

Part 4

Appendices

Appendices

APPENDIX 1

Senior executive service officers

Table A1.1 Total numbers of SES offices

SES Level	At 30 June 2007	
	Male	Female
8		
7	1	
6	2	
5		
4	1	1
3	1	
2	1	
1		
Totals	6	1

As DWE was established as a new organisation on 27 April 2007, comparable figures for the previous reporting years do not exist.

SES Officers Grade 5 and above (at 30 June 2007)

Remuneration and Performance

Name: Mr Mark Duffy

Position and Level: Director-General, SES Level 7

Period in position: 27 April 2007–30 June 2007

Total Remuneration Package: \$305,000 plus \$27,000 recruitment allowance

At 30 June 2007 Mr Duffy's Performance Agreement was still being developed.

Name: David Harriss

Position and Level: Deputy Director-General, Water Management, SES Level 6

Period in position: 27 April 2007–30 June 2007

Total Remuneration Package: \$278,000

At 30 June 2007 Mr Harriss's Performance Agreement was still being developed.

Name: Steve Dunn

Position and Level: Executive Director, Compliance Licensing and Corporate Services, SES Level 6

Period in position: 27 April 2007–30 June 2007

Total Remuneration Package: \$262,652

At 30 June 2007 Mr Dunn's Performance Agreement was still being developed.

APPENDIX 2

Publications

All the Department's policy documents are published in the *Government Gazette* every 6 months in the Summary of Affairs as required under section 14(3) of the *Freedom of Information Act 1989*. The Department's June 2007 Summary of Affairs is available on the website.

During the reporting period, the Department published the following list of documents relevant to DWE's current activities, either as DWE or as DNR, DEUS or The Cabinet Office, its forerunner Departments.

Table A2.1 Publications

Publication	Date
Department of Natural Resources Corporate Plan 2006-2009	Jul 06
Department of Natural Resources Annual Report 2005-06	Nov 06
Water Management	
Great Artesian Basin Sustainability Index – Cap & Pipe the Bores	Nov 06
Naturally Speaking Newsletter Issue 6	Jul 06
Naturally Speaking Newsletter Issue 7	Sep 06
Naturally Speaking Newsletter Issue 8	Jan 07
Naturally Speaking Newsletter Issue 9	Mar 07
Managing groundwater use in the Botany area	Sep 06
Water management factsheets	Oct 06
■ Guide to water access licence certificates and searches	Oct 06
■ Application fees for water licences and water transfers under the Water Act 1912	Nov 06
■ What are rural landholders' basic rights to water?	Nov 06
■ Water for my rural property - do I require a licence?	Nov 06
■ How much water do I need for my rural property?	Dec 06
■ Accessing bore water/groundwater	Nov 06
■ Applying for a new water access licence	Nov 06
■ Registering water access licences	Nov 06
■ Your water access licence and certificate	Nov 06
Review of Water Management Act 2000 In support of Section 404 of the Act	Dec 06
Review and assessment of Hydrologic/Hydraulic Flood Study Models	Dec 06
River Styles in the Hunter Catchment	Feb 07
Soils report for Koondrook-Perricoota Forest hydraulic modelling – Soil survey, data provision, soils map and soil testing	Sep 06
Regulatory compliance audits	Jan 07
Feasibility assessment of the potential water saving opportunities for the small irrigation districts/group licences within NSW - Preliminary scoping study. June 2006	Jan 07
Managing the health of our rivers -Shoalhaven River environmental flows	Mar 07
Shoalhaven Water Supply Transfers and Environmental Flows - Discussion Paper	Aug 06

Publication	Date
Determining and managing environmental flows for the Shoalhaven River. Report 1 - Environmental Flows Knowledge Review	May 06
Determining and managing environmental flows for the Shoalhaven River. Report 2 - Environmental Flows Investigations	Aug 06
Water use or water supply works approvals under the Water Management Act 2000	Feb 07
Domestic and stock groundwater works approvals under the Water Management Act 2000	Feb 07
Water Industry Competition Act 2006, Regulations Consultation Paper, June 2007	Jun 07
Critical water planning announcements <ul style="list-style-type: none"> ■ Murray Valley – Issue 1, 15 May 2007 ■ Murrumbidgee Valley – Issue 1, 15 May 2007 ■ Murray Valley – Issue 2, 1 June 2007 ■ Murrumbidgee Valley – Issue 2, 1 June 2007 ■ Lower Darling – Issue 1, 15 June 2007 ■ Murray Valley – Issue 3, 15 June 2007 ■ Murrumbidgee Valley – Issue 3, 15 June 2007 	As dated
Macro water sharing plans - Information for Aboriginal water users	Aug 06
Water for Life fact sheets series: <ul style="list-style-type: none"> ■ Water for Life Education Program ■ Ethnic Communities 'Home Water Action' Project ■ Greenhome Water and 18-35 Yr Olds Project ■ Resources and Professional Development for Teachers Project ■ Water Efficiency for the Property Sector Project 	Jun 07
Water Utilities	
2004/05 NSW Water Supply and Sewerage Performance Monitoring Report	Apr 2006
NSW Code of Practice Plumbing and Drainage	Aug 2006
Drought Relief for Country Towns	Oct 2006
NSW Guidelines for Greywater Reuse in Sewered, Single Household Residential Premises	Mar 2007
Water Industry Competition Act 2006 Regulations Consultation Paper	Jun 2006
Energy supply and use	
Extending the NSW Greenhouse Gas Abatement Scheme - Policy Paper	Oct 2006
Installation Rules of New South Wales - The electricity industry standard of best practice for customer connection services and installations.	Oct 2006
NSW Renewable Energy Target - Explanatory Paper	Nov 2006

In addition, Departmental staff published a number of papers for conferences and technical journals.

Information was also published on the internet corporate websites:

www.naturalresources.nsw.gov.au and www.deus.nsw.gov.au

APPENDIX 3

Overseas visits

Table A3.1 Overseas visits

Name	Title	Country Visited	Purpose	Funded from
Christine Hill	Program Manager	New Zealand	Presented paper at Australian Agricultural and Resource Economics Society (AARES) Conference - Feb 2007	TOOLS2 project (NHT/NAP)
Brett McCulloch	Natural Resource Project Officer	New Zealand	Oral presentation to 6th International Symposium on Ecohydraulics - Feb 2007	Part DWE (DNR)

APPENDIX 4

Significant committees

The following information is provided as at 30 June 2007 unless otherwise noted.

(1) Departmental representation on external committees, boards and statutory bodies

Senior staff represent the Department on a number of committees that help integrate the outcomes and activities of NSW and other Government agencies.

Table A4.1 Representation on external committees, boards and statutory bodies

Name of Committee/ Board/Body	Function	DWE representatives
National Natural Resource Management Standing Committee	The agency CEO group which implements the decisions of the National Natural Resource Management Ministerial Council	M Duffy
Murray–Darling Basin Commission (MDBC)	The primary body responsible for providing policy and direction for implementing the Murray–Darling Basin Initiative.	M Duffy (Commissioner) D Harriss (Deputy Commissioner)
Chief Executive Officers Committee	A committee of all CEOs of NSW Government agencies provides policy advice to Government	M Duffy
Natural Resources and Environment CEO Cluster Group	Coordinates NSW natural resource and environment agency activities	M Duffy
Water CEOs -subcommittee of NR&E Cluster Group	Coordinates specific water management initiatives of the Cluster Group	M Duffy D Harriss
National Water Initiative Senior Officers Group	Interstate coordination of national water agenda	D Harriss
Great Artesian Basin Advisory Council	Interstate management and policy development for the GAB	G Gates
Metropolitan Water CEOs Committee	To support the Cabinet Committee in implementing the Metropolitan Water Plan	M Duffy
Natural Resources Advisory Council	Advises the NSW Government on natural resource issues. Membership is representative, not expert based.	M Duffy
Ministerial Council on Energy's Standing Committee of Officials	To support the Ministerial Council on Energy	M Duffy
Sustainability in Government CEOs Group	Sustainability issues for government agencies	M Duffy
Metropolitan CEOs Group	Sydney metropolitan issues for agencies	M Duffy
Dumaresq-Barwon Border Rivers Commission	Advise on inter-state water sharing arrangements	P Christmas (Deputy Commissioner)

Name of Committee/ Board/Body	Function	DWE representatives
Drought Water (Interdepartmental) Committee	To monitor and advise the Premier on all aspects of the status and impacts of the drought	S Palmer
Cross Agency Group on Water Industry Structure	To develop general Regulations under the <i>Water Industry Competition Act 2006</i>	K Smith
Water Efficiency Labelling and Standards Advisory Committee	Oversee the implementation of the WELS Scheme and advise the national regulator	H Wesseling
Department of Local Government -Accounting Advisory Group and NSW Infrastructure Task Force	Provide advice on accounting and financial management for NSW councils and Develop a nationally consistent approach to infrastructure management, financial reporting and sustainability for NSW councils	S Samra
National Water Commission Steering Groups - National Performance Reporting and Water Charges	Develop and maintain a National Performance Framework for nationally consistent reporting of urban water utilities performance and Facilitate best-practice water pricing	S Samra
Fluoridation of Public Water Supplies (Act) Advisory Committee	Advise and make recommendations relating to the Act	B Ho
Inquiry into Electricity Supply in NSW – Steering Committee	Coordination and governance of the Inquiry	M Duffy L Baumgartner
National Gas Emergency Response Advisory Committee	Monitor and advise Ministers on inter-jurisdictional natural gas supply disruptions	A Amey
Electrical Regulatory Authorities Council	Liaison between the technical and safety electrical regulatory authorities of eight Australian States/Territories and New Zealand	P Grant
Standards Australia Committee EL-052 Electrical Energy Networks, Construction and Operation	Development of Australian Standards in the field of safe design, construction, maintenance and operation of electricity transmission and distribution networks	P Grant
National Emissions Trading Taskforce	To develop a possible design for a national emissions trading scheme for greenhouse gases	D Hemming
Greenhouse Network	To develop policies and programs to implement the initiatives identified in the NSW Greenhouse Plan	D Hemming
Large User Abatement Certificates Working Group	To advise on mechanisms to amend the Large User Abatement Rule under the NSW Greenhouse Gas Reduction Scheme (GGAS) to make it more effective	L Baumgartner D Hemming
National Oil Supplies Emergency Committee	To formulate an overall management response to a widespread liquid fuels supply emergency	R Grimes
State Emergency Management Committee	Responsible for emergency management planning at State level	R Grimes

(2) Committees with external membership established to advise the Ministers and/or Department

These bodies ensure the policy development and operations of the Department include community and stakeholder input.

Table A4.2 Representation on advisory committees

Name of Committee	Function	DWE Member/s
Ministerial Advisory Council on Water	To advise the Minister on the impacts of the drought	D Harriss
Department of Water & Energy/ Local Government and Shires Associations Liaison Committee	Liaison, information sharing, dispute resolution and other matters related to local water utility water supply and sewerage services.	C McLean (Chair) K Iffland (Secretary)
Country Towns Water Supply and Sewerage Program - Interdepartmental Prioritisation Committee	To advise on Program priorities	C McLean (Chair)
Committee on Uniformity of Plumbing and Drainage Regulation in NSW (CUPDR)	Liaison, information sharing, preparation of CUPDR guidelines, the Code of Practice Plumbing and Drainage and other matters relating to plumbing and drainage services.	A Langdon (Chair) L Hill

NSW Electricity Supply Industry Safety Steering Committee (ISSC)	To identify opportunities to improve electricity network safety in order to eliminate or minimise exposure of people and property to the risk of injury or damage from electricity network hazards.	M Overy (Chair) P Grant (Deputy Chair) R Smith (Secretary)
Energy Accounts Payment Assistance (EAPA) Working Group	A consultation, discussion and reference group for the Energy Accounts Payment Assistance Scheme (EAPA).	G Hodson (Chair) R Blacklock (Secretary) M Sahore
Utility Concessions Steering Group	Established by the Cabinet Standing Committee on Energy to coordinate social policy and advise the Government on energy and water concessions.	G Hodson (Chair) M Sahore (Secretary)
Consumer Representative Consultative Committee	To consult with consumer representatives about current energy and water issues in NSW and nationally.	J Finn (Chair)
Greenhouse Gas Abatement Scheme Review Interdepartmental Committee	Assist the Department to progress the Greenhouse Gas Abatement Scheme Review.	T Prasad K Staggs
Greenhouse Gas Abatement Scheme Review Consultation Panel	Provide forum for key stakeholders to input directly into the Greenhouse Gas Abatement Scheme Review process.	T Aldrich (Secretariat) D Hemming K Tarlo
Inter-Departmental Committee on the North Rhein-Westphalia Memorandum of Understanding	To implement the Memorandum of Understanding concerning collaboration in the areas of power plant technologies, renewable energies, demand side management and energy efficiency between the State of Nordrhein-Westfalen and the Australian States of Queensland and NSW.	D Hemming (Chair) A Burnard
Steering Committee for collaborative research project	Guidance on "Climate change and its impacts on water supply and demand in Sydney"	M Bennett (Chair) J Gibbs
GGAS-NETS Transition Working Group	To provide advice to Government on a plan for a transition from the Greenhouse Gas Reduction Scheme to a national emissions trading scheme.	L Baumgartner (Chair) D Hemming K Tarlo C Webber (Secretary)

(3) Internal Departmental Committees

The following committees were established in November 2007

Table A4.3 Membership of internal Departmental committees

Name of Committee	Function	Member/s
Executive Management Committee	The Department's strategic advisory and decision-making forum.	Director General (Chair), DDs-G, Executive Directors
Audit and Risk Committee	Advice, reports and recommendations to Executive Management Committee	Nominated Executive member and specialists
Budget and Finance Committee	Advice, reports and recommendations to Executive Management Committee	Nominated Executive member and specialists
People and Performance Committee	Advice, reports and recommendations to Executive Management Committee	Nominated Executive member and specialists

(4) Significant committees abolished or transferred to other departments in 2006–07

In the restructure of Government agencies in April 2007 a number of committees may have been rationalised, abolished or transferred to other agencies.

APPENDIX 5

Legislation and significant judicial decisions

Changes to Acts

The *Pipelines Amendment Act 2006* received assent on 31 May 2006 and commenced on 15 September 2006. This Act amends the *Pipelines Act 1967* to streamline and simplify approvals for the construction of pipelines.

The *Electricity Supply Act 1995* was amended on 8 December 2006 to extend the Greenhouse Gas Abatement Scheme to 2020 and beyond unless and until a national emissions trading scheme is earlier established. Other miscellaneous amendments to the Scheme were also made.

The *Central Coast Water Corporation Act* received assent on 27 November 2006. It has not yet commenced as Gosford and Wyong Councils are yet to pass a resolution for the establishment of the Central Coast Water Corporation.

The *Water Industry Competition Act* received assent on 27 November 2006. The Act establishes a third-party access regime for water and sewerage services and a licensing regime for private sector water and sewerage service providers.

Changes to Regulations

Water Management (General) Regulation 2004

This Regulation was amended by the following regulations:

Water Management (General) Amendment (Approvals) Regulation 2006 (published in the gazette on 23 August 2006 and commenced on 30 June 2006) in relation to extending the operation of replacement approvals under the *Water Management Act 2000* to three years after they were taken to have replaced *Water Act 1912* entitlements.

Water Management (General) Amendment Regulation 2006 (commenced on 1 October 2006) in relation to is to modifying the provisions of Schedule 10 to the *Water Management Act 2000* (Conversion of former entitlements to access licences and approvals) in relation to the access licences that arise under that Schedule as a consequence of a proclamation under section 55A of that Act that extends the operation of

Part 2 of Chapter 3 of that Act to the following water sources:

- (a) the Lower Gwydir Groundwater Source,
- (b) the Lower Macquarie Groundwater Sources,
- (c) the Lower Murrumbidgee Groundwater Sources.

Water Management (General) Amendment (Lower Murray) Regulation 2006 (commenced on 1 November 2006) in relation to is to modifying the provisions of Schedule 10 to the *Water Management Act 2000* (Conversion of former entitlements to access licences and approvals) in relation to the access licences that arise under that Schedule as a consequence of a proclamation under section 55A of that Act that extends the operation of Part 2 of Chapter 3 of that Act to the Lower Murray Groundwater Source.

Water Management (General) Amendment (Upper and Lower Namoi) Regulation 2006 (commenced on 1 November 2006) in relation to modifying the provisions of Schedule 10 to the *Water Management Act 2000* (Conversion of former entitlements to access licences and approvals) in relation to the access licences that arise under that Schedule as a consequence of a proclamation under section 55A of that Act that extends the operation of Part 2 of Chapter 3 of that Act to the Upper and Lower Namoi Groundwater Sources.

Water Management (General) Amendment (Anabranche Water) Regulation 2006 (commenced on 24 November 2006) in relation to section 159 which provides that if a private irrigation board serves a notice in writing on the landholder of any lands on which is situated any water supply work on an authorised site informing the landholder that the board proposes to take over the work, the control and management of the work specified in the notice vests in the private irrigation board. Section 159 (3) provides that a private irrigation board must not serve such a notice after the expiration of 12 months after the constitution of the private irrigation district. This Regulation exempts the private irrigation board Anabranche Water from the operation of section 159 (3) until 30 June 2008.

Water Management (General) Amendment (Paterson) Regulation 2007 (commenced on 1 July 2007) in relation to the supplementary water access licences arising from the commencement of the *Water Sharing Plan for the Paterson Regulated River Water Source 2007*.

Water Management (General) Amendment (Registration of Security Interests) Regulation 2007 (commenced on 29 June 2006) in relation to:

- extending from 36 months to 48 months, the time within which security interests in relation to certain access licences can be registered without losing their former priority in relation to other security interests; and
- transferring a couple of the Regulations clauses to more appropriate locations.

Water Sharing Plans

The following Water Sharing Plans commenced this year:

- *Water Sharing Plan for the Lower Gwydir Groundwater Source 2003* commenced on 1 October 2006.
- *Water Sharing Plan for the Lower Macquarie Groundwater Sources 2003* commenced on 1 October 2006.
- *Water Sharing Plan for the Lower Murrumbidgee Groundwater Sources 2003* commenced on 1 October 2006.
- *Water Sharing Plan for the Lower Murray Groundwater Source 2006* commenced on 1 November 2006 (gazetted 20 October 2006).
- *Water Sharing Plan for the Upper and Lower Naomi Groundwater Source 2006* commenced on 1 November 2006.

In addition the *Water Sharing Plan for the Paterson Regulated River Water Source 2007* was gazetted on 26 June 2007 and commenced on 1 July 2007.

These plans include rules for protecting the environment, extractions, managing licence holder's water accounts and water trading.

Other regulations

On 1 September 2006, the *Energy and Utilities Administration Regulation 2006* replaced the *Energy and Utilities Administration Regulation 1999*. This Regulation covers electrical product energy labelling and minimum energy performance standards.

On 8 December 2006 the *Electricity Supply (General) Regulation 2001* was amended as a consequence of the legislative changes made to the Greenhouse Gas Abatement Scheme.

On 15 January 2007, the *Electricity Supply (General) Regulation 2001* was amended to require retail suppliers of electricity to make offers to residential customers that the equivalent of a minimum of 10 per cent of electricity supplied to the customer will be obtained from accredited renewable energy sources.

On 2 March 2007 the *Electricity Supply (General) Regulation 2001* was amended to extend the Independent Pricing and Regulatory Tribunal's power to regulate retail electricity prices.

On 30 March 2007, the Regulation was amended by the *Energy and Utilities Administration Amendment (Clothes Washing Machines and Dishwashers) Regulation 2006* which updated the Australian and New Zealand energy performance standards applicable to clothes washing machines and dishwashers.

On 29 June 2007 amendments were gazetted to the *Electricity Supply (General) Regulation* and the *Gas Supply (Natural Gas Retail Competition) Regulation 2001* to strengthen disconnection procedures and reduce red tape for entering into retail energy contracts. The amendments commenced on 1 July 2007.

Significant judicial decisions

There were no significant judicial decisions for DWE and its administration of legislative responsibilities during the reporting period.

APPENDIX 6

Consultants engaged

Consultancies \$30,000 or greater

Table A6.1 Consultancies

Category	Consultant	Title / Nature	Cost (\$)
Engineering	SMEC Australia Pty Ltd	Salt Interception – Pipeline and infrastructure design	64,891
Environmental	Maunsell Australia Pty Ltd	Darling River Water Saving Project – to define the best way to secure substantial water savings in the Darling River system.	384,528
Environmental	University of NSW	Shoalhaven Environmental Flows – Flow salinity estuary modelling	81,195
Environmental	NSW Department of Commerce	Living Murray Program – Feasibility options for Environmental watering of icon sites	48,357
Legal	Gilbert & Tobin Lawyers	Regulations under the Water Industry Competition Act – Professional advice	61,841
Technical	Parsons Brinckerhoff Australia Pty Ltd	Regulations under the Water Industry Competition Act – Professional advice	49,056
Total for consultancies \$30,000 or greater			689,868

Consultancies less than \$30,000 each

There were 5 consultancies in the following categories:

No of Consultancies	Category	Cost (\$)
4	Environmental	33,800
1	Economic	29,250
Total for consultancies less than \$30,000 each		63,050
Total Consultancies		752,918

APPENDIX 7

Funds granted

The Department granted funds to the following non-government organisations:

Budget Paper Program Area: 47.1 Water and Energy Policy and Program Delivery

Budget Paper Program: 47.1.1 Urban Water

Water for Life Program

Table A7.1 Funding under *Water for Life Program*

Organisation	Purpose	Amount (\$)
Ethnic Communities Council of NSW	Water conservation education and support for a water ambassadors network for people from a non-English speaking background	70,000
Geography Teachers Association of NSW and Science Teachers Association of NSW	Development of water education resources for years 5-10 and professional development for teachers	85,000
Australian Conservation Foundation	Water conservation education for householders and pilot education project for 18-35 year-olds	90,000
Property Council of Australia	Water efficiency seminar series for the property sector	60,000

Budget Paper Program Area: 47.1 Water and Energy Policy and Program Delivery

2006-07 Budget Paper Program: 47.1.2 Rural Water

Cap and Pipe the Bores – Grants to farmers towards the cost of rehabilitating artesian bores and replacing wasteful bore drains with efficient, piped reticulation systems in the Great Artesian Basin.

Table A7.2 Funding under Cap and Pipe the Bores

Recipient Scheme	Groundwater Management Zone	Location	Amount (\$)
Cryon Water Conservation Scheme	Surat	Cryon	2,158,800
Midkin No. 2	Surat	Moree	210,000
Uranbah	Surat	Telleraga	928,600
3 B's Gorian Bore Water Trust	Surat	Cryon	753,200
Kiewa	Surat	Coonamble	142,000
Bullaroon	Warrego	Engonia	393,000
Dunsandle	Warrego	Engonia	195,600
Border Downs	Central	Milparinka	192,800

APPENDIX 8

Privacy

In the 2006-07 reporting period, there were no requests for access to documents, no applications for an internal review and no complaints under the *Privacy and Personal Information Protection Act 1998*.

The Department is committed to ensuring the protection of the right to privacy of its staff and clients. To ensure that the privacy of its clients is protected the Department documents policy; has application forms and guidelines for making privacy applications; has a privacy site on the intranet where the Privacy Guidelines are published and has included privacy notices on all compliance documentation.

The Department holds the following classes of personal information:

- Licensing Administration System Database (LAS)
- Permit Under Part 3A Rivers and Foreshores Improvement Act
- Registration of Groundwater Bores Part 5 Water Act
- Water Licences Part 2 Water Act Control of Access to Surface Water
- Water Licences Part 5 Water Act Control of Access to Groundwater
- Water Licences Part 8 Water Act Control of Certain Works on River Banks and Flood Plains
- Register of Approvals for Water Management Amendment Act 2002
- Water Access Licences
- Groundwater Database System
- Drillers Licences
- Complaint Files
- Correspondence Files
- Financial Accounting Database
- Personnel Records
- Protected Disclosure Files
- Questionnaires

APPENDIX 9

Freedom of information

On 27 April 2007 the Department of Water and Energy (DWE) was created, incorporating most of the functions of the former Department of Energy, Utilities and Sustainability (DEUS) and the water-related functions of the former Department of Natural Resources as well as the Metropolitan Water Directorate from the former NSW Cabinet Office.

Some of the functions of the former DEUS, such as the Energy and Water Savings Funds and Action Plans were transferred to the new Department of Environment and Climate Change. The Accredited Service Provider program was also transferred to the Office of Fair Trading.

The *Freedom of Information Act 1989* gives the public the legal right to obtain access to documents held by the Department, request amendments to records of a personal nature that are inaccurate and appeal against a decision not to grant access to a document or to amend personal records.

DWE is committed to transparent and accountable decision-making. Members of the public can access many documents held by DWE through the website, on request or by purchasing them. Other documents can be obtained by applying under the *Freedom of Information Act 1989*.

Freedom of information (FOI) statistics for 2006–07 are shown below. Due to the restructure of departments, as described above, comparison with previous years is not possible.

DWE received 47 new FOI requests this year and 45 applications were processed.

Many applications were from members of parliament, solicitors, companies, and community and political organisations. DWE received very few FOI applications from people seeking information about their personal affairs. While six of the FOI applications were subject to exemptions from release, in most cases these exemptions covered very few documents. Many DWE applications are complex and frequently involve documents provided by third parties such as individuals, organisations and businesses. Most FOI exemptions were made to protect those parties' personal and business affairs. Very few documents created by DWE were exempted.

There were two internal review decisions made during 2006–07. In both cases, the original FOI decision was upheld. There were two reviews by the Ombudsman of FOI decisions to refuse access. One of these was varied.

Statistics for 2006-07 FOI applications

These are the combined statistics from the former DEUS and DNR as well as for DWE after the merge. All statistics relating to DECC have been deleted from this chart as DECC are counting them in their annual report.

This statistical summary is set out in accordance with the provisions of the *Freedom of Information Act 1989* and the Premier's Department 1994 *FOI Procedure Manual*.

Table A9.1 Freedom of Information statistical summary

Freedom of information applications	2006-07
FOI requests received:	
New (including transferred in)	47
Brought forward from previous period	2
Total to be processed	49
Completed requests	35
Requests transferred out	2
Withdrawn requests	7
Total processed	45
Unfinished requests (carried forward)	4
Result of FOI requests:	
Granted in full	16
Granted in part	13
Refused	6
Deferred	0
Consultations:	
Requests requiring consultations	15
Total consultations	15
Requests granted in part or refused – basis of disallowing or restricting access:	
s. 19 application incomplete, wrongly directed	1
s. 22 deposit not paid	2
s. 25(1)(a1) diversion of resources	1
s. 25(1)(a) exempt	6
s. 25(1)(b), (c), (d) otherwise available	0
s. 28(1)(b) documents not held	2
s. 24(2) deemed refused, over 21 days	0
s. 31(4) released to medical practitioner	0
Total	12
Costs and fees of requests processed	
Assessed costs	\$4207.50
Fees received	\$1785.00

Freedom of information applications		2006-07
Discounts allowed:		
Public interest		0
Financial hardship: pensioner/child		2
Financial hardship: non-profit organisation		2
	Total	4
Days to process:		
0–21 days		4
22–35 days		18
Over 35 days		13
	Total processed	35
Processing time:		
0–10 hours		10
11–20 hours		23
21–40 hours		2
Over 40 hours		0
	Total processed	35
Reviews and appeals finalised:		
Internal reviews		2
Ombudsman's reviews		2
Administrative Decisions Tribunal appeals		0
Internal review details – grounds on which requested Upheld:		
Access refused		2
Exempt matter		0
Unreasonable charges		0
Charges unreasonably incurred		0
	Total upheld	2
Ombudsman review details – grounds on which requested		
Access refused		2
Exempt matter		0
Unreasonable charges		0
Charges unreasonably incurred		0
	Total varied	1

Statement of Affairs

The Freedom of Information Act 1989 gives the public the legal right to:

obtain access to documents held by the Department;

- request amendments to records of a personal nature that are inaccurate; and
- appeal against a decision not to grant access to a document or to amend personal records.
- Under the Freedom of Information Act 1989, the Department is required to publish an annual Statement of Affairs. This annual report includes all the requirements of the Department's Statement of Affairs including the structure and functions of the Department; how these functions affect the public; how the public can participate in the Department's policy development; the kinds of documents the Department holds; and how members of the public may access and amend the Department's documents.

Programs and activities

The structure and functions of the Department, how these functions affect the public and how the public can participate in the Department's policy development are detailed elsewhere in this annual report. Information on the Department's programs and activities, publications and its policies can also be accessed on the internet at www.dwe.nsw.gov.au.

Documents held

The Department holds the following categories of documents:

- policy documents and correspondence;
- documents on internal administration;
- policy, minutes and correspondence to/from boards and committees; and
- policy documents and correspondence concerning grants, agreements and contracts.

Accessing the Department's documents

Policies and publications can be accessed in several ways:

- Internet www.dwe.nsw.gov.au
- The Department's Library, located in Parramatta – Phone 9860 1042 or internet on www.library@dnr.nsw.gov.au or by inter-library loan procedures at your local library.
- Copies of the Department's publications may also be obtained from the online bookshop at www.bookshop.nsw.gov.au
- FOI Coordinator (see below)

Accessing and amending the Department's documents

Requests under the FOI Act for access to documents held by the Department are the responsibility of the Department's FOI Coordinator.

Applications for access to documents under the provisions of the Freedom of Information Act 1989 must be in writing, either on an application form or by letter, accompanied by the \$30 application fee and directed to:

Freedom of Information Coordinator
Department of Water and Energy
GPO Box 3889
Sydney NSW 2001

Phone (02) 8281 7777

Fax (02) 8281 7799

FOI application forms may be obtained by contacting the FOI Coordinator who can also assist with completion of the application or on the Department's website www.dwe.nsw.gov.au

Copies of documents may be requested, or originals may be made available for examination in certain circumstances.

Processing an FOI request

The FOI Unit will acknowledge the request and provide a determination concerning access, normally within 21 days. If the processing time has to be extended, the FOI Unit will keep the applicant informed as to the progress of their application. The applicant may be required to clarify the request and sometimes a request may be referred to another Department if the request is more closely connected to the functions of that Department.

Access to documents may be refused if a document is held to be exempt under Schedule 1 of the FOI Act. The FOI Unit will provide reasons why the document is exempt in a letter of determination. If a request for access is refused, the applicant has rights of review and appeal, firstly by applying for an internal review of the decision. If required, an external review by the Office of the Ombudsman may be requested and/or an appeal may be lodged with the Administrative Decisions Tribunal (ADT).

Charges for Access

Charges for processing an FOI application are set out in the table below. There is a 50 percent discount for people who can demonstrate financial hardship, or if release of the document is in the public interest.

Amendment to Personal Records

Applicants can request an amendment of documents containing information about their personal affairs where they consider that the information is incomplete, incorrect, out of date or misleading. If the Department refuses to amend the record, the applicant has the right to include with the record a statement outlining why they consider the record to be incorrect and any information they feel is necessary to correct the record, complete it or bring it up to date.

Applications must in writing, identify the information alleged to be incorrect, provide details why the information they want amended is incomplete, incorrect, out of date or misleading, and, if necessary, supply documentation in support of their claim.

Table A9.2 Charges for processing FOI applications

Nature of Application	Application Fee	Processing
Access to records by natural persons about their personal affairs, the first 20 hours	\$30	\$30 an hour after the first 20 hours
All other requests	\$30	\$30 per hour
Internal review (all circumstances)	\$40	Nil
Amendment of records	Nil	Nil

APPENDIX 10

EEO statistics

Table A10.1 Staff numbers by salary category

LEVEL	Number								
	Total staff	Respondents	Men	Women	Aboriginal people and Torres Strait Islanders	People from racial, ethnic, ethno-religious minority groups	People whose language first spoken as a child was not english	People with a disability	People with a disability requiring work-related adjustment
< \$33,910	1	1	0	1	0	0	0	0	0
\$33,910 - \$44,537	22	14	18	4	0	2	1	2	2
\$44,538 - \$49,791	34	19	9	25	2	1	0	2	0
\$49,792 - \$63,006	136	117	56	80	4	10	12	9	3
\$63,007 - \$81,478	249	212	175	74	1	39	36	17	7
\$81,479 - \$101,849	165	141	125	40	0	21	27	9	2
> \$101,849 (non SES)	70	56	53	17	0	2	3	5	1
> \$101,849 (SES)	7	5	6	1	0	1	0	0	0
TOTAL	684	565	442	242	7	76	79	44	15

APPENDIX 11

Major assets other than land

Table A11.1 Major assets other than land

Asset	Book Value \$000
Buildings including regional offices, depots, and leasehold improvements	5,534
Water infrastructure systems including bores and other infrastructure	26,072
Plant and equipment	3,149
Intangibles including databases for Water Information Systems	4,536
Total	39,291

APPENDIX 12

Major works in progress

Table A12.1 Major works in progress

Project Description	Location	Start	Complete	Est. Total Cost \$'000	Exp. to 30 June 2007 \$'000
Water Information System	Various	2001	2008	7,366	6,230
Water Management Monitoring and Information System	Various	2004	2012	19,975	5,085

APPENDIX 13

Waste reduction and purchasing policy

The Department is committed to the Government's WRAPP (Waste Reduction and Purchasing Policy).

The Department communicates to all staff by way of its induction program and its intranet, the initiatives which have been implemented to minimise the environmental impact of its operations.

Staff are encouraged to recycle paper, cardboard, glass, cans and plastics and receptacles are provided to facilitate these practices. A collection process is also in place for the collection of toner cartridges for recycling, with regular reporting on quantities diverted from landfill.

The Department's induction program includes the provision of green bags to all new staff in an effort to discourage the use of plastic bags and minimise waste generation.

Wherever possible, the Department arranges the repair, reuse or reallocation of office equipment and furniture items in preference to purchasing replacement items. Obsolete IT equipment is recycled via the Department of Commerce's *Reconnect.NSW* program or similar recycling programs conducted by equipment manufacturers.

Every effort is made to purchase stationery items and furniture items containing recycled content or those products that are manufactured using environmentally-friendly practices.

A *switch off* initiative to promote awareness of the need to turn off electrical equipment when not in use in an effort to conserve energy and foster behavioural change, is also promoted to staff via the Department's induction program and intranet.

Glossary of acronyms and abbreviations

ABS	Australian Bureau of Statistics	DSEP	Dam Safety Emergency Plans
ADT	Administrative Decisions Tribunal	DSP	Development Servicing Plans
AER	Australian Energy Regulator	DWE	Department of Water and Energy
AEMC	Australian Energy Market Commission	EAPS	Ethnic Affairs Priority Statement
ANCOLD	Australian National Committee on Large Dams	EAPA	Energy Accounts Payment Assistance
ANZOG	Australian and New Zealand School of Government	EBC	enterprise based conservation
ATEDAC	Australian Transport Energy Data Analysis Centre	EDGAR	Environmental Data Gathering and Reporting tool
BASIX	Building Sustainability Index	EEO	Equal Employment Opportunity
AWT	Aboriginal Water Trust	EIS	Environmental Impact Statement
BOM	Bureau of Meteorology	EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
BRS	Bureau of Rural Sciences	ERIG	Energy Implementation Reform Group
CALD	culturally and linguistically diverse	EUSFAC	Energy and Utility Services Functional Area Coordinator
CAP	catchment action plan	FOI	Freedom of Information
CATSALT	Catchment Scale Salt Balance Model	GAB	Great Artesian Basin
CBD	central business district	GL	gigalitre (1 GL = 1000 ML = 1,000,000,000 litres)
CCA	Comprehensive Coastal Assessment	GIS	Geographic Information Systems
CEO	Chief Executive Officer	GMR	Greater Metropolitan Region
CLAS	Community Language Allowance Scheme	GGAS	Greenhouse Gas Reduction Scheme
CMA	Catchment Management Authority	GWh	gigawatt-hours
CMP	Catchment Management Plan	IAG	Independent Audit Group
COAG	Council of Australian Governments	ICAC	Independent Commission against Corruption
CRC	Community Relations Commission for a multicultural NSW	ICT	Information, Communications and Technology
CSIRO	Commonwealth Scientific and Industrial Research Organisation	IGA	intergovernmental agreement
CTWSS	Country Towns Water Supply and Sewerage Program	IMEF	Integrated Monitoring of Environmental Flows
DA	development application	IPAA	Institute of Public Administration Australia
DECC	Department of Environment and Climate Change	IPCC	Infrastructure and Planning Cabinet Committee
DEUS	Department of Energy Utilities and Sustainability	IPART	Independent Pricing and Regulatory Tribunal
DSC	Dams Safety Committee	IQQM	Integrated Quantity and Quality Model
DNR	Department of Natural Resources	IVR	interactive voice response
		IWCM	integrated water cycle management
		JGE	joint-government enterprise

JSC	(Natural Resource Management) Joint Steering Committee	TAFE NSW	Technical and Further Education New South Wales
KPI	key performance indicator	NWI	National Water Initiative
KRA	key result area	OHS	occupational health and safety
LEP	Local Environmental Plan	OSCAR	Online System for Challenge plus Activity Reporting
LGA	Local Government Area	PANRIIE	Planning and Natural Resource Information Integration Environment
LPI	Land and Property Information	PRA	Portfolio Risk Assessment
LWMP	Land and Water Management Plan	PVRP	Photovoltaic Rebate Program
LWU	Local Water Utilities	Ramsar	Internationally recognised wetlands, first agreed at the Convention on Wetlands, signed in Ramsar, Iran, in 1971
M	million	REP	regional environmental plan
MCE	Ministerial Council on Energy	RFI Act	<i>Rivers and Foreshores Improvement Act 1948</i>
MDB	Murray-Darling Basin	RRPGP	Renewable Remote Power Generation Program
MDBC	Murray-Darling Basin Commission	RSP	results and services plan
MEPS	Minimum Energy Performance Standards	SCCB	State Contracts Control Board
MER	Monitoring, Evaluation and Reporting (Strategy)	SEPP	State Environmental Planning Policy
ML	megalitre (1ML = 1,000,000 litres approximately the volume of one Olympic-size swimming pool)	SES	State Emergency Service
MWh	megawatt-hour	SLA	service level agreement
MWP	Metropolitan Water Plan	SMS	short message service
MOU	Memorandum of Understanding	SPOT 5	Satellite equipped with imaging equipment.
NAP	National Action Plan (for Salinity and Water Quality)	STP	sewage treatment plant
NEMMCO	National Electricity Market Management Company	TAM	Total Asset Management
NEMO	National Electricity Market Operator	TBL	Triple Bottom Line
NENS	National Electrical Network Safety	TLM	The Living Murray Initiative
NETS	National Emissions Trading Scheme	TMF	Treasury Managed Fund
NFEE	National Framework for Energy Efficiency	TRB	Typical Residential Bills
NGERAC	National Gas Emergency Response Advisory Committee	WA1912	<i>Water Act 1912</i>
NOSEC	National Oil Supply Emergency Committee	WAG	Water Assessment Guide
NRET	NSW Renewable Energy Target	WAL	water access licence
NHT	Natural Heritage Trust	WELS	Water Efficiency Labelling Scheme
NRAC	Natural Resources Advisory Council	WIX	Water Information Exchange
NRC	Natural Resources Commission	WMA2000	<i>Water Management Act 2000</i>
NRM	natural resource management	WRAPP	Waste Reduction and Purchasing Policy
NSW	New South Wales	WSP	water sharing plan

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