

Draft NSW Water Strategy

Community consultation

– what we heard

Summary

Background

The NSW Government has developed a 20-year, state-wide NSW Water Strategy as part of a broader suite of long-term strategies to improve resilience of the state's water resources over the coming decades. The NSW Water Strategy will address key challenges and opportunities for water management and service delivery across the state, and set the strategic direction for the NSW water sector over the long term.

A draft of the NSW Water Strategy was on public exhibition from Monday 15 February until Sunday 28 March 2021. During this period, 130 community and stakeholder submissions were received by the department of Planning, Industry and Environment (The department).

In addition to receiving written submissions, the department held:

- Two public webinars
- One webinar for local government
- One webinar for First Nations / Aboriginal stakeholders
- Three meetings with state-wide peak bodies (industry, environment and water sector peak groups)
- Two meetings with inter-jurisdictional government departments (Commonwealth and State governments)
- Meetings with First Nations representative organisations NBAN and MLDRIN

This document summarises the feedback received by the department.

Who we heard from

The department engaged with a wide range of individuals and organisations, many of which made submissions or gave feedback, with diverse suggestions for the draft NSW Water Strategy.

Through webinars, meetings & submissions, we engaged with:



107 Individuals



39 local government organisations in NSW



19 Industry organisations



11 Environmental organisations



5 Non-NSW state government agencies



10 Community organisations



5 Federal government agencies



6 First Nations / Aboriginal organisations



39 Businesses / business organisations



5 Other submitters

What we heard: a snapshot

Feedback indicated there is widespread support for the NSW Water Strategy. Stakeholders were mostly positive about the initiative and its role in supporting strategic water planning, management and outcomes for NSW. However, some stakeholders gave conditional support.

Submissions to the draft NSW Water Strategy were analysed to identify how the priorities and actions in the Strategy are of interest to or supported by stakeholders. The frequency of mentions in submissions, ordered against the strategy's seven priorities, shows:

Strategy priority

Topic mentioned in submissions

Priority 1:

Build community confidence and capacity through engagement, transparency and accountability

- Education & engagement to improve water literacy & engagement: **52%**
- Ensuring communities are confident in water regulation, provision & planning: **22%**
- Increasing transparency around water use & government decision-making: **19%**

Priority 2:

Recognise First Nations / Aboriginal rights and values and increase access to and ownership of water for cultural and economic purposes

- Water rights and access for First Nations / Aboriginal People: **55%**
- Increased First Nations / Aboriginal participation in water management: **49%**
- Recognition of cultural water use: **48%**

Priority 3:

Improve river, floodplain and aquifer ecosystem health, and system connectivity

- Environmental water: **55%**
- Water system connectivity: **55%**
- Monitoring, evaluation & research: **16%**

Priority 4:

Increase resilience to changes in water availability (variability and climate change)

- Better understanding climate change impacts: **58%**
- A review of water allocation & sharing: **52%**
- Drought planning & resilience: **18%**

Priority 5:

Support economic growth within a capped system

- Specific consideration for the role of infrastructure in the strategy: **58%**
- Action on industry water productivity: **8%**
- Attention on, and increased transparency of, water trading: **7%**

Priority 6:

Support resilient, prosperous and liveable cities and towns

- Diversification of the water supply: **60%**
- Improved water efficiency: **15%**
- Attention on local water utilities: **14%**

Priority 7:

Enable a future focused, capable and innovative water sector

- Resourcing for the water sector: **16%**
- Increased focused on water-related technology and R&D: **14%**
- Increased collaboration, knowledge-sharing and partnerships across all sectors: **8%**

Note: percentages indicated do not represent a net balance, but indicate the strongest themes of interest, based on the frequency of mentions in submissions.

What we heard: key themes

The key themes to emerge from the engagement process are:



Support for the NSW Water Strategy

- There is strong support for the strategy's direction-setting agenda – many welcomed the state-wide approach and felt the strategy covers the majority of water issues and opportunities
- With the introduction of the strategy, many stakeholders want to see alignment and cohesion across policies, strategies and regulation from a local to national level – the strategy is seen as an opportunity to streamline regulation
- Stakeholders wanted to know more about the strategy's implementation and sought a comprehensive action plan with key performance indicators
- Stakeholders wanted the implementation of the strategy to be adequately funded, avoiding an increase in financial or regulatory imposts to water users.



Aboriginal / First Nations water rights and access

- There is strong support for First Nations / Aboriginal water rights and access – the small amount of water in First Nations / Aboriginal ownership was frequently identified as a key area for improvement
- There is support for greater engagement and participation with First Nations / Aboriginal People and organisations – empowering participation and management was seen as essential to support cultural, environmental, social and economic outcomes
- Recognising cultural water use in the strategy was supported, and some associated this with the need to ensure access to water and maintain and protect environmental values
- Incorporating First Nations / Aboriginal opportunities beyond Priority 2 was supported – there are complementary actions across the strategy's priorities.



Water efficiency and productivity

- There was strong support for water efficiency measures and demand management mechanisms – the introduction of new technologies and approaches was viewed as a key opportunity in this area
- The issue of water industry productivity brought opposing views – there was a desire for intensive water users to reduce their use, while also concern from industry stakeholders they would not have secure access to adequate water supply in the future
- Stakeholders highlighted the role of water utilities in delivering resilience and prosperity, with many indicating water utilities required additional funding, resourcing and support.



Environment and connectivity

- Stakeholders were concerned with ecosystem health and water quality
- Stakeholders wanted to see greater emphasis and action on connectivity within the strategy. This included coastal and urban area connectivity, surface water sources, downstream environments, groundwater and surface water, and rivers and associated waterways
- Stakeholders supported climate change considerations within the strategy. This was particularly in relation to the application of modelling, decision-making and modern water management techniques
- Stakeholders felt water allocations should be informed by, and updated with, improved understanding of the impacts of climate change.



Data and information

- There was strong support for wider information sharing and collaboration to build community confidence, increase water literacy and improve decision-making
- The need for more transparency was highlighted
- Stakeholders wanted to see information and modelling made public and/or shared with local water utilities/local government, and believe the NSW Government should employ and share long-range research
- Suggestions for stronger data monitoring were associated with the need to maintain water quality and other environmental health indicators.



Water security and infrastructure

- Stakeholders were concerned about water security – many wanted to see a coordinated approach to water security and drought planning. Suggestions included development of emergency management plans, and consistency regarding decision-making that informs the application of water restrictions
- The provision of water infrastructure sparked discussion, although there was little support for the construction of additional dams
- Many felt water infrastructure should have a higher priority within the strategy, particularly in relation to how infrastructure would be used to deliver the initiatives outlined
- Stakeholders highlighted the importance of funding to deliver infrastructure needed in the regions to assist with water planning and security
- Stakeholders supported the intent for water supply diversification, particularly using recycled water and the need for wider education to support its adoption
- Stakeholders wanted to see greater recognition of the social, cultural and economic importance of water security for regional areas.

What we heard, in detail

In addition to the broader feedback outlined in the Summary on pages 3-8, we have identified feedback specific to the priorities proposed in the draft strategy – this feedback is outlined on the following pages. In many instances, feedback received by the department had

already been addressed in the draft strategy, or in other strategies, plans and initiatives by the department or other agencies. References to suggestions below mostly indicate common recommendations made through submissions to the draft strategy.

Priority 1: Build community confidence and capacity through engagement, transparency and accountability

Priority action	Feedback received
1.1 Improve engagement, collaboration and understanding	<p>There is support for improved engagement, with suggestions for:</p> <ul style="list-style-type: none"> • Inclusion of joint organisations and local government within Regional Water Strategy governance • The addition of engagement guidelines and frameworks • Ongoing engagement with First Nations / Aboriginal People and organisations
1.2 Increase the amount and quality of publicly available information about water in NSW	<p>There is support for greater access to information about water, both to build community confidence and improve decision-making. Suggestions include:</p> <ul style="list-style-type: none"> • Infrastructure business cases • Water quality data, including updating the NSW River Condition Index • Fit-for-purpose modelling
1.3 Enhance modelling capabilities and make more data and models openly available	<p>There is support for more accurate and comprehensive data and modelling capabilities, with particular suggestions for:</p> <ul style="list-style-type: none"> • Rebuilding and further developing the department's groundwater and hydrological modelling resources • Developing a suite of documents on modelling to increase the public's knowledge
1.4 Reinforce the effectiveness of the Natural Resources Access Regulator (NRAR)	<p>There is support for this action, noting that:</p> <ul style="list-style-type: none"> • NRAR should receive adequate / additional resourcing • NRAR should exercise its enforcement responsibilities

Priority action	Feedback received
1.5 Take the final steps in floodplain harvesting reform	<p>There is support for a stronger regulatory and licensing framework, although there are concerns it may lead to unintended consequences. Furthermore, there was concern about the impact of extraction on downstream flows, and a desire to ensure the department's rollout of floodplain harvesting regulation would continue. Suggestions include:</p> <ul style="list-style-type: none"> • Clearly communicate how floodplain harvesting assessments are made • Incorporate the feedback from the review of floodplain management plans currently underway into the draft strategy
1.6 Review the regulation of domestic and stock basic landholder rights	<p>There is some support for an audit of water take for stock and domestic rights holders. However, there was only a small amount of feedback received on this topic.</p>
1.7 Make sure the majority of non-urban water take in NSW is accurately measured	<p>There is support for a transparent, consistent and robust framework for measurement, particularly in order to improve community trust in the process.</p>

Priority 2: Recognise First Nations / Aboriginal rights and values and increase access to and ownership of water for cultural and economic purpose

Priority action	Feedback received
2.1 Establish a partnership agreement with the Aboriginal Water Coalition	<p>There was support for this action. In particular:</p> <ul style="list-style-type: none"> • The department should ensure its engagement with First Nations / Aboriginal People should conform to established practice standards. (The department notes further work is needed to improve how government partners, and engages, with First Nations / Aboriginal People across NSW). • The department should co-design the agreement with First Nations / Aboriginal stakeholders

Priority action	Feedback received
<p>2.2 Strengthen the role of First Nations / Aboriginal People in water planning and management</p>	<p>There was support for this action, noting:</p> <ul style="list-style-type: none"> • Empowering participation and management is essential to support cultural, environmental, social and economic outcomes • The department has an opportunity to improve water planning and management by incorporating traditional knowledge of water and ecosystems • First Nations / Aboriginal People should be appropriately represented on boards and committees in addition to having a significant role in drafting the Aboriginal Water Strategy • More detail is required regarding how First Nations / Aboriginal People can be engaged in water planning and management • The department should review and amend water policy to ensure it references First Nations / Aboriginal perspectives • The department should incorporate principles for restorative justice and proceeds from water crime into water policy, including allowing First Nations / Aboriginal People to provide impact statements as part of prosecution actions
<p>2.3 Develop a state-wide First Nations / Aboriginal water strategy</p>	<p>There is support for this action, but some stakeholders seek:</p> <ul style="list-style-type: none"> • Guarantees for future funding and resourcing of such a strategy • Reassurance that priorities should align with those expressed by First Nations / Aboriginal People • An understanding of the role and weight of the Aboriginal Water Strategy, particularly in relation to the Regional Water Strategies and NSW Water Strategy
<p>2.4 Provide First Nations / Aboriginal ownership of, and access to, water for cultural and economic purposes</p>	<p>There is support for this action, with stakeholders additionally seeking:</p> <ul style="list-style-type: none"> • Assurances the interests of First Nations / Aboriginal People are provided for in all water plans and other instruments • Reassurance this action would be backed by adequate funding • Maintenance of physical access to water sources (including removing barriers such as fencing) • Assurances that environmental health of waterways is recognised as important for cultural water use • Greater recognition and understanding of Native Title rights and how they relate to water

Priority action	Feedback received
2.5 Work with First Nations / Aboriginal People to improve shared water knowledge	<p>There is support for this action and for greater consideration of traditional ecological knowledge and knowledge sharing. To do so, stakeholders called specifically for:</p> <ul style="list-style-type: none"> • Mechanisms to ensure the intellectual property rights and interests of First Nations / Aboriginal People are protected • First Nations / Aboriginal People retain control over their knowledge and its use • Employment and procurement targets to support First Nations / Aboriginal Peoples' ability to maintain Country
2.6 Work with First Nations / Aboriginal People to maintain and preserve water-related cultural sites and landscapes	<p>This action is supported, with stakeholders noting that:</p> <ul style="list-style-type: none"> • Current legislation may be ineffective in protecting the cultural heritage of First Nations / Aboriginal People • Additional mechanisms to ensure protection for culturally significant sites may be required

Priority 3: Improve river, floodplain and aquifer ecosystem health, and system connectivity

Priority action	Feedback received
3.1 Implement NSW Long Term Water Plans to protect and enhance ecological systems	<p>There was strong support for this action, although mixed feedback. Stakeholders made the following points:</p> <ul style="list-style-type: none"> • The strategy must acknowledge the impact of climate change on the economy • The impact of Long-Term Water Plans on water entitlement reliability should be reassessed
3.2 Take landscape scale action to improve river and catchment health	<p>There was support for this action, with stakeholders noting:</p> <ul style="list-style-type: none"> • Particular attention should be paid to the issue of water quality, particularly salinity • Policy and regulatory responses should be integrated into the solution set • Large dams should be excluded from the solution set
3.3 Take action to address threats to native fish	<ul style="list-style-type: none"> • There is support for action to improve outcomes for native fish populations

Priority action	Feedback received
<p>3.4 Invest in long-term and effective monitoring, evaluation, reporting and research</p>	<p>There is support for this action, with stakeholders noting:</p> <ul style="list-style-type: none"> • Current datasets may be significantly out of date • Investments in, and coordination of, data and reporting must be integrated with policy, governance and operational decision-making processes • Automatic triggers for re-evaluation of planning and operational decisions should be explored
<p>3.5 Adopt a more intense, state-wide focus on improving water quality</p>	<p>There is support for this action, with stakeholders adding:</p> <ul style="list-style-type: none"> • The Core Salinity Monitoring Network should be expanded • Long-term planning for some catchments is currently absent or inadequate • The strategy should have greater emphasis on pollution sources and runoff to support water quality and health e.g. salinity, bushfire and environmental water flows • Updating the NSW Water Quality Objectives should incorporate the values of First Nations / Aboriginal People
<p>3.6 An enhanced, state-wide focus on sustainable groundwater management</p>	<p>There is strong support for this action. Stakeholders want:</p> <ul style="list-style-type: none"> • A Groundwater Strategy and Action Plan to be harmonised with surface water equivalents. This should align groundwater management between urban and rural areas • More emphasis to be given to aquifer recharge issues
<p>3.7 Work with communities to better understand and improve system connectivity</p>	<p>There is support for this action. However, stakeholders note:</p> <ul style="list-style-type: none"> • Connectivity between valleys/catchments must not be at the expense of the source catchment's future water balance requirements • There is a need for greater emphasis and understanding of connectivity in its varying definitions

Priority 4: Increase resilience to changes in water availability (including variability & climate change)

Priority action	Feedback received
<p>4.1 New actions to improve and apply our understanding of climate variability and change climate variability and change</p>	<p>Stakeholders strongly support the department’s work already undertaken in this area. They add:</p> <ul style="list-style-type: none"> • Data and modelling published should include all assumptions, limitations and underlying data, in order to be transparent • Data and modelling should be updated regularly • Decision-making should be informed by up-to-date climate data – and that data must be shared with local water utilities, Federal government agencies and others • The NSW Government should advocate for other Murray Darling Basin governments to adopt a similar stance to ensure consistency of application
<p>4.2 Review water allocation and water sharing in response to new climate information</p>	<p>There was support for this action, although with caution and mixed feedback from various stakeholders. It was noted:</p> <ul style="list-style-type: none"> • Adaptive water allocation and accounting frameworks should be prioritised • A review of allocations, with an emphasis on resilience and sustainability during low-availability periods, should shape planning and policy decisions • Triggers to override environmental water concerns may need to be agreed • Any change to water allocation settings must be done in consultation with all stakeholders • This action must not impede existing property rights of entitlement holders
<p>4.3 Improve drought planning, preparation and resilience</p>	<p>There was strong support for this action, although stakeholders also added:</p> <ul style="list-style-type: none"> • A desire to support resilience in regional areas, including in developing emergency management plans • There is a need for adaptive management • In times of scarcity, options to promote resilience could include water buybacks, removal of irrigation structures and alterations to land use arrangements

Priority action	Feedback received
4.4 Better integrate land use planning, development approvals and water management	<p>There was support for this action, with stakeholders drawing attention to:</p> <ul style="list-style-type: none"> • A desire to address urban salinity • Prior work from both state and federal governments that act to remove impediments in the policy environment • The potential for harm to runoff processes that would result from adverse fire regimes and, conversely, the potential to benefit water security and supply

Priority 5: Support economic growth and resilient industries within a capped system

Priority action	Feedback received
5.1 Provide greater certainty to regional businesses that rely on secure access to water	<p>There is support for this action, with stakeholders noting:</p> <ul style="list-style-type: none"> • Local government must be included in decision-making • Consideration should be given to reduce existing licenses in order to increase reliability for the whole • Regional businesses require certainty and security to provide confidence • There is a need for additional actions to support regional areas that are not part of the Special Activation Precinct program • There is a desire to address perceived under-utilisation of water in a number of irrigating valleys. Stakeholders sought to ensure the NSW Water Strategy reaffirms commitments to the Sustainable Diversion Limits or Cap, and identify options to foster water usage to those limits, particularly in valleys with significant under-utilisation.
5.2 Invest in R&D and new technologies to lift water productivity in NSW industries	<p>There is support for this action, with stakeholders calling for:</p> <ul style="list-style-type: none"> • R&D to focus on reducing reliance on water in industries which are currently heavily water-dependent • The department should consider pilot studies to estimate the value of environmental assets within Regional Water Strategies, and also consider whole-of-catchment approaches
5.3 Improve the operation and transparency of water trade in NSW	<p>There is support for this action. Stakeholders recommend:</p> <ul style="list-style-type: none"> • Incorporating the ACCC's recommendations on the Murray Darling Basin Water Markets Inquiry into the strategy

Priority action	Feedback received
<p>5.4 Identify infrastructure and operational options for each region of NSW</p>	<p>There is strong support for this action, although some feedback indicated the action was not strong enough. Stakeholders indicated:</p> <ul style="list-style-type: none"> • Infrastructure decisions must be seen to be transparent and consider First Nations / Aboriginal perspectives • The Federal Productivity Commission's advice relating to government investment in major water infrastructure should be adopted • Consideration should be given to increasing the efficiency of existing infrastructure in place of building new dams or enlarging existing ones

Priority 6: Support resilient, prosperous and liveable cities and towns

Priority action	Feedback received
<p>6.1 Increase resilience to changes in climate and water availability in Greater Sydney and the Lower Hunter</p>	<p>There is support for this action, although stakeholders specify:</p> <ul style="list-style-type: none"> • Pricing mechanisms must align with conservation messaging and efficiency measures • Long-term targets for per-person water usage must be based upon climate data • Purified recycled water for drinking should be implemented • Pricing and operational reforms should recognise the value of water as a resource while maintaining affordability and security • While urban water security is essential, regional areas most affected by critical water needs must be included in the equation
<p>6.2 Work collaboratively with local water utilities to reduce risks to town water supplies</p>	<p>There is support for this action, although mixed feedback about how to deliver it. Stakeholders recommended:</p> <ul style="list-style-type: none"> • Improving the resilience of local water utilities through a collaborative approach • Improve Integrated Water Cycle Management planning
<p>6.3 A new Town Water Risk Reduction Program</p>	<p>There is support for this action, although stakeholders also called for:</p> <ul style="list-style-type: none"> • Greater transparency in identifying and reporting risks • Re-examining the Best Practice Management of Water Supply and Sewerage Framework as a guidance tool rather than a regulation • Further exploration of the program for better value and greater efficiency

Priority action	Feedback received
<p>6.4 Continue to deliver the Safe and Secure Water Program</p>	<p>This action is supported, although stakeholders queried:</p> <ul style="list-style-type: none"> • Whether the \$500 million commitment over 8 years was adequate. There was a recommendation to independently audit local water utility infrastructure to identify needs and assess future options • Stakeholders further recommended the adoption of an agreed framework to identify and assess the risks associated with local water utilities
<p>6.5 A new state-wide Water Efficiency Framework and Program</p>	<p>There is strong support for this action, although stakeholders were keen to ensure that decisions about water restrictions should remain a decision for individual communities.</p>
<p>6.6 Proactive support for water utilities to diversify sources of water</p>	<p>This action is supported, and stakeholders were keen to ensure:</p> <ul style="list-style-type: none"> • That purified recycled water for drinking was a priority • A multi-source approach to the supply of emergency water should be enabled in order to allow options to be switched on or off as needed
<p>6.7 Investigate and enable managed aquifer recharge</p>	<p>There is support for this action.</p>
<p>6.8 Promote and improve Integrated Water Cycle Management (IWCM)</p>	<p>There is support for this action, although stakeholders seek:</p> <ul style="list-style-type: none"> • Better governance and institutional arrangements within the strategy in order to deliver a whole-of-water-cycle solution • Regulatory reform to better incorporate stormwater management into NSW Government policy and planning, noting it is currently largely managed by local government • The prescriptiveness of the current framework to be reduced – the IWCM framework is effective but is impeded by conflicting goals within the planning and regulatory framework

Priority action	Feedback received
6.9 Enable private sector involvement in the NSW water sector	<p>There was a lack of support for this action. Some stakeholders offered qualified support, on the basis that:</p> <ul style="list-style-type: none"> • Private sector involvement should be subject to the same regulatory framework applied to utility water providers • The private sector should only be involved where it could provide benefit in line with the goals of the strategy <p>Others objected on the basis the action would be a backwards step that risked community ownership of resources for profit, and also allowed foreign control of water supply.</p>
6.10 Foster the circular economy in our cities and towns	<p>There is strong support for this action. Many recognised the role and effort of the water sector in contributing to a circular economy and net zero targets.</p>

Priority 7: Enable a future-focused, capable and innovative water sector

Priority action	Feedback received
7.1 Pilot new technologies to increase our water options	<p>There is support for this action, particularly where government can support or provide guidance to ensure pilot and new technologies.</p>
7.2 Collaborate to harness new research, innovation and technology	<p>Stakeholders supported this action, although qualified that support by noting:</p> <ul style="list-style-type: none"> • The desired outcomes could only be achieved through targeted focus, and also the introduction of enabling legislation
7.3 Invest in water sector workforce and capability	<p>There is support for this action, but stakeholders drew attention to:</p> <ul style="list-style-type: none"> • The training framework for water operations, which should be made a priority (potentially within the Town Water Risk Reduction Program) in order to address failings in training provision, including a shortage in water professionals • The current lack of skilled staff and retention of skilled staff, particularly in regional areas • The opportunity for improved employment opportunities for First Nations / Aboriginal People in the water sector

RESPONSE TO FEEDBACK

In response to feedback on the draft NSW Water Strategy we have updated the final strategy to better illustrate how policies, strategies and regulation from a local to national level fit together and inform each other.

We have also added commitments in the Strategy and Implementation Plan to:

- Document water management lessons learned from the recent drought and update relevant policies
- Embed an open data approach to water information based on an 'if not, why not' approach to publication
- Explicitly recognise the role of safe drinking water for public health
- Reflect commitments to review the requirements for Integrated Water Cycle Management Strategies prepared by local water utilities.

- Investigate issues of water availability in areas of reported underuse, and discuss options with stakeholders to address this.

Feedback from First Nations and Aboriginal peak organisations on the draft NSW Water Strategy also highlighted there is further work needed to improve how government partners and engages with First Nations / Aboriginal people. As a result, Priority 2 of the NSW Water Strategy has been amended to reaffirm Government's commitment to work in partnership with all First Nations / Aboriginal stakeholders to develop policies and plans that will improve water outcomes for those stakeholders, including the Aboriginal Water Strategy.

Community engagement will continue to be a vital part of implementing the NSW Water Strategy. The department looks forward to continuing to work with the community to implement, monitor and review the NSW Water Strategy.

NEXT STEPS: MONITORING, EVALUATION, REPORTING AND IMPROVEMENT

The NSW Water Strategy is supported by an implementation plan that outlines how the strategy will be delivered over the next 12 months. We will report on progress against actions in the NSW Water Strategy and update the implementation plan annually.

To ensure that implementation is achieving the priorities and actions of the strategy, we are establishing an integrated framework for reviewing and reporting against the NSW Water Strategy, the 12 regional water strategies and two metropolitan water strategies. We will formally evaluate, review and update the NSW Water Strategy at least every five years.



More information:

More information:

<https://water.dpie.nsw.gov.au/nsw-water-strategy>

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