ANSWER:

The Review indicated the 42 recommendations should be implemented within three years of the commencement of the Cemeteries Review Taskforce. This Taskforce was established in February 2021.

Recommendations 7.14 and 11.1 have been completed in full, 10 are close to finalisation and the remainder have commenced. All recommendations are on track to be completed within the timeframe outlined in the Review.

Question (pp 12 -16 of transcript)

Daniel Mookhey: how many full-time equivalents [FTEs] are there at the Valuer General's office that are directly employed by the department?

ANSWER: There are 9 FTE.

Daniel Mookhey: Perhaps on notice can you provide us with a full headcount as to how many people are working at the Valuer General's office?

ANSWER: Full headcount is 11 employees.

Daniel Mookhey: and how many of them are directly employed by the department and how many are directly employed under whatever arrangement?

ANSWER: There are 9 employees of the Department and 2 contingent workers employed by a labour hire supplier.

Daniel Mookhey: Ms Fishburn, I accept that you think it is not appropriate to discuss it further, but you are the employer of these people and therefore you are here because this does not involve the operation of the Valuer General under the Act; it involves the treatment of the staff that you employ as well, and this is a budget estimates hearing. How many complaints have you received?

Daniel Mookhey: Ms Fishburn, I accept that you think it is not appropriate to discuss it further, but you are the employer of these people and therefore you are here because this does not involve the operation of the Valuer General under the Act; it involves the treatment of the staff that you employ as well, and this is a budget estimates hearing. How many complaints have you received?

Daniel Mookhey: Over what period have you received complaints?

Daniel Mookhey: What is the nature of the complaints?

ANSWER:

A number of employees, since January 2020, via different pathways, have raised various matters which, taken altogether, has led to reviews and inquiries, one of which is currently underway within DPIE. Further information regarding the outcome of that inquiry will be provided to the Joint Standing Committee on the Office of the Valuer General, once the report has been finalised. The nature of the matters are varied, including a potential impact on the work, health and safety (WHS) of employees within Valuer General NSW (VGNSW).

Daniel Mookhey: Who is doing the investigation? How much are you paying for this independent investigation that no-one here seems to be able to tell us about? How much are you paying for it?

ANSWER:

Kingston Reid law firm is carrying out the WHS inquiry. We can't answer this yet as the inquiry isn't complete. Lawyers charge by time, meaning we won't know the ultimate cost until the inquiry is complete.

Daniel Mookhey: So between 23 October 2019 and mid-2020, a first set of complaints was made about the Valuer General, correct? And what was the nature of the complaints that were received at that time that were investigated?

ANSWER:

The Valuer General started at the end of January 2020. The first investigation was conducted by Legal – a combination of internal legal and an external law firm. The nature of complaints were workplace grievances.

Daniel Mookhey (p 16): Did this complaint come directly to the department or was it made through the Valuer General office or through structured administrative arrangements that were put in place?

ANSWER:

21 Complaints were received from the Valuer General's Office by emails to Director, People Partners who then provided this information to Legal and other relevant persons within HAP for further investigation.

Daniel Mookhey to ED (Alison McLaren), p 16: Are you able to identify how many complaints have come through you?

ANSWER:

Please refer to the above response.

Daniel Mookhey (p 17) Minister, again, I am not being critical because, as you rightly point out, this is a complicated matter with the statutory position of the Valuer General. No-one from the department told you that there was a second set of complaints that had come in about the Valuer General?

ANSWER: Minister was not made aware of additional complaints.

Daniel Mookhey (p 17): What was the name of the recruitment firm (related to the appointment of the Valuer General)?

ANSWER:

The recruiting firm used was NGS Global.

Question (Page 19 of transcript)

The CHAIR: I might just throw back to Mr Cassel and pick up where we left off. Mr Cassel, when did your office first become aware of Matrix Group Co. Pty Ltd not paying subcontractors?

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The CHAIR: This letter says that in December 2020 your office undertook a review including a financial check. What did that financial check include, given that this Matrix Group Co. Pty Ltd has clearly failed to pay the subcontractors?

Mr CASSEL: It sounds like they failed to pay them past when that financial check was taken. I do not know or do not have in front of me, and I do not want to comment on what they recall.

The CHAIR: Perhaps on notice—

Mr CASSEL: I will take it on notice.

ANSWERS:

The NSW Land and Housing Corporation was first made aware of subcontractor claims alleging non-payment by Matrix Group Co. Pty Ltd during August 2021.

The independent Financial Assessment Report facilitated by LAHC on Matrix Group Co. Pty Ltd in November 2020 included a review of Net Tangible Assets, Working Capital and Current Ratio tests, which met the NSW Government's financial capacity criteria for the Prequalification Scheme.

Question (Page 19 of transcript)

The CHAIR: On notice, given that you did mention the Small Business Commissioner, can you tell us where the Small Business Commissioner may have fallen down or did not have the powers that he needed to deal with this situation?

Mrs MELINDA PAVEY: I will see what involvement the Small Business Commissioner has had in it. It is not in my delegated authority as Minister.

The CHAIR: I appreciate that.

ANSWER:

The question should be referred to the Minister for Finance and Small Business.

Question (Page 20 of transcript)

The Hon. EMMA HURST: Just going back to the south-west New South Wales exclusion fence, I have a couple of questions to add on notice. I was talking to one of the departmental—

Mrs MELINDA PAVEY: Melanie Hawyes—the other Mel.

The Hon. EMMA HURST: Thank you. Sorry about that. I just have a couple of other questions to place on notice if that is all right. I wanted to know what is being done to address the issue of the risk of native animals being caught in the fence, whether there was any consideration of this issue in designing and building the fence, and also whether there is a plan to regularly check the fences for any animals that have been caught in the fence, particularly given that that is something that has been advised by the RSPCA Australia when such fences are erected?

Ms HAWYES: I am able to answer that now if that is okay and I have some further replies.

The Hon. EMMA HURST: Yes, definitely.

Ms HAWYES: The fence was designed against best practice principles with animal welfare considerations in mind and there were measures included in the design specs, such as installing mesh wire rather than netting, which allows smaller fauna to get through, and there is no barbed wire on the top of the fence, which prevents harm to larger animals that may move over the fence. So those considerations were taken into account. Thank you for the opportunity to add to that question.

The Hon. EMMA HURST: Thank you. Can I place the rest of those questions on notice that are outside of the scope of that answer?

Ms HAWYES: Absolutely, thanks.

ANSWER:

The exclusion fence is regularly inspected by the adjoining landholders and fortnightly by a Departmental officer.

Question (Page 20 of transcript)

Ms HAWYES: Thanks, Minister. There is a network of public land managers in place across New South Wales and we consider controls based on a local context. So it is quite difficult to answer in that global way. We would look at exclusion fencing-type options using the best practice principles I have just described on a site-specific basis.

The Hon. EMMA HURST: Is any consideration given to things such as immunocontraceptives? I know that the CSIRO is working on fertility control measures in this space.

Ms HAWYES: Yes, there are always innovations in terms of more humane controls. I can take on notice specific research that we may become aware of or have within the department. But I would prefer to take that on notice.

ANSWER:

Crown Lands continues to work closely with Local Land Services and the Department of Primary Industries to explore alternative feral animal control methods. The use of exclusion fencing is an effective measure supported by these authorities to minimise the environmental and economic impacts of feral animals.

Question - page 21 of transcript

David Shoebridge to Minister Pavey re CMCT Proposal to Transfer Land – page xx

Minister, will you either take this question on notice or, if you have an answer now, provide an answer? Have funds from the publicly owned CMCT been used for the purpose of developing one or more proposals to transfer land to an archdiocese-owned company?

If so, how much public money has been used for that? Can you provide an answer as to whether that was an approved use of trust funds?

In providing those answers, will you advise the Committee whether this matter had been raised in writing—by that I include email communication—within the department last year?

If the concerns were raised within the department last year, what, if any, action was taken by the department about the use of public money for such a purpose?

Answer

The Catholic Metropolitan Cemeteries Trust (CMCT) is a transitional reserve trust and a non-council Crown land manager. Trust funds are public funds held “on trust”. Crown land managers must be able to demonstrate that all expenditure and the use of trust funds is reasonable, acceptable, has been necessary, and is incurred for the general purposes of the reserve trust. Crown land managers are wholly accountable for the trust funds under their control.

The Department is aware that funds have been expended to produce reports in support of various proposals and given the concerns raised in this question regarding the provenance of those funds, I have written to the NSW Auditor-General requesting an audit be undertaken of the CMCT to determine whether Trust funds have been used in an inappropriate manner.

Question (Page 22 of transcript)

Mr DAVID SHOEBRIDGE: Will you provide on notice how many western lands lease conversions have happened, who the beneficiaries were, who the purchasers were and what was the value for each of those sales?

Ms HAWYES: Yes, we can take that on notice. Is there a particular time frame?

Mr DAVID SHOEBRIDGE: Since the commencement of the western lands lease conversion? It has only been happening for the last few years.

Mrs MELINDA PAVEY: Since 2018.

Mr DAVID SHOEBRIDGE: If you could provide that by financial year, including this year to date.

Ms HAWYES: Yes, we can take that on notice.

Mr DAVID SHOEBRIDGE: Minister, have you sought to satisfy yourself whether or not the current sales formula of 3 per cent of market value represents a reasonable return to the community?

Mrs MELINDA PAVEY: I have not looked into detail of the number of sales. I recall asking in the past 18 months or so what has been the take up. In that conversion of price to sale, no I have not sought any further details on that.

Mr DAVID SHOEBRIDGE: Can you advise on what basis the 3 per cent market value was created? How was that figure arrived at?

Mrs MELINDA PAVEY: There would be a big policy platform when that was introduced in 2018. We will provide you with those details.

Mr DAVID SHOEBRIDGE: Are any processes in place to determine whether purchasers—or however you want to describe it—the beneficiaries of the western lands lease conversion property owners go from leaseholders to freehold? Are there any provisions in place to determine whether they are donors to political parties? If so, what are those?

Mrs MELINDA PAVEY: I will take that on notice.

Mr DAVID SHOEBRIDGE: Are you aware whether any of the entities—people and/or corporations—who have benefited from a western lands lease conversion have made any political donations?

Mrs MELINDA PAVEY: I am not aware.

ANSWER:

Since March 2018, Western Lands leaseholders have been able to convert leasehold land to freehold title, subject to satisfying the eligibility criteria set out under section 5.9 of the Crown Land Management Act 2016.

Table 1 below summarises the number of conversion applications approved to date. Note that when a leaseholder lodges an application for a property holding it may comprise one or more leases, where they are adjoining and held in the same entity name.

Table 1: Summary by financial year

Financial Year	Number of Approved Applications	Value
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2018/2019	56	\$1,410,299
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2019/2020	64	\$2,369,505
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2020/2021	87	\$3,335,008
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2021/2022	18	\$582,121
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TOTALS	225	\$7,696,993
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Table 2 details former Western Lands Leaseholders who have successfully applied to convert leases to freehold. The names of leaseholders have been de-identified to protect their personal information and privacy. Where the leaseholder is a company, the name of the entity is provided.

The 3 per cent value is legislated in the Crown Land Management Act 2016. It is used to calculate the price for a conversion of a Western Lands lease to freehold title. The lease must be predominately utilised for primary production purposes.

This value has been consistent for the conversion of perpetual leases in the Central and Eastern Divisions of NSW since 2005. It represents the State's residual interest in the land given that these types of leases do not expire and can only be cancelled where there is a failure to meet the terms and conditions of the lease.

In order to apply to convert a Western Lands lease, the applicant must be the registered leaseholder or an entity identified on the Certificate of Title. There is no legislative provision or Government policy to require applicants to disclose any additional information.

Table 2: Applicants and purchase price

APPLICANT NUMBER	APPLICANT	COMPLETED DATE	PURCHASE PRICE
1	WLL Leaseholder 1	30/11/18	\$ 17,730.00
2	WLL Leaseholder 2	9/1/2019	\$ 1,200.00
3	WLL Leaseholder 3	3/10/2018	\$ 23,321.00
		3/10/2018	\$ 33,690.00
		3/10/2018	\$ 980.00
		3/10/2018	\$ 11,970.00
4	WLL Leaseholder 4	26/6/19	\$ 32,700.00
5	Grand Junction Pty Ltd	21/12/2018	\$ 35,820.00
6	WLL Leaseholder 9	22/8/2019	\$ 93,450.00
		22/8/2019	\$ 780.00
7	Caloola Pastoral Holdings Pty Ltd	22/3/2019	\$ 10,830.00
		22/3/2019	\$ 13,125.00
		22/3/2019	\$ 2,086.00
8	Hickson Holdings Pty Ltd	25/6/2020	\$ 46,500.00
		25/6/2020	\$ 28,950.00
9	Hickson Holdings Pty Ltd	20/2/2019	\$ 7,860.00
10	WLL Leaseholder 10	26/3/2021	\$ 5,100.00
		26/3/2021	\$ 17,850.00
		26/3/2021	\$ 64,950.00
11	WLL Leaseholder 11	20/12/2018	\$ 10,050.00
		20/12/2018	\$ 19,950.00
12	Woolmark No. 2 Pty Ltd	11/01/2019	\$ 32,400.00
13	WLL Leaseholder 13	28/10/2019	\$ 4,980.00
14	WLL Leaseholder 16	30/8/21	\$ 37,950.00
15	WLL Leaseholder 17	8/2/19	\$ 1,320.00
16	WLL Leaseholder 18	22/1/19	\$ 18,630.00

		22/1/19	\$ 49,050.00
17	WLL Leaseholder 19	9/9/2019	\$ 4,530.00
		9/9/2019	\$ 540.00
		9/9/2019	\$ 4,080.00
		9/9/2019	\$ 675.00
		9/9/2019	\$ 255.00
18	WLL Leaseholder 21	25/3/2020	\$ 34,106.00
		25/3/2020	\$ 8,607.00
		25/3/2020	\$ 45,630.00
		25/3/2020	\$ 25,747.00
19	WLL Leaseholder 22	28/4/2020	\$ 58,800.00
20	WLL Leaseholder 25	11/9/2020	\$ 505.00
		11/9/2020	\$ 2,232.00
		11/9/2020	\$ 8,303.00
		11/9/2020	\$ 973.00
		11/9/2020	\$ 257.00
		11/9/2020	\$ 6,840.00
21	WLL Leaseholder 31	22/3/2019	\$ 36,750.00
22	WLL Leaseholder 32	27/2/19	\$ 27,053.00
		27/2/19	\$ 3,070.00
		27/2/19	\$ 17,790.00
		27/2/19	\$ 16,170.00
		27/2/19	\$ 12,627.00
23	WLL Leaseholder 33	18/3/2019	\$ 36,990.00
24	WLL Leaseholder 35	16/9/2019	\$ 39,813.00
25	WLL Leaseholder 36	8/5/19	\$ 13,470.00
26	WLL Leaseholder 37	21/2/2020	\$ 6,952.00
		21/2/2020	\$ 7,118.00
27	WLL Leaseholder 38	21/2/2020	\$ 2,451.00
28	WLL Leaseholder 39	10/10/2019	\$ 8,599.00
		10/10/2019	\$ 6,667.00
		10/10/2019	\$ 484.00
29	WLL Leaseholder 40	24/2/2020	\$ 48,870.00
		24/2/2020	\$ 59,250.00
		24/2/2020	\$ 52,500.00
30	Morendah Pastoral Company Pty Ltd	19/11/2018	\$ 44,340.00
31	WLL Leaseholder 41	20/5/2019	\$ 10,350.00
32	WLL Leaseholder 42	2/10/2018	\$ 6,210.00

33	WLL Leaseholder 43	8/1/19	\$ 7,410.00
		8/1/19	\$ 6,240.00
		8/1/19	\$ 6,300.00
		8/1/19	\$ 12,930.00
34	WLL Leaseholder 44	17/1/2019	\$ 2,850.00
35	WLL Leaseholder 45	8/10/2018	\$ 7,440.00
36	WLL Leaseholder 46	11/1/2019	\$ 9,060.00
37	WLL Leaseholder 49	6/3/2019	\$ 20,790.00
		6/3/2019	\$ 321.00
38	WLL Leaseholder 50	5/2/2019	\$ 7,770.00
39	WLL Leaseholder 51	19/3/2020	\$ 34,500.00
40	WLL Leaseholder 52	16/7/2019	\$ 49,200.00
41	WLL Leaseholder 53	16/06/2020	\$ 978.00
		16/06/2020	\$ 4,842.00
42	WLL Leaseholder 54	15/8/2019	\$ 22,350.00
43	WLL Leaseholder 55	16/7/19	\$ 6,051.00
		16/7/19	\$ 2,139.00
44	WLL Leaseholder 56	17/6/2019	\$ 3,942.00
		17/6/2019	\$ 2,955.00
		17/6/2019	\$ 2,964.00
		17/6/2019	\$ 1,944.00
		17/6/2019	\$ 2,964.00
		17/6/2019	\$ 2,964.00
		17/6/2019	\$ 16,973.00
		17/6/2019	\$ 124.00
45	WLL Leaseholder 57	8/4/2020	\$ 24,780.00
46	WLL Leaseholder 58	5/7/2019	\$ 33,840.00
47	WLL Leaseholder 59	20/2/2020	\$ 40,620.00
48	WLL Leaseholder 60	11/12/18	\$ 21,600.00
49	WLL Leaseholder 61	25/3/21	\$ 8,220.00
		25/3/21	\$ 9,658.00
		25/3/21	\$ 10,504.00
		25/3/21	\$ 8,908.00
50	WLL Leaseholder 62	3/5/19	\$ 14,610.00
51	WLL Leaseholder 63	16/7/2021	\$ 2,338.00

		16/7/2021	\$ 2,282.00
52	WLL Leaseholder 64	5/2/2019	\$ 5,488.00
		5/2/2019	\$ 5,604.00
		5/2/2019	\$ 1,237.00
53	WLL Leaseholder 65	26/3/2021	\$ 12,942.00
		26/3/2021	\$ 6,095.00
		26/3/2021	\$ 7,018.00
		26/3/2021	\$ 8,787.00
		26/3/2021	\$ 29,058.00
54	WLL Leaseholder 66	16/3/2020	\$ 11,850.00
55	WLL Leaseholder 67 & Grand Junction Pty Ltd	8/2/19	\$ 30,300.00
56	WLL Leaseholder 68	4/10/19	\$ 41,160.00
57	WLL Leaseholder 69	7/1/2020	\$ 23,370.00
		7/1/2020	\$ 4,260.00
		7/1/2020	\$ 11,040.00
58	WLL Leaseholder 70	16/10/2019	\$ 31,317.00
		16/10/2019	\$ 11,373.00
59	WLL Leaseholder 71	5/4/19	\$ 32,670.00
60	WLL Leaseholder 73	21/12/18	\$ 13,680.00
		21/12/18	\$ 32,700.00
61	WLL Leaseholder 74	30/11/2018	\$ 46,200.00
62	WLL Leaseholder 75	1/6/2020	\$ 5,757.00
		1/6/2020	\$ 7,032.00
		1/6/2020	\$ 5,757.00
		1/6/2020	\$ 5,130.00
		1/6/2020	\$ 6,054.00
63	WLL Leaseholder 76	10/10/2019	\$ 30,930.00
64	WLL Leaseholder 77	14/12/2020	\$ 31,403.00
		14/12/2020	\$ 10,053.00
		14/12/2020	\$ 7,803.00
		14/12/2020	\$ 1,950.00
		14/12/2020	\$ 2,491.00
65	WLL Leaseholder 78	30/11/2018	\$ 30,870.00
66	WLL Leaseholder 79	14/1/2019	\$ 28,200.00
67	Budvalt Pty Ltd	6/7/2020	\$ 27,390.00
68	WLL Leaseholder 81	11/1/2019	\$ 18,946.00
		11/1/2019	\$ 20,054.00

69	WLL Leaseholder 82	5/2/19	\$ 15,690.00
70	WLL Leaseholder 83	24/8/20	\$ 1,117.00
		24/8/20	\$ 27,360.00
		24/8/20	\$ 170,100.00
		24/8/20	\$ 56,483.00
71	WLL Leaseholder 84	24/4/2020	\$ 48,300.00
72	WLL Leaseholder 85	17/1/2020	\$ 6,360.00
73	WLL Leaseholder 86	19/7/2021	\$ 2,547.00
74	WLL Leaseholder 87	25/7/2019	\$ 5,040.00
		25/7/2019	\$ 2,100.00
		25/7/2019	\$ 18,450.00
75	WLL Leaseholder 88	18/8/2020	\$ 7,710.00
76	WLL Leaseholder 90	24/9/2019	\$ 2,424.00
77	WLL Leaseholder 91	17/12/2018	\$ 16,830.00
78	WLL Leaseholder 92	9/11/2020	\$ 30,000.00
79	WLL Leaseholder 93	24/1/2019	\$ 33,900.00
		24/1/2019	\$ 16,530.00
80	WLL Leaseholder 95	3/2/2021	\$ 39,900.00
81	WLL Leaseholder 97	5/2/19	\$ 2,160.00
82	WLL Leaseholder 98	31/10/2019	\$ 23,650.00
83	WLL Leaseholder 104	9/8/2019	\$ 19,680.00
84	WLL Leaseholder 105	10/12/2019	\$ 37,830.00
85	WLL Leaseholder 110	21/8/2019	\$ 32,657.00
		21/8/2019	\$ 10,656.00
		21/8/2019	\$ 5,814.00
		21/8/2019	\$ 18,229.00
		21/8/2019	\$ 10,721.00
		21/8/2019	\$ 14,173.00
86	WLL Leaseholder 112	15/3/2019	\$ 33,600.00
87	A & G Zappia Pty Ltd	30/7/2019	\$ 2,436.00
88	WLL Leaseholder 113	28/5/2019	\$ 37,500.00
89	WLL Leaseholder 115	24/1/2019	\$ 8,971.00
		24/1/2019	\$ 13,409.00

90	WLL Leaseholder 116	16/12/2020	\$ 34,200.00
91	WLL Leaseholder 118	8/5/2020	\$ 17,430.00
92	WLL Leaseholder 119	22/11/2019	\$ 119,985.00
		22/11/2019	\$ 15.00
93	WLL Leaseholder 120	27/2/2019	\$ 29,700.00
		27/2/2019	\$ 35,100.00
		27/2/2019	\$ 17,850.00
94	Parribark Pty Ltd	12/3/19	\$ 8,190.00
		12/3/19	\$ 31,609.00
		12/3/19	\$ 46,350.00
		12/3/19	\$ 2,561.00
95	Bulpunga Pty Ltd	12/2/2021	\$ 20,550.00
96	WLL Leaseholder 121	5/2/2020	\$ 17,880.00
97	WLL Leaseholder 122	6/7/20	\$ 30,564.00
		6/7/20	\$ 30,846.00
		6/7/20	\$ 19,997.00
		6/7/20	\$ 10,003.00
98	WLL Leaseholder 123	6/7/2020	\$ 39,900.00
99	Bailink Pty Ltd	15/8/2019	\$ 12,241.00
		15/8/2019	\$ 4,619.00
100	WLL Leaseholder 124	25/6/2020	\$ 19,140.00
101	WLL Leaseholder 125	15/10/2021	\$ 79.00
		15/10/2021	\$ 935.00
102	WLL Leaseholder 126	26/10/2020	\$ 6,690.00
103	WLL Leaseholder 127	6/7/2020	\$ 44,880.00
		6/7/2020	\$ 8,678.00
		6/7/2020	\$ 11,092.00
104	WLL Leaseholder 128	18/1/2021	\$ 300.00
		18/1/2021	\$ 891.00
		18/1/2021	\$ 1,818.00
		18/1/2021	\$ 5,400.00
		18/1/2021	\$ 5,862.00
		18/1/2021	\$ 7,590.00
		18/1/2021	\$ 1,410.00
		18/1/2021	\$ 5,910.00
		18/1/2021	\$ 1,764.00
		18/1/2021	\$ 3,180.00
		18/1/2021	\$ 8,400.00

105	WLL Leaseholder 129	16/10/2020	\$ 23,100.00
		16/10/2020	\$ 62,280.00
		16/10/2020	\$ 47,370.00
106	C W & A S Goulden Pty Ltd	1/2/21	\$ 33,690.00
		1/2/21	\$ 28,590.00
		1/2/21	\$ 24,054.00
		1/2/21	\$ 54,156.00
107	WLL Leaseholder 130	25/5/2020	\$ 14,070.00
108	WLL Leaseholder 131	15/5/2020	\$ 15,720.00
		15/5/2020	\$ 3,870.00
109	Gunthro Pty Ltd	8/2/19	\$ 7,200.00
110	WLL Leaseholder 132	11/3/19	\$ 15,390.00
111	Salto (NSW) Pty Ltd	26/8/2021	\$ 16,901.00
		26/8/2021	\$ 4,399.00
	Salto (NSW) Pty Ltd	26/8/21	\$ 21,930.00
112	Keltren Pty Ltd	16/7/19	\$ 385,000.00
113	Trensper Pty Ltd	13/6/19	\$ 14,850.00
114	G Falconer 59 Lifetime Super Fund CT Pty Ltd	23/1/2019	\$ 11,200.00
115	WLL Leaseholder 133	2/9/2020	\$ 4,440.00
		2/9/2020	\$ 5,374.00
		2/9/2020	\$ 9,536.00
116	WLL Leaseholder 134	28/5/19	\$ 4,710.00
117	WLL Leaseholder 135	9/7/2021	\$ 71,880.00
		9/7/2021	\$ 10,110.00
118	Summer Grove Pty Ltd	15/1/2019	\$ 1,695.00
119	WLL Leaseholder 136	25/9/2020	\$ 15,360.00
120	WLL Leaseholder 137	17/4/2020	\$ 25,000.00
121	Spare Weel Pty Ltd	3/11/2020	\$ 675.00
		3/11/2020	\$ 8,880.00
122	Belah Heights Property Pty Ltd,WLL Leaseholder 138	16/10/2020	\$ 7,170.00
		16/10/2020	\$ 27,060.00
123	WLL Leaseholder 139	17/1/2020	\$ 2,077.00
		17/1/2020	\$ 23,273.00
124	WLL Leaseholder 140	14/7/2020	\$ 6,000.00

125	WLL Leaseholder 141	11/5/2020	\$ 9,090.00
126	WLL Leaseholder 142	6/5/2020	\$ 4,290.00
127	WLL Leaseholder 143	13/5/2020	\$ 24,013.00
		13/5/2020	\$ 2,143.00
		13/5/2020	\$ 5,944.00
128	WLL Leaseholder 144	6/7/2020	\$ 65,850.00
		6/7/2020	\$ 38,100.00
129	WLL Leaseholder 145	4/9/2020	\$ 33,000.00
130	WLL Leaseholder 146	29/6/2020	\$ 33,898.00
		29/6/2020	\$ 9,152.00
131	WLL Leaseholder 147	27/10/2020	\$ 3,150.00
132	WLL Leaseholder 148	18/6/2019	\$ 15,800.00
133	WLL Leaseholder 149	4/2/2020	\$ 2,861.00
		4/2/2020	\$ 2,869.00
		4/2/2020	\$ 90.00
134	WLL Leaseholder 150	19/12/2019	\$ 3,197.00
		19/12/2019	\$ 3,464.00
135	WLL Leaseholder 151	1/12/20	\$ 29,670.00
136	WLL Leaseholder 152	5/4/19	\$ 4,590.00
137	WLL Leaseholder 153	19/2/19	\$ 14,007.00
		19/2/19	\$ 229.00
		19/2/19	\$ 764.00
138	WLL Leaseholder 154	17/4/2020	\$ 25,000.00
139	WLL Leaseholder 155	20/4/2020	\$ 18,960.00
140	WLL Leaseholder 156	25/5/2020	\$ 3,000.00
141	Miaoli Holdings Pty Limited	23/7/2020	\$ 9,210.00
		23/7/2020	\$ 19,275.00
142	WLL Leaseholder 157	30/4/2020	\$ 7,000.00
143	Kiewa Park Pty Ltd	21/08/2020	\$ 61,200.00
144	WLL Leaseholder 158	21/8/2019	\$ 6,600.00
		18/9/2020	\$ 15,000.00
		18/9/2020	\$ 9,270.00
		18/9/2020	\$ 11,370.00
		18/9/2020	\$ 15,480.00

		18/9/2020	\$ 15,997.00
		18/9/2020	\$ 18,488.00
		18/9/2020	\$ 18,765.00
		18/9/2020	\$ 22,530.00
		18/9/2020	\$ 29,903.00
		18/9/2020	\$ 28,237.00
145	WLL Leaseholder 160	6/8/2020	\$ 6,660.00
146	WLL Leaseholder 161	21/7/2021	\$ 18,300.00
147	WLL Leaseholder 162	3/6/2020	\$ 50,200.00
148	WLL Leaseholder 163	15/6/2020	\$ 43,140.00
149	WLL Leaseholder 164	25/6/2020	\$ 58,650.00
		25/6/2020	\$ 48,600.00
150	WLL Leaseholder 165	14/1/2019	\$ 1,000.00
151	Mal Cameron Plant Hire Pty Ltd	25/5/2020	\$ 3,720.00
152	WLL Leaseholder 166	29/7/2020	\$ 1,779.00
		29/7/2020	\$ 188.00
		29/7/2020	\$ 659.00
153	WLL Leaseholder 167	27/10/20	\$ 93,090.00
154	WLL Leaseholder 168	18/4/19	\$ 128.00
		18/4/19	\$ 2,449.00
155	WLL Leaseholder 169	13/11/20	\$ 69,060.00
156	J McClure Investments Pty Ltd	27/10/20	\$ 4,800.00
		27/10/20	\$ 900.00
157	WLL Leaseholder 170	10/6/21	\$ 9,810.00
158	WLL Leaseholder 171	26/10/20	\$ 124,830.00
159	WLL Leaseholder 172	30/4/2019	\$ 705.00
160	WLL Leaseholder 173	31/7/19	\$ 57,000.00
161	WLL Leaseholder 174	15/9/2020	\$ 11,400.00
		15/9/2020	\$ 11,160.00
		15/9/2020	\$ 12,900.00
		15/9/2020	\$ 8,340.00
162	Costa Holdings Investments Pty Ltd	2/7/2020	\$ 16,200.00
		2/7/2020	\$ 28,770.00

		2/7/2020	\$ 20,280.00
163	WLL Leaseholder 175	14/12/20	\$ 32,700.00
		14/12/20	\$ 9,450.00
164	WLL Leaseholder 176	3/6/2021	\$ 16,365.00
		3/6/2021	\$ 18,225.00
		3/6/2021	\$ 30,300.00
165	J D Explorations Pty Ltd	18/8/20	\$ 13,413.00
		18/8/20	\$ 16,167.00
166	WLL Leaseholder 177	16/6/20	\$ 1,287.00
		16/6/20	\$ 2,913.00
167	WLL Leaseholder 178	29/7/2020	\$ 1,278.00
168	WLL Leaseholder 179	27/10/20	\$ 117.00
		27/10/20	\$ 662.00
169	WLL Leaseholder 180	19/3/2020	\$ 9,920.00
170	WLL Leaseholder 181	23/7/20	\$ 5,760.00
		23/7/20	\$ 5,700.00
171	Petro Station Holdings Pty Ltd	11/11/20	\$ 65,968.00
		11/11/20	\$ 67,232.00
172	WLL Leaseholder 182	4/9/2020	\$ 28,035.00
173	WLL Leaseholder 183	24/8/2020	\$ 30,660.00
174	WLL Leaseholder 184	4/9/2020	\$ 33,690.00
175	WLL Leaseholder 185	2/4/2020	\$ 3,000.00
176	WLL Leaseholder 186	21/5/2020	\$ 3,000.00
177	WLL Leaseholder 187	9/7/2020	\$ 3,720.00
178	WLL Leaseholder 188	10/8/2020	\$ 39,900.00
179	WLL Leaseholder 189	9/2/2021	\$ 62,400.00
180	WLL Leaseholder 190	26/4/21	\$ 26,550.00
181	WLL Leaseholder 191	3/9/2021	\$ 16,950.00
182	WLL Leaseholder 192	19/10/2020	\$ 23,970.00
183	Polyfabrications & FB Linings Pty Limited	12/11/2020	\$ 30,000.00
184	WLL Leaseholder 193	16/10/2020	\$ 6,500.00
185	WLL Leaseholder 194	6/4/21	\$ 27,870.00

		6/4/21	\$ 8,370.00
186	WLL Leaseholder 195	24/9/2020	\$ 5,500.00
187	WLL Leaseholder 196	24/9/2020	\$ 52,700.00
188	Browndog Racing Pty Ltd	27/10/2020	\$ 9,510.00
189	WLL Leaseholder 197	26/7/2021	\$ 73,530.00
190	WLL Leaseholder 198	28/5/2021	\$ 28,673.00
		28/5/2021	\$ 8,865.00
		28/5/2021	\$ 2,662.00
191	WLL Leaseholder 199	1/7/2021	\$ 14,940.00
		1/7/2021	\$ 7,650.00
		1/7/2021	\$ 6,690.00
		1/7/2021	\$ 23,910.00
		1/7/2021	\$ 6,090.00
		1/7/2021	\$ 32,970.00
		1/7/2021	\$ 8,070.00
192	WLL Leaseholder 200	17/5/21	\$ 5,565.00
		17/5/21	\$ 6,525.00
193	WLL Leaseholder 201	8/4/2020	\$ 3,000.00
194	WLL Leaseholder 202	17/12/2020	\$ 1,550.00
195	WLL Leaseholder 203	18/6/2021	\$ 1,200.00
196	WLL Leaseholder 204	14/5/2021	\$ 7,785.00
		14/5/2021	\$ 7,665.00
		14/5/2021	\$ 7,785.00
197	Brewarrina Shire Council	21/1/2021	\$ 800.00
198	WLL Leaseholder 205	13/5/21	\$ 9,736.00
		13/5/21	\$ 18,134.00
199	BD Holdings (NSW) Pty Ltd	22/6/2021	\$ 24,954.00
		22/6/2021	\$ 12,728.00
		22/6/2021	\$ 10,618.00
200	WLL Leaseholder 206	28/5/21	\$ 6,620.00
		28/5/21	\$ 4,030.00
201	WLL Leaseholder 207	21/6/2021	\$ 4,500.00
202	WLL Leaseholder 208	30/10/2020	\$ 11,200.00
203	WLL Leaseholder 209	6/9/2021	\$ 4,380.00
204	WLL Leaseholder 210	6/7/2021	\$ 6,960.00
		6/7/2021	\$ 1,920.00

		6/7/2021	\$ 1,920.00
		6/7/2021	\$ 1,290.00
		6/7/2021	\$ 35,520.00
205	WLL Leaseholder 211	30/6/2021	\$ 31,140.00
206	WLL Leaseholder 212	22/6/2021	\$ 62,910.00
207	WLL Leaseholder 213	7/6/2021	\$ 30,120.00
208	WLL Leaseholder 214	7/6/21	\$ 31,867.00
		7/6/21	\$ 27,653.00
209	WLL Leaseholder 215	21/6/21	\$ 3,777.00
		21/6/21	\$ 3,003.00
210	WLL Leaseholder 216	31/8/2021	\$ 46,980.00
211	Bourke Shire Council	24/2/2021	\$ 63,700.00
212	WLL Leaseholder 217	17/5/2021	\$ 7,080.00
213	WLL Leaseholder 218	18/6/2021	\$ 11,000.00
214	WLL Leaseholder 219	21/6/2021	\$ 300.00
215	WLL Leaseholder 220	9/7/2021	\$ 7,000.00
216	Spare Weel Pty Ltd	25/5/2021	\$ 11,160.00
217	WLL Leaseholder 222	15/3/2021	\$ 5,940.00
218	Gol Gol Public School Endowment Block Incorporated	3/2/2021	\$ 5,310.00
219	WLL Leaseholder 223	26/3/2021	\$ 8,000.00
220	WLL Leaseholder 224	22/4/2021	\$ 2,000.00
221	WLL Leaseholder 225	6/8/2021	\$ 3,750.00
222	WLL Leaseholder 226	5/8/2021	\$ 6,000.00
223	G W Welsh Pty Ltd	10/9/2021	\$ 77,550.00
224	WLL Leaseholder 227	10/9/2021	\$ 8,400.00
225	WLL Leaseholder 228	18/6/2021	\$ 30,800.00
TOTAL			\$ 7,696,933.00

Answers to questions taken on notice during the Water segment of the hearing (Attachment C)

Question 1

The Hon. EMMA HURST: Sorry, I understand that there would obviously be a healthy population but I assume they would not be part of the trial. The question was really in regard to the wombats that were originally going to be treated as part of this trial. Many of them may have died. Are you expecting the same number of wombats to still be affected with mange now as when this was originally planned to have been undertaken?

Mr GEORGE: That is my understanding, but I can certainly take it on notice and check that with the University of Tasmania. [p.27]

ANSWER:

When the project commenced, it was estimated that that 5-10% of the population of approximately 250 wombats had mange (13-25 individuals)

Multi night, baseline surveys were completed in December 2020, April, May, June and November 2021 representing over 45 person hours of survey effort. The team observed 7 individual wombats with mange disease in a population of approximately 230-250 wombats.

The University of Tasmania concluded from these baseline surveys that there is a small number of wombats with mange disease at Bendeela in what is an otherwise large and healthy population.

Beyond Bendeela, reports of mange in the Kangaroo Valley area appears lower in the first half of 2021 than previous years.

Question 2

The Hon. EMMA HURST: And will you be releasing any preliminary findings from the research trial to the public, and if so, when would we expect to see them?

Mr GEORGE: Certainly, we are happy to make that information publicly available, particularly for the use of the wildlife bodies that will be working with us in an ongoing fashion to look after that wombat population.

Sorry, I do not have at hand the time frames for providing that information or when it will be complete, but again I can take that on notice.

The Hon. EMMA HURST: If you could take it on notice that would be fantastic, thank you. [pp.27-28]

ANSWER:

Initial baseline results were added to the WaterNSW website in October 2021. It is expected that the full results of the baseline surveys and information on the proposed treatment program will be communicated to interested wildlife groups and placed on our WaterNSW website in February 2022.

The University of Tasmania expects to commence treatment in early 2022 pending COVID restrictions and approval of the required Scientific Licence. The treatment program will conclude in 2023, and long-term treatment guidelines drafted and implemented in 2024.

Question 3

Ms CATE FAEHRMANN: I think that is good to hear. I want to ask some questions about the Macquarie Floodplain Management Plan. I understand that the final version of this was gazetted on 20 September this year. There is a discrepancy, however. I have been given a figure of 73,600 hectares of mapped area that are protected by flood works between the Draft Macquarie Floodplain Management Plan of 2018 and the final one of 2021. The draft floodplain management plan of 2018 had 106,200 hectares protected by flood works but the final plan only mapped 32,600 hectares of area protected by approved or authorised flood works. What is the process for sorting out the unauthorised 73,600 hectares in the Macquarie Floodplain Management Plan? What happens now?

Mrs MELINDA PAVEY: I will ask Dr Bentley to talk about that. I suspect we will have to take this question on notice.

Dr BENTLEY: Yes, we will have to take the detail of that on notice. It may well come through while we are here this afternoon in which case we will share it. [p.29]

ANSWER:

In relation to your question about the difference in flood protected areas from the draft and final Macquarie Floodplain Management Plan, I offer the following advice:

- both reflect estimates of flood protected areas on the Macquarie floodplain that were made circa 2018
- the draft FMP reflects the total area protected by flood works (regardless of approval status) within the Macquarie floodplain based on LiDAR - 106,200ha
- the final FMP reflects only the area protected by approved flood works within the Macquarie floodplain based on advice from WaterNSW - 32,600ha

In summary, circa 2018 there was approximately 73,600 ha of area protected by flood works (works that prevent inundation) that did not have approval within the Macquarie floodplain. The vast majority (but not all) of these flood works are minor in nature and have little to no impact on flood flow distribution.

From 2018 until the Macquarie Floodplain Management Plan commenced, WaterNSW has been assessing and determining flood work approvals consistent with the previous floodplain management plan, guidelines, and legislative requirements. New and amended flood works will now be assessed and determined by WaterNSW under the new floodplain management plan.

Unapproved flood works that are inconsistent with the requirements of the new floodplain management plan are matters for the Natural Resources Access Regulator.

Question 4

The Hon. MARK LATHAM: Thank you. Perhaps on notice, Mr Cheroux, the terms, conditions and monetary amounts of the Sydney Science Park funding from Sydney Water.

Mr CHEROUX: Sorry, can you repeat the question please?

The Hon. MARK LATHAM: I am happy for you to do this on notice but I am after the terms, conditions and monetary amounts of the Sydney Science Park funding from Sydney Water.

Mr CHEROUX: Yes, this is something I can take on notice. [p.30]

ANSWER:

On Wednesday, 13 October 2021, the Legislative Council agreed to a resolution under Standing Order 52 for an Order for Papers – Water Services for the Sydney Science Park Proposal. The information requested in this Question on Notice is all included in Sydney Water’s submissions in response to that Standing Order.

The following documents provided by Sydney Water as Privilege Documents are identified for reference:

- Document No (a)39 - SSP Program Business Case to Investment Review Committee.
- Document (a)40 SSP Delivery Business Case for SSP Scheme 1 v1.7.
- Documents No (c)71 and (c)72 – SSP Delivery Agreement – Executed – Signed by Celestino and Sydney Water.
- Document (c)198 – May 2020 Board – Paper for Decision: Celestino – Stage 1 Delivery Agreement.
- Document (c)199 - Extract of Board minutes from May 2020 meeting – Paper for decision: Celestino – Stage 1 Delivery Agreement.

Question 5

The Hon. ROSE JACKSON: Mr Cheroux, people in Spring Farm were quoted up to \$80,000 to connect their property to the sewerage. Is that acceptable to you?

Mr CHEROUX: That is something else I would like to take on notice. [p.33]

ANSWER:

Sydney Water has been constructively working with Camden Council and residents since 2019 to provide options for wastewater connections to existing properties along Ettlesdale Road, Spring Farm. While initial cost estimates were around \$65,000-\$80,000 per property, Sydney Water has explored alternative options and current estimates are now around \$25,000 per property. Sydney Water is continuing

to consider all options and engaging with residents and Council to find the best and most cost-effective solution.

For any solution, Sydney Water must work within the cost recovery framework set by the Independent Pricing and Regulatory Tribunal (IPART). IPART's framework requires existing and established property owners to cover costs to connect to Sydney Water's network on a 'benefiter pays' basis, with options for flexible payment arrangements such as regular instalments for up to 20 years. Sydney Water continues to explore other funding pathways which may be possible within IPART's framework.

Sydney Water's plans to roll out water and wastewater services across its area of operations to keep pace with the rezoning of land for new housing. Sydney Water's plans also reflect the sequence of land released by the Government. If land use and zoning changes, Sydney Water will develop servicing plans as appropriate. In the meantime, the owners can apply for a Minor Service Extension.

Question 6

The Hon. MICK VEITCH: Mr Barnes, I am fascinated by the use of drones in your compliance activity, or the potential for drones to be a tool in your agency's compliance activities. Are you using drones? If so, do you have a plan to increase the size of the drone fleet?

Mr BARNES: We use drones as part of our suite of intelligence tools. Drones allow us to cover territory in a short space of time and when equipped with photographic technology we are able to take account of the particulars of storages, dams on property, how water moves from the off-take around the farm and applied to crops. This information captured digitally forms a useful basis for our investigations. We have staff who are qualified as drone pilots and we have a suite of drones that we deploy on a regular basis.

The Hon. MICK VEITCH: Will you take on notice how many you have? Do you have a plan to increase the size of the fleet? That would be really good.

ANSWER:

NRAR currently operates 18 drones as part of its existing operational plans.

Question 7

The CHAIR: Specifically, has the telemetry been integrated with New South Wales gbilling access it yet?

Dr BENTLEY: WaterNSW, yes. The data acquisition system which was developed in the department has been transferred to WaterNSW and we have protocols between us about how we use that. Related to your question, not every meter is currently relaying its data to that system.

Mrs MELINDA PAVEY: The Measuring and Control Equipment [MACE] 3 ones—

Dr BENTLEY: Yes, the MACE meters which are accurate and therefore under policy do not need to be replaced, but do need to be telemetered to be fully compliant. We are still working through some remaining technical issues on those and we expect to have that resolved in the first few months of next year.

The CHAIR: On notice, can you give us an indication of the number of those that need to be compliant by 1 December and are connecting to the—

Dr BENTLEY: So the tranche 2?

The CHAIR: Yes.

Dr BENTLEY: We will take that on notice and come back to you. [p.35]

ANSWER:

Based on water licensing data, the Department estimates that:

- In addition to the approximately 580 works that needed to be metered and connected to the Government's telemetry system by the tranche 1 deadline of 1 December 2020, a further approximately 8,000 works needed to be metered by the tranche 2 deadline of 1 December 2021.
- Of these 8,000 works, approximately 802 works need to be connected to the NSW Government's telemetry system.
- The Department estimates that up to 343 of these 802 works were already fitted with a non-pattern approved meter, such as a MACE meter, when the new metering rules became law in December 2018.
- It is not possible, based on available data, to determine how many of these are MACE meters.

Question 8

The CHAIR: Minister, I might just turn to another matter. When did the New South Wales Government approve a New South Wales water licence for a Chinese government-owned subsidiary called Unibale Pty Ltd? [p.35]

Mrs MELINDA PAVEY: I will take that on notice.

ANSWER:

Unibale Pty Ltd was issued with Water Act Licences between 1987 to 1999, when land & water were still together under the Water Act. Since then, those licences were either cancelled or converted according to legislative changes from the Water Act to the Water Management Act between 2004 to 2006.

Question 9

Mr JUSTIN FIELD: Will you do the review as recommended by the NRC of the environmental water regime of the Shoalhaven River?

Mrs MELINDA PAVEY: I will take that on notice and seek some advice in relation to the timing of that. [p.37]

ANSWER:

The NRC review of the water sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources included the following recommendations relating to the Shoalhaven:

- Recommendation 1 - consideration for the Greater Sydney Water Strategy to ensure water management is integrated across the region.
- Recommendation 5
 - Reconvene the Environmental Flows Reference Group to advise on relevant aspects of recommendations 5 , and by 1 July 2023, expanding their role in the Plan to advise on a coordinated and adaptive approach to setting and managing environmental releases.
 - By 1 July 2027 (Year 5 of the replacement Surface Water Plan), using the modelling framework (Recommendation 2) in conjunction with the estuary model to review the transfer and release rules from the Shoalhaven River/Tallowa Dam to optimise environmental outcomes (including estuarine needs) and water security, considering a broader range of scenarios (including drought and bushfires) and water security for each utility.
- Recommendation 12 - establish clear flow objectives and flow requirements for the estuaries across the Plan area, collect data in the Shoalhaven estuaries and use this to model estuary behaviour using the models described in Section 4.7.

DPIE is developing the draft replacement water sharing plan in consideration of any relevant options considered in the GSWS.

Question 10

Ms CATE FAEHRMANN: Hang on; so the works are not approved by NRAR, right? Let us get this straight. They may need to be modified or decommissioned; you have this little group of people kind of approving this based on landholders who, I understand, can come back quite a few times and want their allocation increased and want an increase. Why are they wanting that? Because you are issuing compensable water licences. So this group, I understand, can agree to this and if there are any discrepancies or if one of the members has an issue, they send you a dissenting report, Dr Bentley. Do those reports go to the Minister?

Dr BENTLEY: No.

Ms CATE FAEHRMANN: So how much does the Minister know about this committee and the work that it undertakes?

Mrs MELINDA PAVEY: I might just point out that there have been two probity reviews of the floodplains review committee work, two probity reviews by independent assessors—lawyers—the first in early 2019 and the second in October

2021. In both reviews it was found that the department's licensing processes were lawful and well documented and that procedural fairness was afforded to applicants. If you have information that is other than that, please let us know because all I am hearing from you is suggestions and allegations without facts. But I will refer back now to Dr Bentley, who has oversight.

Dr BENTLEY: Just quickly, the role of this review committee was in the policy that was published in 2013. This is not something that we secretly slipped under the table; this is something in the published policy, and they do not rule on what the policy should be; it is just a place that people can apply to. If they say, "I want someone else independent to—"

Ms CATE FAEHRMANN: A lot of people are applying, are they not?

Dr BENTLEY: Yes, and very few get referred to me because the committee actually agree on the case. If you want us to, we can provide those numbers on notice, but most of them are settled by the committee. Formally speaking, it is the department—me—that finally approves those things, but a small number do come to me for resolution because the committee could not agree. [pp.39-40]

ANSWER:

The Healthy Floodplains Review Committee (the Committee) was established to provide procedural fairness and natural justice for floodplain harvesting registrants in the application of the NSW Floodplain Harvesting Policy.

The Committee's role is to provide advice to the department on the validity of submissions made by landholders in relation to the preliminary determinations of eligible works and draft entitlements. It has no formal decision-making powers.

The Committee is required to make recommendations through consensus. In circumstances in which the Committee is unable to reach consensus, matters are referred to the Deputy Secretary Water for resolution. To-date, 94% of the Committee recommendations have been via consensus.

Despite clearly outlining the evidence requirements for landholders, in more than 30% of cases, the department and NRAR have recommended to the Committee that the changes requested by landholders through the appeals process have not been appropriately supported by evidence.

To date in more than 90% of cases, the Committee recommendations in response to appeals align with the recommendations made by the department and NRAR.

Changes are only recommended when the evidence supplied in appeals is considered superior to the information previously relied upon. Information on the farm scale validation process is published on the department's website https://www.industry.nsw.gov.au/data/assets/pdf_file/0003/417324/farm-scale-validation-process.pdf

The department commissioned legal firm Maddocks to conduct two probity reviews into work undertaken by the department, NRAR, and the Committee.

The reviews' findings are published on the department's website. In summary, the 2021 probity review found that the processes used by the department and NRAR:

- Are well documented.
- Have provided applicants procedural fairness.
- Appropriately manage real and perceived conflicts of interest.
- Will allow the Minister (or the Minister's delegate) to make an evidence-based decision on floodplain harvesting entitlements – once the enabling regulations have been put in place.

The two probity reviews are complemented by the independent peer reviews conducted by Alluvium Consulting which examine the adequacy of the revised modelling overall.

As yet another level of scrutiny, these revised models will be assessed by the Murray-Darling Basin Authority as part of the assessment and accreditation of water resource plans.

No other licensing process in the Murray-Darling Basin has been subjected to the same level of independent assessment as floodplain harvesting licensing in NSW.

****ENDS****