



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

## **BUDGET ESTIMATES 2022-2023 Supplementary Questions**

**Portfolio Committee No. 4 – Customer Service and Natural Resources**

**LANDS AND WATER, HOSPITALITY AND RACING**

Hearing: Friday 2 September 2022

**Answers due by: Thursday 29 September 2022**

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## LANDS AND WATER, HOSPITALITY AND RACING

### Questions from the Hon Mark Pearson MLC

#### Horse Racing

1. Findings from a 2021 poll of attitudes towards the Melbourne Cup Thoroughbred horse race, gambling and animal cruelty showed that nearly 30 percent of those polled agreed or strongly agreed that they had become less interested in the Melbourne Cup because of concerns about animal cruelty. *“The race that segments a nation: Findings from a convenience poll of attitudes toward the Melbourne Cup Thoroughbred horse race, gambling and animal cruelty.”* Bethany J. Wilson, Kirrilly R. Thompson, Paul D. McGreevy Published: March 24, 2021  
<https://doi.org/10.1371/journal.pone.0248945>
  - (a) Minister, would you agree that 30% is a significant number and points towards a terminal decline in the social acceptance of horse racing as a form of entertainment?
  - (b) Minister, would you agree that the Everest race is also at risk of declining interest if animal welfare concerns in the industry are not appropriately addressed?
2. Thoroughbreds are now so closely genetically related, only DNA testing can tell how much inbreeding will arise from a mating. Research conducted by scientists at University College Dublin examined DNA samples from more than 6,000 thoroughbred horses from Europe and Australia. Results were released in June 2022 and it was found that for every ten per cent increase in DNA-measured inbreeding there was a 48 per cent predicted decrease in the odds of a horse ever racing. Minister this has very grave implications for race horse welfare and may be one explanation for the high levels of wastage in the breeding industry. *“Inbreeding depression and the probability of racing in the Thoroughbred horse”* E. Hill, Martin A. Stoffel, Beatrice A. McGivney, David E. MacHugh and Josephine M. Pemberton  
Published: 29 June 2022 <https://doi.org/10.1098/rspb.2022.0487>
  - (a) Has this report been brought to your attention?
  - (b) Have you been made aware of any concerns about inbreeding within the industry and the consequent link with the large number of foals that are not found suitable for racing?
  - (c) Is this a matter that you would consider raising with Racing NSW?

3. Jo Mackinnon, race horse owner and racing journalist who has worked with race horses and in the industry for decades, wrote in a June 2021 article for the 'Racing Post':

"In recent years Racing NSW has been buying up huge parcels of land to house unwanted racehorses. There are hundreds of them now scattered in paddocks. To a real horse person this is not the answer to re-purposing the thousands of thoroughbreds that are bred annually because we all know that eventually space and funds will become limited." Mackinnon asks "What about the breeders"?

- (a) Minister that is my question- what is Racing NSW doing to reduce the numbers of foals born each season when we know that less than 40% of foals will go on to race and only 14% will be commercially successful for their owners.
- (b) Breeders are making serious money producing far more thoroughbred horses than will ever race and pocketing the profits. What is being done to make breeders accountable for their excess breeding, especially when inbreeding is part of the problem?
- (c) Minister, do you agree that public attitudes concerning foal wastage is a real concern for racings' social licence, and that if the industry does not limit breeding the govt should look to reducing its financial support for the industry?

4. On the 28 August 2020, at the Murwillumbah track, Saxton Rock was beaten around the head with a whip 14 times by a rival jockey, Belinda Hodder. To be clear, there was no suggestion that the Saxton Rock was putting the rival jockey at risk of harm or that Saxton Rock's jockey had lost control. Hodder received a 14 day suspension before being allowed to return to racing. The RSPCA has not charged the jockey with animal cruelty.

- (a) Minister given that the Stewards penalty was not appealed, we can assume that the facts were not contested. Are you satisfied with NSW Racing's treatment of what appears to be a clear case of egregious animal cruelty?
- (b) Is it not the case that if a member of the public was caught hitting a horse about the head with a whip, they would be investigated for animal cruelty under POCTA and a potential criminal sanction imposed?

5. One of the biggest challenges for the racing industry is the shortage of staff to care for the horses and the reluctance of younger generations to get involved. It's been a mounting issue for years and now it is reaching a critical point.

Another quote from Jo Mackinnon: "From my perspective, there are some pretty obvious reasons why staffing is challenging. The image of racing has been on the nose for a while now and many of

the younger generations in particular view the sport as a dim dark world with little or no concern for the welfare of the horse. They see racing as a sport and industry that is driven entirely by the quest to get to the winning post first. They question the morality of it all and don't harbour desires to get involved, on any level." (Jo McKinnon – racing insider article) <https://www.anzbloodstocknews.com/its-been-a-mounting-issue-for-years-and-now-its-reaching-a-critical-point/6>

- (a) Minister, is the horse racing industry going the same way as the greyhound industry?
- (b) Government subsidies keep pouring in to keep the animals racing and the gamblers betting, but is the industry's end in sight as young people refuse to take up a career in animal exploitation and cruelty?

## LANDS AND WATER, HOSPITALITY AND RACING

### Questions from the Hon Emma Hurst MLC

#### Rehoming Greyhounds

6. During FY20-21 (or the most recent year data is available for), how many greyhounds were rehomed in NSW?
7. In respect to the question above, please provide a breakdown as to whether the dog was rehomed:
  - (a) by Greyhounds as Pets;
  - (b) by community-run rehoming groups;
  - (c) to industry participants;
  - (d) by industry participants to third parties; and
  - (e) to other organisations (such as labs, research facilities, blood banks, etc.)? If so, which organisations
8. GRNSW's latest annual report states that 'GRNSW assisted in rehoming 1,880 greyhounds in FY20-21.' How many greyhounds who were 'retired' from racing or otherwise taken out of the industry in that same reporting period?
9. During FY20-21 (or the most recent year data is available for):
  - (a) How many "GREYHOUND DETAILS – GREYHOUNDS AS PETS (GAP) INTAKE" forms did Greyhounds as Pets receive?
  - (b) How many greyhounds were successful at pre-assessment and taken in on the same day?
  - (c) Conversely, how many were not successful?
  - (d) How many greyhounds in the last reporting period were successful at pre-assessment but were not taken into Greyhounds as Pets straight away?
  - (e) What is the average wait time from being accepted into Greyhounds as Pets at pre-assessment or taken in some other way, and being rehomed to new permanent keepers?
  - (f) On average, how many places does Greyhound as Pets have for greyhounds accepted for rehoming?

## **Greyhound Care Scheme**

10. What is the budget for the Greyhound Care Scheme for this financial year?
11. Where is the roll-out of the Greyhound Care Scheme up to?
12. How many dogs have received care under the Scheme, and were they all for post-operative rehabilitation?
13. How many dogs who have been through the Scheme have been rehomed through GAP?
14. What was the total expenditure by Greyhound Racing NSW for the Greyhound Care Scheme trial in Southern NSW?
15. Under GRNSW's Race Injury Rebate Scheme, GRNSW will pay 'all reasonable off-track veterinary costs for treatment of a greyhound admitted into the scheme, up to a maximum of \$2,500'. For the last reporting period:
  - (a) how much money was paid out under the Scheme?
  - (b) how many individual greyhounds were involved in the Scheme?
16. What were the outcomes for dogs admitted into the Scheme? Please provide a breakdown of how many dogs have been:
  - (a) Returned to racing
  - (b) Rehomed
  - (c) Died or euthanised

## **Government Spending**

17. How much betting revenue did the NSW Government receive from the greyhound racing industry in FY 2019-20, 2020-21 and 2021-22?
18. How much was spent by the Government during that period on or for gambling harm reduction and minimisation in relation to the racing industry in FY 2019-20, 2020-21 and 2021-22

## **Deaths and Injuries**

19. For the years FY2019/20, FY2020/21 and FY2021/22, please advise the number of dogs that a) died and b) were killed by euthanasia, following an injury at a race meeting in NSW, both:
  - (a) at the track,
  - (b) in the days after the injury was sustained.

20. For greyhounds injured or killed at trials during FY2021/22, please advise:
- (a) number of dogs that died or were killed by euthanasia at the track,
  - (b) the number of dogs that were injured and then euthanased in the days following the injury,
  - (c) a breakdown of injuries and deaths per track at which they occurred,
  - (d) the total number of dogs that were injured with a breakdown by GWIC injury categories,
  - (e) for each major injury, please list the greyhound's name and unique ID number, and advise whether they have raced since the injury,
  - (f) for each greyhound who has suffered a major injury and is no longer racing, please advise the last time the dog raced and whether the dog is still alive,
  - (g) the names of the dogs injured or killed,
  - (h) Please also advise:
    - i. whether such tracks are required to keep records and if so list which rule requires this and provide a URL link to that rule,
    - ii. what kind of vet service each of these tracks has available at meetings (if any).
21. For each greyhound registered in NSW which is listed in a steward's report as having been stood down for 90 days during FY2019/20, FY2020/21 and FY2021/22 and is no longer racing, please advise whether:
- (a) the dog is still alive (and if so, whether the dog was adopted by an industry participant or by a non-industry participant),
  - (b) the dog is not still alive (and if so, what is the reason recorded for their death, and who holds this information e.g. where is it recorded?)

### **Greyhound Industry Rebate Scheme**

22. Please provide a list of all greyhound industry rebate schemes operating in NSW
23. In respect to each of these schemes identified above, please advise how many greyhounds with injuries were treated under each of those schemes during:
- (a) FY2018-19
  - (b) FY2019-20
  - (c) FY2020-21

(d) FY2021-22

24. In respect to the greyhounds identified in response to the question above, please advise (for each financial year):
- (a) What percentage were returned to racing?
  - (b) What percentage were adopted?
  - (c) What percentage died and/or were euthanased?

### **Greyhound Transfers**

25. How many racing or ex-racing greyhounds were transferred interstate during FY 2019, 2020 and 2021?
26. In respect to each dog identified above, please advise:
- (a) who was the transferred dog owned by in NSW?
  - (b) which state/territory did each dog go to?
  - (c) who is the dog owned by in the state/territory to which the dog was transferred?
  - (d) if the dog is no longer alive, what was the cause of death?
  - (e) if the cause of death is not known, why not?
  - (f) where are these records held?
27. How many racing or ex-racing greyhounds were transferred into NSW during 2019, 2020 and 2021?
28. For each greyhound identified in the question above, please advise:
- (a) Which state/territory did the dog come from?
  - (b) Who owned the dog in that state/territory?
  - (c) Who owns the dog in NSW?
  - (d) If not currently racing, is the dog still alive?
  - (e) If not alive now, what was the cause of death?

### **Penalties**

29. What percentage of penalties given by GWIC in the past 5 years were for the maximum allowable penalty?



30. What percentage of penalties given by GWIC over the past 5 years were for:
- (a) drug-related offences?
  - (b) cruelty offences?

## LANDS AND WATER, HOSPITALITY AND RACING

### Questions from Ms Cate Faehrmann MLC

#### **Wyangala**

31. What is the current status of the final business case for the Wyangala Dam wall raising project?
32. What is the current status of the EIS assessment process for the Wyangala Dam wall raising project?
33. When will Water Infrastructure NSW conduct community consultation sessions to provide updates on the assessment process for the Wyangala Dam wall raising project?

#### **Dungowan**

34. What studies have been conducted to demonstrate that the Peel River alluvium is recharged by rainfall rather than by river flows?
35. What independent peer review has been conducted on the Dungowan Dam surface and groundwater hydrological models?

#### **Natural Resources Access Regulator**

36. What investigations has NRAR undertaken since the March 2022 floods with local governments to investigate illegal dumping in rivers?
37. Has NRAR conducted any investigations around illegal dumping of fill, riverbank erosion, illegal dwellings or project planning around the riparian zone of the Hawkesbury and Nepean Blue Mountains Local Government Areas?
38. Has NRAR engaged with any regulatory services departments of the 6 flood affected LGA's with regards to illegal dumping of fill, riverbank erosion and /or replanting, maintenance of flood channels or illegal retaining wall or dwellings?

## LANDS AND WATER, HOSPITALITY AND RACING

### Questions from the Hon Mark Buttigieg MLC *(on behalf of the Opposition)*

#### Harm Minimisation

39. In 2019/2020, KPMG received \$249,067 to undertake a strategic assessment of global technology available for gambling harm minimisation and recommend investment in this area. Is that report publicly available?
- (a) If not currently publicly available, can the Minister make it available and provide a date it will be available?
  - (b) How many of the recommendations have been adopted by the Responsible Gambling Fund Trustees, Office of Responsible Gambling (ORG) or ILGA?
  - (c) Do any of the recommendations require legislative changes and if so, what is the status of them?

#### Community Benefit Fund

40. What is the basis for the set of calculations made by ILGA when determining the community benefit payment by a venue when an application for additional or new poker machines is approved?
- (a) In particular, what lies behind the calculation of new losses, the percentage of losses in relation to perceived harm to the community, and the period of 5 years over which these contributions are calculated.
41. Is the process by which grants are made from the Community Development Fund to organisations in the same LGA as the contributing venue similar to other grant processes operated by NSW agencies or departments?
- (a) Is this an open grant application process?
  - (b) If not, why is it not an open process?
42. Can the RGF Trustees report grants awarded, grants acquitted and funds unspent against each venue contribution?
- (a) If so, where is this reported?

- (b) If it has not been reported, can those figures be supplied for the last four financial years (ie FY2019, FY2020, FY2021 and FY2022)
- 43. What happens to funds contributed by a venue which are not then given out as community development fund grants?
- 44. Have any community development fund grants been made to any organisation which is not active in the area of the venue which made the original community benefit payment to which the grant is linked?
- 45. How does the Minister determine if the community has benefited from the expenditure of the funds from a grant under this scheme, and how that ameliorates any harm caused by the poker machines in the venue which made the community benefit payment?

### **Redundancies within the Hospitality and Racing Group**

- 46. As you are the lead Minister, how many redundancies have been finalised at the Office of the Greyhound Welfare and Integrity Commission in the 2021-22 financial year?
  - (a) Which departmental areas were these affected position/s previously allocated to?
  - (b) Which geographical area/s were these affected position/s previously located within?
  - (c) What date/s were these redundancies finalised?
  - (d) What is the full monetary value of these redundancies in savings per annum?
- 47. As you are the lead Minister, how many redundancies have been proposed and/or announced but not yet finalised at the Office of the Greyhound Welfare and Integrity Commission?
  - (a) Which departmental area/s are these affected position/s currently allocated to?
  - (b) Which geographical area/s are these affected position/s currently located within?
  - (c) What date/s are these redundancies proposed to be finalised?
  - (d) What date/s were these redundancies proposed and/or announced?
  - (e) What is the full projected monetary value of these redundancies in savings per annum?
- 48. As you are the lead Minister, how many redundancies have been finalised at the Independent Liquor and Gaming Authority in the 2021-22 financial year?
  - (a) Which departmental areas were these affected position/s previously allocated to?
  - (b) Which geographical area/s were these affected position/s previously located within?
  - (c) What date/s were these redundancies finalised?

- (d) What is the full monetary value of these redundancies in savings per annum?
49. As you are the lead Minister, how many redundancies have been proposed and/or announced but not yet finalised at Independent Liquor and Gaming Authority?
- (a) Which departmental area/s are these affected position/s currently allocated to?
- (b) Which geographical area/s are these affected position/s currently located within?
- (c) What date/s are these redundancies proposed to be finalised?
- (d) What date/s were these redundancies proposed and/or announced?
- (e) What is the full projected monetary value of these redundancies in savings per annum?
50. As you are the lead Minister, how many redundancies have been finalised at Liquor and Gaming NSW in the 2021-22 financial year?
- (a) Which departmental areas were these affected position/s previously allocated to?
- (b) Which geographical area/s were these affected position/s previously located within?
- (c) What date/s were these redundancies finalised?
- (d) What is the full monetary value of these redundancies in savings per annum?
51. As you are the lead Minister, how many redundancies have been proposed and/or announced but not yet finalised at Liquor and Gaming NSW?
- (a) Which departmental area/s are these affected position/s currently allocated to?
- (b) Which geographical area/s are these affected position/s currently located within?
- (c) What date/s are these redundancies proposed to be finalised?
- (d) What date/s were these redundancies proposed and/or announced?
- (e) What is the full projected monetary value of these redundancies in savings per annum?
52. As you are the lead Minister, how many redundancies have been finalised at the Office of Responsible Gambling in the 2021-22 financial year?
- (a) Which departmental areas were these affected position/s previously allocated to?
- (b) Which geographical area/s were these affected position/s previously located within?
- (c) What date/s were these redundancies finalised?
- (d) What is the full monetary value of these redundancies in savings per annum?

53. As you are the lead Minister, how many redundancies have been proposed and/or announced but not yet finalised at the Office of Responsible Gambling?
- (a) Which departmental area/s are these affected position/s currently allocated to?
  - (b) Which geographical area/s are these affected position/s currently located within?
  - (c) What date/s are these redundancies proposed to be finalised?
  - (d) What date/s were these redundancies proposed and/or announced?
  - (e) What is the full projected monetary value of these redundancies in savings per annum?

### **Employees**

54. Minister, for each department, agency, State-owned corporation or other body, and for each division of those bodies, if any, in your portfolio:
- (a) What is the gender pay gap, both generally and across those employees in SEB or SEB-equivalent bands?
  - (b) What is the highest remuneration for female employees— both generally and for SEB/SEB-equivalent employees?
  - (c) What is the lowest pay received by female employees – both generally and for SEB/SEB-equivalent employees?
  - (d) What is the average remuneration received by female employees – both generally and for SEB/SEB-equivalent employees?
  - (e) What is the highest remuneration for male employees— both generally and for SEB/SEB-equivalent employees?
  - (f) What is the lowest pay received by male employees – both generally and for SEB/SEB-equivalent employees?
  - (g) What is the average remuneration received by male employees – both generally and for SEB/SEB-equivalent employees?
  - (h) How many female and how many male SEB or SEB-equivalent employees are there?
  - (i) What is the highest number of direct reports to female SEB or SEB-equivalent employees?
  - (j) What is the lowest number of direct reports to female SEB or SEB-equivalent employees?
  - (k) What is the average number of direct reports to female SEB or SEB-equivalent employees?
  - (l) What is the highest number of direct reports to male SEB or SEB-equivalent employees?

- (m) What is the lowest number of direct reports to male SEB or SEB-equivalent employees?
- (n) What is the average number of direct reports to male SEB or SEB-equivalent employees?
- (o) What is the highest number of staff managed by female SEB or SEB-equivalent employees?
- (p) What is the lowest number of staff managed by female SEB or SEB-equivalent employees?
- (q) What is the average number of staff managed by female SEB or SEB-equivalent employees?
- (r) What is the highest number of staff managed by male SEB or SEB-equivalent employees?
- (s) What is the lowest number of staff managed by male SEB or SEB-equivalent employees?
- (t) What is the average number of staff managed by male SEB or SEB-equivalent employees?
- (u) In providing answers to questions (a) to (t), please provide the information for each SEB band or band equivalent?
- (v) What steps are you taking to eliminate the gender pay gap?
- (w) What timeframe have you set to eliminate the gender pay gap?

55. Cluster Secretary- for each department, agency, State-owned corporation or other body, and for each division of those bodies, if any, in your Cluster:

- (a) What is the gender pay gap, both generally and across those employees in SEB or SEB-equivalent bands?
- (b) What is the highest remuneration for female employees– both generally and for SEB/SEB-equivalent employees?
- (c) What is the lowest pay received by female employees – both generally and for SEB/SEB-equivalent employees?
- (d) What is the average remuneration received by female employees – both generally and for SEB/SEB-equivalent employees?
- (e) What is the highest remuneration for male employees– both generally and for SEB/SEB-equivalent employees?
- (f) What is the lowest pay received by male employees – both generally and for SEB/SEB-equivalent employees?

- (g) What is the average remuneration received by male employees – both generally and for SEB/SEB-equivalent employees?
- (h) How many female and how many male SEB or SEB-equivalent employees are there?
- (i) What is the highest number of direct reports to female SEB or SEB-equivalent employees?
- (j) What is the lowest number of direct reports to female SEB or SEB-equivalent employees?
- (k) What is the average number of direct reports to female SEB or SEB-equivalent employees?
- (l) What is the highest number of direct reports to male SEB or SEB-equivalent employees?
- (m) What is the lowest number of direct reports to male SEB or SEB-equivalent employees?
- (n) What is the average number of direct reports to male SEB or SEB-equivalent employees?
- (o) What is the highest number of staff managed by female SEB or SEB-equivalent employees?
- (p) What is the lowest number of number of staff managed by female SEB or SEB-equivalent employees?
- (q) What is the average number of staff managed by female SEB or SEB-equivalent employees?
- (r) What is the highest number of staff managed by male SEB or SEB-equivalent employees?
- (s) What is the lowest number of staff managed by male SEB or SEB-equivalent employees?
- (t) What is the average number of staff managed by male SEB or SEB-equivalent employees?
- (u) In providing answers to questions (a) to (t), please provide the information for each SEB band or band equivalent
- (v) What steps are you taking to eliminate the gender pay gap?
- (w) What timeframe have you set to eliminate the gender pay gap?

### **Floodplain harvesting**

- 56. How were NSW's obligations under the 2020 National Closing the Gap report considered before floodplain harvesting licences were issued in the Border Rivers and Gwydir water sources?
- 57. How will NSW obligations under the 2020 National Closing the Gap report be considered before any more floodplain harvesting access licences are handed out?



58. The previous Water Minister advised that the number of ‘eligible’ floodplain harvesting storages that are ‘unapproved’ and lie within identified ‘hotspot’ areas (that is areas where flood works impede critical flood paths) in the Barwon/Darling is 1 and in the Macquarie is 6. Will floodplain harvesting licences still be considered for these flood works?

### **Hunter Valley Water**

59. What plans are there presently for the capture of water to drought proof the Upper Hunter Valley for agriculture, tourism, renewable energy, jobs and the future of the Upper Hunter Valley and for Northern NSW?
60. Over the last 2 years NSW and in particular the Hunter Valley have experienced significant flooding, how much water has been captured over the last 2 years in the Hunter Valley to secure water availability for the future?
61. What plans, if any, are there for a co-ordinated response to climate change in the Upper Hunter Valley to deal with extreme weather conditions such as droughts and flooding?

### **Climate Change Modelling**

62. Has the revised set of climate modelling on NSW and Sydney water availability and reliability been completed?
- (a) Who was commissioned to complete this body of work?
  - (b) Could the Minister please attach a copy of this report?
  - (c) What were the key findings in relation to the changing climate on drought?
  - (d) Has the minister been briefed on this modelling?

### **Minister Anderson’s Ministerial Office**

63. What was the total cost of the following from October 2021 – September 2022 in Minister Anderson’s Ministerial Office:
- (a) Office fit outs
  - (b) Office Upgrades
  - (c) Moving or relocation services
  - (d) Plants
  - (e) Business Cards
  - (f) Stationary

- (g) Art
  - (h) Book cases or other office furniture
64. Were any upgrades or alteration made to the office during or after the Ministerial changeover specific to Minister Anderson's office?
65. How many full-time equivalent staff are engaged in Minister Anderson's office at 1 July 2022.
- (a) How many of these positions are:
    - i. on-going and
    - ii. non-ongoing
66. Could the Minister please provide job titles for all current positions/employees in the Minister's office?
67. Could the Minister please provide total (incl. superannuation and other benefits) remuneration awarded to each member of staff and their corresponding job title?
68. How much has been spent on ministerial stationery requirements in FY 2021-22 and FY 2022-23 to date?
69. How much did the Minister's office spend on Christmas Party Functions in 2021?
70. What requests have been made from the Minister regarding office upgrades or furniture?

### **Ministerial Functions**

71. In relation to any functions or official receptions hosted by Ministers or Assistant Ministers in the portfolio since 21 December 2021, can the following be provided:
- (a) List of functions.
  - (b) List of all attendees.
  - (c) Function venue.
  - (d) Itemised list of costs (GST inclusive).
  - (e) Details of any food served.
  - (f) Details of any wines or champagnes served including brand and vintage.
  - (g) Any available photographs of the function.
  - (h) Details of any entertainment provided.

## **Cooks River**

72. Regarding the Cooks River sheet metal piling, will the Minister commit to removing the sheet metal piling which has caused significant pollution to the Cooks River?
73. What role does your Department play in maintaining the Cooks River which falls on state-owned land?
74. What role does your Department play in naturalising the Cooks River, particularly the sheet metal piling along the river's banks?
  - (a) Do you have any plans to remove the sheet metal piling along the Cooks River?
75. Does the Minister accept that the responsibility of maintaining the Cooks River waterway is the responsibility of the Minister for Lands and Water and their department?
  - (a) Why has the Minister not done this in his capacity as the Minister for Lands and Water?
76. Will the Minister commit to working with other levels of Government and departments to address the need for naturalisation of the Cooks River waterway and banks?
77. Will the Minister finally take responsibility for the Cooks River which falls within his jurisdiction as the Minister for Lands and Water?
78. Regarding the Cooks River Coastal Management Plan, has the Minister's department granted any funding for the creation or implementation of the Plan?
  - (a) If so, how much?
79. Have you consulted with the Cooks River Alliance about the need to maintain the Cooks River?
  - (a) When was the last time this consultation took place?
  - (b) What was the outcome of this?

## **Third-party contractors or consultancies**

80. For every agency, department, or state-owned corporation within your portfolio, please provide the following:
  - (a) A list of all third-party contractor or consultancies engaged in communications services, including:
    - i. Contractor name,
    - ii. Contractor ABN,
    - iii. Service provided,

- iv. Total cost paid
- (b) A list of all third-party contractor or consultancies engaged in PR services, including:
  - i. Contractor name,
  - ii. Contractor ABN,
  - iii. Service provided,
  - iv. Total cost paid
- (c) A list of all third-party contractor or consultancies engaged in marketing services, including:
  - i. Contractor name,
  - ii. Contractor ABN,
  - iii. Service provided,
  - iv. Total cost paid
- (d) A list of all third-party contractor or consultancies engaged in Government relations or lobbying services, including:
  - i. Contractor name,
  - ii. Contractor ABN,
  - iii. Service provided,
  - iv. Total cost paid
- (e) A list of all third-party contractor or consultancies engaged in industry or peak body membership, including:
  - i. Contractor name,
  - ii. Contractor ABN,
  - iii. Service provided,
  - iv. Total cost paid
- (f) A list of all third-party contractor or consultancies engaged in policy or strategy development, including:
  - i. Contractor name,
  - ii. Contractor ABN,

- iii. Service provided,
  - iv. Total cost paid
- (g) A list of all third-party contractor or consultancies engaged in project management, including:
- i. Contractor name,
  - ii. Contractor ABN,
  - iii. Service provided,
  - iv. Total cost paid
- (h) A list of all third-party contractor or consultancies engaged in accounting and audit, including:
- i. Contractor name,
  - ii. Contractor ABN,
  - iii. Service provided,
  - iv. Total cost paid
- (i) A list of all third-party contractor or consultancies engaged in legal services, including:
- i. Contractor name,
  - ii. Contractor ABN,
  - iii. Service provided,
  - iv. Total cost paid
- (j) A list of all third-party contractor or consultancies engaged in any other services, including:
- i. Contractor name,
  - ii. Contractor ABN,
  - iii. Service provided,
  - iv. Total cost paid

## LANDS AND WATER, HOSPITALITY AND RACING

### Questions from Mr Justin Field MLC

#### **Floodplain harvesting legality**

81. In reference to the Minister's comment on page 11 of the transcript that he was given "advice from the Department" regarding the lawfulness and consistency with the water management principles of recent amendments to water sharing plans to enable floodplain harvesting.
- (a) When was the advice requested?
  - (b) When was the advice received?
  - (c) Who prepared the advice?
  - (d) Was it formal legal advice?
  - (e) Will you make the advice public?
    - i. If not, why not?
    - ii. If yes, please provide the advice.

#### **Natural Resources Commission invitation to appear as a witness**

82. Did the Minister's Office receive a request by the Budget Estimates Secretariat for the Natural Resources Commission (NRC) to appear as a witness in the Portfolio Committee Number 4 hearing of Friday 2 September 2022?
- (a) If so,
    - i. Who received this request?
    - ii. Was a decision made to not request the attendance of the NRC at the hearing? Who made the decision?
    - iii. On what basis was a decision made to not request the attendance of the NRC?

#### **Natural Resources Commission Border Rivers Water Sharing Plan Review**

83. In regards to the NRC review into the Water Sharing Plan for the NSW Border Rivers Unregulated and Alluvial Water Sources 2012 published June 2022,
- (a) When will the government respond to the specific recommendations contained in this review?

- (b) Will the response be made public?

### **Water resource plan submission**

- 84. In reference to the response by Mr Jim Bentley on page 29 of the transcript that eight water resource plans have been resubmitted to the Murray-Darling Basin Authority, please name each of these eight water resource plans.
- 85. When will the resubmitted WRPs be made public?
- 86. In each of the water resource plans resubmitted, please describe how Planned Environmental Water has been defined?  
On page 29 of the transcript, evidence was provided of concern by the NSW Environment and Heritage Group (EHG) regarding the definition of Planned Environmental Water in the resubmitted Lachlan Water Resource Plan:
  - (a) What was the response of DPIE Water to EHG regarding the definition of Planned Environmental Water?
  - (b) Were any changes made to the submitted water resource plans as a result of EHG concern?

### **Natural Resources Access Regulator prosecutions**

- 87. In reference to the seven live prosecutions being pursued by NRAR, as referred to by Mr Grant Barnes on page 52 of the transcript, please provide the following:
  - (a) The type of the alleged breach,
  - (b) the relevant provision in the *Water Management Act 2000*, and
  - (c) The water source where the alleged breach occurred?
- 88. In regards to withdrawn prosecutions, as referred to by Mr Grant Barnes on page 53, please provide the following details, separately for each withdrawn prosecution:
  - (a) The date of the investigation commencing
  - (b) The date of withdrawal.
  - (c) The reasons for withdrawal
  - (d) The type of breach, i.e. the relevant provision in the *Water Management Act 2000*
  - (e) The name of the relevant water source
  - (f) Where possible, the name of the individual/s or company being prosecuted

(g) Whether the prosecution was related to, or as a result of, the *ABC Four Corners Pumped* program.

89. In reference to evidence given by Mr Grant Barnes on page 53 of the transcript, regarding a judgment made in the Land and Environment Court, please provide details on the judgment and what implications it had, or has, on NRAR prosecutions.

#### **Natural Resources Access Regulator floodplain harvesting investigations**

90. In reference to the 26 investigations by NRAR, as referred to by Mr Grant Barnes on page 62 of the transcript, relating to floodplain harvesting, please provide the following:

- (a) The nature of the alleged breach,
- (b) The relevant provision in the *Water Management Act 2000*, and
- (c) The water source where the alleged breach occurred?
- (d) Where relevant, the volume of water in question.

#### **Duly Qualified Persons**

91. NRAR refers to Duly Qualified Persons (DQP) as a priority in NRAR's regulatory priorities for 2022-23. Please provide the following details:

- (a) What circumstances or concerns led to DQPs becoming a regulatory priority?
- (b) Has NRAR received specific complaints relating to actions of DQPs?
- (c) If so, how many have been received?
- (d) Have any investigations or other enforcement actions been undertaken as a result of the actions of DQPs?
- (e) If so, how many and what are the details?
- (f) Has NRAR raised concerns about the training, certification or actions of DQPs with DPE (Water)? If so, what has been the nature of the concerns raised?

92. In regards to the Memorandum of Understanding with Irrigation Australia referenced in NRAR's regulatory priorities for 2022-23:

- (a) What was the reason for entering into this MOU?
- (b) Is the MOU public?
- (c) If so, please provide a link to the document?



- (d) If not, why not?

### **Water reporting in mining operations**

- 93. NRAR's regulatory priorities for 2022-23 identify "inconsistencies in how water take is measured and reported across the state's mining operations and extractive industries". Please explain what these inconsistencies were and where they occurred.

### **Metering program**

- 94. In reference to the evidence given by Mr Barnes on page 54 of the transcript regarding the roll out of the metering program, please provide a breakdown of compliance numbers within each tranche of the metering program.

### **Floodplain harvesting investigations**

- 95. In reference to the evidence given by Mr Barnes on page 62 of the transcript regarding investigations into floodplain harvesting take of 200GL in 2020/21, please clarify:
  - (a) Was the 200GL referred to taken by floodplain harvesting only?
  - (b) Approximately, what period of time did this event occur over?
  - (c) What valleys did the 200GL take occur in?
  - (d) Please provide a valley-by-valley breakdown of the 200GL
  - (e) How many storages did this apply to?
- 96. In reference to the evidence given by Mr Barnes on page 62 of the transcript regarding 26 live investigations into floodplain harvesting for a March-April period:
  - (a) Approximately how many GL was taken in excess of expectations over the event in these 26 instances?
  - (b) How many storages do these investigations apply to?
  - (c) In what valleys are these 26 investigations occurring in?
  - (d) Please provide a valley-by-valley breakdown.
- 97. In reference to the evidence given by Mr Barnes on page 62 of the transcript regarding investigating "seven of the highest" takes of floodplain harvesting:
  - (a) Approximately how many GL was taken in excess of expectations over the event in these seven instances?
  - (b) How many storages do these investigations apply to?

- (c) In what valleys are these seven investigations occurring?
- (d) Please provide a valley-by-valley breakdown.

### **Floodplain harvesting review**

98. In regards to the “independent expert advice” to be sought on floodplain harvesting access licences before 1 July 2025, contained in recent amendments to water sharing plans, for example in section 70 of the Water Sharing Plan for the NSW Border Rivers Regulated River Water Source Amendment Order 2022:
- (a) Will this review be done by the Natural Resources Commission?
  - (b) What is the impact of the following restriction contained in the review provision “must not substantially alter the long-term average annual total amount of water able to be extracted under floodplain harvesting (regulated river) access licences in the water source”?
  - (c) Was legal advice sought on the implications of this restriction?
  - (d) If so, when was this sought?

### **Licence numbers**

99. Please provide the number of licence holders, both individuals and corporations, in each of the following valleys:
- (a) Barwon Darling
  - (b) Namoi
  - (c) Macquarie
  - (d) Gwydir
  - (e) Border Rivers

### **Amendment of the Darling Alluvial Groundwater Sources 2020 Water Sharing Plan**

100. In regards to the amendment of the Darling Alluvial Groundwater Sources 2020 Water Sharing Plan gazetted on 26 August 2022, that removed the requirement that additional groundwater could only be used on perennial crops, please clarify:
- (a) Will additional groundwater access licences be issued as a result of this amendment?
  - (b) What measures are in place to ensure additional extraction that occurs under Section 37 (3) (a) is under the extraction limit?

- (c) Will this additional extraction be accounted for under the Long Term Annual Extraction Limit of the Darling Alluvial Groundwater Source?
- (d) Does the DPIE Water have an estimate of how much additional groundwater will be accessed as a result of this amendment?
- (e) What assessment of the condition of Groundwater Dependent Ecosystems was undertaken before this amendment was signed off?
- (f) How was the potential impact of this extra extraction on the risk of local aquifer drawdown considered?
- (g) How was the impact of increased groundwater extraction on the existing salinity targets quoted in the Water Quality Management Plan in the draft Water Resource Plan been considered?

## LANDS AND WATER, HOSPITALITY AND RACING

### Questions from Ms Abigail Boyd MLC

#### **Animal agriculture**

101. How many bore water licences have been approved for intensive animal agriculture facilities in the following financial years:
- (a) 2019-2020?
  - (b) 2020-2021?
  - (c) 2021-2022?
102. What is the total amount of groundwater extracted by animal agriculture facilities in:
- (a) 2019-2020?
  - (b) 2020-2021?
  - (c) 2021-2022?

#### **Drink spiking**

103. How many times in total has drink spiking been recorded in an incident register in NSW licensed venues, in each of the past financial years from 2017 to current?
- (a) Of these, how many were:
    - i. reported to NSW Police?
    - ii. dealt with internally by the venue, in the form of an investigation or similar?
    - iii. not dealt with beyond the act of being recorded within the incident register?
104. Is it mandatory, under the licensing conditions, for licensed venues to record incidents of drink spiking in an incident register when they become aware of such incidents?
- (a) Can you specify the licensing conditions regarding the obligations of licensed venues to record and respond to drink spiking incidents occurring on their premises?
105. What are the specific training requirements for staff working at licensed venues, in regards to drink and needle spiking?

106. Do staff at licensed venues undergo any training specifically related to how to identify perpetrators, such as behaviour to look out for?
107. Under Responsible Service of Alcohol (RSA) regulation, venues are advised to have a plan in place to minimise drink spiking or other predatory activities in and around the venue. What provisions are in place to ensure that venues have adequate plans in place?
- (a) What provisions are in place to ensure that all licensees are adhering to these plans?
  - (b) Does the regulator conduct any inspections to ensure that licensees are adhering to harm reduction plans and protocol?
108. Considering that NSW Liquor & Gaming's "Think Safe to Drink Safe" campaign currently focuses on the responsibility of individuals to ensure their own safety and the safety of their friends, are there any plans to focus directly on addressing the harmful behaviour of perpetrators?

### **Horse racing welfare**

109. In 2020 the SMH reported that Racing NSW was launching an investigation into NSW racehorses being sent to slaughter at knackeries and slaughterhouses in breach of racing rules. This investigation includes Gerry Harvey, who confirmed that as of October 2020 that "up to nine [of his] thoroughbreds had been sent to knackeries over the last three years".
- (a) Has Racing NSW concluded its investigation into Gerry Harvey and/or his horses?
  - (b) Have any other racehorses been sent to slaughter at knackeries or slaughterhouses since the 2020 exposure?
110. Of investigations against NSW Racing participants in each of the financial years 2019-2020, 2020-2021, 2021-2022, and 2022-2023 to date:
- (a) what is the total number of investigations?
  - (b) what is the total number involving animal welfare matters?
  - (c) what is the total number involving over-whipping?
  - (d) how many participants have been charged?
  - (e) how many resulted in penalties (financial or other) being applied?
  - (f) please provide a breakdown of the types and frequency of penalties applied.
111. Of Racing NSW participants charged in financial years 2019-2023 to date, how many have been charged more than once?

112. What actions if any has the Minister or the Office of Racing taken to address over-whipping?

113. How is the over-whipping of racehorses monitored in routine track work?

114. How is the use or non-use of electric shock devices (jiggers) monitored during:

(a) races?

(b) routine track work?

### **Former racing animals in correctional facilities**

115. In each of the financial years 2019-2020, 2020-2021, 2021-2022, and 2022-2023 to date:

(a) what is the total number of racehorses housed at NSW prisons or correctional facilities who have undergone or are undergoing care or rehabilitation?

(b) of racehorses housed in prisons or correctional facilities, how many have been rehomed or adopted out?

(c) of racehorses housed in prisons or correctional facilities, how many have been euthanased, for what reasons and who made the decision to euthanase?

(d) what is the total number of greyhounds housed at NSW prisons or correctional facilities who have undergone or are undergoing care or rehabilitation?

(e) of greyhounds housed in prisons or correctional facilities, how many have been rehomed or adopted out?

(f) of greyhounds housed in prisons or correctional facilities, how many have been euthanased, for what reasons and who made the decision to euthanase?

116. Please provide the names of all prisons and correctional facilities that house:

(a) racehorses.

(b) greyhounds.

### **Greyhound racing**

117. What percentage of penalties handed down in NSW for infractions by greyhound racing industry participants were for:

(a) the maximum penalty allowable?

(b) drug-related offences?

(c) cruelty offences?

- (d) failing to socialise greyhounds for which they are responsible?
118. For each quarter of each of the financial years 2019-2020, 2020-2021, 2021-2022, and 2022-2023 to date:
- (a) how many greyhounds died (except by euthanasia) on the track or at associated racing facilities following an injury at a race meeting?
  - (b) how many greyhounds were euthanased on the track or at associated racing facilities following an injury at a race meeting?
  - (c) how many greyhounds died (except by euthanasia) within the week following an injury at a race meeting (excluding death on the track or at associated racing facilities)?
  - (d) how many greyhounds were euthanased within the week following an injury at a race meeting (excluding death on the track or at associated racing facilities)?
  - (e) how many greyhounds died (except by euthanasia) on the track or at associated racing facilities following an injury at a trial?
  - (f) how many greyhounds were euthanased on the track or at associated racing facilities following an injury at a trial?
  - (g) how many greyhounds died (except by euthanasia) within the week following an injury at a trial (excluding death on the track or at associated racing facilities)?
- (a) how many greyhounds were injured at a trial?
119. For each greyhound registered in NSW which was injured in a trial between 1 July 2019 and 30 June 2022, please name the dog and advise at which track the injury occurred and whether the dog is alive or dead.
120. For each greyhound registered in NSW which received a 90 day incapacitation between 1 July 2019 and 31 December 2022 and has not raced since, please name the dog and advise whether the greyhound is alive or dead, and if alive whether it was adopted by an industry participant (including being kept as a pet by its owner) or a non-industry participant, and if dead what the reason recorded for its death is.
121. Where is information on the status of greyhounds which received a 90 day incapacitation held? If this information is not publicly available, would GWIC consider making available to the public a register of the basic status (for example, alive, dead, left the industry) of named racing greyhounds? If not, is there any legislative restriction which would prevent this?

122. For each quarter of each of the financial years 2019-2020, 2020-2021, 2021-2022, and 2022-2023 to date, how many greyhounds were transferred interstate from NSW?
123. For each greyhound registered in NSW which was transferred interstate from NSW between 1 July 2019 and 30 June 2022 please name the dog and advise who the transferred dog was owned by, which state/territory the dog was transferred to, who the dog is owned by in the state/territory to which it was transferred, if the dog is no longer alive what the cause of death was, and if the cause of death is not known why this is so.
124. Where are records relating to interstate transfers from NSW held?
125. For each quarter of each of the financial years 2019-2020, 2020-2021, 2021-2022, and 2022-2023 to date, how many greyhounds were transferred into NSW from interstate?
126. For each greyhound registered in NSW which was transferred to NSW from interstate between 1 July 2019 and 30 June 2022 please name the dog and advise which state/territory the dog came from, and if the dog is not currently racing whether the dog is alive and if not what the cause of death was.
127. What were the total funds expended by government in support of the greyhound racing industry (with a breakdown of expenditure type, eg. track upgrades, spectator infrastructure, government inquiries into the industry, breeding incentives, prize money contributions, advertising, sponsorship, etc) during each financial year 2018-2019, 2019-2020, 2020-2021, 2021-2022, and 2022-2023 to date?
128. How many greyhounds were rehomed in NSW during each financial year 2019-2020, 2020-2021 and 2021-2022 by:
  - (a) Greyhounds as Pets (GRNSW)?
  - (b) community-run rehoming groups?
  - (c) industry participants directly?
129. How many greyhounds were rehomed in NSW during each financial year 2019-2020, 2020-2021 and 2021-2022 by:
  - (a) industry participants other than the owner?
  - (b) the industry participant owner, as a companion animal?
  - (c) other organisations?
    - i. Please list these organisations by name.



130. Has Greyhound Racing NSW commissioned any polling of either the general public or of greyhound racing industry participants since December 2021? If yes, please provide information on the subject of the polling and when it was undertaken, and a copy of the polling.
131. What is GRNSW's allocated budget to its rehoming body, Greyhounds As Pets?
132. What is the total revenue received by Greyhounds as Pets as a charity by way of public donations and fundraising, bequests and sponsorship each financial year 2019-2020, 2020-2021 and 2021-2022?
133. What is the total number of greyhounds currently in the care of Greyhounds as Pets foster carers?
134. What is the total number of greyhounds currently in Greyhounds as Pets' direct care (ie. not in foster care)?
135. What is the total greyhound to staff and volunteer ratio at Greyhounds as Pets, i.e., how many greyhounds is each GAP staff member or volunteer responsible for?
136. How many greyhounds were rejected or not accepted by Greyhounds as Pets during each quarter of each of the financial years 2019-2020, 2020-2021, 2021-2022, and 2022-2023 to date?
137. How many greyhounds were euthanased by Greyhounds as Pets during each quarter of each of the financial years 2019-2020, 2020-2021, 2021-2022, and 2022-2023 to date?
138. As part of the Greyhounds Australasia Greyhound Welfare Strategy, national breeding rules were introduced in Jul 2015, which have been adopted by all states. Please provide an information on how the following rules are enforced, and where NSW imposes a higher standard than the Greyhounds Australasia rules, please list the relevant standard and then explain how this is enforced:
  - (a) the licensing of all breeders
  - (b) registration of all dams
  - (c) breeding females over the age of eight years must obtain a veterinary certificate of breeding soundness, and obtain permission from the relevant authority to breed the dog
  - (d) a maximum of three litters can be bred from any one bitch and permission to breed a fourth litter must be obtained from the state racing authority. A certificate of breeding soundness must be obtained before the fourth breeding can occur
  - (e) no breeding females may have more than two litters in any 18-month period

- (f) all pups have compulsory C3 and C5 vaccinations
- (g) all dogs must receive C5 vaccination prior to being named or commencing racing

## **Gaming**

139. Does the Government collect data on the subject of gambling (eg. greyhound racing, NRL games etc) from which it collects revenue?
140. If the Government does collect data on the subject of gambling from which it collects revenue, how much betting revenue did the NSW Government receive from:
- (a) the greyhound racing industry during financial year:
    - i. 2018-2019?
    - ii. 2019-2020?
    - iii. 2020-2021?
    - iv. 2021-2022?
  - (b) the thoroughbred racing industry during financial year:
    - i. 2018-2019?
    - ii. 2019-2020?
    - iii. 2020-2021?
    - iv. 2021-2022?
  - (c) the harness racing industry during financial year:
    - i. 2018-2019?
    - ii. 2019-2020?
    - iii. 2020-2021?
    - iv. 2021-2022?
141. If the Government does not collect data on the subject of gambling from which it collects revenue:
- (a) why not?
  - (b) would it be possible to?
  - (c) how much betting revenue did the NSW Government during financial year:

- i. 2018-2019?
- ii. 2019-2020?
- iii. 2020-2021?
- iv. 2021-2022?

142. What were the total funds expended by the government (or other agencies/third parties on its behalf) on gambling harm reduction and minimisation during financial year:

- (a) 2018-2019?
- (b) 2019-2020?
- (c) 2020-2021?
- (d) 2021-2022?