



LEGISLATIVE COUNCIL

**QUESTIONS
AND
ANSWERS**

No. 3

THURSDAY 10 MAY 2007

(The Questions and Answers Paper published for the first sitting day in each week will contain, by number and title, all unanswered questions, together with questions to which answers have been received on the previous sitting and any new questions. On subsequent days, new questions are printed, as are questions to which answers were received the previous day. Consequently the full text of any question will be printed only twice: when notice is given; and, when answered.)

Notice given on date shown

Publication of Questions	Answer to be lodged by
Q & A No. 2 (Including Question Nos 0001 to 0027)	13 June 2007
Q & A No. 3 (Including Question Nos 0028 to 0037)	14 June 2007

10 MAY 2007

(Paper No. 3)

- 0028 LANDS—ADVERTISED VACANCIES FOR KILLALEA PARK TRUST—Ms Hale to ask the Minister for Lands, Minister for Rural Affairs, Minister for Regional Development—
- (1) When and how often were vacancies advertised for the Killalea Park Trust?
 - (2) In what publication(s) were the advertisements placed?
- 0029 CLIMATE CHANGE ENVIRONMENT AND WATER—EMISSIONS FROM BLUE CIRCLE SOUTHERN CEMENT—Ms Hale to ask the Minister for Lands, Minister for Rural Affairs, Minister for Regional Development representing the Minister for Climate Change Environment and Water—
- (1) Has the Department of Environment and Conservation received correspondence from the Residents Against Dioxins Group, raising concerns about the testing and/or reporting of emission levels from the Blue Circle Southern Cement (BCSC) facility at New Berrima?
 - (2) Has the department undertaken an independent audit of the emissions report(s) referred to in that correspondence?
 - (3) If not, why has the department declined to undertake an independent audit?
 - (4) What steps has the department taken to verify the accuracy of the emissions reports provided by the company?
 - (5)
 - (a) Does the department employ officers with the necessary expertise to undertake such independent audits of emissions reports from industry?
 - (b) If so, how many such qualified staff are employed by the department and where are they located?
 - (6) How many independent audits of emissions reports from industry has the department carried out since 2002?
 - (7) Has the department conducted its own testing of the emissions levels from the BCSC facility at New Berrima?
 - (8) Do emissions levels from that facility exceed acceptable standards for any substance?
 - (9) Is the department satisfied that the emissions from the BCSC facility do not post a threat to the health and welfare of residents living near the facility?
- 0030 PRIMARY INDUSTRIES—DEVELOPMENT APPROVAL OF LEARD STATE FOREST—Mr Cohen to ask the Minister for Primary Industries, Minister for Energy, Minister for Mineral Resources, and Minister for State Development—
- (1) Does the Maules Creek mining lease over the western portion of Leard State Forest have an existing development approval?
 - (2) If so, when was that approval granted?
 - (3) Will the Minister provide a copy of any such approval?
 - (4) How many proposed coal mines in New South Wales have existing development approvals that are five years old or greater?
- 0031 CLIMATE CHANGE ENVIRONMENT AND WATER—NATURAL RESOURCE TARGETS—Mr Cohen to ask the Minister for Lands, Minister for Rural Affairs, Minister for Regional Development representing the Minister for Climate Change Environment and Water—
- (1) Does failure to properly regulate logging on private land in New South Wales undermine the Government's native vegetation reforms?
 - (2) Can natural resource targets in the State Plan be met if logging continues unregulated?
 - (3)
 - (a) Does the Government expect that it will meet its commitment to the delivery of a Code of

Practice by 1 July 2007?

- (b) If not, why not?
- (4) Given that the Government promised that if the stakeholders did not agree to a Code of Practice for logging by December 2006, then it would refer the matter to the Natural Resources Commission (NRC) for the development of a Code, why has it not yet referred the matter to the NRC?
- (a) Does it now intend to refer it to the Commission?
- (b) If so, when?
- (5) Will the Minister ensure that he fully and properly considers all three aspects of his portfolio – Climate Change, Water and Environment – when this Code of Practice is developed?
- (6) Will streamside vegetation, which as the interface between land and water is vital to both water quality and biodiversity protection, be fully and comprehensively protected from logging in New South Wales?
- (7) Is there a large body of scientific evidence on the outstanding importance and recognised scientific value of streamside vegetation?
- (8) Has the department conducted a thorough scientific literature review on which to base the development of streamside protection buffers?
- (9) Does the Minister recognise the outstanding conservation significance of streamside buffers as the last remaining corridors in many heavily cleared landscapes?
- (10) Are streamside buffers extremely important in enabling native fauna to move to adapt to climate change?
- (11)
- (a) Will the Minister guarantee that any Code of Practice that is introduced will properly protect all streamside vegetation, with minimum 10 metre, 20 metre, 30 metre and 50 metre strict buffers that exclude logging on first, second, third and higher order streams respectively?
- (b) If not, why not?
- (12)
- (a) Was rainforest logging banned by Neville Wran on public land more than 25 years ago?
- (b) Is it still allowed to occur on private land?
- (c) If so, why?
- (13) Should rainforest logging be considered an archaic practice and should not be allowed in a modern, developed country such as Australia?
- (14) Can the Minister guarantee that any Code of Practice that will be introduced will stop all logging of non-plantation rainforest species on private land in New South Wales?
- (15) Will the definition of rainforest be changed and adopted by the Government on public lands through the Comprehensive Regional Assessment process for any Code of Practice that is introduced?
- (a) If so, why?
- (b) If so, how?
- (16) Do recent studies in forests along the eastern seaboard show that up to 54 per cent of the total carbon store is stored in the largest trees?
- (17)
- (a) Does the Minister acknowledge and recognise that large trees are carbon banks that must be protected to prevent further emissions of greenhouse gases into the atmosphere?
- (b) If not, why not?
- (18)
- (a) Will all large trees greater than 1 metre diameter at base be protected by any Code of Practice that will be introduced, to ensure that the carbon they store remains firmly sequestered and is not released into the atmosphere by logging and subsequent decay?
- (b) If not, why not?
- (19) Has the department conducted a detailed analysis or assessment of how any Code of Practice will meet the targets for native vegetation set down in the State Plan?

- (a) Is a copy of the assessment publicly available?
- (b) Can the Minister give a guarantee that the Code of Practice will not allow activities that will prevent those targets from being met?
- 0032 CLIMATE CHANGE ENVIRONMENT AND WATER—THEFT OF ENVIRONMENTAL WATER—Mr Cohen to ask the Minister for Lands, Minister for Rural Affairs, Minister for Regional Development representing the Minister for Climate Change Environment and Water—
- Given that there is significant evidence of the theft of environmental water in the Macquarie Marshes over a year ago (November to December 2005), how will the Government guarantee that the theft of environmental water will be properly dealt with, both in the context of the Federal takeover of water or if existing state arrangements continue?
- 0033 CLIMATE CHANGE ENVIRONMENT AND WATER—WATER ALLOCATION FROM MANGROVE MOUNTAIN—Mr Cohen to ask the Minister for Lands, Minister for Rural Affairs, Minister for Regional Development representing the Minister for Climate Change Environment and Water—
- (1) Was a report published last year by the National Centre for Groundwater management that found the Mangrove Mountain aquifer, which supplies water to the Central Coast, is grossly over-allocated?
- (2) Why did Coca-Cola recently receive an increased water allocation from the Mangrove Mountain aquifer from 25 million litres to 66 million litres for an annual fee of \$181?
- 0034 PRIMARY INDUSTRIES—HARVEST PLANNING FLOW CHART FOR SOUTHERN TUMUT—Mr Cohen to ask the Minister for Primary Industries, Minister for Energy, Minister for Mineral Resources, and Minister for State Development—
- (1) In relation to the Ecological Sustainable Forest Management document for Southern Tumut at page 58, which shows a Harvest Planning Flow Chart (Figure 4), which in turn shows the following decision box: "Is it economically and silviculturally viable to harvest at this time?" - No - Yes" what are the economic and silvicultural considerations that are taken into account when making the decision to harvest or not in native forests?
- (2) How are these considerations applied in the decision making process?
- 0035 PRIMARY INDUSTRIES—FISHING GEAR REQUIREMENTS IN NSW WATERS—Mr Cohen to ask the Minister for Primary Industries, Minister for Energy, Minister for Mineral Resources, and Minister for State Development—
- (1) Has any action been take to review the bag and size limits of fishing gear in New South Wales waters?
- (a) If not, why not?
- (2) Have the results of this review been publicly released?
- (a) If not, why not?
- (b) If so, where?
- (3) When can the public expect the proposed changes to come into effect?
- 0036 PRIMARY INDUSTRIES—ENVIRONMENTAL IMPACT ASSESSMENT OF RECREATIONAL FISHING—Mr Cohen to ask the Minister for Primary Industries, Minister for Energy, Minister for Mineral Resources, and Minister for State Development—
- (1) Will the Minister advise what progress has been made on an appropriate assessment of recreational fishing?
- (2) When will public consultation take place on a management strategy for recreational fishing?

0037 PRIMARY INDUSTRIES—POPULATION OF GREY NURSE SHARKS—Mr Cohen to ask the Minister for Primary Industries, Minister for Energy, Minister for Mineral Resources, and Minister for State Development—

- (1) Has a long-lining fleet around Coffs Harbour been targeting sharks since the beginning of the 2006-07 summer, as a result of the depletion of yellow fin tuna?
- (2) Are these fishers setting long-lines adjacent to marine park borders, especially to the north of Solitary Islands Marine Park, including an area known to contain Grey Nurse Sharks (Bullocky's reef)?
- (3) Can an assurance be made that Grey Nurse and Great White Sharks are not being killed or injured by fishermen in this area?
- (4)
 - (a) Will the shark boats in the area be investigated?
 - (b) If not, why not?

Lynn Lovelock
Acting Clerk of the Parliaments