

Supplementary Questions

BUDGET ESTIMATES 2016-2017

General Purpose Standing Committee No. 6

Primary Industries, Lands and Water

Friday 2 September 2016

## Foxes

1. Over the last few years, tens of thousands of dollars of government funds have been spent developing a permit system for captive foxes. Dozens of fox owners in New South Wales have already been issued with permits to keep foxes securely in their homes. There have been no recorded incidents of escape or harm to wild or farmed animals.  
As a result of the recently introduced Pest Control Order, however, it is now illegal to rescue and rehome foxes, even if they are de-sexed and kept in secure enclosures on private properties.
  - (a) What was the reason for the decision to cease issuing permits and introducing the Pest Control order?
  - (b) How does the rescue and secure rehoming of desexed, wild-born, rescue foxes, to responsible carers, negatively impact upon the current fox control measures in New South Wales?
  - (c) Now that it is illegal to rescue and care for foxes in New South Wales, how will the government ensure the welfare of orphaned and injured foxes who will now be left to starve and suffer without the intervention of specialised rescue groups such as Sydney Fox Rescue?

## ANSWER

- (a) **The *Local Land Services (European Red Fox) Pest Control Order 2014*:**
  - i. **Brings NSW into line with all other States in Australia in ensuring that foxes must be controlled by landholders on their properties**
  - ii. **Allows for additional options for coordinated control, meaning Local Land Services can more effectively target foxes in localised campaigns**
  - iii. **Means no newly acquired foxes will be allowed to be kept in captivity, because foxes are not companion animals, they are pests.**
- (b) **Managing the ongoing compliance requirements for the private keeping of wild pest animals such as foxes, which cannot be domesticated, takes valuable resources away from more effective pest control activities. Private keeping of foxes also promotes acceptance of the fox as a pet, rather than a pest.**
- (c) **The best outcome for the environment and agricultural production of NSW is to humanely kill all foxes, including orphaned and injured foxes. The government provides advice on approved methods of fox control on the DPI website. Euthanasia guidelines for pest animals are available at the pest smart website.**

## TNR

2. Has there been an independent study done in NSW of the effectiveness and cost benefit analysis of TNR programs?
  - (a) If not, why not?
  - (b) If so, when was this study conducted and what was the outcome?

**ANSWER**

**(a) No. The NSW Government agrees with the RSPCA's view that resources for cat control are better spent on education, increased community awareness about responsible cat ownership, targeted desexing programs particularly for low-income earners, and better laws and regulations.**

**(b) N/A**

Farm Mutilations

3. The Government recently supported a Motion urging wool growers to end the practice of mulesing and susceptibility to worm infestation by breeding out wrinkles, in the interim pain relief should be used.
- (a) Given the estimated cost of 50 cents per dose for pain relief such as Tri Solfen and the worldwide trend of wool buyers demanding the humane treatment of sheep, is it not time the government ensured certainty by mandating the use of pain relief when mulesing?
    - i. If not, is this in breach of Section 24, subsection 1. of the POCTAA, whereby, the Act states 'in a manner that inflicted no unnecessary pain upon the animal'?
  - (b) Should, in fact, all on-farm mutilation require mandatory pain relief?
  - (c) How can the public be confident that industry is progressing forward in regards to animal welfare if it will not mandate the use of topical pain relief at 50 cents per dose?

**ANSWER**

- (a) No. Recent statistics from the Australian Wool Industry's Australian Wool Production Forecasting Committee show that 77% of lambs mulesed in New South Wales now receive pain relief. Government is working with industry to increase that number.**
- i. **No.**
- (b) No. The government, through the NSW DPI, will continue to work with wool growers to promote existing proven methods and find new alternatives to mulesing.**
- (c) The Department is continuing to work with wool growers to promote advances in non-invasive management practices such as crutching, jetting, fly trapping and nutrition.**

Ducks

4. How many disease outbreaks have occurred in the duck meat industry over the last 5 years in NSW?
- (a) How were these outbreaks managed by the industry and government?
  - (b) How many individual ducks were affected and what was the fate of these ducks?
  - (c) What were the diseases that occurred i.e. avian flu or Anatispestifer, and what was the origin or source of the outbreak?
5. What is the percentage of disease outbreaks per duck farmed in NSW over the last 5 years?
6. What disease prevention strategies are required on duck farms, given vaccines and

antibiotics are not commonly used due to their expense?

7. Do any documented biosecurity procedures exist which state strategies to prevent the introduction of diseases to duck farms?
  - (a) If so, is this information publicly available? If not, can my office be issued with this information?
8. Given that water deprivation of water to ducks results in pain and suffering as well as increased risk of disease and infection, yet the introduction of water and free range practices also increases the biosecurity risk of disease from wild water fowl, how can the duck meat industry exist without either being inherently cruel or being a high biosecurity risk?

#### **ANSWER**

4. **One outbreak of notifiable disease and zero Emergency Animal Disease outbreaks.**
  - (a) **By the premise owner following risk assessment by DPI and advice from DPI and NSW Health.**
  - (b) **Unknown**
  - (c) **Low pathogenic Avian Influenza. Source unknown but likely wild ducks.**
5. **Unknown.**
6. **The 'Farm Biosecurity Manual for the Duck Meat Industry' (freely available on the Animal Health Australia website) provides this information.**
7. **The 'Farm Biosecurity Manual for the Duck Meat Industry' (freely available on the Animal Health Australia website) provides this information.**
8. **All poultry keepers must comply with legal requirements in respect of both poultry welfare and biosecurity.**

#### Meat Chickens

9. We have been anonymously informed of a mass disease outbreak on Baiada Poultry farms near Griffith, NSW. We have been informed that the disease outbreak caused chickens to suffer from paralysis, before dying and that one farm with 28 sheds lost approximately 500,000 birds in April this year, with adjoining farms potentially affected.
  - (a) Is the Minister able to confirm whether this information is accurate?
    - i. If so, how many chickens were slaughtered as a result of the outbreak?
    - ii. Is it a fact that dead birds were subsequently transported to Victoria to be processed into pet food?
  - (b) What was the cause of the outbreak and has it been resolved?
  - (c) What steps have been taken to ensure similar outbreaks do not occur in the future?
  - (d) Can the Minister provide assurances to consumers of chicken meat for both human consumption and pet food that the product is safe?

**ANSWER**

- (a) The department is aware of a significant mortality event on a commercial broiler poultry enterprise near Griffith NSW in April 2016.**
  - i. DPI does not hold this commercial information**
  - ii. DPI does not hold this commercial information**
- (b) The disease outbreak was confirmed as not being an Emergency Animal Disease or a notifiable disease.**
- (c) The enterprise has met all legal biosecurity and welfare obligations in respect to prevention of disease outbreaks.**
- (d) Yes.**

Brumbies

- 10. The King of the Ranges Stockman's Challenge is a brumby/wild horse catch event held in Murrurundi. These events involve newly trapped brumbies which have been taken from the NWPS passive trapping program and then ridden and chased for "entertainment".
  - (a) Have any formal complaints of such events in relation to animal cruelty been made to your Department?
    - i. If so, what action was taken and were these complaints thoroughly investigated?
  - (b) If these events are found to be in breach of Section 4, subsections 2 (a) and 2 (d) of the POCTAA, will the Minister legislate a ban of these events across NSW?

**ANSWER**

- (a) No.**
- (b) No. The POCTAA provides powers for enforcement agencies (RSPCA NSW, Animal Welfare League NSW and NSW Police) to manage animal welfare in NSW.**

Introduced Species

- 11. The Feralscan website which is run by the Invasive Animals Cooperative Research Centre, encourages people to not only record 'feral', or what I prefer to call 'introduced' animal locations via mapping but also to engage with and kill individual animals, the term used is "control". The site includes references for all manner of species including rabbits, foxes, wild dogs, cats, pigs, birds and deer. On further browsing the site, via an app, allows people of the community to map animal locations so as animals can be trapped and killed or "controlled". The site even encourages people to upload their photos of kills to the gallery on the site.
  - (a) Is the Minister satisfied that this program is adhering to existing animal cruelty legislation and that all killing of animals is monitored and controlled?
- 12. Suggested methods of killing promoted and endorsed by the website include stunning by a blow to the head using a blunt instrument (e.g. metal pipe, wooden club etc.), cervical dislocation, decapitation, or bleeding out. All methods are backed by disclaimers that state the method is to be properly performed by skilled and trained operators.
  - (a) How can the government be endorsing such methods of suffering unchecked and unmonitored?

- (b) How can the government ensure such community members participating in this program are sufficiently 'skilled and trained' in these methods of killing?
13. There is a broad definition of what constitutes a feral cat on the website. However, there is no information on how a user could identify the difference between say a stray, a feral or even a house cat that is allowed to roam.
- (a) In regards to this, how does this program ensure participants are not mapping and killing free roaming pets or lost companion animals?
- (b) Is this program an attempt from the government to sanction and endorse cruelty and killing of animals by community members under the guise of conservation?
- (c) As part of this program is it possible for a participant to remove a mapped sighting once it has been recorded?
- i. If so, does this allow for those that carry out unmonitored 'control' methods such as blunt force trauma and decapitation to effectively remove any evidence of registering a sighting from their account if someone were to report it to either the DPI or other authorities?
- (d) Have there been any reports of harassment and threats to volunteers who care for free living animals, such as cats as a result of the implementation of this program?

#### **ANSWER**

**11. (a) Yes.**

**12. (a) The NSW Government does not endorse inhumane pest animal control.**

**(b) Cruelty to animals is regulated and enforced by Officers authorised under the Prevention of Cruelty to Animals Act.**

**13. (a) The NSW Government does not encourage mapping or killing of free roaming pets or lost companion animals**

**(b) No.**

**(c) Individual users can edit/delete data they submit themselves.**

**i. The Program also has a database that stores/traces all user access and data editing activities.**

**(d) Not to my knowledge.**

#### **Pound Animals**

14. To minimise cruel and often unlawful handling, trapping, seizure and impounding of kittens and cats, the WA RSPCA in conjunction with Cat advocacy groups produced a CAT TRAPS GUIDE which was circulated to WA councils, shelters and pest controllers.

- (a) Can the Minister confirm if a similar or improved NSW guide has been produced and circulated to councils, shelters, pest controllers and made accessible to the public in NSW?
- i. If not, why not and will the Minister authorise the creation of such a guide?
- ii. If so, where is this published?
- iii. If such a guide is published by the government, will the Minister

ensure that it include the relevant mandatory legislation and penalties which would apply in lieu of breaches, and how any such breaches would be enforced?

**ANSWER**

**(a) No.**

- i. Guidance, best practice and regulation exist under the *Companion Animals Act 1998* and POCTAA.**

Greyhound Racing

15. Please outline the process that the Government will undertake in converting crown land currently used for greyhound racing for community use? How will the community have a say in this process?

**ANSWER**

**A detailed planning process will be undertaken on the adaptive reuse of Crown land sites that are currently used for greyhound racing. The future uses will have a community benefit focus. This process will involve community consultation. The program will be outlined in due course.**

16. Please provide a list of all crown land properties currently used for greyhound racing.

**ANSWER**

**Wentworth Park Sporting Complex at Ultimo  
Potts Park Reserve Trust at Bankstown  
Casino Queen Elizabeth Park at Casino  
Grafton Greyhound Racing Reserve at Grafton  
West Cowra Recreation Ground at Cowra  
Newmarket Sportsground Reserve at Broken Hill  
Taree Greyhound Racing Club at Taree  
Armidale Public Recreation and Racecourse Reserve at Armidale  
Moree Racecourse Reserve at Moree  
Coonamble Showground Reserve at Coonamble  
Mudgee Memorial Combined Sportsground at Mudgee  
Goulburn Racecourse and Showground at Goulburn  
Hilltops Council Reserve at Hilltops (Young)  
Nowra Reserve Trust at Nowra  
Gosford Showground and Greyhound Club at Gosford  
Cardiff Greyhound Social Club at Cardiff**

Dolphin Marine Magic

17. Regarding the below extract from the transcript on page 37  
Mr HANSEN: Following the meeting with Dolphin Marine Magic, I wrote to and said providing it could provide to us two undertakings, we would allow it to continue operating with the 10 seals.  
a. Please provide a copy of the letter.
18. Will the NSW Government cancel Dolphin Marine Magic's license if they fail to build the new seal enclosure?
19. Regarding the below extract from the transcript on page 37

Mr HANSEN: No. We continue to closely monitor and be engaged with the organisation. Since 2014 it has asked for consideration of a number of variations to the standards.

- (a) Please provide a list of all variations that have been applied for since 1 January 2014 and indicate whether they were approved or refused.
20. Was a metal object found inside the body of the dolphin calf Ji-Ling?
  - (a) If yes, what was the object?
  - (b) Was it a watch?
    - i. If it was who was the owner of the watch?
21. Please provide a copy of the autopsy report of the dolphin calf Ji-Ling.
22. Was the Department asked by Dolphin Marine Magic not to release the autopsy report of the dolphin Ji Ling?
  - (a) If yes, what was the reason for this?
23. Would the NSW Government consider banning the breeding of captive dolphins to ensure the current dolphins in captivity would be the last?
  - (a) If not, why not?
24. Did four Australian Little Blue Penguins die in Dolphin Marine Magic's care between September 2015 and April 2016?
  - (a) If yes, what were the causes of death?
  - (b) Does the department consider this an unusually high mortality rate?
  - (c) What action is the department taking to reduce this mortality rate?
25. Does the use of a permanent barrier to bisect the primary dolphin pool violate the NSW Dolphin Standards?
  - (a) If not, why not?
26. Given there is no other compliant space for the seals (indeed, even the seal pool itself is not compliant for the seals), where and how are the seals legally housed when the seal pool is required as a dolphin isolation pool?
27. Clause 29 of the General Standards for Exhibiting Animals states: "Visitors who are in contact with animals must be encouraged not to ... (b) kiss the animals". According to Questions on Notice LC178 (Response 7b): "The Department has received a response from Dolphin Marine Magic (about the kisses) and this is currently being reviewed".
  - (a) What is the status of this review?
    - i. If this review has been completed please provide a copy of the review.
28. Dolphin Marine Magic advertises kisses to tourists (for example, on posters) and also instructs visitors at the end of dolphin shows to line up in the "kissing hut" to receive their free dolphin kiss. Dolphin Marine Magic heavily advertises "free dolphin kisses" for every visitor (its phone number is even 1300-KISSES). Is this considered encouragement of kissing?
29. Bucky is an elderly dolphin and the "star performer" at Dolphin Marine Magic. Has Bucky's cancer recurred?
  - (a) Given Bucky is an old and sick animal, how will NSW DPI require that



Bucky's training regime be modified, as required by Clause 55 of the General Standards?

**ANSWER**

17. A copy of the Director General letter (reference: DGPO16/67) is provided. (Attachment A).
18. In the first instance the Department would work with Dolphin Marine Magic to identify practical options for alternate housing of the seals.
- 19.(a)
  - 1) Refused - variation of the requirement that the Pet Porpoise Pool Pty Ltd's Discovery Stadium Show Pool, when used as a long-term holding enclosure for seals < 2.5 metres in length, must meet the exhibit enclosure size requirements contained in clause 9(2)(a)(i) of the prescribed *Standards for Exhibiting Seals in New South Wales* that it has an 'average depth of 2.0m' and 'must incorporate a vertical column of water that is 2.5 metres deep and 5 metres in diameter'
  - 2) Approved - Clause 2.4.4 d) iii) of the *Standards for Exhibiting Bottle-nosed Dolphins (Tursiops truncatus) in New South Wales* published in April 1994 is varied in its application to Pet Porpoise Pool Pty Ltd's use of the Discovery Stadium Show Pool as a second primary dolphin pool for the exhibition of Indo-Pacific Bottle-nosed Dolphin *Tursiops aduncus* at Dolphin Marine Magic (licensed animal display establishment L00002) as follows:
    - a) The second primary pool shall meet the minimum dimension requirements outlined in clause in 2.4.4.(d) (ii) for the number of animals held, except that the pool shall not be narrower than 12 metres, nor shallower than 1.5 metres and the average depth of the pool shall be at least 1.8 metres.
    - b) The second primary pool shall have a minimum volume of 477 cubic metres.
20. (a) Yes, it was a metal fragment.  
(b) No.
21. A copy of the post mortem report is provided (Attachment B).
22. Yes.
  - (a) Public interest considerations. The government under the provisions of Section 11 and 58 of the *Government Information (Public Access) Act 2009* subsequently decided to release this information.
23. No.
  - (a) Standards provide for the welfare of dolphins exhibited in NSW.
24. Yes.
  - (a) Infection by avian mycobacteria.
  - (b) Yes.
  - (c) The Department requested that Dolphin Marine Magic provide further information on the cause of these deaths and measures to reduce deaths.

25. **No.**  
 (a) **The dolphins have free access to the whole main primary pool volume when the gate is open. Dolphin Marine Magic has advised that the gate remains shut for no more than 1.5 hours per day.**
26. **The seals can be temporarily housed off-exhibit in an appropriate number of medium-term seal holding enclosures.**
27. **The matter remains under review.**
28. **No.**
29. **Unknown**  
 (a) **The extent of Bucky's involvement in performances and training is subject to ongoing veterinary assessment and endorsement.**

#### Koala Park

30. Given Koala Park at West Pennant Hills has been convicted and fined for mistreating emaciated and disease-ridden koalas in its care, what extra conditions, if any, have been attached to their license and how is the Government monitoring these?  
 (a) Under what circumstances would the government consider suspending the license?

#### **ANSWER**

**None.**

- (a) **Section 30 of the *Exhibited Animals Protection Act 1986* provides for the Secretary (or delegate) to suspend an authority for a period of not more than 60 days if the holder commits an offence against this Act or the *Prevention of Cruelty to Animals Act 1979*.**

#### Companion Animals

31. The NSW Government has established a Responsible Pet Ownership Reference Group as part of its response to the Companion Animals Taskforce Reports.  
 (a) What strategies has the Government implemented between June 2015 and July 2016?
32. How much money did the NSW Government allocate to Local Governments to help reduce the euthanasia rates in Council companion animal shelters between June 2015 and July 2016?
33. How much money was spent last financial year (2015-2016) on subsidising registration fees for companion animals?
34. Recommendation 5 of the Joint Select Committee Inquiry into Companion Animal Breeding Practices in August 2015, recommended that the NSW Government undertakes a comprehensive study of euthanasia rates. Has the Government conducted a comprehensive study of euthanasia rates?  
 (a) If yes, please provide a copy of the report.  
 (b) If no, why not?

35. Please provide the statistics for euthanasia rates for cats and dogs in NSW from 2013-2015.

**ANSWER**

31. (a) **New online Pet Register, an expanded education program, removing the exemption in the Companion Animals Regulation allowing recognised breeders to sell un-microchipped dogs and cats to pet shops, encouraging people to buy pets from shelters and pounds and a \$900,000 council grant program to provide targeted microchipping, registration and desexing.**
32. **This matter falls under the portfolio responsibilities of the Minister for Local Government, the Hon. Paul Toole MP.**
33. **This matter falls under the portfolio responsibilities of the Minister for Local Government, the Hon. Paul Toole MP.**
34. **This matter falls under the portfolio responsibilities of the Minister for Local Government, the Hon. Paul Toole MP.**
35. **Euthanasia rates for cats and dogs in NSW from 2013-2015 are available online at the RSPCA website.**

**Sharks**

36. The (Grey Morwong) (*Nemadactylus douglasii*) have been assessed as 'Overfished' since 2006/07, according to the Status of fisheries resources report 2013-2014 a stock rebuilding plan is yet to be developed.
- (a) Has this plan been completed?
- i. If yes, please provide a copy of the plan
  - ii. If no, when will this plan be completed?
37. The last Fishery Management Strategies Performance Report was in 2004, when will the DPI be releasing or conducting more reports?

**ANSWER**

36. (a) **No**
- ii. **A time frame has not been determined.**
37. **A report on the performance indicators and status of the respective trigger points for each of the FMSs was last completed in 2015 (for the reporting period 2014/15) and was included in the 'Fisheries, Aquaculture and Aquatic Conservation Key Highlights and Statistics Report for 2014-15'. This was published in April 2016.**

**Sydney Zoo**

38. Have the proponents of the proposed Sydney Zoo begun the process for applying for a license to exhibit animals?
- a. If yes, what animals have been applied for and what is the current status of the application?

**ANSWER**

**Yes.**

- (a). **Meerkat**  
**Malayan Sunbear**  
**African Lion**

**Sumatran Tiger  
Cassowary  
Estuarine Crocodile  
Dingo  
Koala  
Cheetah  
Asiatic Water Buffalo  
Asian Elephant  
African Wild Dog**

**Applications are currently being considered.**

#### Antibiotic Use

39. How is the NSW Government regulating and avoiding the misuse and overuse of antibiotics in animal agriculture?
40. How is the NSW Government monitoring products imported from overseas jurisdictions, where antibiotic overuse or misuse may not be sufficiently regulated?

#### **ANSWER**

**39. Regulation is via the *NSW Poisons and Therapeutic Goods Act 1966* and the *NSW Stock Medicines Act 1989*.**

**The NSW Government is also developing a NSW One Health plan to support best practice and the 2015 national strategy, *Responding to the Threat of Antimicrobial Resistance*.**

**The Department of Primary Industries continues to provide scientific expertise to both Commonwealth and major industry groups, conduct research and is actively involved in education.**

**40. The Commonwealth is responsible for monitoring imported products to ensure they comply with Australian requirements, including requirements relating to antimicrobial and other residues.**

#### Sow Stalls

41. Will the NSW Government consider a legally enforceable ban on sow stalls to ensure sow stalls are phased out across the entire industry?
42. The Model Code of Practice for Pigs states that from 2017, sows are prohibited from being confined to a stall for more than six weeks of any given gestation period. Will the provision in the Model Code be legally enforceable in NSW? If so, how does the NSW Government propose to monitor and enforce compliance with this requirement?

#### **ANSWER**

**41. No. Sow stalls (gestational stalls) are already being voluntarily phased out by industry.**

**42. Information relating to the Model Code of Practice for Pigs, which are national guidelines, and also information relating to the *Prevention of Cruelty to Animals Act 1979* is available at [www.dpi.nsw.gov.au](http://www.dpi.nsw.gov.au).**

Independent Office of Animal Welfare

43 & 44. The need for an independent office arises from the conflict of interest, whether real or perceived, in the role and function of departments of primary industries (or their equivalent). Would the NSW Government consider establishing an Independent Office of Animal Welfare?

a. If not, why not?

**ANSWER**

**43 & 44. No.**

**(a) Independence is provided through enforcement of animal welfare issues under POCTAA by Animal Welfare League NSW, RSPCA NSW, and NSW Police.**

Animal Cruelty

45 How many cruelty reports involving agricultural animals were investigated last year by:

- a. RSPCA NSW
- b. Animal Welfare League NSW
- c. NSW Police?

46 How many animal agricultural facilities were inspected last year (both announced and unannounced) by authorities last year?

**ANSWER**

**45. These questions need to be directed to relevant enforcement agencies.**

**46. This question needs to be directed to relevant enforcement agencies.**

Sharks

47. Please provide a breakdown on what the NSW DPI has already spent regarding the \$16m shark attack mitigation campaign announced last year.

**ANSWER**

**Total expenditure to 12 September 2016 for the Shark Management Strategy is \$3,541,340, comprised of:**

- Program 1 - Surveillance, detection and deterrents program: \$2,679,386;**
- Program 2 - Science and Research: \$157,693;**
- Program 3 - Education and Community Awareness: \$131,528;**
- plus salaries and related costs: \$572,733.**

NSW Farm Trespass Policy

48. What action has the Department of Primary Industries taken in implementing the NSW Farm Trespass Policy, if any?

**ANSWER**

**An Outcomes Report and Action Plan were developed in consultation with industry at a workshop in February 2016.**

Foxes

Has the *Local Land Services Act 2013* in conjunction with the Pest Control Order for European Red Foxes (2014) made it illegal for members of the public to rescue, care for and own red foxes?

**ANSWER**

**Yes, with the exception of existing owners who were granted a permit by Local Lands Services to continue to own a fox.**

49. How will the government ensure humane treatment for injured foxes and their kits?

**ANSWER**

**Local Land Services staff will authorise the transport of an injured fox so it can be taken to a veterinary surgeon where they can be humanely destroyed, alternatively injured foxes may be humanely destroyed in the field.**

50. As a declared pest under the Local Land Services Act, it is illegal to transport a fox without a permit. If a member of the public finds an injured fox in urgent need of veterinary care and transports that fox to a vet, will they be charged with breaching the order?

**ANSWER**

**Members of the public can be authorised by Local Land Services to transport foxes if they meet specific criteria.**

1080

51. Is the NSW Government investing in more humane and/or non-lethal invasive species control methods? For example finding an alternative to 1080?

**ANSWER**

**The NSW Government promotes an integrated approach to invasive species management that considers the full range of lethal and non-lethal techniques.**

52. Under the Prevention of Cruelty to Animal Act (POCTA) Section 15, it is illegal to administer poison to a domestic animal, where poison can be defined as “ a) a substance included in the list, as in force for the time being, proclaimed under section 8 of the Poisons and Therapeutic Goods Act 1966”. 1080 (fluoroacetic acid) is a listed schedule 7 poison, making it a “Substances of exceptional danger”.
- a. As such the use of 1080 on domestic animals is illegal. Why is POCTA Section 15 limited to domestic animals and why does it not offer protections to wildlife from the slow and painful death caused by 1080 bait?

**ANSWER**

**Under the POCTA Act animals must not be inflicted with unnecessary pain. The 1080 pesticide control order aims to minimise risks to the environment, wildlife and domestic animals by requiring users to take necessary precautions when using 1080 products.**

Commonwealth/State review of RFSs

53. What stage is this review at? What is the anticipated timeline?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for the Environment, the Hon. Mark Speakman MP.**

54. Who is undertaking the review?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for the Environment, the Hon. Mark Speakman MP.**

55. What are the terms of reference?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for the Environment, the Hon. Mark Speakman MP.**

56. What public consultation will occur as part of this review?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for the Environment, the Hon. Mark Speakman MP.**

NSW Forestry Industry Roadmap

57. What opportunities of the carbon economy are envisaged in the NSW Forestry Industry Roadmap released on 25 August 2016?

**ANSWER**

**The forestry industry can play an important role in storing carbon and displacing use of higher carbon materials. This may be aided by the development of innovative biomass and bioenergy products, and the establishment of methods for carbon crediting. The Roadmap will ensure the forestry industry is well placed to capitalise on these opportunities and contribute to Australia's low carbon economy.**

58. How will carbon credit income compare with traditional income from logging?

**ANSWER**

**The value of carbon is determined by opportunities offered through mechanisms such as the Emissions Reduction Fund (Australian Carbon Credit Units). These programmes and processes fall under the jurisdiction of the Commonwealth.**

59. How will State native forests attract carbon income?

**ANSWER**

**This will be determined by the rules guiding the specific processes recognising carbon. These processes fall under the jurisdiction of the Commonwealth.**

Community Service Obligations

60. I refer to the Forestry Corporation Community Service Obligation funding for the Hardwood Forests Division for "Government Relations and Community Engagement":

- a. What information, education and or training programmes and education or awareness raising activities and/or resources or resource packages partly or wholly funded or contributed to and regardless of whether or not any of these be of a 'pilot' or experimental nature, are produced by region, in each year from FY 2012 to FY 2016.

61. In reference to Forestry Corporation Community Service Obligation funding for the Hardwood Forests Division for "Recreation and Tourism"
- a. What recreation and/or tourist related information and or promotional programmes, events, activities, and/or infrastructure are provided by this, whether or not any of these be of a 'pilot' or experimental nature, partly or wholly funded or contributed to, by region, in each year from FY 2012 to FY 2016.
62. In relation to Forestry Corporation Community Service Obligation funding for the Hardwood Forests Division for both "Government Relations and Community Engagement" and "Recreation and Tourism" what funding has been provided between 2012 and 2016 to any external organisations in order to undertake activities relevant to either of these categories, whether undertaken under the auspices of those external organisations or in partnership with Forests NSW?
63. Of the funding provided for 3. please provide details of recipient organisations, amounts and purpose of the funding including the names or titles of relevant feasibility studies, programmes, events, initiatives, or resources undertaken or proposed.
64. Forests Corporation NSW also has a corporate expenditure programme that includes categories "Government Relations and Community Engagement" and "Recreation and Tourism". Please provide details of all corporate partners, recipient organisations, amounts and purpose of the funding including the names or titles of any relevant feasibility studies, programmes, events, initiatives, or resources undertaken, partially developed for the years 2012-6. Of these programmes are any ongoing with the understanding there will be future contributions from the department?

#### **ANSWER**

- 60. Activities costed to Government Relations and Community Engagement include expenses related to non-commercial government and community relations for the two million hectares of State forest, including Aboriginal cultural heritage partnerships and participation in obligatory government forums.**
- 61. Activities costed to Recreation and Tourism have included the tourism information and promotion campaign run for the coastal forests, tourism related social media, maintenance of free camping and picnic areas across the state and sponsorship of some recreation events on State forest like the Port to Port Mountain Bike ride.**
- 62. Nil**
- 63. N/A**
- 64. Forestry Corporation does not provide funding to third parties. Forestry Corporation has partnered with Conservation Volunteers Australia, which has been engaged as a contractor to deliver volunteer programs in State forests. This program costs \$40,000 per year. It has been running for over 10 years and while reviewed each year, is likely to be ongoing.**



65. Does or has the department provide any money directly to Forests Corporation or to any of its corporate partners exclusive of CSO funding arrangements?

**ANSWER**

**The Game Licencing Unit provides FCNSW with \$436,000 per annum for hunting coordination and pest control activities.**

Murrah Flora Reserve: alternative timber subsidy

66. How much of \$2.5 million grant from the Environmental Trust to “facilitate sourcing timber from alternative South East NSW State Forests” following the creation of the Murrah Flora Reserve has been spent?
67. On what basis is it allocated? Is it paid directly to the logging / haulage contractors or does the Forestry Corporation retain amounts and reduce royalties charged
68. Which logging and/ or haulage contractors have received funding from this fund and how much has each received?
69. What quantity of logs has attracted the subsidy?
70. From which State Forests were alternative logs sourced and how much was obtained from each forest? What percentage of logs from each operation has attracted the subsidy?
71. To which mills were the logs delivered? What quantity did each mill receive?
72. Is there a steering committee or other body responsible for directing the management of the new Flora Reserve? If so, please provide details.

**ANSWER**

66. **\$107,408 to 30 June 2016.**
67. **The grant will offset the additional cost to Forestry Corporation of supplying timber to customers previously supplied from the Eden Management Area from the South Coast Management Area until wood supply contracts in the region expire in 2018. Customers continue to pay the same contracted royalties. Forestry Corporation pays contractors the full costs of harvesting and haulage, but charges customers a reduced delivery rate.**
68. **None.**
69. **There is no subsidy. The Environmental Trust is funding the extra cost of sourcing timber from forests further afield.**
70. **There is no subsidy. Alternative logs have been sourced from the following forests:**

Forest	Volume
Boyne State Forest	396m <sup>3</sup>
Flat Rock State Forest	1156m <sup>3</sup>
Mogo State Forest	660m <sup>3</sup>
North Brooman State Forest	402m <sup>3</sup>
South Brooman State Forest	720m <sup>3</sup>

71. The two wood supply agreement holders in the Eden Management Area, Blue Ridge Hardwoods and Allied Natural Wood Exports, have each received 1667m<sup>3</sup>.
72. Approval of the working plan rests with me as the Minister for Primary Industries under the *Forestry Act 2012* subject to endorsement by The Minister for the Environment. The Murrah Flora Reserves working plan is being jointly prepared and a steering committee has been established to facilitate community consultation that includes representation from relevant NSW Government agencies, timber industry representatives, reserve neighbours, conservation groups and adjoining park Board of Management nominees.

Animal welfare in logging operations

73. On how many occasions have prescriptions to protect (1) wombat burrows or (2) other species which are not listed as threatened been applied in logging operations in the Eden and Southern RFA Regions?
- a. Please provide details, including the location of these prescriptions.
74. Has there ever been an investigation or prosecution for breaches of animal cruelty laws during logging operations in State Forests?

**ANSWER**

73. These details are available in harvest plans published on Forestry Corporation of NSW's website.
74. Not that Forestry Corporation is aware of.

Storm damage to Eden chipmill jetty

75. Has Allied Natural Wood Exports (ANWE) or South East Fibre Exports requested any modification to the current application of the Wood Supply Agreement between Forestry Corporation and South East Fibre Exports following storm damage to the chipmill jetty in June 2016?
- a. If so, what are the details of the request?

**ANSWER**

Payment terms were modified for the period to October 2016. Exact details are commercial in confidence.

76. Has ANWE sought or received any other kind of assistance from within this portfolio following the June 2016 storm damage?

**ANSWER**

The NSW Government through a number of agencies including Department of Industry – Lands, Forestry Corporation NSW, Department of Industry Office of Regional Development and Transport for NSW have been working

**to assist ANWE to get operations back up and running.**

Staffing

77. How many Full Time Equivalent staff positions are there in each office of the NSW Forestry Corporation?
78. Has the Commonwealth Government been consulted about the new Integrated Forestry Operations Approvals (IFOAs) to determine whether they provide equivalent protection to that available to threatened species under the Commonwealth Environment Protection and Biodiversity Conservation Act

**ANSWER**

77. The table below details FTE for permanent staff as at 4 September 2016. Additional temporary staff are employed on a casual basis at various times, especially during fire season.

Row Labels	Sum of FTE Contribution
Balranald	1
Baradine	8
Barham	4
Batemans Bay	29.6
Bathurst	34.8
Bathurst Workshop	0.63
Batlow Workshop	10.24
Black Springs	8.84
Blowering Nursery	2
Bombala	26.34
Casino	7
Coffs Harbour	38.67
Coffs Harbour Jetty	8
Condobolin	1
Deniliquin	3
Dorrigo	4
Dubbo	6
Dungog	1
Eden	16.6
Forbes	4
Gloucester	3
Grafton	21.74
Grafton Nursery	4
Inverell	1
Maitland	10.9
Mandalong	5
Moss Vale	3
Narrabri	2
Narrandera	2

Orange	5
Sunny Corner	1
Tamworth	2
Taree	12
Toronto	0.8
Tumbarumba	3
Tumut	69
Walcha	7
Wauchope	37.15
West Pennant Hills	58.6

**78. This matter falls under the portfolio responsibilities of the Minister for the Environment, the Hon Mark Speakman.**

NSW Department of Trade Investment employment figures

79. The Department of Trade and Investment in its Key Data for 2015, lists NSW Forestry and services employment as 2,131 and with a multiplier as 5,166 based on the 2011 census. Last year FCNSW employed 582 people. And yet Minister Blair and the logging industry have stated there are 22,000 timber jobs in NSW. (In 2009 the Department said "Estimated 6 300 people employed through dependent businesses, with over 12 000 indirect jobs generated?

- (a) How is this figure is derived?
- (b) Does it include everyone who handles a piece of wood?

**ANSWER**

**(a) The figures are sourced directly from the most recent ABARES figures, where Forestry sector employment is defined as the sum of persons in Industry of Employment (IND06P) categories 'Forestry and Logging', 'Wood Product Manufacturing', 'Pulp, Paper and Converted Paper Product Manufacturing', 'Forestry Support Services' and 'Timber Wholesaling', of the Australian New Zealand Standard Industrial Classification 2006 (ANZSIC06).**

**The Trade and Investment Key Data for 2015 figures are only for the components 'Forestry Logging' and 'Forestry Support Services' contained within the above ABARES figures. This does not contain any figures relating to wood processing.**

**(b) The figures are sourced directly from the most recent ABARES figures, where Forestry sector employment is defined as the sum of persons in Industry of Employment (IND06P) categories 'Forestry and Logging', 'Wood Product Manufacturing', 'Pulp, Paper and Converted Paper Product Manufacturing', 'Forestry Support Services' and 'Timber Wholesaling', of the Australian New Zealand Standard Industrial Classification 2006 (ANZSIC06).**

80. What percentage of timber produced in NSW is pine?

**ANSWER**

**83 per cent. See Tab 12 of ABARES Sawn production by state.**

81. Of the timber manufacturing jobs what percentage of those are pine?

**ANSWER**

**ABARES report: 2,135 jobs in 'Forestry Logging' and 'Forestry Support Services'; 18,946 jobs in 'Wood Product Manufacturing', 'Pulp, Paper and Converted Paper Product Manufacturing', and 1,166 jobs in 'Timber Wholesaling'.**

**The Department of Industry estimates that 11,600 (52 per cent) of the total jobs are in the plantation pine sector, with a further 600 jobs in the native cypress pine sector. No estimates have been made of how many of these jobs lie within the manufacturing sub-categories.**

Yield Losses relating to the Pacific highway upgrade

82. Has FCNSW estimated the yield losses incurred by the clearing of forests for the Pacific Highway construction?

83. What area of forest has been cleared?

84. How have these losses been accounted for in wood contract commitments?

**ANSWER**

**82. There will be no yield lost because the Roads and Maritime Service is providing suitable forested land as compensation for State forest land acquired.**

**83. This matter falls under the portfolio responsibilities of the Minister for Roads, Maritime and Freight, the Hon Duncan Gay.**

**84. N/A.**

Yield Losses relating to the Whitehaven Coal Mine

85. Has FCNSW estimated the yield losses incurred by the clearing of forests for the Whitehaven Coal Mine at Maules Creek?

86. What area of forest has been cleared?

87. How have these losses been accounted for in wood contract commitments?

**ANSWER**

**85. Forestry Corporation has determined there will be a negligible impact on wood supply.**

**86. This matter falls under the portfolio responsibilities of the Minister for Industry, Resources and Energy, the Hon Anthony Roberts.**

**87. N/A.**

Hoop Pine plantations near Toonumbar

88. Are logs from the Hoop Pine plantation being exported whole?

89. What has been the sale process for this timber?

90. Were they put out to tender?

91. What price are they being sold for?
92. What volume is estimated will be produced?
93. Where are the logs being processed?
94. The Hoop Pine was planted on a site that was formerly rainforest. Will the area be regenerated to rainforest after the site has been cleared? If not, what is planned for that area?

**ANSWER**

88. **Yes**
89. **Forestry Corporation negotiated a short-term sale with a local buyer, who is on-selling the timber for export.**
90. **No.**
91. **This information is commercial in confidence.**
92. **The total volume included in the current short term agreement is approximately 9,500 tonnes.**
93. **This is determined by the customer.**
94. **No. It is an authorised plantation and will be replanted and managed as a timber plantation on an ongoing basis.**

Montreal Process Reporting Requirements

95. Are FCNSW keeping records of the area of mature forest that is converted to regrowth in any particular year?
96. If they are, why is it not being reported?
97. Could the Minister please supply the figures for area of public native forest in each category of growth stage since 2011 or is the Minister maintaining the classic forestry fiction of the Magic Pudding- it doesn't matter how much mature forest is cut, there is never any less of it, or any more regrowth?

**ANSWER**

95. **This information is reported on in five-yearly intervals and is compiled in line with the Forest Agreement and Regional Forest Agreement reporting timeframes.**

**96 - 97. This information will be reported in the Forest Agreement report for 2014-15 and the next Regional Forest Agreement report.**

Crowns of Trees

98. Can the Minister confirm that the definition of "waste" and "residues" from Forestry Corporation NSW logging of public native forests includes crowns of trees and excludes trunks of trees?
  - a. If so, how the crowns are placed on the log trucks?
99. If Forestry Corporation are using chippers to woodchip the crowns before they leave

the forest:

- a. How many woodchippers do Forestry Corporation have?
- b. What is the size and approximate volumes of each chip in a year?

**ANSWER**

**98. Part of the crown and trunk may be defined as 'waste or 'residue'**

**The crown and those portions of the trunk which do not meet the specifications for sawlogs, poles, piles, veneer and other log products can be referred to as 'waste' or 'residue'.**

**(a) All processes are mechanised.**

**99.**

**(a) Forestry Corporation does not have any chippers.**

**(b) It is presumed that this question intends to refer to the total volume produced each year from residue chip, which totalled 3,163 tonnes in 2015-16.**

FCNSW Breaches

100. What is Forestry Corporation's current policy for responding to community generated allegations of breaches of licence and or IFOA?

**ANSWER**

**Forestry Corporation's policy and process for dealing with issues, concerns and complaints is available on its website. Forestry Corporation's compliance with the IFOA is independently audited by the Environment Protection Authority.**

Forestry concerns

101. What hectareage of area public native forest and in what locations has been affected by the FCNSW variations of STS, "intensive harvesting outside the authorisation of the IFOA" since application of their variations began (estimated as beginning between 2005-2009)?

102. What environmental impact has there been across the above areas since the STS variations began?

103. How many species impacted, how many of each species, how many hectares of habitat and of what habitat class and Forest Ecosystem type has been lost for each threatened species?

104. How many cubic metres of additional timber has been harvested under STS variations that are "intensive harvesting outside the authorisation of the IFOA" and how much additional value in dollars has been gained since FCNSW began the practice?

105. What are the likely additional and adverse effects on soils and water due to the STS variations?

106. What will the government require of the FCNSW to redress the environmental losses and degradation caused?

107. Will they include restoration requirements such as: lantana control, Bell-miner removal, remediation of landscape impacts, permanent exclusion of logging from 'offset' areas marked on Harvest Plans that have not yet been logged and/or

delaying logging in adjacent compartments until these areas have achieved a measurable and adequate level of recovery and canopy cover?

108. Will the government use the estimated value of the illegally logged timber to help fund this forest restoration?
109. Will the government require the FCNSW to cease “intensive harvesting outside the authorisation of the IFOA”?
110. On what occasions and in what wording and context has the Environment Protection Authority (EPA) “previously indicated its view” to Forestry Corporation NSW (FCNSW) that intensive logging and clearfelling as FCNSW variations of Single Tree Selection (STS) is unauthorised and not consistent with the Interim Forestry Operations Approvals (IFOA)?
111. When will the Nature Conservation of NSW receive an answer to their letter of June 27<sup>th</sup> 2016 to the Environment Minister Mr Mark Speakman regarding these issues?
112. When will the Nambucca Valley Conservation Association receive an answer to their letter of June 24<sup>th</sup> 2016 to the Environment Minister Mr Mark Speakman regarding these issues?

**ANSWER**

**101. Forestry Corporation believes it is operating within the requirements of the IFOA in all native forest operations.**

**102 – 109. N/A**

**110. On 24 May 2016, the EPA sent Forestry Corporation a link to a press release issued by the North East Forest Alliance that contained a copy of an email from an EPA officer. This was the first time the EPA indicated such a view to Forestry Corporation in writing. Prior to that, an opinion relating to the intent of the IFOA was expressed by an EPA staff member in an informal undocumented conversation in 2015, in which Forestry Corporation staff expressed a contrary view. The IFOA remake is specifically intended to improve the clarity of the regulations and make them less open to interpretation.**

**111 – 112. These matters fall under the portfolio responsibilities of the Minister for the Environment, the Hon Mark Speakman MP.**

Regional Forest Agreements

113. Will the Government be making a decision on whether to extend Regional Forest Agreements in this term of government? Can the government release the terms of reference for a review of the performance of the RFAs?

**ANSWER**

**The NSW Government considers there is an ongoing need for RFAs in NSW and will work with the Commonwealth to determine the most appropriate form going forward. The Terms of Reference for the review of the current RFAs is a matter that falls under the portfolio responsibility of the Minister for the Environment.**



114. What government agencies have been tasked with undertaking the review, and what is the timeline for review completion?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for the Environment, the Hon. Mark Speakman MP.**

115. What community consultation will the government be making as part of any RFA review process? When will consultation commence?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for the Environment, the Hon. Mark Speakman MP.**

116. How does the government propose to assess the performance of the RFAs in respect of their higher level aims?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for the Environment, the Hon. Mark Speakman MP.**

117. Given the lack of timely and adequate reporting throughout the life of the RFAs, does the government commit to making no decision on RFA extensions prior to any review being completed?

**ANSWER**

**This matter falls under the responsibility for the Minister for the Environment, the Hon. Mark Speakman MP.**

118. Does the government accept that there are a suite of high value, but less tangible, forest services besides timber provision such as carbon sequestration, water supply and tourism and how does the government propose to factor the valuation of these services into the decision making process?

**ANSWER**

**There are a range of wood and non-wood products and services provided by forests. The NSW Government has recently released the NSW Forestry Industry Roadmap, which is a whole-of-government plan to build a stronger, more competitive and ecologically sustainable forestry industry. The NSW Government has determined a set of guiding principles in the Roadmap, which will be applied to all decision-making in relation to forest policy and regulation in NSW, to ensure whole-of-government consistency with the Roadmap.**

119. The Australian National University recently completed a set of environmental accounts for the Victorian Central Highlands RFA region that showed water is worth 100 times the value of timber, and lost carbon due to logging worth 60 times timber. Will the government develop such accounts for the Eden, Southern and North East RFA regions so that decision making on forests considers the full range of forest values?

**ANSWER**

**See answer 118**

120. Will the government assess the proportion of the Comprehensive Adequate and

Representative reserve network of forest ecosystems that has been created via the RFA process and commit to completing the CAR reserve network?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for the Environment, the Hon. Mark Speakman MP.**

121. Several times over the life of the current RFAs the forestry agency has been unable to supply contracted wood volumes. There is evidence that has been read on to the Parliamentary record from the 1990s that the forestry agency has a history of over-stating wood volumes. Will the Government commit to an independent review of wood volumes as part of any RFA review?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for the Environment, the Hon. Mark Speakman MP.**

122. During the life of the current RFA there has been no analysis done on whether current logging prescriptions have protected threatened species from the impacts of logging. Prior to the RFAs there was significant survey work to detect, map and model threatened species habitat. Will the Government undertake a similar process in order to assess the state of forest dependent fauna, and particularly threatened species, as part of the RFA review?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for the Environment, the Hon. Mark Speakman MP.**

123. The forestry agency has remapped the forests using LIDAR. Will the agency make the results of this process available as part of the RFA review?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for the Environment, the Hon. Mark Speakman MP.**

124. Climate change was not considered during the assessment process that led to the RFAs. In what way will climate change be considered as part of the RFA review?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for the Environment, the Hon. Mark Speakman MP.**

**Crown Lands**

125. When will the Minister for Lands adopt the Plan of Management for Bondi Park, Pavilion and Beach 2014-2024?

**ANSWER**

**The Plan of Management for Bondi Park, Pavilion and Beach was adopted by Waverly Council as Trust Manager in November 2014. The plan is regarded as a Trust adopted management plan for the reserve and the department is supportive of the plan. There is no statutory requirement for the POM to be adopted under the *Crown Lands Act 1989*.**

126. What steps are being taken to ensure that the site of the Bondi Pavilion remains

managed for the benefit of the community?

**ANSWER**

**As the appointed manager of the Bondi Park Reserve Trust, Waverley Council has responsibility for the care, control and management of the Reserve. As such, Waverley Council has the responsibility to ensure that the community's needs are met and that the values of the Reserve and the Pavilion are protected in the process.**

127. Does the Government support the Green Ban that has been placed on the Bondi Pavilion site?

**ANSWER**

**Any plans to redevelop the Pavilion will need to be compliant with the provisions of the *Crown Lands Act 1989* and with applicable planning legislation.**

128. What steps are being taken to ensure that Crown Land trustees manage land for the benefit of the community rather than to maximise profits?

**ANSWER**

**Reserve Trust Managers are appointed under the *Crown Lands Act 1989* and are charged with the care, control and management of any Crown reserve (or any part of a reserve) of which it is appointed. The Reserve Trust Handbook provides comprehensive information on the responsibilities of being a Reserve Trust Manager and the need to manage Crown reserves in accordance with the gazetted reserve purpose. An online induction program for reserve trust board members also supports the education of responsibilities. Reserve Trust Managers are able to identify social and economic activities on a Crown reserve in accordance with the reserve's purpose. It is a legislative requirement that any proceeds raised by Reserve Trust Managers from managing and operating Crown reserves are reinvested back into the Crown reserve.**

**Legislative safeguards are also in place to oversight the use of a Crown reserve. These include reserve trusts requiring consent to support development proposals and to enter into leases and licences greater than 12 months.**

129. Will you provide full details of all formal and informal meetings and discussions which your office has held with Waverley Council elected or unelected staff about the \$38 million proposals for the Bondi Pavilion?

**ANSWER**

**Nil.**

130. What grants have been provided in the last 5 years towards works associated with Bondi Park, Beach and Pavilion Plan Of Management, or Bondi Park and Pavilion generally?

**ANSWER**

**No grants have been provided.**

Kirkbride complex at Callan Park

131. Has a tenancy proposal been received for the site of the Kirkbride complex at Callan Park?

**ANSWER**

**This matter falls under the portfolio responsibility of the Minister for Health, the Hon Jillian Skinner MP.**

Game Licencing Unit

132. With respect to game licences:

- a. How many new licences were issued in:
  - i. 2016 to date?
  - ii. 2015?
- b. How people holding game licences were there in:
  - i. 2016 to date?
  - ii. 2015?
- c. How many new Class G licences were issued in:
  - i. 2016 to date?
  - ii. 2015?
- d. How people holding Class G game licences were there in:
  - i. 2016 to date?
  - ii. 2015?
- e. How many new Class R licences were issued in:
  - i. 2016 to date?
  - ii. 2015?
- f. How people holding Class R game licences were there in:
  - i. 2016 to date?
  - ii. 2015?
- g. How many Class R licence tests were conducted in:
  - i. 2016 to date?
  - ii. 2015?
- h. How many hunters participated in hunting activities in:
  - i. 2016 to date?
  - ii. 2015?
- i. How many days of hunting were conducted in:
  - i. 2016 to date?
  - ii. 2015?
- j. By species, how many animals in total were killed by hunters in:
  - i. 2016 to date?
  - ii. 2015?

**ANSWER**

**132.**

- a (i) 2,503**  
**(ii) 3,778**
- b (i) 18,140**  
**(ii) 17,020**
- c (i) 446**  
**(ii) 598**
- d (i) 2,963**  
**(ii) 2,793**
- e (i) 2,057**

- (ii) 3,180
- f (i) 15,177
- (ii) 14,227
- g (i) Unknown
- (ii) Unknown
- h (i) Unknown.
- (ii) Unknown.
- i (i) 9,738 hunter days were completed on declared public land.
- (ii) 13,016 hunter days were completed on declared public land.
- j (i) Feral cats:167, deer (all species): 745, wild dogs: 48, fox: 907, goats 1,265, hare: 184, pigs:1,938, rabbits: 3,204.
- (ii) Feral cats: 232, deer (all species): 896, wild dogs: 44, fox: 1,431, goats 2,434, hare: 236, pigs: 2,628, rabbits: 6,405.

Lands

133. What work is the former CEO of Cemeteries and Crematoria, Carl Malmberg, currently carrying out for Ms Stone?

**ANSWER**

**Mr Malmberg is supporting the implementation of the Department of Industry – Lands response to the NSW Audit Office report into the sale and lease of Crown land.**

134. How long will Mr Malmberg be seconded to other duties?

**ANSWER**

**Under the *Government Sector Employment Act*, Mr Malmberg has an ongoing role.**

135. What is the Board fees for the Chair of Cemetery and Crematoria NSW (CCNSW)?

**ANSWER**

**CCNSW Board remuneration was determined in accordance with Public Service Commission guidelines. The remuneration for the Chair is \$60,000 per annum.**

136. What are the board fees for other members of CCNSW?

**ANSWER**

**Members appointed under s16(2)(b) of the *Cemeteries and Crematoria Act 2013* are paid \$30,000 per annum (there are three such members). Member appointed under s16(2)(e) are paid \$5,000 per annum. Members appointed under ss16(2)(c), (d) and (f) are not remunerated.**

137. How many times did the Board meet in 2015-16?

**ANSWER**

**The CCNSW Board met 11 times in 2015-16.**

138. What was the duration of each meeting?

**ANSWER**

**The CCNSW Board met for a total of 25 hours and 10 minutes in the 2015/16 financial year, averaging 2 hours 23 minutes per meeting.**

139. Was the membership of the NSW Crown Holiday Park Trust subject to a transparent expression of interest process? If not, why not?

**ANSWER**

**Yes, a public advertising and search process was implemented in 2014 seeking members for the NSW Crown Holiday Parks Trust Board.**

140. How many times have the NSW Crown Holiday Park Trust met in 2015-16?

**ANSWER**

**In 2015-16, the Trust held eight (8) Board meetings.**

141. What was the duration of each meeting?

**ANSWER**

**The duration of meetings varied between a minimum of 3.5 hours to a maximum – 2 days.**

142. How many members of the NSW Crown Holiday Park Trust live in Sydney?

**ANSWER**

**This information is private to the Trust members.**

143. Where have the meetings of the NSW Crown Holiday Park Trust taken place?

**ANSWER**

**In 2015-16, six Board meetings were held in Sydney, one meeting was held across a range of locations being Seal Rocks / Tuncurry / Foster / Lake Glenbawn, and one meeting was held in Newcastle.**

144. How many times has each Board member of the NSW Crown Holiday Park Trust attended the meeting?

**ANSWER**

<b>Board Member</b>	<b>Total meetings attended</b>
<b>Wendy Machin (chair)</b>	<b>8</b>
<b>Don Marples</b>	<b>8</b>
<b>Chris Shaw</b>	<b>8</b>
<b>Christine Feldmanis</b>	<b>6</b>
<b>Abigail Goldberg</b>	<b>8</b>
<b>Matthew Toohey</b>	<b>8</b>
<b>Jacqueline O’Dea</b>	<b>8</b>

145. Were cemeteries included in the Greater Sydney Metro Plan of 2010?

**ANSWER**

**The previous Labor Government released that plan, so the question is best directed to the Minister at the time.**

146. What did the Minister mean by an ad hoc approach to cemetery management before 2011?

**ANSWER**

Prior to 2011, there was not a coordinated, strategic approach to the management of the industry. Since then, the NSW Government has passed the Cemeteries and Crematoria Act 2014 through the NSW Parliament, has reformed the Crown cemeteries sector, has created the independent regulator Cemeteries and Crematoria NSW and has released the first strategic plan to provide clear direction for the effective management of cemeteries and crematoria in NSW – the Cemeteries and Crematoria NSW Strategic Plan. Collectively, these important changes have made a substantial improvement to the governance, consistency and strategic approaches to the sector and general cemetery management in NSW.

A range of initiatives in the Cemeteries and Crematoria NSW Strategic Plan are underway, including:

- Release of a consumer guide to burial and cremation rights
- Defining the parts of Sydney facing critical shortages of cemetery space
- Development of guidelines for best-practice delivery of burial and cremation services.

147. What remuneration did David Harley receive for his work on cemetery reform?

**ANSWER**

**Mr Harley received a daily rate of \$1,720 excluding GST.**

148. Out of what fund was he paid?

**ANSWER**

**Mr Harley was paid by the Department of Primary Industries' recurrent funding.**

149. Are you aware of the concerns held by many councils and coastal communities over the delays in important dredging works being approved by Crown Lands?

**ANSWER**

**Yes**

150. Can the Minister explain the delays behind dredging areas of the Myall River where it enters Port Stephens?

**ANSWER**

**There are no delays outside the expected operational and organisational windows.**

151. Who has the delegation to approve such works?

**ANSWER**

**Various officers have delegation to approve the works under the Department of Primary Industries Instrument of Delegation (Minister and Lands Administration Ministerial Corporation) 2016 (dated 27 April 2016).**

152. Are you satisfied with the current delegations in Crown Lands that are causing these delays in approvals?

**ANSWER**

**I am satisfied with the current delegations in Lands.**

153. When were the current delegations (including financial delegations) put in place?

**ANSWER**

**I approved the current operational delegations for the Crown Lands Act 1989 on 30 November 2015. Financial delegations were approved for the Cluster Department on 17 June 2014.**

154. Have you reviewed the delegations since becoming Minister?

**ANSWER**

**Refer to question 153.**

155. How many greyhound clubs, racetracks and related facilities are located on Crown Land or dedicated land?

**ANSWER**

**Refer to question 16.**

156. Can the Minister provide a list of these locations, as well as their statutory land values?

**ANSWER**

**Statutory land values are publicly available via Land and Property Information.**

157. What is the remuneration package of Mr Rod Gilmour, the current administrator of the Wentworth Park Sporting Complex Trust?

**ANSWER**

**The remuneration is commercial in confidence.**

158. Was the administrator's position subject to advertising and/or a transparent expression of interest process? If not, why not?

**ANSWER**

**The recruitment process was undertaken in accordance with the Public Service Commissioner's appointment standards.**

159. Was the community trust that previously managed the Wentworth Park Sporting Complex Trust subject to a transparent expression of interest process? If not why not?

**ANSWER**

**There are no requirements under the *Crown Lands Act 1989* for an expression of interest process to be undertaken.**

160. Is it true that the former Deputy Premier and Minister responsible for the *Crown Lands Act 1989* ignored Department advice and appointed a Trust without seeking nominations from the community? If not, how was the previous Trust appointed?

**ANSWER**

**This is a matter for the former Deputy Premier and former Minister.**



161. Minister, despite 5 years of you and your predecessors talking about the synergy between Primary Industries and Crown Lands, why does Crown Lands now report to the Deputy Secretary of Resources and Energy?

**ANSWER**

**The allocation of responsibilities for the Senior Executive of the Department is a decision for the Secretary.**

162. What are the new synergies between Crown Lands and Energy?

**ANSWER**

**Synergies between Lands and the many areas of the Department of Industry, including Resources and Energy and Primary Industries remain strong, with all areas contributing to the State's economic growth in an environmentally and socially responsible manner.**

163. How many years of experience in public land management does the Deputy Secretary of Resources and energy and Lands have?

**ANSWER**

**The Deputy Secretary has significant experience in the NSW and Commonwealth Public Service. As the head of Resources and Energy, the Deputy Secretary is responsible for managing public assets and administering titles.**

164. Why was Crown Lands removed from the oversight of the Director General of Primary Industries?

**ANSWER**

**The allocation of responsibilities for the Senior Executive of the Department is a decision for the Secretary and he has determined the reporting lines for his executive team.**

165. Can you rule out another restructure of Crown Lands?

**ANSWER**

**There has been no restructure of Crown Lands.**

166. How many times has the formal identification – title of Crown Lands within the industry cluster changed since 2011?

**ANSWER**

**Three times.**

167. Can you provide details of the costs associated with these changes?

**ANSWER**

**Costs associated with these changes were minimal and are incorporated into broader corporate changes to websites and letterhead which are made electronically.**

168. How much money was provided through the Public Reserves Management Fund (PRMF) in 2015-16?

**ANSWER**

**\$14.605m**

169. How much of this was grants?

**ANSWER**  
**\$10.840m**

170. How much of this was loans?

**ANSWER**  
**\$3.765m**

171. How much PRMF funding was announced between December 1 2014 and March 31 2015?

**ANSWER**  
**Nil**

172. How much PRMF funding was announced between December 1 2015 and March 31 2016?

**ANSWER**  
**Nil**

173. Can you provide a list of grants and loans for 2015-16, noting the location of each grant, the local government area, and the State electorate?

**ANSWER**  
**The final allocation of funds in this year's PRMF round has yet to be finalised.**

174. Can you provide a list of unsuccessful applications for the PRMF in 2015-16?

**ANSWER**  
**Please see answer to question 173.**

175. How much money was repaid into the PRMF in 2015-16?

**ANSWER**  
**\$7.150m in loan repayments were received in 2015-16.**

176. Can you provide a balance of the PRMF as at 30 June for the following years:

(a) 2011-12

(b) 2012-13

(c) 2013-14

(d) 2014-15

(e) 2015-16

**ANSWER**  
**(a) \$27.763m**

- (b) \$23.344m
- (c) \$25.000m
- (d) \$9.300m
- (e) \$14.346m

177. Are there any outstanding loans beyond the original term? If so, please list.

**ANSWER**

**As at 12 September 2016, there are no outstanding loans beyond their original term.**

178. How many FTE's have left Crown Lands since 2011 either through retirement or redundancy?

**ANSWER**

**A total of 59 FTE's have retired and 67 FTE's have taken redundancy since 2011.**

179. What steps have Crown Lands taken to capture corporate knowledge lost through the retirement or redundancy of Crown Lands' officers since 2011?

**ANSWER**

**Department of Industry – Lands has undertaken transition arrangements with retiring or departing staff to enable them to share their corporate knowledge before departing.**

180. What funds have been spent to date on the review of the *Crown Lands Act 1989*?

**ANSWER**

**Total funds expended on the review of the Crown Lands Act, including publication and release of the Crown Land Management Review Report and the Crown Land Legislation White Paper since 2013 is \$20,954.**

181. How much did Crown Lands spend on beach rehabilitation in 2015-16?

**ANSWER**

**\$ 2.8 million**

182. What was the value of unpaid Crown Land lease fees in 2015-16?

**ANSWER**

**The total value of unpaid lease accounts at 30 June 2016, including perpetual, commercial and agricultural leases, was \$6.793 million.**

183. How many legal cases have been commenced, finalised or were active in any way against the NSW Government in relation to Crown Land?

**ANSWER**

**46 in the 2015-16 financial year.**

184. How many complaints in relation to Crown Lands were received in 2015-16?

**ANSWER**  
**29**

185. How many temporary staff are employed in the
- Dubbo Crown Lands office
  - Grafton Crown Lands office
  - Newcastle Crown Lands office

**ANSWER**

- In August 2016 there were four (4) temporary staff employed in the Dubbo Crown Lands office.**
- In August 2016, there was one (1) temporary staff employed in the Grafton Crown Lands office.**
- In August 2016 there were 15 temporary staff employed in the Newcastle Crown Lands office.**

186. How many Senior Executives (those with remuneration higher than Grade 12) were employed in Crown Lands in 2015-16?

**ANSWER**  
**21**

187. How many Senior executives (those with remuneration higher than Grade 12) were primarily in the Newcastle Head office of Crown Lands?

**ANSWER**  
**In 2015-16, there were 8.**

Soil Conservation Service

188. Does the Soil Conservation Service have a business plan in place?

**ANSWER**  
**Yes.**

189. Has it been approved by Treasury? If not, why not?

**ANSWER**  
**Yes.**

190. How many FTE's within Soil Conservation have been lost either through redundancy or retirement since 2011?

**ANSWER**  
**Two redundancies and 14 retirements.**

Domestic Violence Leave and Awareness – Lands

191. For each department, statutory agency and/or other bodies in the Minister's Portfolio please report:

- Date of introduction of domestic violence leave into enterprise agreements/contracts of employment, awards as applicable;
- Whether or not all employees and/or contractors are eligible for domestic violence leave;

- (c) Number of days of domestic violence leave that have been taken in each financial year since the introduction of such leave;
- (d) Number of days available for eligible staff to access domestic violence leave in each financial year;
- (e) Number of other personal days of leave that have been taken in each financial year since the introduction of domestic violence leave;
- (f) Number of sick days available for eligible staff to access domestic violence leave in each financial year;
- (g) Whether or not all staff and/or contractors have access to Employee Assistance Programs?
- (h) What training has been undertaken with management and administration for those involved in approving and/or processing domestic violence leave on issues such as?
  - i. Privacy and confidentiality of information about domestic violence
  - ii. Access to emotional, psychological, financial and medical support which may be required
- (i) Who has provided training on domestic violence in the workplace?
- (j) What percentage of staff in each agency has undertaken domestic violence training?
- (k) What efforts have been made to ensure that perpetrators (or their accomplices) within the staffing profile are not able to access personal information of victims in order to identify their location, or other information which may assist in committing domestic violence against them, including changing or accessing records in such a way as to disadvantage them financially or legally?

**ANSWER**

**Each agency is responsible for implementing NSW Government policy. The information sought is not collected centrally.**

Sexual harassment and Anti-bullying training and awareness programs - Lands

192. For each department, statutory agency and/or other bodies in the Minister's Portfolio please report:

- (a) Date of introduction of sexual harassment and anti-bullying training and awareness programs
- (b) Whether or not all employees and/or contractors have received such training?
- (c) Is this course mandatory for all employees/ contractors?
- (d) How long for each session, how many sessions?
- (e) Who delivers it?
- (f) Is the program tailored to take into consideration specific needs of LGBTQIA, ATSI and CALD or other at risk groups?
- (g) How?
- (h) What percentage of staff in each agency has undertaken sexual harassment and anti-bullying training and awareness programs?

**ANSWER**

**Each agency is responsible for implementing NSW Government policy. The information sought is not collected centrally.**

Elton Report into Rookwood General Cemetery trust

193. Did the Minister sign off on the Department's briefing that recommended the removal of the Rookwood General Cemetery Trust?

**ANSWER**

**Please refer to my publicly available statements from 12 May 2016 and 1 July 2016, which addressed the dissolution of the Rookwood General Cemeteries Reserve Trust.**

194. Did the Minister read the original report before signing it off?

**ANSWER**

**Yes.**

195. Who authorised the publication of the original Elton report into the Trust before significant errors were identified?

**ANSWER**

**The original Elton report has never been published. A redacted version has been published.**

Domestic Violence Leave and Awareness - Water

196. For each department, statutory agency and/or other bodies in the Minister's Portfolio please report:..

**ANSWER**

**See response Q 191**

Sexual harassment and Anti-bullying training and awareness programs - Water

197. For each department, statutory agency and/or other bodies in the Minister's Portfolio please report:..

**ANSWER**

**See response Q 192**

Commercial fishing

198. Is the Minister aware of concerns within the Industry that the reform process has left them swamped in reports and proposals but no certainty and most importantly the need to purchase their own businesses again in order to continue operating?

199. Does the Minister think it is fair that commercial fishers should have to purchase their businesses again?

200. By reducing licences to 90 days from a full year of fishing days, does the minister agree that the government will be increasing red tape for fishers as they will have to report on and monitor the number of days of fishing as well as catch volume?

201. What is the benefit to counting the number of days someone is fishing for? Isn't a sustainable industry one which looks at how much fish they are taking from seas and rivers, rather than one which counts how many days it takes them to do it?

202. Is the Minister aware of industry concerns that that the reduction in the number of days will ensure that commercial fishers end up working longer hours on fishing days to try and catch up, which means more fish taken from a smaller catchment area?

203. Is the Minister aware of industry concerns that the health and safety of fishers will be placed at further risk as a result of these changes?

204. Has the Minister met with the Minister for Small Business and/or the Small Business commissioner to discuss the commercial fishing restructure?
205. What industry stakeholders has the Minister met with in relation to the commercial fishing industry reform process? If so, please advise which stakeholders, the dates and issues discussed.

**ANSWER**

- 198. The NSW Government continues to work closely with the NSW commercial fishing industry. In response to feedback from the commissioning of an independent report into concerns with the Business Adjustment Programme, the NSW Government announced the commencement of a preview round of share trading. This will provide more information on the proposed share trading system. Good industry participation will lead to more information on share price and availability.**
- 199. Some fishers will choose to invest in additional shares and by doing so will be investing in a more secure, valuable and viable commercial fishing industry.**
- 200. No.**
- 201. The collection of effort data is required to determine catch rate which is essential information that is used in the management of commercial fisheries.**
- 202. Linking days to shares is an effective way to manage effort used in fisheries all around the world.**
- 203. The NSW Government continues to work collaboratively with commercial fishers regarding the implementation of the Commercial Fisheries Business Adjustment Program.**
- 204. I have had a range of conversations with Cabinet Ministers and public officials regarding the Commercial Fisheries Business Adjustment Program.**
- 205. In February 2016 I travelled along the NSW coastline talking to over 200 fishers, their representatives and fishing cooperatives face-to-face to hear their views.**

Fisheries Research

206. Is the Minister aware of an independent report dated May 2016 which review the current NSW Resource Assessment Framework for NSW Fisheries?
207. Is the Minister concerned that the report identifies organisation changes and reduced resources that are available for assessments?
208. Is the Minister concerned that the report calls the Resource Assessment Framework as “poorly defined”, “Elements of the framework .. not well linked”, and “not well linked to management needs”?
209. Has the Minister formally responded to the Independent Report?
210. What has the Minister and/or the Department done to address these concerns

identified in the May 2016 independent report?

211. Is the Minister aware of industry concerns that the loss of scientific research capability of Fisheries has had an impact on the quality of data that is required to undertake the commercial fishing restructure?

**ANSWER**

**206. This external, independent review was requested by DPI Fisheries to ensure resource assessment in NSW remains abreast of international best practice. The report is currently being assessed by the Department. I am yet to be briefed about the details of the review.**

**207. See response to Q 206.**

**208. See response to Q206.**

**209. See response to Q206.**

**210. See response to Q 206.**

**211. Scientific research capacity has not been reduced.**

Commercial Fisheries

212. Is the Minister aware of industry concerns that the share trading trial recently announced will not work?
213. Is the Minister aware that there was strong advice from industry not to engage in such a trial?
214. Is the Minister aware of strong concerns within the industry that fishers are unable to use the subsidisation program without any confidence? What is the Government doing to address these concerns from industry ?
215. Is the Minister aware of industry concerns over the lack of detail in critical parts of the restructure, such as how the proposed linkages would interact and compensate for regional difference?
216. What is the Government doing to address these concerns?
217. Is the minister aware that fishers are being forced to invest in more shares without any information regarding return on investment and the cost to business?
218. Does the Minister expect all fishers to participate in the trial?
219. If not, what is the purpose and value of such a trial?
220. How many changes to the restructure process have you or your Department approved since the restructure was originally announced earlier this year?
221. Minister, is the industry now more secure and certain as a result of the implementation of the restructure process in June 2016?



222. Is the Minister concerned that the entire process could end up in costly litigation, at great expense to industry, NSW taxpayer and ongoing uncertainty? If not, why not?
223. Is the Minister aware of resistance in some parts of the seafood supply chain to mandatory country of origin labelling?
224. Will the Government mandate Country of Origin Labelling?

**ANSWER**

- 212. The success of the preview share trading market is dependent upon industry engaging in it and how they engage.**
- 213. The industry was seeking to understand how the share trading system will work and to understand more about the price and availability of shares. The preview share trading market is a response to these concerns from industry and, provided industry engage in the preview, affords industry an opportunity to obtain information on these matters.**
- 214. Fishers have the opportunity to gain confidence with the subsidised share trading market by participating in the preview share trading market. Training sessions were held to explain how the share trading market works including steps on how to register and how to place bids to buy and sell shares. A range of assistance measures are available for fishers and fishing cooperatives to help them through the business adjustment program.**
- 215. There is no doubt these reforms are complex and that's why feedback from the industry is so important. The NSW Government will continue to communicate with industry through a variety of channels to ensure we hear their concerns regarding the implementation of this reform as it progresses.**
- 216. See answers 212-215**
- 217. Some fishers will choose to invest in additional shares and by doing so will be investing in a more secure, valuable and viable commercial fishing industry. A payment of up to \$1000 is available for commercial fishers to access independent financial advice to inform their business planning.**
- 218. Participation in the preview share trading market is voluntary and up to the individual.**
- 219. During the preview share trading market fishers will have the opportunity to practice placing bids to buy and offers to sell shares without any shares or money being transferred. It will allow fishers to see the program first-hand and know what to expect when the official subsidised share trading market opens next year.**
- 220. A range of additional measures have been developed to address key industry concerns identified by the Professional Fisherman's Association and the Neil MacDonald Report.**
- 221. The Business Adjustment Program is providing greater long term**

**security for commercial fishers because it builds greater meaning and value in commercial fishing shares and gives shareholders a more definitive allocation of their access to the resource.**

**222. The NSW Government is committed to implementing the Commercial Fisheries Business Adjustment Program, and to providing greater certainty and economic viability for the commercial fishing industry.**

**223. The Department of Primary Industries is consulting with the seafood industry, food service sector and other stakeholders in relation to the possibility of provenance labelling for seafood. This process is still underway.**

**224. See answer 223**

#### Shark Strategy

225. What are the estimated number of sharks inhabiting off the NSW coast?

226. How many sharks are currently tagged to enable tracking through mobile devices?

227. Why have some sharks transmitted for hundreds of days, whilst others have been able to be tracked for 4 or 5 days?

228. Is the Department aware of what has occurred when transmission has ceased within a short period?

229. Is the Department aware of concerns about these tracking devices and shark's navigational abilities?

#### **ANSWER**

**225. A preliminary estimate of White Sharks numbers on the east coast of Australia by CSIRO is 750-1200 adults; no estimate of the number of Tiger Sharks and Bull Sharks in NSW waters or along the Australian east coast is available.**

**226. 97 White Sharks and 88 Bull Sharks from NSW have received internal acoustic tags that can be detected by NSW's VR4G listening stations.**

**227. This is dependent upon the species of shark and the type of tag used.**

**228. It is likely that the shark has not been back to the surface if it has a satellite tag or gone close to a VR4G receiver if it has an acoustic tag.**

**229. Research of shark species indicates that tagged animals, whether either internal or external tags, show no evidence of long term changes in behaviour, navigation, prey disturbance, or reduced survivorship. The NSW shark tagging program is reviewed and approved by an independent Animal Care and Ethics Committee.**

#### Greynurse Shark protection

230. How many times have Fish Rock and Green Island Greynurse Shark critical habitat areas been patrolled for the protection of Greynurse Shark populations in:

(a) 2015?

(b) 2016 to date?

**ANSWER**

- (a) 7**
- (b) 7**

231. How many prosecutions commenced or penalty notices were issued for illegal fishing in Greynurse Shark critical habitat areas in:
- (a) 2015?
  - (b) 2016 to date?

**ANSWER**

- (a) One infringement notice, four prosecutions**
- (b) None**

232. Does DPI – Fisheries now keep log books of their patrols at this site?

**ANSWER**

**DPI Fisheries keep records of patrol vessel hours, general areas patrolled and officer hours worked, which are attributed across a range of fishery programs (e.g. commercial, recreational, marine protected area, aquaculture) and subsets of those programs occurring in the same location. If an offence is detected in a particular program it is recorded along with the location.**

233. How many Greynurse Sharks were injured or killed through illegal fishing in:
- (a) 2015?
  - (b) 2016 to date?

**ANSWER**

- (a) One (killed – unconfirmed), speared at Mona Vale on 2 August 2015. An expert witness indicated that mortality was likely. Two men convicted in Manly Court in August 2016.**
- (b) None.**

234. Please provide a breakdown of location, date, and cause.

**ANSWER**

**Mona Vale; Sunday 2 August 2015; speared.**

Retention of corporate knowledge

235. How many FTE's have left Primary Industries since 2011 either through retirement or redundancy?

**ANSWER**

**Retired – 104**  
**Accepted redundancy - 290**

236. What steps have Primary Industries taken to capture corporate knowledge lost through the retirement or redundancy of Crown Lands' officers since 2011?

**ANSWER**

**Refer to question 179.**

Local Land Services

237. With the proposed sales of assets by Local Land Services, will the Minister ensure that any funds raised from these sales stay in the local community where they are sold/leased?

**ANSWER**

**Local Land Services is currently developing an accommodation strategy for the NSW Government's consideration, in consultation with ratepayers, local boards and other key stakeholders.**

DPI Strategic Plan

238. The DPI strategic plan has a goal of a 30% increase in primary industries by 2020. What is the Department's expected share of that increase for agriculture?

**ANSWER**

**Approximately 90-95 per cent.**

Farm Business Skills Professional Development Program

239. How many applications have been made for the Farm Business Skills Professional Development Program?
240. How many have been successful?
241. How much funding is available through the program?
242. How much funding offered through the Farm Business Skills Professional Development Program has been taken up?

**ANSWER**

**239. At 13 September 2016, 503 electronic submissions have been received.**

**240. 211 claims for reimbursement have been processed.**

**241. Details of available funding can be found on the website of the Rural Assistance Authority.**

**242. \$105,459 was expended in the 2015/16 financial year following the launch of the program in November 2015. \$54,232 has been expended in the first 2 months of the 2016/17 financial year.**

Former Parliamentarians

243. Has any former Parliamentarian been employed in your office or that of predecessors responsible for Lands, Primary Industries and Water since 2011? If so, please provide name of Parliamentarian and the length of time employed, and remuneration package?

**ANSWER**

**No former Parliamentarian has worked in my office during my time as Minister for Primary Industries, Lands and Water. I am not responsible for the employment arrangements of former Ministers.**

Impact of the 2015 April Super Storms and 2016 January Storms in the Hunter on primary industries

244. How does Primary Industries communicate with farmers - email, letter?

245. Does the Department have a comprehensive list of all farms in the Maitland Electorate?
246. Is the Minister aware that many farmers had to halve their stocks after the April 2015 superstorms at less than half the price they had to pay to restock them later the same year?
247. How many farmers lost stock in the January storms?
248. Why did the Minister not apply for Category C funding after the January 2016 storms?
249. What is the government doing to advocate for small farm owners who work off farm to provide a living wage while they are establishing their properties, or those transitioning to retirement an supplementing their income with superannuation to ensure they are eligible for natural disaster payment from the Federal Government under Category C Funding?
250. What were the stock levels of Maitland cattle farms in 2011, 13, 14, 15, 16 financial years?

**ANSWER**

- 244. The Department of Primary Industries communicates with NSW farmers through a wide variety of channels including via email, letter, phone call, sms, social media, site visits, metropolitan and regional newspapers, a range of NSW Government websites, DPI Rural Support networks and recovery centres.**
- 245. No however Local Land Services has a database of all rateable properties over 10ha in the Maitland Local Government Area, and all properties under 10ha that have a Property Identification Code (PIC) .**
- 246. I am not aware of the specific transactions of individual farmers. Where there is an overabundance of stock, stock prices have a tendency to decline and when there is a shortage of stock with significant demand, prices are likely to increase.**
- 247. Reported and identified stock loss in January 2016 was very low. Local Land Services received reports from two landholders losing stock with anecdotal reports of two more. Reported total livestock losses were limited to 60 sheep, 100 free range chickens and unconfirmed reports of 1-2 cattle.**
- 248. The Department of Justice considers the need for natural disaster support including Category C Recovery Grants.**
- 249. The Department of Primary Industries provided input on this issue to Office of Emergency Management following the release of the *Recovery Coordinators Summary Report East Coast Storm and Flood - April 2015*. The report and the NSW Government response are available on Emergency NSW website.**
- 250. Financial year**

**2010/2011 - 9474**

**2012/2013 - 9757**

**2013/2014 - 10 210**

**2014/2015 - 9835**

**2015/2016 – 8742 (based on 61 per cent of the Annual Return of Land and Stock received to date)**

Domestic Violence Leave and Awareness – Primary Industries

251. For each department, statutory agency and/or other bodies in the Minister's Portfolio please report:.

**ANSWER**

**See response Q 191**

Sexual harassment and Anti-bullying training and awareness programs

252. For each department, statutory agency and/or other bodies in the Minister's Portfolio please report:

**ANSWER**

**See response Q 192**

Water

253. Why did Sydney water lock access to Caloola Road Reserve, in Constitution Hill for a number of days this year? Did it consult with Parramatta Council regarding this decision?

**ANSWER**

**Sydney Water has no knowledge of the gate being locked. A review of the security logs confirms the opening and closing of the gate at the published hours. An inspection of the site identified a lock that was unknown to Sydney Water and has subsequently been removed.**

254. When will the reserve be transferred to Council?

**ANSWER**

**Sydney Water is continuing to work with Council to come to a mutually acceptable outcome.**

255. What was Sydney Water's net debt for 2015-16?

**ANSWER**

**Total borrowings as at 30 June 2016 were \$6,779.1 million.**

256. How many complaints were received by Sydney Water in 2015-16?

**ANSWER**

**4,911**

257. Can the Minister rule out an increase in water levies for households and businesses in Broken Hill to help meet the costs of the Murray River to Broken Hill pipeline?

**ANSWER**

**Pricing for water in NSW is set by the Independent Pricing and Regulatory Tribunal (IPART) based on a range of factors including the costs associated**

**with water delivery operations and maintenance.**

Domestic Violence Leave and Awareness – Water

258. For each department, statutory agency and/or other bodies in the Minister's Portfolio please report:

**ANSWER**

**See response Q 191**

Sexual harassment and Anti-bullying training and awareness programs - Water

259. For each department, statutory agency and/or other bodies in the Minister's Portfolio please report:

**ANSWER**

**See response Q 192**

Correspondence

260. Minister, what is the average turnaround time for answered to correspondence from (a) general community, (b) opposition MP's, and (c) Government MP's?

**ANSWER**

<b>(a) General community</b>	<b>34 business days</b>
<b>(b) Opposition MPs</b>	<b>35 business days</b>
<b>(c) Government MPs</b>	<b>33 business days</b>

261. When was the current holder of the position of Director, Ministerial Liaison Office appointed?

**ANSWER**

**14 March 2016**

262. What type of correspondence does the Director have oversight?

**ANSWER**

**The Director of the Ministerial Liaison Office (MLO) has oversight of all correspondence sent from the Cluster's Ministers to the MLO with request for the Department to prepare a response.**

263. Is the Director, Ministerial Liaison Office privy to requests made under the *Government Information (Public Access) Act 2009*?

**ANSWER**

**Yes**

264. Is it true the current Director previously worked in the office of the former Deputy Premier?

**ANSWER**

**No**

265. Are you satisfied that there are no conflicts of interest in handling sensitive material between the Ministers, members of Parliament and community stakeholders?

**ANSWER**

**Yes**

266. Was the role advertised in the NSW Jobs website?

**ANSWER**

**Yes**

Commercial Fishing business Adjustment Program

267. How many commercial fishing businesses exist across New South Wales?

- a. How many owners of said businesses exist across New South Wales?
- b. How many are sole traders?
- c. How many are partnerships?
- d. How many commercial fishing businesses control/own multiple businesses across New South Wales?
- e. How many commercial fishing businesses are active across New South Wales?
- f. How many commercial fishing businesses are inactive across New South Wales?
- g. How many fishing business owners own an active as well as an inactive fishing business in New South Wales?
- h. How many inactive fishing businesses are owned/controlled by entities which also own/control an active fishing business across New South Wales?
- i. How many commercial fishing businesses have the requisite endorsements to continue to operate after July 2017 in New South Wales?

**ANSWER**

**Approximately 1307**

- a) **Approximately 1022**
- b) **Approximately 901**
- c) **Approximately 121**
- d) **Approximately 187**
- e) **889 fishing businesses reported activity in the 2015/16 financial year**
- f) **418 fishing businesses did not report activity in the 2015/16 financial year**
- g) **Based on fishing activity reported in the 2015/16 financial year, 74 fishing business owners**
- h) **Based on the 2015/16 financial year, 74 fishing business owners.**
- i) **This cannot be determined until July 2017 due to the continual trading of shares between fishing business owners.**

268. How many commercial fishing businesses exist in each region across New South Wales?

- a. How many owners of said businesses exist within each region?
- b. How many are sole traders in each region?
- c. How many are partnerships in each region?



- d. How many commercial fishing businesses control/own multiple businesses in each region?
- e. How many commercial fishing businesses are active in each region across New South Wales?
- f. How many commercial fishing businesses are inactive within each region across New South Wales?
- g. How many fishing business owners own an active as well as an inactive fishing business within each region across New South Wales?
- h. How many inactive fishing businesses are owned/controlled by entities which also own/control an active fishing business in each region across New South Wales?
- i. How many commercial fishing businesses have the requisite endorsements to continue to operate after July 2017 in each region across New South Wales?

**ANSWER**

- a. – h. **Only the Estuary General and Ocean Hauling fisheries are regionalised.**
  - i. **This cannot be determined until July 2017 due to the continual trading of shares between fishing business owners.**
269. Will the Minister guarantee that the Government will support fishers who want to stay in the industry?
- a. How does the Minister plan to do so?
270. Has the Minister obtained independent advice that the introduction of an effort quota will not increase the safety risks associated with the work of commercial fishermen?
271. Has the Minister obtained independent advice that the introduction of an effort quota will not increase the risk of overfishing?
272. Has the Minister obtained independent advice that the introduction of an effort quota will not increase the risk of environmental damage to fishery?
273. Is the Minister satisfied that the expansion of catch quotas will not lead to dumping of poor quality catch?
- a. How will this be monitored?

**ANSWER**

**269. The NSW Government will continue to work closely with fishers to ensure a sustainably managed and viable commercial fishing industry.**

**269 (a) We will continue to work closely with the industry as a whole, and with individual fishers, to understand and address any concerns regarding the implementation of the Business Adjustment Program.**

**We will also partner with industry to boost awareness for the NSW commercial fishing industry. Over the next two years, \$400,000 will fund the implementation of programs to build community support for the NSW fishing industry and improving local seafood demand.**

**This will help build a strong and valued reputation for a viable and productive commercial fishing industry in NSW.**

**270. Please see answer to Question 203.**

**271. The NSW Government has received independent advice that the implementation of share linkages will make a significant contribution to the ability of NSW fisheries to respond to stock concerns as they arise.**

**272. See answer to question 271.**

**273. Catch quotas provide the most effective form of control on catch and facilitate sustainable fishing.**

**273 (a) Catch quotas will be monitored by NSW DPI's catch and effort reporting system.**

Cooks River

274. Has a study been completed to assess the impacts on water quality in the Cooks River of removing 1,000 trees along the north banks of the river to protect an oil pipeline that may or may not still be in use?

- (a) What impacts will the removal of trees have on the ongoing work of Sydney Water to clean up the River?
- (b) What was the total amount spent by Sydney Water in 2015-16 and allocated for 2016-17 on measures to improve water quality in the Cooks River?

**ANSWER**

**The potential tree removal is not related to a Sydney Water project or program. This question should be referred to the Minister for Industry, Resources and Energy.**

**(a) Sydney Water is not yet aware of the number, type and location of trees being removed. As such, any impacts on Sydney Water assets, projects and programs cannot be assessed.**

**(b) In 2015-16 Sydney Water invested \$4.69 million; and in 2016-17, we plan to spend \$2.25 million on water quality and waterway health in the Cooks River catchment. In addition, Sydney Water plans to invest \$10.2 million between 2016 and 2020 on waterway health projects that will improve water quality in the Cooks River catchment.**

Office Administration

275. How many staff are in your ministerial office?

- (a) What was the average salary for staff members in your office during 2015-16?
- (b) What is the estimated average salary for a ministerial staffer in your office in 2016-17 based on current appointments?

**ANSWER**

**Ministers' staff numbers and salary bands are available on the DPC website.**

**Refer to:**

**[http://www.dpc.nsw.gov.au/about/publications/premiers\\_and\\_ministers\\_staff\\_numbers](http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers).**

276. How many blackberries/iphones/smart phones are assigned to your staff?  
(a) For each phone, how much was each bill in 2015-16?  
(b) How many phones have been lost or replaced due to damage in your office?  
i. What is the cost of replacing those phones?

**ANSWER**

**There were 280 smart phones in use across all Ministers' offices in 2015-16. The total usage cost of these smart phones and other mobile devices (including iPads) was \$452,830, a 21.7% per cent reduction on the 2008-09 expenditure of \$578,691. The cost of replacing any lost or stolen devices is claimed through the NSW Treasury Managed Fund. Repairs are funded by the Department of Premier and Cabinet, Ministerial and Correspondence Services.**

277. How many iPads or tablets has DPC assigned to your Ministerial office and to whom have they been issued?  
(a) What was the cost of providing iPads or tablets to your Ministerial Office in 2015-16?  
(b) How many iPads or tablets have been replaced due to lost or damage in 2015-16?  
i. What was the cost of replacing these devices?

**ANSWER**

**There were 148 iPads in use across all Ministers' offices in 2015-16. The cost of replacing any lost or stolen devices is claimed through the NSW Treasury Managed Fund. Repairs are funded by the Department of Premier and Cabinet, Ministerial and Correspondence Services.**

278. Has any artwork been purchased or leased for display in your ministerial office in 2015-16?  
(a) What is the cost of this?

**ANSWER**

**Artwork in the Minister's Office is either personal or on loan at no cost from NSW Parliament, Western Sydney University or the Department of Primary Industries.**

279. Have any floral displays or indoor plants or potplants been hired or leased for display in your ministerial office in 2015-16?  
(a) If so, what was the cost of these items?

**ANSWER**

**No.**

280. Have any floral displays or indoor plants or potplants been purchased for display in your ministerial office in 2015-16?  
(a) If so, what was the cost of these items?

**ANSWER**

**No.**

281. What was the total cost of all subscriptions by you and your staff to online news services, newspapers, magazines, journals and periodicals in 2015-16?  
(a) What are these services/newspapers/magazines/journals/periodicals?  
i. Who is the subscriber for each of these?

**ANSWER**

**My Office subscribes to a modest number of publications, the cost of which is managed within the Office's budget.**

282. What was the total value of all gifts purchased for use by you and your office in 2015-16?  
(a) What were the gifts purchased?  
i. Who were they gifted to?

**ANSWER**

**Gifts are presented to dignitaries during overseas missions and to dignitaries visiting NSW, the cost of which is managed within the office's budget.**

283. Do you purchase bottled water or provide water coolers for your office?  
(a) What is the monthly cost of this?

**ANSWER**

**No. We proudly use Sydney tap™ Water.**

284. What non-standard features are fitted to your ministerial vehicle?  
(a) What is the cost of each non-standard feature?

**ANSWER**

**Ministers, the Leader of the Opposition, other nominated public office holders and certain former office holders are provided with official cars and drivers. During 2015-16 all costs associated with these vehicles were paid from the relevant office's budget.**

285. What was the total bill for your office in 2015-16 for:  
(a) Taxi hire  
(b) Limousine hire  
(c) Private hire care  
(d) Hire car rental  
(e) Ridesharing services

**ANSWER**

**Expenditure on taxis, hire cars and ride share services across the Ministry in 2015-16 was \$99,463. This compares with 2009-10 expenditure of \$175,776.**

286. Were any planes or helicopters chartered by you or your office and paid for with public money in 2015-16?  
(a) If yes, will you please detail each trip, the method of transport and the cost?  
Hospitality

**ANSWER**

**Expenditure on charter flights for the Ministry totalled \$28,706 in 2015-16. This compares with expenditure in 2009-10 of \$282,000.**

Hospitality

287. How much did your ministerial office spend on hospitality, including catering and beverages, in 2015-16?

**ANSWER**

**Expenditure on hospitality across the Ministry - which includes catering for stakeholder meetings and courtesy calls with visiting dignitaries - totalled**

**\$25,059 in 2015-16.**

288. How much did your Department/agency spend on hospitality, including catering and beverages, in 2015-16?

**ANSWER**

**Costs are managed within each agency's recurrent budget.**

Labour Hire Firms

289. Do any Departments/agencies within your portfolio responsibilities utilise the services of Labour Hire Firms? If yes, please advise in table form for 2015-16:

- (a) The names of the firms utilised
- (b) The total amount paid to each firm engaged
- (c) The average tenure period for an employee provided by a labour hire company
- (d) The longest tenure for an employee provided by a labour hire company
- (e) The duties conducted by employees engaged through a labour hire company
- (f) The office locations of employees engaged through a labour hire company
- (g) The highest hourly or daily rate paid to an employee provided by a labour hire company

**ANSWER**

**The Department of Primary Industries uses Labour Hire firms, in accordance with NSW Public Service policies to cover temporary vacancies as required. There are no central records maintained, with operations authorised to make such arrangements, subject to their overall labour expense cap.**

Media and Public Relations

290. How many media or public relations advisers are employed for each of your portfolio agencies?

**ANSWER**

**Refer to Minister Roberts for Department of Industry, Skills and Regional Development response.**

291. What is the forecast for the current financial year for the number of media or public relations advisers to be employed and their total cost?

**ANSWER**

**Refer to Minister Roberts for Department of Industry, Skills and Regional Development response.**

292. What is the total cost of media monitoring services used by Departments/agencies within your portfolio responsibilities?

**ANSWER**

**Refer to Minister Roberts for Department of Industry, Skills and Regional Development response.**

293. Have you had media training or speech training?

- (a) If yes, who paid for it?
- (b) If paid by taxpayers, what was the amount paid in 2015-16?

**ANSWER**

**No.**

294. How much did your ministerial office spend on Facebook advertising or sponsored posts in 2015-16?

**ANSWER**

**No taxpayer money has been spent on Facebook advertising or sponsored posts.**

Facebook

295. How much did your Department/agency spend on Facebook advertising or sponsored posts in 2015-16?

**ANSWER**

**Refer to Minister Roberts for Department of Industry, Skills and Regional Development response.**

Overseas Trips

296. Were any of your overseas trips in the last financial year paid for in part or in full by using public money?  
(a) If so, did any of your relatives or friends accompany you on these trips?

**ANSWER**

**Details of overseas travel including costs are published on the Department of Premier and Cabinet's website.**

297. Have you undertaken any official overseas travel that was privately funded?  
(a) If so, what was the nature of these trips?  
(b) Who paid for these trips?

**ANSWER**

**Details of overseas travel including costs are published on the Department of Premier and Cabinet's website.**

Department/Agency Travel

298. What was the total expenditure in 2015-16 by Departments/agencies within your portfolio on:  
(a) Taxi hire  
(b) Limousine/private car hire  
(c) Hire car rental  
(d) Ridesharing services

**ANSWER**

**In 2015-16 the Department of Industry cluster (excluding TAFE NSW) spent approximately \$641,000 on taxis, car hire and ride sharing arrangements.**

Consulting

299. How much did the Department/agencies under your portfolio responsibility spend in legal costs in 2015-16?  
(a) For what specific purposes or matters was legal advice sought?

**ANSWER**

**Financial statements, including Legal Services expenditure and expenditure on consultants, are available in agency annual reports.**

300. Have Department/agencies under your portfolio engaged any consultants to provide the following services or advice in 2015-16:
- (a) Social media
    - i. And the cost of these services
  - (b) Photography
    - i. And the cost of these services
  - (c) Acting training
    - i. And the cost of these services
  - (d) Ergonomics
    - i. And the cost of these services

**ANSWER**

**Consultant's fees are published in the Department of Industry Annual Report.**

Department/Agency Staffing

301. How many redundancies were processed by Departments/agencies within your portfolio responsibilities during 2015-16?
- (a) Of these redundancies, how many were:
    - i. Voluntary
    - ii. Forced
  - (b) What was the total cost of all redundancies?

**ANSWER**

**119 (Department of Industry)**

- (a) (i) **All were voluntary. 105 were accepted.**
- (ii) **Nil**

**(b) \$11,146,877.20 actual payments**

302. Have any staff who received a redundancy in the last two years undertaken any paid work or provided any paid services for the agency with which they were formerly employed?
- (a) What was the nature of these works/services?
  - (b) What was the total cost of these works or services?

**ANSWER**

**Five staff members who have received a redundancy in the last two years have subsequently undertaken paid work within the Department. Redundancies are managed in accordance with the government's "PSC Directive 2011-007, Managing excess employees"**

**[http://www.dpc.nsw.gov.au/\\_data/assets/pdf\\_file/0007/135178/D2011-07\\_MEE\\_2011\\_Version\\_2\\_POL.pdf](http://www.dpc.nsw.gov.au/_data/assets/pdf_file/0007/135178/D2011-07_MEE_2011_Version_2_POL.pdf)**

- a) **Three Casuals: Project Officer, Administration and clerical duties**  
**One Temporary Appointee: Administration and clerical duties**  
**One Contingent Labourer: Administration and clerical duties**
- b) **The total cost of these services from the dates of engagement to 30 June 2016 was \$58,908.**

303. Are any staff formerly employed by your ministerial office now employed by Departments/agencies under your portfolio responsibility?

**ANSWER**  
**No**

304. How many staff were dismissed from Departments/agencies under your portfolio responsibilities in 2015-16?  
(a) What were the reason/s for each dismissal?

**ANSWER**  
**There were five dismissals within the Department during 2015-16.**  
**a) The dismissals were as a result of serious and / or repeated behaviour and were conducted in line with appropriate legislation.**

#### Smart Phone Accounts

305. Do the Departments/agencies within your portfolio have an iTunes account?  
(a) What was the total expenditure in 2015-16 on iTunes?  
i. What applications/subscriptions/services were purchased through iTunes?

**ANSWER**  
**The Department does not have a corporate iTunes account.**

306. Do the Departments/agencies within your portfolio have an Android account?  
(a) What was the total expenditure in 2015-16 on Android?  
i. What applications/subscriptions/services were purchased through Android?

**ANSWER**  
**The Department does not have a corporate Android account.**

#### Websites Visited

307. What were the top 20 most utilised (by data sent and received) unique domain names accessed by your Ministerial office this year?

**ANSWER**  
**Due to the way the Ministers' IT network infrastructure is configured with third party service providers, DPC does not have a single data source showing domain access and utilisation figures.**

308. What were the top 20 most accessed (by number of times accessed) unique domain names accessed by your Ministerial office this year?

**ANSWER**  
**Due to the way the Ministers' IT network infrastructure is configured with third party service providers, DPC does not have a single data source showing domain access and utilisation figures.**

#### Merchant fees

309. Please provide a list of all transactions where customers need to pay a merchant fee on credit and/or debit card payments in your Department/agency.



310. Please provide the percentage and/or amount of the merchant fees applied to all credit and/or debit card payments/transactions in your Department/agency?
311. What was the total amount paid in merchant fees on credit and/or debit card payments in your Department/agency in 2015-16?

**ANSWER 309-311**

**All NSW Government agencies are required to impose surcharges to recoup their merchant interchange fees, pursuant to Treasury Circular TC12/13. The Department of Industry does not accept payment for goods and services so we do not impose merchant fees on our customers.**

**Department of Industry staff only use their Pcards for the purchase of goods and services for official business purposes. If particular vendors elect to impose a merchant fee on card transactions, that is an unavoidable cost of doing business. It would not be possible to determine fees charges to Departmental cards, as these would either be embedded in the individual transaction cost, or if separately disclosed would require each monthly card statement for each user to be reviewed.**

Probity Auditor

312. Has your office or department used a Probity Auditor or Probity Advisors, or similar, in the past five years? If so please list the company and/or individual, the project, the engagement dates, and their total remuneration in tabular format?

**ANSWER**

**In accordance with the NSW Procurement Board's Direction (PBD-2013-05), DPC has internal mechanisms in place to ensure that probity considerations are routinely taken into account in its procurement decisions, and the use of external probity advisers and auditors is the exception rather than the rule. The Department's Annual Report includes all consultancies valued more than \$50,000.**

Flexible Workplaces

313. Minister, the Premier announced on International Women's Day that the public service would all have access to flexible working arrangements by 2019.
- (a) Do you centrally register staff who have flexible work arrangements?
- (b) What numbers of staff within your Department currently have flexible working arrangements?
- (c) Are you aware of any measures that are currently underway to implement this?

**ANSWER**

**(a)-(c) NSW Government agencies are developing initiatives to implement the NSW Government's policy that 100 per cent of public service jobs will be flexible by 2019 on the basis of 'if not, why not'.**

Changes to Department of Primary Industries and Local Lands Services

314. How many positions have been lost in Maitland due to restructuring of the Department of Primary Industries and Local Land Services in 2015, and 2016?

**ANSWER**

**None**

Pest management

315. Is the NSW Government planning to get rid of pest control orders?
316. Is there an active state-wide deer management plan in NSW, similar to the wild dog management plan? If not why not?
317. Last year you said that no state-wide census of deer numbers has been conducted since 2009. Given the Natural Resources Commission have said that deer numbers have increased “30 percent over a five-year period to 2010 and anecdotal evidence suggest an even greater increase since this time” when will the NSW Government undertake a state-wide census of deer numbers so that we can know the extent of the issue?

**ANSWER**

- 315. The NSW Government has passed the new Biosecurity Bill 2015 through the NSW Parliament, which are the most significant reforms to the management of biosecurity in NSW for decades. Information relating to the reforms is available on the NSW Department of Primary Industries’ website.**
- 316. The NSW Government is currently developing a response to the Natural Resources Commission review of pest animal management in NSW, which included recommendations regarding deer management.**
- 317. The NSW Government has been mapping the distribution and relative abundance of selected pest animals (including deer) since mid-2016 and it is expected that these updated maps will be available in 2017.**

Climate Change

318. Has the Enhanced Drought Information System which you indicated DPI was developing last year been commissioned?
319. How much money is the DPI currently spending on research into the impacts and responses to climate change for agriculture?

**ANSWER**

- 318. The Enhanced Drought Information System was commissioned in the second half 2015 and Stage 1 (technical development of a Combined Drought Indicator) has been completed.**
- 319. NSW DPI Agriculture spent \$4.06 million on climate research in 2015-16.**

Budget Underspend

320. Why has the DPI budget been reduced by \$200 million since 2013-14?

**ANSWER**

**The 2013-14 budget for Department of Primary Industries was \$1.054 billion. The 2016-17 budget for Primary Industries is \$941 million, a reduction of \$113 million.**

**The decrease in the Budget is due to a combination of factors, including changes to the way various items are now reported.**

**For example, grants to State Water Corporation (now WaterNSW) of \$46 million for regulated activities were included in the 2013-14 Primary Industries budget, but are now included in the Cluster Grant Funding budget instead (refer BP3).**

The budget for Aboriginal Land Claims reduced from \$60 million in 2013-14 to \$30 million in 2016-17. This more accurately reflects recent trends in land claim approvals. The number of approvals has increased but the claims have a comparatively lower value. Claims are subject to a rigorous approval process.

The budget for Primary Industries also includes a number of programs with expenditure profiles that vary from year to year depending on the timing of the implementation of the program.

321. Why did DPI underspend your budget last year by \$150 million? Was this to cover up the \$110 million reduction from last year's budget?

**ANSWER**

The 2016-17 budget papers disclose an estimated underspend of \$149 million in total expenses in 2015-16. There are a number of factors which contribute to this outcome.

For example, the 2016-17 budget papers disclose an estimated underspend of \$54million in grants and subsidies for 2015-16. The main movements in grants and subsidies expenses relate to timing differences where the grant was delayed from 2015-16 to 2016-17.

Other key movements in expenses include Aboriginal Land Claims and Water for the Future - State Priority Projects.

The forecast for Aboriginal Land Claims includes expenditure of \$17 million compared to a budget of \$60 million (reduction of \$43 million). The 491 claims forecasted to be resolved had a lower average value per claim than was included in the budget.

A major review of project implementation for the Commonwealth-funded State Priority Projects has resulted in revised project schedules which were incorporated into the 2015-16 forecast, resulting in a \$59 million reduction in operating expenses in 2015-16.

The 2016-17 budget papers disclose an estimated reduction in expenses from the 2015-16 budget to the 2016-17 budget of \$108 million. The key movements include:

- Aboriginal Land Claims: \$30 million in line with recent approval trends
- State Priority Projects (including Sustain the Basin Irrigated Farm Modernisation): \$55 million
- Public Reserves Management Fund: \$12 million

322. Why were grants and subsidies underspent by over \$70 million last year? Who missed out?

**ANSWER**

The 2016-17 budget papers disclose an estimated underspend of \$54 million in grants and subsidies for 2015-16.

The main movements in grants and subsidies expenses relate to timing differences where the grant was delayed from 2015/2016 to 2016/2017.

These include:

- **\$24.5m underspend in Sustain the Basin Irrigated Farm Modernisation: due to a limited number of proponents meeting the criteria for the grants, and approved proponents not meeting milestones that trigger grant payments**
- **\$15.1m underspend in Country Towns Water Supply and Sewerage scheme: due to delays in a number of water utility projects outside of agency control**

**A change in the way the Public Reserves Management Fund is reported in the budget papers reduced the grants expense in the Primary Industries service group by \$12 million. The Public Reserves Management Fund and other discrete funds and trusts are now accounted for elsewhere in the budget papers.**

323. Why did you spend over \$100 million less on operating expenses last year than budgeted? What programs were not delivered?

**ANSWER**

**The 2016-17 budget papers disclose an estimated underspend of \$107 million in other operating expenses in 2015-16.**

**The change in operating expenses is due to a number of contributing factors.**

**The forecast for Aboriginal Land Claims includes expenditure of \$17 million compared to a budget of \$60 million. The 491 claims forecasted to be resolved had a lower average value per claim than was included in the budget.**

**In water, a major review of project implementation for the Commonwealth-funded State Priority Projects has resulted in revised project schedules which were incorporated into the 2015-16 forecast, resulting in a \$59 million reduction in operating expenses in 2015-16.**

324. Why have you underspent on operating expenses every year for the past 3 years for a total under spend of over \$270 million? Which programs specifically were not rolled out?

**ANSWER**

**The 2016-17 budget papers disclose an estimated underspend of \$107 million in other operating expenses in 2015-16.**

**The estimated underspend in other operating expenses in 2014/2015 was \$64 million. Key variances included Aboriginal Land Claims, \$15 million in line with approval trends; State Priority Projects, \$17 million; reallocation of corporate services resources, \$17 million; and, other programs within Lands and Natural Resources, \$13 million.**

**The estimated underspend in other operating expenses in 2013/2014 was \$108 million. Key variances include the timing of implementation of a number of programs across the Service Group, for example, State Priority Projects - \$66 million, other programs across Agriculture, Fisheries and Biosecurity - \$32**

**million, and reallocation of corporate services resources - \$9 million.**

Snowy Hydro

325. Under the 2002 intergovernmental Snowy agreements the River Murray was scheduled to receive 70GL/yr. There is now 510 GL accumulated River Murray Increased Flows (RMIF) environmental water being held in Snowy Hydro Ltd's storages and there has only ever been one release of 38GL in 2005/06.
- a. Will the RMIF be called out this year or not?
    - i. If not, what is the cause of this ongoing delay and when will it be rectified?
326. According to the Snowy Water Licence a full review of the provisions of the licence is due in May 2017.
- a. What processes has the Minister set in train for the review of the Snowy Water Licence?
  - b. In light of the fact that the NSW Government amended the Snowy Hydro Corporatisation Act in 2014 and abolished the independent Snowy Scientific Committee, what efforts will the government undertake to ensure a thorough independent scientific assessment of the state of the rivers and catchments affected by the Snowy Scheme will be made available to inform public comment to the 2017 Snowy Water Licence Review?
  - c. The amendment to the Snowy Hydro corporatisation Act in 2014 which abolished the Snowy Scientific Committee required the establishment of a Snowy Community Advisory committee. This committee has still not been established. When will the Minister appoint the Committee?

#### **ANSWER**

**325. A request for RMIF call-out is initiated from a collective of environmental water managers representing Commonwealth and State jurisdictions - the Southern Connected Basins Environmental Watering Committee (SCBEWC).**

**SCBEWC has requested that between 30 GL and 50 GL of RMIF be made available this 2016/17 water year. The final figure will be dependent on other watering actions and current unfolding natural events in the Murray.**

**326.(a) A full review of the licence is required to be undertaken in 2017. Discussions have commenced with various parties regarding the scope and details of the review. A program plan is currently in development.**

**326.(b) The Snowy Flow Response Monitoring and Modelling program is one of the longest running environmental flow assessment programs in Australia. The program was established to address the specific legal requirements of the Snowy Water Initiative (SWI). Data has been collected since 2000, and analysis of this data will be utilised to address the requirements of the 2017 review.**

**Previous studies have been published on the DPI Water SWI web page and in scientific journals. An updated Snowy information report is currently being developed, and will be available on the DPI Water web page once finalised.**

**326.(c) The DPI Water Snowy water management staff have developed innovative new approaches to environmental water management to inform the annual water strategies that are located on the SWI web**

site.

**The NSW Government is committed to ensuring the ongoing health of the iconic Snowy River and is currently reviewing its governance arrangements of the Snowy Water Initiative.**

Aboriginal Water Initiative

327. Has the NSW Government reduced the funding to the NSW Aboriginal Water Initiative?
328. How will the reduced funding and staff impact on the AWI's ability fulfil NSW's obligations under the Basin Plan, especially given the expanded workload and responsibilities required to complete to complete the Water Resource Plan development by 2019?
329. How can the NSW provide assurance to Aboriginal communities that it has the will and capacity to comply with the requirements of the Basin Plan?

**ANSWER**

**327. No**

**328. N/A**

**329. NSW leads the way in Indigenous engagement in water management having a team dedicated to Aboriginal water issues. DPI Water employs nine people under the AWI, funded through a combination of recurrent and project funding, to ensure that Aboriginal engagement is at forefront of water planning. The NSW Government remains committed to meaningful consultation with traditional water users and respects cultural water rights. This includes the AWI and through engagement with representative groups such as the Northern Basin Aboriginal Nations and Murray Lower Darling Indigenous Nations.**

Barwon-Darling

330. Will water shepherding be implemented in the Barwon-Darling system? Will water shepherding be implemented in the northern catchments?
331. The changes to the Barwon-Darling WSP in 2012 favoured upstream users to the detriment of downstream users (in the Lower Darling), how will NSW Government protect or manage flows through the Barwon-Darling so that the Lower Darling receives adequate water?
332. How will the significant government investment in water recovery be secured?

**ANSWER**

**330. The NSW Policy Pre-requisite Implementation Plan, developed by DPI Water in line with commitments under the Intergovernmental Agreement on Implementation Water Reform in the Murray Darling Basin, articulates a range of guiding principles to ensure that environmental outcomes are delivered whilst protecting the integrity of the water access and reliability.**

**NSW believe that there are a range of mechanisms for ensuring that**

**environmental outcomes are delivered without the need for shepherding.**

- 331. The commencement of the Barwon-Darling Water Sharing Plan (WSP) in 2012 changed the way the licence holders could access their entitlements; however there was no increase in entitlements as a result of the WSP being implemented.**

**Cease-to-pump provisions embedded in the WSP protect a portion of flows from being extracted with the aim of maintaining connectivity through the system and delivering a portion of flows downstream.**

- 332. NSW operates under the Basin Cap and this is audited annually by the MDBA. NSW continues to remain compliant with the Cap, which ensures that water extraction remains within agreed amounts.**

**Licences purchased by the Commonwealth maintain the characteristics of other licences in the same category. The purchase of these licences by the Commonwealth will have the effect of reducing diversions by an agreed amount to 'bridge the gap' between current extraction limits and the Sustainable Diversion Limit (SDL).**

**To be accredited by the Commonwealth, a water resource plan must demonstrate mechanisms to ensure compliance with the SDL.**

#### Development and accreditation of Water Resource Plans

Water Resource Plans (WRPs) are a key requirement of states in implementation of the Basin Plan. Protection of Planned Environmental Water (PEW), both in terms of overall water volume and its environmental effectiveness, is a key requirement of WRPs.

333. How is the NSW Government held accountable to the Intergovernmental Agreement on implementing the Basin Plan?
334. Will the NSW Government ensure that WRPs don't reduce Planned Environmental water?
335. Will you ensure that there is a robust and fair Prerequisite Policy Measures (PPM) Implementation Plan?
336. How will you ensure that all other States deliver on the Basin Watering Strategy outcomes?
337. What will be the process and timeframes for the accreditation of the WRPs?

#### **ANSWER**

- 333. The Intergovernmental Agreement on Implementing Water Reform in the Murray Darling Basin (IGA) and the Murray-Darling Basin Plan have a range of mechanisms to ensure that NSW and all other signatories are held accountable for obligations under the IGA.**

- 334. The Murray Darling Basin Plan requires that there is no net reduction in the protection of planned environmental water under.**
- 335. DPI Water has developed a NSW Prerequisite Policy Measures Implementation Plan, as required under the Intergovernmental Agreement on Implementing Water Reform in the Murray Darling Basin.**

**This Plan provides a road map for implementation between now and June 2019, in consultation with water users, and identifies the principles that will be applied during the development and implementation of these measures, such as the consideration of potential third party impacts and that the reliability of water supply to other water users will be maintained.**

- 336. All Murray-Darling Basin jurisdictions have committed to the Intergovernmental Agreement on Implementing Water Reform in the Murray Darling Basin. The NSW Government is committed to working through interjurisdictional forums to implement the Basin Plan for mutually beneficial outcomes.**
- 337. NSW has committed to delivering Water Resource Plans by July 2019. DPI Water continues to work through multi-jurisdictional forums to ensure the MDBA has an appropriate approach to assessment and accreditation of WRPs; the MDBA has not yet provided final advice in regard to accreditation.**





# Department of Primary Industries

6 JUN 2016

Office of the Director General

DGPO16/67

Ms Paige Sinclair  
Chief Executive Officer  
Pet Porpoise Pool Pty Ltd  
T/A Dolphin Marine Magic  
65 Orlando Street  
COFFS HARBOUR NSW 2450

Dear Ms Sinclair *Paige,*

Thank you for the meeting on 11 May 2016 regarding compliance in relation to the holding of seals at Dolphin Marine Magic.

While the Government recognises the importance of Dolphin Marine Magic (DMM) to the Coffs Harbour community and economy and its masterplan for the commercial future of the company, it requires a pathway to compliance from DMM demonstrating how DMM will achieve compliance for holding its seals within a reasonable timeframe.

As such, as was agreed in the meeting, the Department looks forward to DMM providing a pathway to compliance Plan, detailing milestones and timelines to achieving compliant enclosures for all its seals.

DMM has indicated that it is pursuing capital funding and is dependent on access to adjoining Crown land to progress its masterplan, which is its preferred pathway to compliance.

As discussed in the meeting and indicated in the Minister's letter to Mr Andrew Fraser MP of 17 September 2015 (Ref: IM15/19665), the best alternative to the sale of the Crown land that would assist DMM would be a public positive covenant. This would be a more cost-effective option than purchase or lease of the land, as it could be provided at less than market value of the land, given that the parking would be provided by way of an easement, not a lease, and that it would provide a subsequent amenity for the community by providing public parking for Jetty Oval.

In order to progress consideration of this option to inform the pathway to compliance Plan, DMM should re-establish discussions with Coffs Harbour City Council as the manager of the Coffs Coast State Park Trust, which would issue any easement if agreed. If the value and terms are agreed then consent of the Minister will need to be sought.

I have asked that Mr Phillip Fogarty, Project Manager Regional Projects, DPI Lands be available to assist with the land tenure matters. Mr Fogarty may be contacted on (02) 6691 9611 or [phil.fogarty@crowland.nsw.gov.au](mailto:phil.fogarty@crowland.nsw.gov.au).

To provide DMM with reasonable time to pursue this land acquisition option, and capital funding options, DMM is to provide a report to the Department by 29 August 2016 on progress and delivery of the pathway to compliance Plan.

In the meantime, recognising that DMM holds 6 of its 10 seals in compliance with standards, DMM agreed to provide the Department with a welfare management plan for the 10 seals it currently holds. This Plan is to provide the Department with information about how the welfare of the 10 seals is being managed, maintained and monitored and is to include the Zoo and Aquarium Association welfare assessment. DMM is to provide the Department with this plan by Monday 20 June 2016.

Yours sincerely



**SCOTT HANSEN**  
**DIRECTOR GENERAL**

Cc Mr Andrew Fraser MP – Member for Coffs Harbour

**Matthew Crane**

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**From:** Marine <Marine@dolphinmarinemagic.com.au>  
**Sent:** Monday, 23 November 2015 4:19 PM  
**To:** Matthew. Crane  
**Cc:** Manager  
**Subject:** PRIVATE & CONFIDENTIAL :Abridged PM report for Ji Ling  
**Attachments:** Veterinary Assessment Summary for Ji Ling.docx

Hi Matthew,

Please find the attached the abridged PM report for Ji-Ling from our vet - this document is confidential.



As you will read, the primary cause of Ji's illness was the ulcers caused by the ingestion of leaf matter from a number of trees in the vicinity of Dolphin Lagoon, both inside and outside the Dolphin Lagoon fence boundary. Many of these trees are very established dating back to before the construction of Dolphin Lagoon (Primary Pool) but it seems that a strong wind storm from the south over a couple of days in the weeks preceding Ji's death blew an unprecedented amount of leaf matter into the pool which he ate.

We have previously received expert veterinary advice that the ingestion of leaf matter was not a concern. However following the results from this PM, we are in process of organising the removal all the plants/trees along the DMM southern boundary and replacing them with Golden Cane and Traveller's Palm trees which will minimise the potential for leaf matter to blow into the pool.

Regards,

  
Manager of Life Sciences

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9/11/2015

## **Treatment Summary**

**RE: Ji Ling, Indo Pacific Bottlenose Dolphin, DOB; 24/10/2013**

Ji Ling passed away on the 6/10/15 due to complications from severe anaemia.

The anaemia was caused by a large gastric ulcer that was first suspect on the 17/9/15. Appropriate medical treatment was initiated but it remained unresponsive and his condition continued to deteriorate despite our best efforts.

Gastric insults from indiscriminate eating of leaves and other denser objects were noted to be the likely cause of the ulceration and the poor response of the stomach to heal.

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Dr  BVSc

