

**REPORT OF PROCEEDINGS BEFORE**

**STANDING COMMITTEE ON NATURAL RESOURCE  
MANAGEMENT (CLIMATE CHANGE)**

**INQUIRY INTO MANAGING CLIMATE CHANGE IMPACTS ON  
BIODIVERSITY**

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**At Sydney on Thursday 20 August 2009**

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**The Committee met at 10.00 a.m.**

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**PRESENT**

Mrs K. L. Paluzzano (Deputy-Chair)

Mr T. George

Mr G. M. Piper

Mr R. C. Williams

**RODERICK YOUNG**, mixed farmer, Darouble, Coonabarabran, sworn, and

**DAVID EYRE**, Policy Manager, New South Wales Farmers' Association, Level 25, 66 Goulburn Street, Sydney 2000, affirmed and examined:

**DEPUTY-CHAIR:** I welcome Rod Young and David Eyre from the New South Wales Farmers' Association. Thank you for appearing today and for providing evidence in response to the Committee's invitation. I draw your attention to the fact that your evidence is given under parliamentary privilege and you are generally protected from legal or administrative action that might otherwise result in relation to the information that you provide. I also point out that any deliberate misleading of the Committee may constitute a contempt of the Parliament and an offence under the Parliamentary Evidence Act 1901.

I am advised that you both have been issued with a copy of the Committee's terms of reference and also a copy of Legislative Assembly Standing Orders 291, 292 and 293 that relate to the examination of witnesses. Is that correct?

**Mr YOUNG:** Yes.

**Mr EYRE:** Yes.

**DEPUTY-CHAIR:** Before we proceed with questions would you like to make a brief opening statement?

**Mr YOUNG:** I have been involved in natural resource management issues since about the mid-1990s. As a practical landowner I am involved in the local community. I have been involved in bushfire management and issues to do with national park management. Since becoming an executive councillor of our association five, six or more years ago, I have dealt with a number of natural resource management issues that are basically covered in what we are talking about today.

**Mr THOMAS GEORGE:** Mr Young, could you expand on what policies or programs you believe should be implemented to prevent the further introduction and limit the spread of invasive species?

**Mr YOUNG:** I certainly can. For the past few years I have been involved in pest management issues in that I am the Association's wild dog control spokesperson. I have spent a considerable amount of time travelling from the Queensland border to the Victorian border along the escarpment country. It is obvious to me that we require active management of our public land if climate change continues to give us a series of dry years. We have been dealing with climate change ever since we have been farmers. My father always referred to the 1930s and 1940s as a dry period and to the 1950s through to the early 1990s as a wet period. I am inclined to think that the period we are going through now has slipped back into a decade or two of dry seasons.

As climate change turns over it creates certain conditions that affect the biodiversity. If we are going into drier periods native wildlife will be contesting for their food chain on public land. With the dry weather several things can affect them. Fire control is one and the control of pest animals also comes into the picture. Man has introduced pest animals such as wild dogs, wild pigs, cats and foxes. There are other pests on public land such as goats and deer, which in many ways are probably tougher. They will increase and put more pressure on native wildlife on public land. In my opinion more emphasis should be placed on pest animal control on our public land.

I have observed and I have gained a lot of experience from the landowners adjoining public land along the escarpment country. It is obvious that invasive species such as wild dogs, cats and foxes in particular, need to be reduced. As wild dog control spokesman I always maintained that wild dogs needed to be reduced to a compatible level on public land so that they can live on their native food chain. Once they get beyond that and their population explodes they impact negatively on native wildlife such as quolls, creepy crawlies, et cetera—all the native wildlife that they eat. When they eventually eat all the wallabies and kangaroos they progress onto private land and that is where my concern comes in with wild dog control.

A number of the people with whom I deal who are mainly in wild dog control associations have generational experience. They always see an enhancing of wildlife whenever they get reasonable control of wild dogs and foxes. The blokes east of Nundle always say that if a lot of wallabies are around they have reduced the

number of wild dogs and foxes. They have never wiped them out. Go back through the history of wild dog baiting with fixed wing aircraft and you will find that they have reduced the numbers terrifically, but they have never wiped them out.

We have now reached the stage where in a number of areas they are again expanding. In Monaro, in the south-east of our State, those who are concerned have implemented pest animal controllers. These people are fully employed by the Livestock Health and Pest Authorities. When they get the wild dogs under control they start operating on the cats, the wild pigs and the foxes. They are seeing a remarkable enhancement of wildlife on public land as a result of that program. That is my story, as I see it, on pest animal control. If the weather is dry and things are tough you have to keep pest animals under control.

**Mr THOMAS GEORGE:** Further to that, in your submission you have talked about the objectives in priority areas being to retain an effective bait rate on private lands, but concern has been expressed to me as a member by a lot of people who have been baiting all of their lives and are now being told that they cannot use baits any more without going away and doing a course. People who are 75 years of age and have been using baits for 40 years are being told that they cannot use those without doing a course. Does your association have any thoughts about that?

**Mr YOUNG:** Yes, we have thoughts. Maybe it is going off on a bit of a tangent.

**Mr THOMAS GEORGE:** It still relates to bringing dogs under control.

**Mr YOUNG:** Yes. I will try to quickly explain it. Under the last pest control order that came from the Australian Pesticides and Veterinary Medicines Authority when you turn up at the Livestock Health and Pest Authority to pick up dog baits or fox baits, or any poison for that matter—it might be wild pig bait—you have to have your AQF3 card. If you have not got that, you do not get the baits. The problem has come about because we did have a subsidised system under ChemCert and FarmBis where people could do a two-day course and be subsidised for the cost of it. Unfortunately, a lot of people never got off their backsides and did so, and of course now the funding has been pulled, the card is required and people have not done the training. This has created an issue I believe in some coastal and tableland areas. The landcare groups often used to coincide fox baiting programs, but the vast majority of small area landowners—lifestyle and hobby farm type people—never did the course, so they cannot be part of the fox baiting program, and 80 per cent or more of the fox baiting program has fallen over. That in turn is going to impact on smaller wildlife, both on public and adjoining private land.

**DEPUTY-CHAIR:** Who provides the training now?

**Mr YOUNG:** I am only just starting to get into this issue. At the last annual conference I managed to gain a seat on the agricultural chemical committee, and I have gone there mainly to protect the use of 1080. Of course, what we have to do is get some sort of system up so that we can get these people through a course and accredited. That may have to be done on a weekend. Our association attempts to do courses on-line where time away from work is reduced, and I am in the process of looking at that through the agricultural chemical committee of our association. The point is that we do not want to deregulate it. In my opinion we must protect the use of 1080. If we deregulate it and make things easier, we will probably receive a certain amount of criticism for deregulating the system, so somehow or other I really think we need to call for further subsidisation of training.

**DEPUTY-CHAIR:** So there is not any training available at the moment?

**Mr YOUNG:** There is training available, but originally you had to do a two-day course and I think it costs around \$300 or so. The vast majority of people on small blocks are not going to be prepared to do that because it does not really impact upon them from a production point of view.

**Mr THOMAS GEORGE:** And further to that because they have been doing it for 40 years.

**Mr YOUNG:** Yes.

**Mr THOMAS GEORGE:** They have picked it up over the last 40 years, but now they are being told, "Sorry, you have to go and do a two-day course to do the same thing."

**Mr YOUNG:** Yes.

**DEPUTY-CHAIR:** Your committee could facilitate discussions with the registered training organisation or with TAFE.

**Mr THOMAS GEORGE:** Hopefully—that would be appreciated, and that is why I raised it.

**Mr EYRE:** Mr Young was intending to read something into evidence and we missed that step, so I was wondering if we could go back to that?

**DEPUTY-CHAIR:** Yes, we can do that now.

**Mr YOUNG:** So we are still on pest animal control?

**DEPUTY-CHAIR:** No, would you like to read your statement now?

**Mr YOUNG:** I have not got it written down, but basically what I am saying is that with the impact of climate change on biodiversity we need to be able to protect our biodiversity by more control on pest animal management. That is basically it, in a nutshell, because pest animals are a bit like weeds—they are tougher than, say, the smaller native species which the pest animal is a predator on, if you understand what I mean—and the pest animals will end up on top and a lot of our native species will be well and truly threatened. Now can I turn to the fire issue?

**DEPUTY-CHAIR:** Yes. Are there any other questions on pests before we go to fire?

**Mr GREG PIPER:** No, I have broader questions.

**Mr YOUNG:** I have seen very practical evidence of continuation of hot fire destroying our fire-prone flora and fauna. I live not far from the Pilliga and Goonoo and I saw devastating fires there three and a half years ago. I am a group fire captain in the Rural Fire Service in my local area. I saw areas of Pilliga reduced to basic tree trunks and raw sand and rock and the massive destruction of species, for example, the koala. Forestry did a survey of the koala population previous to those fires, back in the 1990s, and they maintained that there was a 50,000-plus population of koalas in the Pilliga. It is very hard to say how many are there now, but between dry weather and hot fire there is no doubt a lot of those koalas have just been barbecued. There is no way in the world a koala can get down out of a tree and move smartly to get out of the way of a fast-moving hot fire. It has been very distressing to the local people to see particularly the koala population degraded in the Pilliga.

I have visited the hot fire project at Snowy Plains in the Kosciusko area. That particular site did not burn in the Canberra fires and in 2003 due to active management of the site. It was being grazed and cool-burned, et cetera. The locals maintain that Kosciusko is ready to burn again as there are a lot of fire-tolerant species that have high oil content that have largely come back as a result of the hot fires and they are slowly taking over—probably rapidly taking over actually—from the more fire-susceptible species. The alpine ash is a very good example. It takes 24 years before an alpine ash will lay down viable seed, so if you get a series of, say, three very hot fires in the next 20 years then the alpine ash is not going to regenerate. The locals are pretty uptight about that because the alpine ash is a beautiful species, or has been, in that area. It will actually mean a permanent change in dominance of species unless the management is changed. We have to get back to a system of cool burns and more maintenance on fire trails, et cetera.

As I said, I am group captain in my local area and I am also the Association's representative on our bushfire management committee in the Castlereagh zone. I am attempting to gain support for the Pilliga to be dissected into quarters by hazard-reduced corridors. I am not meaning massive land-clearing strips through it, but basically a fire trail that you can do hazard reduction off, a cool burn, and have it at different stages, so that when they get a major hot fire started they can contain that hot fire into a smaller section of the Pilliga. The landowners on the eastern side of the Pilliga have actually started doing such a corridor with the idea that they will stop fires on private land from going into public land and vice versa.

In the area where I am group captain we have what is called the Binnaway scrub area, which is about 100,000 acres of mainly privately owned scrub country. There is a 7,000-acre Binnaway nature reserve in it as well. I have been campaigning for hazard reduction there for a number of years. With the introduction of the Canobolas pilot scheme we are now starting to get some action and I am carrying out the first hazard reduction

in that area next Sunday. It has taken me several years to get there, I can tell you, but we are now getting finance through State and Federal funding for fire trail construction and the fire trails are registered. If we get them registered we are then allowed to maintain those fire trails and we are looking at three local brigades building an implement that can knock the regrowth down on the fire trail without creating a lot of bare earth. If you continually run a grader along that sandy-type country and then get summer storms, what happens is you get them washed out. We are developing an implement so that we can keep the regrowth down but not get soil erosion, et cetera.

The idea is to break the area up into controllable areas, which will be able to give us access, so that if we get a lightning strike we can move in quickly, get to it and nip the fire in the bud, so we only have small fires, not big hot fires. Then when the time is right we can do cool burns, and we will do cool burns in different areas so that we get a mosaic across the entire 100,000 acres. That should not only protect the adjacent viable properties on the more basalt type country, but it will reduce the cost and time for Rural Fire Service volunteers and hopefully reduce the huge expense of section 44s, as we had three and a half years ago. We had a dry storm go through and had seven major fires on the go in the Warrumbungle shire at the one time. The cost was huge. I had about 10 days work on about four hours sleep a night and the expense of it was enormous. We had to bring in a lot of private equipment, dozers and graders, and there was a huge amount of money paid to contractors. If we can reduce the number of hot fires we are going to maintain more biodiversity through those areas, stop the huge damage and keep things at a better level of management.

**Mr RAY WILLIAMS:** That is probably the most commonsense I have heard in this Committee in relation to protecting native species and biodiversity and national parks, and I commend you on those comments. I also commend you on your management plan for hazard reduction. I was aggrieved to see that the initial findings from the royal commission in Victoria paid scant regard to fuel and hazard reduction. I think that is an absolute and utter disgrace. As people like yourself and my family who have farmed for many years are aware, it is the only appropriate way to manage and protect the environment and when you undertake appropriate hazard reduction you are protecting all manner of the environment.

You certainly have an advocate in me. I wish you all the best for that management plan; I hope it is successful. I certainly hope that governments take it on board, especially the New South Wales Government, which has now had a knee-jerk reaction to the Victorian bushfires and is looking at our Rural Fire Service requirements at this time. The Brumby Government refused to acknowledge the advice that was given from its own committee in undertaking three times the amount of hazard reduction less than a year prior to those Victorian fires. I would say that has certainly played a major part in the loss of some 173 human lives, not to mention the millions of animals that were destroyed in those Victorian fires. I certainly thank you for that presentation.

**Mr YOUNG:** Thank you very much.

**Mr GREG PIPER:** I also thank you for your presentation. I did not read anything on fire management issues. That has been added on, has it not? Have I missed anything in the papers that have been provided? I accept that it is an important part of your particular area. The New South Wales Farmers' Association is a long-standing and well-regarded organisation. How many farmers across New South Wales are actually members of that organisation?

**Mr YOUNG:** Of our association?

**Mr GREG PIPER:** Yes.

**Mr YOUNG:** I think we basically run about 10,000 at the present moment, do we not?

**Mr GREG PIPER:** I know there are a lot of benefits from being in the Association so I would assume you would have a fairly strong membership.

**Mr THOMAS GEORGE:** I would say it would be close to 40 percent of farmers, if you leave out all the coastal hobby farmers.

**Mr GREG PIPER:** Yes, I am talking about serious farmers.

**Mr YOUNG:** I would like to see a lot more but you have got to understand that there is a lot of people out there that gain the benefits from what we do but they are a bit tight when it comes to the wallet.

**Mr GREG PIPER:** That is the way of the world.

**Mr YOUNG:** We do not get as much membership as we should, in my opinion.

**Mr GREG PIPER:** In the documentation provided to us in the area of biodiversity banking I note that your statements are probably a little bit outdated, particularly where you refer to "... the regulatory impact is due to be released in December 2007", for example. So this has obviously been an issue that you have been looking at for some time. Can you update the Committee on where the Association sits in relation to issues such as biobanking, voluntary conservation agreements, those types of issues?

**Mr EYRE:** We support the biobanking model and we have actively participated in its development. It is, as you know, a market-based instrument that allows the creation of biodiversity credits, which can be traded. Effectively you are creating a situation where the credit created in one unit of land can be exchanged for clearing on another unit of land. When we supported that model we did so on the understanding that it would eventually be extended to lands zoned rural, because we believe that kind of flexibility is essential to optimise land use for multiple benefits in rural areas. By "multiple benefits" I mean a triple bottom-line outcome so you can have some agricultural development or changing agricultural land use to meet climate conditions or market conditions and at the same time maximise your biodiversity outcomes.

To optimise land use you need to think about the biophysical conditions that apply and ensure that you are maximising the use of arable land with as little water and you are also maximising the retention of the biodiversity in a mosaic approach. Biobanking essentially allows you to do that; it allows you to mix and match across landscapes and think more strategically across broader landscapes than just the individual parcels of land. In short, that is where we stand on biodiversity. You also asked about voluntary conservation agreements?

**Mr GREG PIPER:** Yes.

**Mr EYRE:** It depends what you mean by that. Certainly many new farmers or green changers are taking up voluntary conservation agreements as a way to manage their biodiversity, and sometimes there is some cash flow associated with that. For example, it helps manage a block that you have taken on and you might not have the means to control the weeds or the feral animals and a voluntary conservation agreement will cash into a biodiversity credit and create some cash flow to perform those vital management functions. It is a phrase that has been attached to a relatively narrow instrument. From the point of view of the Association, voluntary conservation is part and parcel of what farmers always do and have increasingly done over the last few decades.

Some of the regulation that is out there stands in the way of voluntary conservation. We have seen in recent decades a bit of a rift developing between farmers and advocates of biodiversity conservation, which has filtered through to the management of national parks and public land and is also represented in threatened species legislation and vegetation legislation and planning legislation. So I guess from our point of view it is important that you do not get perverse outcomes from the legislation; that the legislation actually underpins a framework that allows farmers to actively participate and work with government and other stakeholders in achieving these balanced outcomes.

There are many people in our association who have a wealth of knowledge and experience in the management of fire and the management of biodiversity—Mr Young is obviously one of them—but the system often deters those people from participating or prevents them from bringing their knowledge to the table, and that has been increasingly happening. Farmers understand biodiversity in their location and they understand how to manage fire, they understand the consequences of increased dryness in the landscape, they have got practical skills about how to deal with it, yet very often government policy prevents them from doing that. It is a general comment that I am making but—

**Mr GREG PIPER:** It is general but can I follow that up by asking whether or not you have actually articulated in any submissions anywhere those pieces of legislation policy that are in direct conflict with the ability of rural producers to continue food production? Has it been looked at as succinctly as that?

**Mr EYRE:** I was not actually talking about continuing food production. I was talking about delivering balanced triple bottom-line outcomes. You might want to refer to our submission to the standing committee on planning reforms—I am not sure that is the correct name of that committee—but we made a detailed submission to that committee talking about the legislative reform that would be needed to support farmers in contributing to these outcomes. In a nutshell, we were calling for a master Act, which dealt with approval processes and then subsidiary Acts dealing with water, threatened species et cetera, which will refer to the same approval process so you get rid of the current conflict that exists across legislation.

For example, a Local Environmental Plan might have controls on biodiversity which contradict the controls and the methods available under the Native Vegetation Act, so you end up with red tape but you also end up with the disaffection of the community to the point that they think that the laws are nonsense and that is not good public policy. If you would like to refer to that that would be one point. But also in all of our submissions in regard to native vegetation legislation and threatened species, and on climate change at the Federal level, we talk about the need for policy programs that support genuine partnerships between landholders and government.

**Mr THOMAS GEORGE:** Mr Piper has said that it was not in the submission we received but I would like to return to what Mr Young said earlier. I think the emphasis on cool burning says everything and I just hope you do not charge too much royalty when you fit this machine because I am sure a lot of people will want to use it.

**Mr YOUNG:** Actually it is a very simple machine. It is two worn out tracks off a D7 so that it has got flexibility, because a lot of these fire trails are pretty rough—

**Mr THOMAS GEORGE:** Just remember the royalties.

**Mr YOUNG:** —joined with removable bars. It comes out in a V shape and a tractor will snag it along. The flexibility will allow it to go over the stumps and hollows and ridges on these rough fire trails and knock the suckers and the Saffron bush and all that sort of stuff that grows very quickly in sandstone-type Pilliga country. It will knock it all down and it will stay there and catch the water but it will keep the fire trails from going back to scrub. That is basically what it is.

**Mr THOMAS GEORGE:** Your practical experience will be well received.

**Mr YOUNG:** If I could just enlarge on the need for active land management. I was heavily involved in the debate over the Pilliga and adjoining forests when a big amount of the country went to national park. We studied the forestry system of selective logging and thinning and fire management over many years and we maintained that kept the biodiversity in that land and at the same time the communities still had the use of the natural resources to maintain their communities. We have seen it now—with the lock-up policy our timber industry in the local area is just about gone, we have had these devastating hot fires and we have had our koala population decimated. It really means that at some stage we must get active management back into our landscape. That means strategic grazing, which would need to be controlled with a certain amount of regulation and people looking at it so it was not abused, a certain amount of logging and thinning to maintain the biodiversity, maintain the balance and the overall active management of the landscape area.

One particular thing that is missing—and this applies more probably to the Western division country where areas have been bought for national parks—is that a lot of the water supplies have been allowed to be let go. In those areas you need water supply for a start to get biodiversity because humans have gone out and created artificial water supplies by way of dams and reticulated water et cetera. Once that is removed, the biodiversity in lots of cases has to come out on private land for a drink of water and that creates problems with the adjoining landowners. Not only that, if you had a decent dam in a lot of those national parks when you do get a fire you have a ready supply of water for fire trucks and for helicopters to fill up their water buckets. That is missing a lot, in my opinion, in national park management at the present moment.

**Mr RAY WILLIAMS:** You brushed briefly on grazing in national parks. That is something I have spoken about and supported in this Parliament previously. I wonder, first of all, can it be managed and can it be controlled? Because I see the obvious benefits in maintaining it even if it is only in breeding stock in times of drought for farmers but also the benefits to maintaining the fuel load in the forests. I also wonder what you mean when you talk about having a valuable water source around those areas? What exactly do you mean by that? Does that mean further dams or some other means?

**Mr YOUNG:** I think in most cases you would have a go for a number of dams, yes.

**Mr THOMAS GEORGE:** You expressed concerns about land being purchased or added to national parks. What was the Association's view on the purchase of Toorale Station and Booligal Station?

**Mr YOUNG:** Toorale, we were very uptight about that because we like to look at all these things from triple bottom-line. From an economic and social point of view that is going to have a devastating effect on the township of Bourke. No doubt our critics would say there will be a certain number of public servant type people that will go in there. However, you have to understand that that property maintained a permanent workforce in that area and, I believe, in those inland river systems you always have a certain number of wild pigs and it will cost a lot of money to control the wild pig population. The active management of the land would have been providing a biodiversity enhancement anyway. Our association was definitely against the purchase of Toorale. You see this even on a smaller scale.

Going back, for instance, to the wild dog baiting. I had a fair bit to do with the wild dog control associations on the inaccessible gorge country along the escarpment. I noticed the recent one up at Walcha where about 5,000 acres of gorge country that had been privately owned and National Parks have just recently bought it. That particular wild dog control association was baiting into that area at 40 baits per kilometre. Under National Park management they have been automatically reduced to 10 baits per kilometre. That in turn will impact on their wild dog control in that area because it is very heavily timbered, inaccessible gorge country and inevitably they probably will not get proper wild dog control. They only bait every 12 months and you will find that the wild dogs will come out probably a lot sooner than they would have if they had been doing the adequate control that has been proven over many years. That is just a good example of where purchasing more land in national parks is creating issues for land management.

**Mr RAY WILLIAMS:** What is the reason for the reduction in the baiting program?

**Mr YOUNG:** National Parks has a policy of 10 baits per kilometre. In that heavily timbered escarpment country where you have a big population of wild pigs and foxes as well as wild dogs, the wild pigs are not killed by the fresh meat baits with the six milligrams of 1080. They take up a lot of the baits and then the foxes take a certain amount. Goannas can eat them all day and it does not affect them so, 40 baits per kilometre gives all those other species a certain amount of baits and leaves a few for the wild dogs. If you only put 10 per kilometre in there, the wild pigs, goannas and wild foxes will remove a certain amount and not leave enough to control the wild dogs. That is why you need the heavier bait rate.

**Mr RAY WILLIAMS:** Another flawed policy by National Parks?

**Mr YOUNG:** Yes. This particular wild dog control association has probably been one of the most professional negotiators I have come across, but even it could not overcome the problem and it has had its bait rate reduced.

**Mr EYRE:** There is another point I would like to make with regard to options. It is with regard to carbon finance, which I believe is relevant to this Committee. If you want farmers to change their management practices to enhance biodiversity on the property and also to buffer their properties and biodiversity from big impacts of climate change you need mechanisms to allow finance to flow to that, and that is the purpose, I guess, of a carbon market or any market-based instrument.

I refer the Committee to the United Nations food and agriculture organisation's paper on these issues, which is readily available on the Net. That talks about the accounting rules under Kyoto, in particular 3.4, the need to change rules regarding permanence and additionality so that it is possible to create a valid carbon credit in soil and in ground cover. It talks about the need for an entirely different accounting mechanism for agriculture. As you know, it is possible to create a carbon credit in standing vegetation. There is a simple reason for that. It is easy to see a tree from a satellite and to ensure that it is permanent for at least, let us say, 70 or 100 years. Soil carbon is a little more difficult to measure and monitor and you need a net stock change model such that farmers can maintain a net carbon balance within their properties and be paid to do so. That would flow through to immense benefits for biodiversity and climate change as well as pulling a lot of carbon back out of the atmosphere.



**Mr RAY WILLIAMS:** We are starting to see some of those benefits from cell grazing as well: Benefits of not digging up the soil and the benefits of it to the farmer and then the reduction of stock.

**Mr EYRE:** You are exactly right. So, it is a way of accelerating the transition to sustainable farming techniques which is occurring already but which would be good to see in general. But to fund farmers to do it is usually the most effective way of achieving change.

**(The witnesses withdrew)**

**DONNA THERESE RYGATE**, Executive Director, Corporate Governance and Policy, Department of Planning, 23 Bridge Street Sydney, sworn and examined, and

**YOLANDE NORMA STONE**, Director, Policy, Planning Systems and Reform, Department of Planning, 23 Bridge Street Sydney, affirmed and examined:

**DEPUTY-CHAIR:** I am advised you have been issued with a copy of the Committee's terms of reference and also a copy of the Legislative Assembly's Standing Orders 291, 292 and 293 that relate to the examination of witnesses, is that correct?

**Ms STONE:** Yes.

**Ms RYGATE:** Yes.

**DEPUTY-CHAIR:** Your evidence is given under parliamentary privilege and you are generally protected from legal or administrative action that may otherwise result from the information you provide. I should also point out that any deliberate misleading of the Committee may constitute a contempt of Parliament and be an offence under the Parliamentary Evidence Act 1901. Would one or both of you like to make a brief opening statement before we proceed to questions?

**Ms RYGATE:** I would like to do that, thank you. The Department of Planning very much welcomes the opportunity to participate in this important inquiry into the management of impacts of climate change on biodiversity. We are particularly pleased to be able to assist the Committee by providing information on that issue as it relates to land use planning in New South Wales. The framework in which we operate is within the whole-of-government context and the State Plan, and you will be familiar with the different objectives of the State Plan around reducing greenhouse gas emissions and providing better outcomes in terms of vegetation and biodiversity. We are operating in that whole-of-government framework with a number of other agencies who have particular roles in relation to climate change and biodiversity—agencies like the Department of Environment, Climate Change and Water, who I believe you might be hearing from later today. It has the lead, for instance, in preparing the Government's climate change action plan and also the sea level rise policy statement.

Other agencies that are key in this are the Rural Fire Service—and we heard the tail end of your questioning of the last group of witnesses, and clearly that is a huge issue. We rely very heavily on the technical expertise and the scientific work done by those other agencies in the work we do in the Department of Planning in trying to put into practice what those agencies' research is telling them is happening in terms of climate change and biodiversity. Our roles are around both mitigation in terms of the different things we can do to reduce emissions, et cetera, and also around adaptation so all sorts of planning controls can be applied to try to deal with impacts we are starting to see.

The management of natural resources, the protection of the environment and ecologically sustainable development and sharing of responsibility for planning between the different spheres of government are specifically provided for in the objects of our principal Act, which of course is the Environmental Planning and Assessment Act. Those objects provide the basis for land use planning decisions across New South Wales and under section 79C of the Environmental Planning and Assessment Act a consent authority is required to consider, amongst other things, the likely impacts of a development, including environmental impacts, on both the natural and built environments and social and economic impacts in the locality, the suitability of sites for development and the public interest.

Protection of biodiversity has been an important planning consideration for some decades and the New South Wales Government has identified that the effects of climate change are a key challenge that we face now and into the future. As I said, that is reflected in priorities E3 and E4 of the State Plan. The State Plan provides a strong strategic context for the consideration of climate change and its implications for biodiversity. Within that, our strategic planning processes feature two key levels of planning—regional strategies, which try and set the planning framework at the regional level, and then Local Environmental Plans [LEPs], which set the rules regulating land use and development at the local level.

The regional strategies can address biodiversity priorities through a number of mechanisms, including the identification and protection of regionally significant and wildlife and habitat areas or by encouraging

retention of native vegetation. Of particular relevance to the subject matter of this inquiry are the areas identified in those regional strategies to provide protection for resident flora and fauna whilst also allowing for the movement and migration of species along wildlife corridors. Regional strategies can also be used to identify key areas to encourage the restoration of fragmented habitats to improve ecosystem connectivity, which will become increasingly important as the effects of climate change place further pressure on already disconnected ecosystems.

Those regional strategies recognise that long-term planning decisions must place a high value on development options that make more sustainable use of land and resources and respond to risks associated with climate change. Importantly, it is a legislative requirement that regional strategies be taken into account when preparing Local Environmental Plans, including factoring in climate change and addressing biodiversity priorities identified at the regional scale. The other thing I should say about those regional strategies is that they exist within the context of our mission, which is about sustainable growth in New South Wales. I have talked a lot about things that go to the word "sustainable" but we cannot lose sight of the word "growth" in New South Wales. It is our job to try and make sure that New South Wales grows in a way that can accommodate our environmental, social and economic priorities.

Getting on to LEPs. They are the principal legal document for controlling development at the council level and they do that by prescribing permitted and prohibited land uses, applying development standards to control density, bulk and scale of developments and identifying matters for consideration when assessing development proposals. In addition to taking into account regional strategies when councils prepare their LEPs, they must also be consistent with other local planning directions under section 117 of the Environmental Planning and Assessment Act issued by the Minister for Planning. Those include things like environment protection zones, coastal protection; there is stuff on flood prone lands and planning for bushfire protection.

A bit over three years ago the Department of Planning created a common structure and language for Local Environmental Plans. That is commonly known as the standard instrument or the LEP template and all councils have to use it in preparing new principal LEPs. The standard instrument contains standard definitions. It also has mandatory and optional clauses and a range of zones for councils to use as best fit their local government area, and specific areas within those local government areas. Councils can add their own provisions to address particular local planning issues and the instrument is flexible enough to accommodate a range of environmental issues, including climate change and biodiversity. We review that annually, so it can be amended as new information comes to light, or more scientific research, for instance, on things like the effects of climate change. A formal change to that standard instrument automatically changes all gazetted standard instrument LEPs so councils do not have to go back and keep remaking these things.

There are currently provisions in the standard instrument, which address development within coastal zones, development below the mean high watermark, preservation of trees and vegetation and bushfire hazard reduction. Sea level rise is also incorporated as a compulsory clause in the standard template for development in the coastal zone. To help councils, the Department has published model local provisions that address common topics raised by councils in standard instrument LEP preparation—things like foreshore access and foreshore building line. Both of those examples actually make specific mention of the need to consider the management of sea level rise or changes to flooding patterns as a result of climate change.

The standard instrument also includes several land use zones with a primary focus on the protection of the environment and retention of native vegetation. They are predominantly in the form of environmental protection E zones. There are other zones like the W1 natural waterway zone that afford a high degree of protection and also the RU2 rural landscape zone, which could provide adequate protection for vegetation whilst allowing other land uses to occur, and I think that is a really important point. The land use table within part 2 of the standard instrument identifies whether the land uses are permissible with or without consent or whether they are prohibited and when deciding what uses are permitted or prohibited, the impacts presented by a type of development or class of development on a particular unit of land need to be carefully considered.

The standard instrument also enables councils to include their own overall aims for the LEP, which could include, for example, to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values. Local zone objectives can also be added to highlight the importance of specific issues. Guidance on how to make best use of the standard instrument has been provided in the form of LEP practice notes. The most recent one of those was on environment protection zones and coming soon to a website near you are about those zone objectives, waterway zones, and trees and vegetation.

Underneath that we have development control plans that provide detail to supplement the LEP. They take the form of a written statement, generally supplemented with maps, plans, diagrams, et cetera. They could cover issues like design of housing, community facilities or other development to better adapt to climate change issues, provided they are consistent with the LEP. Using a bit of a case study around bushfires, councils need to prepare their LEPs with regard to the New South Wales Rural Fire Service's guidelines on planning for bushfire protection, and LEPs have to include controls that avoid placing inappropriate development in bushfire hazard areas.

It is predicted, as you know full well, that there will be a significant increase in fire weather risks across New South Wales, in particular for inland locations, and as such the Government is working on updating the risk profiles and bushfire guidelines, along with the guidelines, the science and research around other hazards like coastal erosion and flooding. The Department of Planning will ensure that the updated risk profiles and updated research are reflected in the associated planning guidelines that can inform land use planning and development assessment.

In summary, the strategic context for effective consideration of climate change and biodiversity is in place in New South Wales. The key challenge for us in land use planning is to respond effectively to climate change based on accurate information and we need to get that information as early in the planning process as we can. It is really important to ensure particularly that preparation of those Local Environmental Plans can be informed by and responded appropriately to emerging data and advice on management strategies for dealing with climate change impacts on biodiversity.

**DEPUTY-CHAIR:** Ms Stone, a lot of the submissions we received were a tad critical of the interagency approach. In your role as Director of Policy, Planning and Systems Reform, can you outline what you do with other government departments because I would like to get on the public record how you go about linking across with the other government departments?

**Ms STONE:** I think it very much depends on the particular issue but recently we established a chief executive officers [CEOs] forum with all the other regulatory agencies and we now have this very useful forum to be able to raise government initiatives where we have interest and overlap and get the CEOs' attention early in the process to get cooperation. That is a very important initiative. We could use the case study such as climate change. We have been working very closely with the Department of Environment and Climate Change [DECC] on the climate change action plan that has involved input from other agencies. When that is settled, DECC and we are delivering different components of it in a cooperative way. That is a good example; they will be doing a sea level policy statement and we will be using that to do our coastal hazard planning guideline. Also, they are updating their coastal hazard assessment guideline. These are different products being produced by different agencies but in a cooperative, whole-of-government way. That is a good case study.

**Ms RYGATE:** The other example is about the work we do with the Rural Fire Service. They have the lead on the bushfire hazard reduction stuff and we work very closely with them and are very much guided by them. They set the framework and we then have to put the bits that are relevant into the planning controls. That is another good example.

**Ms STONE:** But at the strategic level as well, our strategies that Donna referred to like the Lower Hunter strategy and the South Coast strategy, these strategies were very important in pulling together the information, particularly from DECC—I cannot say DECC with a "W" on the end yet—and also what was the Department of Water and Energy [DWE] but it is now in DECC, the water side of things as well—there was effective cooperation between those three agencies in getting those regional strategies done but also feeding in the transport side as well. I think our regional strategies are quite a good example where we have worked cooperatively together and fed in DECC's technical information, the technical information from DWE and the views of the Roads and Traffic Authority about transport. So we have now come up with a really good framework, which we are using the basis of the councils doing their LEPs to implement it at the next level down. It really assists councils because we have already done that high-level consultation with those other agencies to try to get a single song going for each of those regions. They are proving to be very effective.

**Mr GREG PIPER:** I declare my other interest here. I am also the mayor of the city of Lake Macquarie and therefore I have two hats. If I took everything at face value—and I am sure it was all said in good faith—I would say, "There are no problems", but from my perspective there seems to be a number of problems. Ms Stone, you used the Lower Hunter regional strategy as an example. That document is an example of some of the disconnect that I see in Lake Macquarie between the goals and aspirations of the Department of Planning and its

work with the city council and conflicts with DECC. For example, a major release area was at Cooranbong North—I am not sure if you are aware of it—and there were major conflicts in trying to resolve that at the last minute with conservation requirements of DECC that ostensibly had been signed off by the Department of Planning. I do not know if the changes you indicated were fairly recent as in the CEOs forum—

**Ms RYGATE:** Yes.

**Mr GREG PIPER:** —will resolve all these types of things; but there seems to be some disconnect there. From council's point of view, councils see the LEP templates very much as a top-down planning process. Whilst they might accommodate some local government areas, there is a lot of variation in the needs of local government areas and I am still hearing a lot of disquiet about them. Is the Department saying that local government has signed off on the LEP template process and they are happy with it?

**Ms STONE:** I am not sure that that is the test. The test I think is to get an efficient planning system for New South Wales. What the standard template does offer is that instead of—I forget how many definitions there were of cemeteries—something like 23 different definitions in New South Wales of cemeteries, we now have a single definition. So what we are trying to do is get some consistency. Interestingly enough there is a similar program trying to get consistency between the States as well, which opens up a much bigger hurdle. But certainly for a country this size and for a State this size, having such diversity is just inefficient. What we are trying to do is make the system more efficient. There are clauses that are mandatory, but there are a lot of clauses that are not.

What we are doing at the moment to try to help councils is develop sort of optional clauses that they can use easily. I think there are about 30 LEPs in the process of being drafted and being settled. We are reviewing all of those and looking at bringing forward a suite of model clauses that councils can use. I think the regional councils will find that very useful. It will demonstrate that we do recognise that there are differences in Dubbo compared with Leichhardt compared with Byron. I think possibly by the end of the year we will have a whole suite of optional clauses that councils can use for their appropriate circumstance. I think we have listened to councils about that and we will be providing this bank of clauses that they can choose from, which will make it much more efficient and much easier for them to get the appropriate controls in their particular area without everybody just reinventing the wheel.

**Mr THOMAS GEORGE:** The submissions the Committee has received have mentioned regional conservation plans. Has your department had any input into that?

**Ms STONE:** No. I think DECC can be asked that this afternoon.

**Mr RAY WILLIAMS:** A myriad of restrictions are written throughout the Environmental Planning and Assessment Act, right through our Local Environmental Plans and certainly through the flood manual of New South Wales and they restrict development and land usage in low-lying areas, riparian zones, wetlands and certainly areas that are affected by flood. How does the Department of Planning explain the contradiction of dismissing all of those restrictions in this planning instrument by working through a State Environmental Planning Policy [SEPP] and permitting the development of the Riverstone West Business Park with some six or seven metres—millions of tonnes—of landfill to be placed in one of the most significant floodplains in New South Wales, which will have a dramatic impact on the local environment, not to mention the surrounding areas prone to flooding? This floodplain has been covered with no less than three to four metres of water every decade in the past 50 or 60 years and now will be filled for the purpose of a business park. The Local Environmental Plans, the New South Wales flood manual and certainly aspects of the Environment Planning and Assessment Act have been completely discarded with the permission of this park with a State Environmental Planning Policy. Can you explain that contradiction?

**Ms STONE:** We would have to take that on notice.

**DEPUTY-CHAIR:** The Catchment Management Authorities went through a lot of work with the community action plans. We have heard that there has been no direct linkage between the targets set by the catchment management action plans and LEPs. Can you describe what might be possible under the planning system to integrate these two levels of planning? You have the local committee action plan along the reaches of the Hawkesbury-Nepean, for example, and then you have the local LEPs that overlap that. Can you outline anything that can be done?

**Ms STONE:** Starting back a little bit, the purpose of the community action plan in my view initially was about providing a framework for doing works in the catchment area to improve environmental outcomes. The purpose of the Local Environmental Plan is a different purpose. There is overlap, but there is a broader purpose. In the same way as we have got biodiversity plans in those areas, we have got flood management plans. We have got a whole range of various plans. Local government now is doing new integrated plans under its Act. They also have asset management plans. So, we have got a lot of plans out there looking at particular issues and looking at things from a particular direction. I think these things need to be taken into consideration when the LEP is made, but it should not be dictating to the LEP the outcome. The purpose of each of those plans is slightly different and the LEP has a very important role in setting the social, economic and environmental outcomes for that area in balance. I think it should be an input, but it should not dictate.

**Mr RAY WILLIAMS:** Having previously been a councillor I place great importance on the Local Environmental Plans set by councils and certainly watching the standard LEP put in place and therefore get quite frustrated, if not completely annoyed, by the fact that a State Environment Planning Policy can override all of that and remove so many of the important aspects underneath those Local Environmental Plans. Do you see that as a contradiction?

**Ms RYGATE:** That is a feature of the legislation and a matter of not just this Government's policy but also every Government that has continued to have the Environmental Planning and Assessment Act since it was first passed in 1979. So, I do not know that we can—we sitting where we do in the Department of Planning right now—do a great deal about that.

**Mr RAY WILLIAMS:** Do you understand that cause of frustration and the contradiction when people see that as rules for one and rules for another? A person could not take a wheelbarrow full of soil and put it in a floodplain, yet a Government can override that and say, "We'll put millions of tonnes of fill in an area?"

**Ms STONE:** I do not know the case study that you are using here as Riverstone Park, so I do not know anything about it. But one of the State policies that I think really is very appropriate is SEPP 14, which has been there now I think since 1986. It was a landmark SEPP where it did override all those LEPs and provided a consistent protection for important wetlands across the whole coast. It really was landmark policy. It was very courageous, I think, at the time because it did override a lot of other uses and said that these wetlands were of State significance. Some of those wetlands are now Ramsar wetlands and so they are of national and international significance.

I think that is a really good example where it is very appropriate that the State does override the local controls. If you go back to the objectives of the Act, it says, "appropriate sharing of responsibilities" as one of the objectives. In some cases I think it is appropriate for local government to share with the State the planning for that area, particularly when you want to get a consistent policy across the State. Littoral rainforest was another SEPP 19 about protection of bushland in urban environments. Again it was a very courageous SEPP; it really ensured that a lot of that bush that was being encroached on was stopped being bulldozed and was protected. I think there is a time when it is appropriate to get a consistent policy and to have it override the local plan.

**Mr RAY WILLIAMS:** You have raised all the important environmental aspects of those SEPPs. It just seems that all of a sudden we have moved and almost gone 180 degrees with what is happening now?

**Ms STONE:** I do not know anything about your case, so we will take it on notice and come back.

**DEPUTY-CHAIR:** Biodiversity is the focus of this hearing, even though biodiversity primarily is a local government responsibility, how can the Department assist with encouraging and facilitating conservation of biodiversity in new urban areas? For example, in the Penrith electorate, which I represent, the Penrith Lakes covers 2,000 hectares of floodplain, but what will roll out from the quarries will be an urban area. Obviously, over 100 years of quarrying the landscape has changed that floodplain. The holes in the ground will be Penrith Lakes and they will be from groundwater, stormwater or rainwater. Eighteen hundred hectares of stormwater rain is a huge area. Even though council is linking with the Penrith Lakes Development Corporation, how can your planning department link in to ensure the biodiversity link with those new urban areas for the next hundred years?

**Ms STONE:** I have not seen the proposal recently because it is moving around a bit, but this is another question we will take on notice. Certainly the earlier proposal had a significant amount set aside for recreation

and conservation. I would be surprised if it was not still in that form, but the exact details we will get and provide back to you on notice.

**Ms RYGATE:** The whole framework of the environmental planning system in New South Wales is designed to do precisely what you ask, which is to look at particular things in the bigger context. So, working your way down from State Environmental Planning Policies, regional strategies through to what the local planning is. Our job is to make sure that that framework actually works to deliver the kind of outcomes that you are talking about.

**Ms STONE:** I think also the Act is set up well to consider biodiversity for those sorts of activities. We have got the threatened species provisions in there. We have got the obligations under the objectives of the Act. When it comes to doing rezonings or individual DAS [development applications], you have got the considerations of 79C. These issues do get looked at and very seriously. As a result, you get the offsetting occurring, you get areas set aside. There are quite a number of cases where we ended up with really excellent corridors left in a way that connected through rivers, through to other pieces of bushland.

As part of doing land releases, it is always an issue about how to keep that biodiversity going and particularly the connection between pieces of remnant bushland. It is very much on the agenda and certainly we consider that the tools are in the Act to get the good outcomes. Talking about whole of government, this is another area where we work very closely with DECC. DECC has a number of tools, as you are aware, all the way from biocertification, biobanking, the seven-part test. All of those provisions are there and they get used up to very good effect. We have got some really good outcomes in a number of areas.

**DEPUTY-CHAIR:** It is good to hear that you now have the CEOs group and obviously each CEO can provide an agenda item of interest. Referring back to Mr Piper's question and the strategies you have rolled out, the Committee has received many submissions from local councils, sort of red flags. Is there a structure at a regional level for councils? I know there are the ROCs [Regional Organisations of Councils], but within these new planning strategies—for example, if it is the Lower Hunter—is there a regional group that Lower Hunter councils can feed into this documentation?

**Ms STONE:** The Hunter councils have largely got themselves together and are quite a dynamic group.

**DEPUTY-CHAIR:** But is that across the State? Is it also probably to do with governance?

**Ms RYGATE:** It absolutely is. We had a forum last Thursday up at the Eveleigh railway yards with the planning directors. We invited all of them from all the councils across the State. That was about us saying, "Look, we know there has been an enormous amount of change pushing through the system. We know that there is a hell of a lot on your plates. We want to sit down and talk to you about how we can work together in the implementation of all those enormous changes that have gone through", and we had probably, all up, a couple of hours of workshop stuff and feedback from those people where a very strong message to us was about, "You guys need to listen to us; you need to involve us early in things; you need to talk to us better".

One of the really big themes that goes directly to your question was about engagement between the Department of Planning and councils at regional level. So I can say to you that we have absolutely heard that message. We intend to do more of these forums on a statewide level. We might be meeting this afternoon about that. We are having a discussion about how we take forward some of the very, very strong messages that we received from councils at that forum last week, and one of the really key themes that we are very keen to pursue is that of regional engagement because it is absolutely essential. So yes, it is on the agenda.

**DEPUTY-CHAIR:** In the submissions that we received it was a common theme and knowing the relationship I have with my two local councils, that is something they have articulated on a number of occasions to me.

**Ms RYGATE:** They have told us too.

**DEPUTY-CHAIR:** Obviously they told you. But it is important. If we are part of a committee of the Legislative Assembly and we are rolling out changes to the various levels, regions do play an important role and even subregions within western Sydney, because it is a huge amount of the population of New South Wales and it is important to both articulate the message to their local councils and also to feed in any issues that may arise, whether it is biodiversity or bushfire works—

**Ms RYGATE:** We do not think we have got a monopoly on good ideas.

**DEPUTY-CHAIR:** I will be able to meet my general manager with good news then. Thank you very much, Ms Stone and Ms Rygate, for giving your time.

**(The witnesses withdrew)**



**GRAHAM KEITH FIFIELD**, Project Manager, Greening Australia—Capital Region, Kubura Place, Aranda, ACT, and

**SUSAN STREATFIELD**, Business Development Manager, Greening Australia—Capital Region, Kubura Place, Aranda, ACT, affirmed and examined:

**DEPUTY-CHAIR:** I welcome representatives from Greening Australia, Mr Graham Fifield and Ms Sue Streatfield. Thank you for appearing today to provide evidence in response to the Committee's invitation. I am advised that you have been issued with a copy of the Committee's terms of reference and also a copy of the Legislative Assembly's Standing Orders 291, 292 and 293 that relate to the examination of witnesses.

I draw your attention to the fact that your evidence is given under parliamentary privilege and you are generally protected from legal or administrative action that might otherwise result in relation to the information you provide. I should also point out that any deliberate misleading of the Committee may constitute a contempt of Parliament and it is an offence under the Parliamentary Evidence Act 1901. Would one or both of you like to make a brief opening statement before we proceed to questions?

**Mr FIFIELD:** As a background, Greening Australia—Capital Region is a community-based not-for-profit environmental NGO [non-government organisation] with over 25 years of experience working with landholders in the community. So it is in the context of this long history of working and listening to landholders that we present to the Committee today our latest incentive funding model, which we have called Whole of Paddock Rehabilitation, or WOPR as it is affectionately known. For 25 years Greening Australia has been working with farmers to fence off remnant vegetation on hilltops; protects streams and gully systems; and re-establish native vegetation in the forms of wildlife corridors and windbreaks.

Whole of Paddock Rehabilitation complements these existing programs but it operates at a much larger scale and within the more productive woodland setting that covers so much of New South Wales. Whole of Paddock is appealing to farmers and it neatly incorporates the production and the conservation to address biodiversity loss and climate change on the farm. Historically, conservation and production have often been viewed as opposing land uses, which means only relatively small gains have been made in conservation. In addition to this, the high cost of fencing which is associated with these projects represents quite a poor return on investment for funding bodies. So, as the name implies, Whole of Paddock is scaling up, treating entire paddocks as an individual unit, which means there is very little cost in fencing and a much larger result for conservation in the long run.

Whole of Paddock is an idea that comes from the grassroots. It was devised by a couple of particularly forward-thinking farmers near Binalong in New South Wales. It is a great example of a paddock-scale solution to paddock-scale problems, which in this instance was dry land salinity. At Greening Australia we have taken their approach to large-scale revegetation and we have packaged it into a funding model and it has proven to be very popular with farmers right across the Southern Tablelands and south-west slopes of New South Wales. In brief, the program involves mechanically direct-seeding a broad range of native trees and shrubs in a series of parallel bands across the paddock. Each band is done on the contour and consists of four rows. We then leave a 40- to 50-metre gap to allow for pasture between each band of vegetation.

Livestock are excluded from the paddock for five years, during which the landholder is compensated for the loss of production with a \$50 per hectare per year stewardship payment, and at the end of five years, once the trees and shrubs are large enough, the grazing animals can be reintroduced. There are a range of benefits for both the environmental conservation and for production and I will touch on these only briefly because I think it is important to acknowledge that without appealing to farmers the program would not have got off the ground, it would not have been as successful as it has been.

The conservation benefits include a reduction in saline discharge as in the initial site near Binalong, improved soil health through better infiltration and higher organic carbon, and, most importantly in the context of climate change and biodiversity, is the abundance of birdlife that inhabits these large-scale revegetation sites. Birdwatch was a collaborative project between the Canberra Ornithologists Group, CSIRO Sustainable Ecosystems and Greening Australia. Over a four-year period Birdwatch volunteers surveyed the Binalong site and noted some 44 bird species, including two vulnerable and four declining bird species. So once a degraded paddock this Whole of Paddock site is now a local biodiversity hotspot. Now that WOPR has become an incentive funding program and we are looking to roll it out, we have thought very long and hard about the

design of each site and we are using research from CSIRO and other research organisations to maximise the habitat potential of each of these sites.

The conservation benefits aside, farmers are typically more interested in the production benefits, and one of the most attractive aspects of this program is the ability to rest a degraded paddock for a five-year period to allow the native grasses to set seed and to treat the cause of production issues such as erosion and salinity. The shade and shelter created for livestock is particularly important for vulnerable livestock such as new lambs and off-shear sheep, and the shade and shelter aspect will become increasingly important as climate conditions are expected to become more erratic with, potentially, hotter and drier summers. How has the program worked on the ground? In 2008 we had funding from the Lachlan Catchment Management Authority [CMA] and the New South Wales Department of Environment and Climate Change and we conducted a series of pilot sites across the Southern Tablelands and south-west slopes of New South Wales.

Fourteen properties and 14 farmers were involved and 309 hectares were rested and revegetated. Now that the word is beginning to spread on the rural grapevine we have a waiting list of nearly 40 farmers who are ready to become involved. Except for a small amount of funding through the Department of Environment and Climate Change through the Kosciuszko to Coast program, currently Whole of Paddock is largely unfunded across the region. Considering that it is approximately one-third of the price of the traditional windbreak model, I think it represents a fantastic return on investment for funding bodies. At \$550 per hectare it is the most efficient model that Greening Australia has been able to come up with in its 25-year history.

Just to conclude, farmers invented Whole of Paddock Rehabilitation to address paddock-scale problems on farms. Each site is big—40 hectares in size—and is addressing some of the key issues affecting box gum woodland communities across New South Wales. These include paddock tree dieback, habitat simplification and the loss of our native grasses and understorey. By combining production with conservation the program is well suited to the more productive parts of the landscape, typically the box gum woodlands, which are already declared as an endangered ecological community in New South Wales.

The broad range of native tree and shrub zones ensures that something will grow and persist into the future, even under a changing climate. The diversity of species used also attracts a wide range of woodland and migratory birds creating local biodiversity hotspots in the landscape. Dr Joern Fischer and his colleagues from the ANU [Australian National University] in Canberra suggest that we are facing a tree regeneration crisis in our woodland communities. Whole of Paddock Rehabilitation has the potential to reinstate the next generation of paddock trees and encourage those already in the paddock to regenerate naturally. I would like to finish our overview this morning by inviting the Committee, should it have the time, to travel a short distance from Canberra to see one of these sites, to meet the farmers who are involved and to see how we can do something positive to address climate change and biodiversity loss on farms in New South Wales.

**Mr GREG PIPER:** Normally I do not make too many subjective comments but I have been involved with Greening Australia for some years and I have observed that it is a fantastic and highly credible organisation across the board. I assume that the documentation with which I have been provided is the same as the documentation you have provided to the Committee today, which is very professionally prepared. I congratulate Greening Australia on that. What capacity does Greening Australia have to carry out the Whole of Paddock Rehabilitation program? I assume that that is your major platform at this stage, or one that you are promoting?

**Mr FIFIELD:** It is one of several major platforms.

**Mr GREG PIPER:** What financial resources do you have to expand that project if demand suddenly increases? What is the expectancy for you to be able to fund this into the future? Is it time limited? Do you have longevity of funding sources for this project?

**Ms STREATFIELD:** Greening Australia obviously is comprised of members from different States and Territories. We have our office in the Australian Capital Territory and generally we cover that south-east section. Obviously we have an office in Sydney and it covers the Sydney region, the Sydney Basin and also further out west. We work collaboratively. Greening Australia has been around for 21 years. With this initiative we sign farmers up to a 10-year management agreement. We are pretty confident that Greening Australia will be around in 10 years or we would not be signing up to those agreements.

The stewardship payment is for the first five years. The agreement then states that there will be rotational grazing for the following five years. Essentially, Greening Australia enters into a handshake

agreement with a farmer. The payments are delivered in the first and fourth years to ensure that no grazing is undertaken during that time; otherwise they do not get their final payment. We have checks and balances along the way to ensure that that occurs. Earlier you referred to the capacity of Greening Australia. Obviously we have scaled back a bit since the NHT1 [Natural Heritage Trust Phase 1], but we still have in excess of 50 staff around New South Wales, with some staff in Sydney and in Canberra. We go out west—way out to Cowra and to other areas—with our direct seeding operations, projects and programs. I am not sure whether I have answered your question.

**DEPUTY-CHAIR:** Is there a capacity for philanthropy? Is that your question?

**Mr GREG PIPER:** I am referring to the viability of these types of projects. What are your funding sources and are you confident about them? Greening Australia is a credible organisation. I imagine that if funds from the State and Federal governments were available for natural resource management you would probably be in there with a good show. At this stage do you have funding secured for the long term?

**Ms STREATFIELD:** We are trying to attract funding for this project. We had limited funds from the Lachlan catchment. Lachlan could see the value in this and wanted to use its region as a pilot for it, which we ran last year. The feedback from the Lachlan CMA and the farmers was fantastic. Basically we took it for a test drive in the Lachlan and it ran well. We now want to scale it up. How we do that is a challenge. We are a non-government organisation and we do not get to tap into all aspects of government. We put up a Caring for Country application, which I believe went right up to the Minister, but in the end it did not get funding. It was rated highly.

I have since received feedback asking why it did not get funding. It went up to the Minister but as there was an over-allocation some applications had to be knocked back. Unfortunately, our application was one of them. We are in the business of trying to scale this up because we believe it is a solution to multiple problems. We are looking at funding and investment, whether it is government, philanthropic, or what have you. We believe in this. As I have said, we have taken it for a test drive.

**Mr GREG PIPER:** Would you be seeking corporate or private philanthropy?

**Ms STREATFIELD:** Yes. We need people to invest in rural landscapes. This is a great and cost-effective way of doing it. From Greening Australia's perspective we are non-threatening to farmers. We can develop these 10-year management agreements without any issue because we are not threatening, we are a non-government organisation, and we get through the farm gate pretty easily.

**Mr RAY WILLIAMS:** Does the Whole of Paddock Rehabilitation run concurrently with cell grazing? I would have thought that the two would go hand in hand.

**Mr FIFIELD:** Typically, the people who are interested in cell grazing are interested in this project because they are already thinking at the paddock scale and that is the way in which they are operating their businesses. A lot of interest is coming from farmers who are operating a cell grazing system.

**DEPUTY-CHAIR:** My question refers to an earlier submission that dealt with natural resource management and programs, and the issue of water regeneration. I am looking at page 10 of your submission, which features a number of dams. It also features Binalong three years after seeding and 12 years after seeding.

**Mr FIFIELD:** There is one dam on the far left side of that paddock.

**DEPUTY-CHAIR:** Is that at the top of page 10?

**Mr FIFIELD:** Yes. The other large blue or green dots are remnant paddock trees. There is only one dam in the paddock.

**DEPUTY-CHAIR:** What was the water source for the seeding? Was it natural rainfall?

**Ms STREATFIELD:** Yes. We seed only in spring when the soil moisture is high enough to ensure germination.

**Mr GREG PIPER:** What are the survival rates, as you are not actively irrigating?

**Ms STREATFIELD:** Direct seeding works well for us in the right landscape. It tends to like the lighter country where we have less competition. The seeds are very small, so it tends to work in the lighter country. We have a high level of success with direct seeding.

**Mr FIFIELD:** On the back of 18 years direct seeding experience and technical knowledge, especially with one of our colleagues, we would claim that after five years 90 per cent of farmers are happy with the result. That suggests that if the preparation were done appropriately 95 people out of 100 would be happy with the result from direct seeding.

**Mr GREG PIPER:** I want to know how many seeds germinate.

**DEPUTY-CHAIR:** You state in your submission:

Alleys will generally consist of 3-5 tree lines with a variable spacing of between 30-50m apart. Clumps of up to 1 ha can be used in rocky areas ...

You would have to do the maths.

**Mr FIFIELD:** One of my colleagues did some extensive monitoring and she came up with a figure of 2.2 trees per metre, on average, at the 10-year mark. That might be a shrub or a tree.

**Ms STREATFIELD:** Over time they start to thin out. That is very thick. Some of them are wattles and they do not live forever. You get a thinning out, in particular, in the second decade of the life of direct seeding, which you would want anyway.

**Mr GREG PIPER:** A generation of the understorey type of thing?

**Ms STREATFIELD:** Yes. Some of the wattles have shorter lives. They do not really live beyond a certain period.

**DEPUTY-CHAIR:** No, they do not. I refer to page 10 of your submission in which you state:

This usually consists of Eucalypts, Casuarinas, paper-barks, bottle-brushes and wattles. Wattles and pea-species are used to help repair the soil ...

So the lifespan of all those species is mixed?

**Ms STREATFIELD:** Yes.

**DEPUTY-CHAIR:** Obviously the main evolution of this project was for salinity?

**Mr FIFIELD:** Yes.

**DEPUTY-CHAIR:** Is there anything that you would replicate? Obviously it falls within your area and covers your farming practices. Is there anything that you would replicate because there is a lot of urban salinity? I come from an urban area. Is there anything that local councils or local areas could do to replicate urban-based salinity in parks?

**Ms STREATFIELD:** The message relating to salinity is that vegetation will help the problem, whether it is in an urban environment or in a rural environment. If we could get more long-lived perennial vegetation in those urban areas that would be a common message that would be coming out of this. At the end of the day a lot of trees are going into these paddocks. They get thinned out not only through senescence but also through the grazing that occurs after five years. The grazing might remove about 35 per cent of what originally goes in, but you are still left with 70 per cent. If you have two stems a metre that is still a lot of stuff.

You can see on the front of our publication the Whole of Paddock in the Binalong case that was seeded in 1994. That is what it looks like 12 years down the track. There is still a lot of vegetation. The sheep have done something. Anyone walking into it today would find it to be an amazing place. It is sheltered from wind, it is alive with birds, it is no longer eroding, it is stable and it has good, thick pasture.

**DEPUTY-CHAIR:** What is the closest town to Binalong that I would recognise? Is Binalong the name of the property?

**Ms STREATFIELD:** Basically, it is located an hour's drive north-west of Canberra.

**Mr FIFIELD:** It is near Yass. It is 15 minutes down the road from Yass.

**DEPUTY-CHAIR:** You said that this model was along the ridgelines. Should the model be along a ridgeline or should it be a flat paddock?

**Ms STREATFIELD:** It could be anywhere. Often farmers will pick a paddock that is a bit tired and that they want to rest. However, it could be halfway up a slope or down a slope. I think farmers tend to pick a paddock that is a little unproductive as they are trying to improve its productivity. Binalong and the other areas in which we are doing Whole of Paddock Rehabilitation are very productive. These are sheep grazing areas that might have four DSEs [dry sheep equivalents] a hectare. They are productive. Earlier Graham alluded to the fact that it is in that grassy box woodland country that is so denuded where we are losing all the paddock trees.

**Mr RAY WILLIAMS:** It is pretty open space down that neck of the woods.

**Ms STREATFIELD:** The Boorowa catchment has less than 10 per cent of its original vegetation. It is a productive place, which is why it has only 10 per cent of its original vegetation. It has slowly been cleared.

**Mr RAY WILLIAMS:** When you travel through those areas into Wagga, around Junee and even into Gundagai you find that there has been a lot of rehabilitation, especially around the creeks lines, which is great. It is evident if you travel from there back up through Young and towards Cowra. An amazing amount of natural vegetation has been replenished, which benefits the environment. It achieves a compromise between grazing land and vegetation.

**DEPUTY-CHAIR:** What part of the program do you think was the greatest incentive for farmers? You say there is a waiting list. What would be, in your mind, the greatest incentive? What has created the waiting list?

**Mr FIFIELD:** Obviously the economic aspect of it. They are being offered a stewardship payment to rest a piece of country. Farmers are typically doing it tough, but here is an opportunity to take a paddock that perhaps they have been battling with for 10 or 20 years. It is a new approach to sorting the problem out—take the sheep off for five years and put some trees and shrubs in. I think every farmer in the tablelands has at least one paddock that they do not want to show anybody, and now they are calling us and saying, "Can you have a look at it?"

**Mr RAY WILLIAMS:** And you are producing outcomes. That is the thing you see with cell grazing. If you talk to some of those farmers now, five years down the track, their mates next door who were very reluctant about it are sticking their heads over the fence and saying, "What are you doing?" because it really is producing results. It is exactly the same thing.

**DEPUTY-CHAIR:** Are any other catchment areas thinking about replicating the program?

**Ms STREATFIELD:** We believe that this could be run across the whole of south-east Australia and great big chunks of Western Australia as well, all those dry land grazing areas, and we are also trialling it in cropping country where you have marginal cropping areas that you can put under trees, from the Queensland border through to South Australia. They are trying to roll this out in Tasmania in the midlands where you have massive degradation and climate change issues as well, and of course Western Australia. This is very applicable to a range of areas. Could I make one comment?

**DEPUTY-CHAIR:** Yes.

**Ms STREATFIELD:** I think the stewardship payment is like recognition to farmers that we understand they are running a production enterprise and it is really just partly compensating them for loss of production. The program is recognising that they are running a business and they are going to lose productivity. It is not a lot of money, it is almost a symbolic thing, but farmers respond to it because we are recognising that

they are running a business. It is only \$50 a hectare a year, it is probably a quarter of what some of them actually lose. It is almost symbolic.

**DEPUTY-CHAIR:** Yes, but it is recognition of their role.

**Mr THOMAS GEORGE:** Knowing farmers, if it were not there they would probably not be interested.

**Ms STREATFIELD:** Yes. The farmers that did it originally did it without any money, but they are exceptional people, they are really progressive.

**Mr THOMAS GEORGE:** They probably had a big enough property to be able to lock a bit up too.

**Ms STREATFIELD:** Yes. The Binalong property is 5,000 acres, so what is a 20-hectare paddock?

**Mr THOMAS GEORGE:** They can afford to be without it, but a person with 400 or 500 acres who had to lock up 100 acres or four paddocks of 20 acres would look for something.

**Mr RAY WILLIAMS:** I think that is a good point on the amount of land. You spoke of the farm in Binalong with 5,000 acres and 20 hectares is locked up.

**Ms STREATFIELD:** He has locked up 100 now.

**Mr RAY WILLIAMS:** If you work that out on percentages, it is not to say that the farmer with 400 acres could not do that—

**Ms STREATFIELD:** No.

**Mr RAY WILLIAMS:** Just in a smaller way.

**Mr THOMAS GEORGE:** But the bloke with 400 acres would look for stewardship a lot more than the bloke with 5,000 acres.

**DEPUTY-CHAIR:** Obviously it is a cooperative approach. You assess the paddock and say, "Hang on, that one could be better than this one".

**Ms STREATFIELD:** Yes.

**Mr THOMAS GEORGE:** If someone came along to assist them in recuperating a paddock, for want of a better description, they are very open to someone assisting them rather than making a decision independently. They just need encouraging.

**Mr FIFIELD:** It may be worth noting that in relation to all the people I have spoken to—and there are 14 involved and others interested—the motivation for each one is slightly different. Sometimes it is salt, sometimes it is a particular weed, and serrated tussock is a big problem in our catchment. There is a five-year period to try to get on top of the serrated tussock or the weeds, or the saline discharge or erosion or whatever it may be. It seems to be ticking a lot of boxes for a lot of different people for quite different reasons.

**DEPUTY-CHAIR:** Who monitors the project?

**Ms STREATFIELD:** We have two staff members who are not involved in the program. They are botanists basically who go out and do full pasture analyses. They are two botanists that we send out because they can do a very detailed analysis of the pasture species in particular, the direct seeding species, paddock tree assessments and all sorts of things.

**DEPUTY-CHAIR:** If the Committee were to go to Canberra, how much time should we allow to see a paddock?

**Ms STREATFIELD:** You probably would want to allocate half a day. I think this is the paddock worth seeing. There are others that we have just seeded, but you are probably only going to see tiny things and

be down on your hands and knees. This is the paddock because it gives you a real sense of, "Well, here's one we prepared earlier." If I could add one more thing, I would love to think that there is a real opportunity for New South Wales to spearhead this initiative. It is applicable to a range of areas through Australia, so I think there would be a fantastic opportunity to roll this out almost statewide. There are some areas of New South Wales that will not be applicable. There are vast areas—Gundagai and Adaminaby—which are screaming for vegetation, even if we just pick some big demonstration areas where we can roll it out. As I said, Gundagai and Adaminaby come to mind.

**Mr GREG PIPER:** Obviously you are approaching this parliamentary Committee to take on some advocacy for the program. I think you can see that we are very impressed with what you are doing. You now have the support of the Lachlan Catchment Management Authority.

**Ms STREATFIELD:** Yes.

**Mr GREG PIPER:** Have you made direct approaches to other Catchment Management Authorities to look at including this type of project in their catchment action plans and funding models?

**Ms STREATFIELD:** We have not really. Lachlan really saw some benefit in this, particularly for some of their really degraded sub-catchments. Southern is aware and really supportive, but did not have an allocation or a bucket of funding. The Murrumbidgee had its own funding programs and has not really ever shown much interest. They have their own programs that they have been running with. This is quite different from a lot of the incentive stuff that they are delivering. As I said, Southern is very supportive of it. We have always had their support, but they have had their own biodiversity targets, allocations and incentives. The Lachlan has really been a big help in driving this.

**DEPUTY-CHAIR:** If you suggest that New South Wales should be a driver in this, how would you see that being facilitated?

**Mr THOMAS GEORGE:** Funding.

**Ms STREATFIELD:** Funding, basically. I will give an example. The Caring for Country project that we put up was for \$800,000 to pilot this in several hotspot regions where I considered that not only this project would do well, but there are very productive parts of the country—like Gundagai. They are very serious farmers there; they have big holdings and are very production focused. Adaminaby was another area. Parts of and around Goulburn are very productive areas. I could see us with hotspots of demonstration sites showing how this can be delivered on the ground smoothly and effectively, and cost-effectively. The Caring for Country initiative really was showcasing in the south-east corner how we could do this. Other parts of Greening Australia are really interested in rolling this out as well. Tasmania had a Caring for Country bid and Western Australia is interested, so there are other parts of the Greening Australia federation, but we have sort of pioneered it in this part of the woods.

**Mr RAY WILLIAMS:** I have looked at some areas and I am sorry for focusing on the south-east, in and around Wagga Wagga and areas inland of Wagga Wagga between Junee and Coolamon, but a lot of farmers work with the community. I think Rotary clubs have planted massive corridors. They would do 1,500 tree plantings on a weekend. Is this something that the community could take on board eventually? Is there a program to embrace volunteerism from the community where people would know people—and farmers—a little more personally? Perhaps that would be a greater way to advocate for this to progress.

**Mr THOMAS GEORGE:** The only part I would be concerned about is how the community would take to supporting private individuals.

**Mr RAY WILLIAMS:** I guess the proof is in the eating. If you look at the south-east you will see corridors where farmers have worked collectively between properties and set aside huge nature reserves, I suppose you would now call them. Rotary has come in on weekends and dozens of people have planted out these areas. Farmers have dedicated the conservation strips to nature reserves and the community has come in and planted them out with trees. It has been very successful.

**Mr THOMAS GEORGE:** That is for the benefit of a community, whereas a lot of this is for the benefit of an individual.

**Ms STREATFIELD:** The volunteer opportunities within the program are very limited, I am afraid. Because we are not putting up fences and we are not planting trees, they are very limited.

**DEPUTY-CHAIR:** Although a rotary club of Binalong would be for the benefit of the community of Binalong. I know from the structure of Rotary that, for example, the district governor of an area has an allocation of funding because when raising funds they have to give an allocation to their region, and every year the governor can nominate a project. In a way it is philanthropy. A decision could be made by a local Rotary club to allocate fundraising opportunities and Rotary would be giving an allocation to Greening Australia, not to individual farmers.

**Mr THOMAS GEORGE:** It would be improving the individual farmer's asset, unless you had a corridor that was going to be a koala corridor or nature strip where the community would benefit.

**DEPUTY-CHAIR:** But if it is increasing the likelihood of that farmer staying within the community—

**Mr RAY WILLIAMS:** The ultimate benefit is what everyone is getting out of it, which is a better environment.

**DEPUTY-CHAIR:** Yes, because the partner is a schoolteacher or a nurse.

**Ms STREATFIELD:** We were not here to suggest that you were going to suddenly whip out a chequebook and give us \$800,000. It was really just to make you aware of it and get some support for the initiative in whatever capacity you are able to really.

**DEPUTY-CHAIR:** Thank you very much.

**(The witnesses withdrew)**

**(Luncheon adjournment)**



**TIMOTHY SEEARS**, Pest and Travelling Stock Reserves Manager, State Management Council, Livestock Health and Pest Authorities, 161 Kite Street, Orange, and

**ADRIAN JAMES HARTE**, Director of Land Management, Land and Property Management Authority of New South Wales, 437 Hunter Street, Newcastle, sworn and examined:

**DEPUTY-CHAIR:** Welcome gentlemen. Thank you both for appearing today to provide evidence in response to the invitation of the Standing Committee on Natural Resource management (Climate Change). I am advised you have been issued with a copy of the Committee's terms of reference and also a copy of Standing Orders 291, 292 and 293 of the Legislative Assembly that relate to the examination of witnesses. Is that correct?

**Mr SEEARS:** Yes.

**Mr HARTE:** True.

**DEPUTY-CHAIR:** I draw your attention to the fact that your evidence is given under parliamentary privilege and you are generally protected from any legal or administrative action that might otherwise result in relation to the information you provide. I should also point out that any deliberate misleading of the Committee may constitute a contempt of Parliament and an offence under the Parliamentary Evidence Act 1901. Would one or both of you like to make a brief opening statement before we proceed to questions?

**Mr HARTE:** Perhaps we might both like to make an opening statement but I will start. I thought I would start by describing the travelling stock reserve [TSR] network in New South Wales and perhaps the role of the Land and Property Management Authority, which was formerly the Department of Lands of course. I point out that the TSR network is Crown land underneath the reservation that was made historically sometime ago for the purposes of travelling stock. As such, the rural lands protection bodies, now the authorities, have been the trustee managers of that Crown land for their own specific purposes—perhaps Tim might address that.

In terms of the distribution of the network across the State, for the spatial imprint of that there is a map that has been circulated in Tim's paper—that is it—but to describe it generally, although we do have obviously a big scaling issue here with the size of the map and the size of the State, the blue networks ranging from the very small dots—there are a lot more of them that do not show up on the map—from the east to the more connected network as you progress west, pretty much depicts the travelling stock reserve network in New South Wales. There are reasons why it was in a more staccato-sporadic fashion in the east and more connected as you go to the west but perhaps that might come out in the questions.

In terms of the area of that total empire, if you like, although our figures are a little bit subject to some change and refinement our spatial layer indicates they amount to around 740,000 hectares in the Central division and the Eastern division alone, which is actually excluding the coloured area to the west, which is the Western division. The reason I point that out is because the Western division, in terms of the role of the rural lands protection authorities in the past has not been part of their direct management; they have actually been managed as part of what is called leases under the Western Lands Act. So by default they are managed by lessees or landholders who work out there—direct management occurs in the rest of State—roundabout 740,000 hectares, of which just under 500,000 hectares have been directly managed by the authorities or the rural lands protection boards or the pasture protection boards of the past.

We in Lands, obviously because of the situation with the review of the formal board structure in New South Wales, are gearing ourselves up for what we consider to be an inevitable hand back of significant areas. The word "significant" needs to be qualified and we do not quite know what that is going to be at this point in time but we expect there will be quite a hand back of large numbers of reserves. By the way there are about 6,500 reserve parcels or entities in that 740,000 hectares. In terms of gearing it up we have been in the process of developing assessment methodology to assess the various values of that TSR network; values ranging from the social, the commercial and the environmental, which happened to underpin the basis of our own enabling legislation: the Crown Lands Act, it is a triple bottom-line approach. So we need to take account of all of those issues from conservation and environment, right through to the social needs and social good.

To that end we are aware that there are a number parties out there who have some concerns about the takeover, if you like, or the hand back, in terms of what is going to happen to the environmental values? What is

going to happen to our traditional access rights as we have been using them in the past? That relates to the drovers—there are still some commercial drovers over the Range. You might have noticed there has been quite an amount of publicity about that issue over the last while in the media. There are traditional users such as apiarists. There are access issues to freeholders who own land adjoining. There is a range of other bodies such as when we talk about social issues, pony clubs, scouts and rural fire services, which have installations and infrastructures on these areas. So I guess there is a bit of a question mark there.

We are also aware of the growth in the activity of other interest groups through the use of the TSRs of the future. These are the indigenous communities, the people who might like to organise tours for horse riding, trail bike riding—I am not talking about trail bike riding essentially, but I am talking about the ones you push—pushbike riding, and the sort of thing we consider the management of Crown land is about: to balance the social, the economic and certainly the environmental. So we are working on a matrix to assess the part of the network that comes back to us objectively and consistently. That is by way of opening comments from our perspective.

**Mr SEEARS:** From the perspective of Livestock Health and Pest Authorities, our core issue with travelling stock reserves is with regard to the management of travelling stock. That is what they were intended for and that is our key function; to ensure that stock can move throughout the State on these key routes especially, as it is required. That is how we have managed them in the past, especially west of the Great Divide where most of the usage is. In the information I have given you it gives an indication of what stock usage there is of them. It is very dependent on seasons.

The worse the season generally, the more usage there is, which coincidentally, the way that works also assists with regard to the management for biodiversity and conservation values, because they do have these times when they are grazed heavily and then there are periods when there is significantly less use and that is usually in better seasons, which allows a lot of the native stuff to grow, set seed and continue. That is basically how we manage them and why we manage them. One of the problems we have is the overall cost of this management versus the income we derive, which is not necessarily balancing. It costs more in a lot of cases than the cost of management, purely because of the network they are in and the fact that it is long, linear reserves in cases and spread across large areas that we have significant costs in time and travel to actually manage them.

**Mr GREG PIPER:** I am not the travelling stock person. I know Mr George is. I come from a little coastal village, Lake Macquarie, and we do not have any. I recognise that it has been extremely important for those triple bottom-line usages you have been talking about, particularly for their initial purpose of the provision of a stock route. In terms of the management plans that you have responsibility for now, have you got specific management plans or are you using a generic management type plan approach for these? Because I imagine many of them would be able to be covered by a generic-type plan?

**Mr SEEARS:** Management plans were formerly for each of the old rural protection boards, so we had 47 different protection plans across the State. They were of the same basic format but how people managed them was determined by each of the boards. So we had 47 versions of plans that in most regions were similar. So the coastal plans were all similar versus the slopes and plains, and then the Western division. In the Western division the only things we manage out there is stock watering points, which do vary in size from very small, from four hectares up to 600 hectares size, so they are a significant piece of land and they are different. At this point, since we have gone through the change, we are now down to 14. It would seem each authority is to have a plan for its TSRs but because of the time line that has not actually been done. We have certainly started to look at how they are going to manage them and what needs to be included. I have put the things that have to be included according to the legislation but there will be 14 plans across the State. Part of it is to ensure we get better consistency between those 14 areas than what we used to have with those 47.

**Mr THOMAS GEORGE:** Will it be left to those 14 new pest authorities to be able to determine the future of their travelling stock reserves or who will have that decision?

**Mr SEEARS:** There is a process that we use currently where the former boards could, if they did not have a need for a reserve, go through a process where they put in an application to State management, or the State Council as it was then, which they then looked at and if it did not impact on anything and if they were not used to facilitate travelling stock it was then that we could approve them and they then went through a process to be handed back to the Department of Lands for management—that has been an ongoing process. What is being looked at now—it has not been agreed in any way yet as we are still early on in these new structures—these new authorities will be determining what their need is and there will be some guidelines that will determine how that is done.

So, as I have already indicated, from our perspective the key thing is the movement of stock. If they are to be used to facilitate the movement of stock we would envisage they will be retained for that use by the authority. If they have no or very little movement of stock in areas, the likelihood is they will be able to put it up and it will be very similar process where the authority will make a recommendation to the State Management Council. It will look at it and make sure what they are proposing will not have an impact on movements from adjoining authorities and what have you, and if they make that criteria they will then be looking at going through the same process of going back across to the Department of Lands for management.

**Mr THOMAS GEORGE:** What is the plan of the Department of Lands? If you ended up with most of the travelling stock reserves, what would be your program with them?

**Mr HARTE:** As you identified with the plan of management, the first thing we have to identify is the process. We just go back to the objects of our Act, which are essentially environmental protection, natural resource conservation, public use and enjoyment, multiple uses, resources sustained in perpetuity and tenured occupied lease and those sorts of triple bottom line balanced ways. That provides the background. But to work out how we are going to develop a plan of management we have picked on the Hunter as a pilot. That is the one I talked about before. We are studying that with a series of heads of consideration. We are finishing the report now. We have been looking at that for the past eight or nine months, looking at pretty well all the travelling stock reserves in the Hunter, or most of them anyway. I think there are about 198 parcels. So, by learning from what is out there, the values, and applying that to the principle of the Act, we will come up with a consistent plan of management approach into the future, which addresses those heads of consideration. I have more details on those heads if you would like to see them. I can pass them around.

**DEPUTY-CHAIR:** The Hunter review, was that mid-North Coast?

**Mr HARTE:** No. It was funded by the fund called Catchment Action in New South Wales, made available through Treasury, for the Hunter only. It was not the whole Hunter, it was basically most of the Hunter catchment up to Murrurundi. We are talking about the former Maitland board, which covered the lower end of the Hunter, and of the Hunter board, which covered the top end around Scone up to Murrurundi and that part of the world.

**DEPUTY-CHAIR:** How many kilometres would you be speaking about? You gave a broad overview, a snapshot. In that snapshot, how many kilometres or hectares?

**Mr HARTE:** It is probably not relevant to talk about kilometres because most of them are pretty small parcels, some from one or two hectares up to 50 or 60. So, in area, there is around 3,000 hectares we are using to study collectively to get an idea of the variances that existed, the things that are on the ground, but values of the environment, the environmental values. There are enormous degradation issues there too that we have to come to grips with, and there are some infrastructure considerations. We are trying to table all the information into a format to work out a logical approach for addressing in a consistent way plans of management for the future as they come back, even across the range.

**DEPUTY-CHAIR:** Was it chosen because they had a variety of usage—I come from Penrith and my stock route is the M4—but obviously there is passive recreation, the fishing and cycling, and also what interests me is the apiaring. Were there reserve use permits in any of these areas in the Hunter?

**Mr HARTE:** Permits are normally allocated on Crown land on TSRs through either the authority of the boards or through State Forests—very rarely through our department but, yes, there are. I cannot quantify how many apiaries might be involved in those areas but that is certainly an industry. In terms of values, I have a display here so you might get a bit of an eye for the sorts of values in terms of vegetation and grazing values. They are just photos but they might tell a thousand words. There are community use and heritage issues, with halls and that sort of thing. There are access and infrastructure issues. There are riparian lands that are all for value too for access and environmental purposes and there are some problems, which is the last line. There is some evidence of erosion of dumping which we must come to grips with in our approach.

**Mr THOMAS GEORGE:** Different parts of parcels of land have passed over my desk since I have been the member for Lismore, going from one department to another but eventually got caught up in the native title legislation and, under that, they ended up getting title to those little parcels of land. Is any of this land going to get caught up in that native title legislation?

**Mr HARTE:** Probably the biggest issue is the Aboriginal Land Rights Act in New South Wales and under land claims. Again, our assessment of this pilot would indicate that half the area I mentioned before is under claim at the present time. Any claim at the present time will have to go through. We administer that in accordance with the laws and we will have to address those as they come online but ultimately some could be granted on the basis of regulations or at least the legislation, yes.

**Mr THOMAS GEORGE:** I just have concerns that the local pest authorities should have a fair say. I am concerned if they are not given a fair say in what should happen, because there are varying degrees of the value of the land, not dollar-wise but what it is worth to a local community. With local pest authorities having management of them—particularly in coastal areas I am talking about, I am not talking about the Western lands area—they are being managed but some of the other Department of Lands properties which do not have a manager on the ground are not being managed. I just wonder what might happen to some of these blocks when they are transferred from A to B? A has a management plan in place but B does not have people in that area managing. I wonder what the outcome will be.

**Mr HARTE:** It is a fair query and it has been raised by stakeholders out there already. We need firstly to have a plan and a blueprint of what we are going to do and what we need to do to manage them. We have limited specialist staff on the ground in Lands who have been recruited over the past five or six years in response to our land management reforms in other areas, the perpetual lease conversion program and what have you. So we have a skeleton staff of expertise that are land management savvy. We probably do not have the numbers at this time in operational staff, the people who build the fences and who spray the weeds, and we need to look hard at how we are going to support the continuation of that good work on the reserves that come back. First we have to have the plan, to identify exactly what the actions are to manage and then we have to marshal our resources. We have a bit more flexibility in the authority than perhaps the former management regime did and we have public reserve management funds that are funded by other commercial activities on Crown land—caravan parks and what have you. We are looking seriously at how we can utilise those sorts of funds on some of these high-priority areas.

There is also the continuation of existing funding sources for noxious weed control that we manage. It is very limited. There is a noxious weeds advisory committee fund that comes through the Department of Primary Industries that has gone on to the rural lands protection board or the travelling stock reserve network in the past. We have to look at the pro rata proportion of getting that on to the ground. So, there are a number of things we are looking at. The other good thing that has happened in the past while is the synergy that has happened between the Catchment Management Authorities and, not so much us because they have not been under our management but certainly under the former boards, and the ability of the Catchment Management Authorities to identify areas that need treatment and management and put their funds on to these in some sort of incentive agreement. That is working fine too and we mean to continue that relationship.

**Mr THOMAS GEORGE:** Could I just sound another warning I have concerns about? I just witnessed, and most members have, what has been happening with the roads permits and the delay in getting responses whether the transfer of that can take place, and it is blowing out to two and three years. I know how hard your department is working, especially at Grafton. You are right about having on-the-ground people, no-one has enough to cope with this. I wonder whether the volume we have here from a management situation, adding more to your department, I express my concerns about that. A perfect example is where there have been blocks that were transferred from one department to the Lands Council, that those blocks have not been managed and have created problems in areas where that has happened. That is not being critical of the transfer but again I am labouring the point that we have a management system in place that is looking after them and if we are going to transfer them to other organisations, I sound a warning that I am concerned about the management unless there are a lot of added resources that could cope with the management of them.

**Mr HARTE:** I understand.

**Mr GREG PIPER:** If I may follow-up in a similar vein. I am reading from the media release from the Department of Lands on this issue. It says there are no plans to sell TSRs that contribute to environmental values as well as social, cultural and economic needs of the community. I assume that means any or all of those elements?

**Mr HARTE:** Any or all.

**Mr GREG PIPER:** Not environmental values plus one of the others?

**Mr HARTE:** That is right.

**Mr GREG PIPER:** That still indicates to me, and I note once again the information photos you have provided to the Committee, that there are a number of areas with management problems in the travelling stock reserves and therefore I imagine at least some are possible to be seen as having an economic value for sale and the Department of Lands in the triple bottom line consideration has been trying to increase the commerciality of its holdings for some years. Coming back to transfers over organisations and talking about the Aboriginal land claims or the legislation in New South Wales, I understand if Crown land is available for sale, generally speaking it would be deemed as surplus? I know you are not the determining authority in that but would not that be a clear trigger for these to be found to be required for transfer under the Act?

**Mr HARTE:** It could be seen as a trigger. I suppose it shines a light on areas that are surplus, but in terms of developing a plan of management and a blueprint for future use, we are doing our homework, if you like. We are dotting the i's and crossing the t's in checking that land parcel against the objects of the Act. If something is surplus to the Crown lands, in the past that has been sold. That is a fair comment and we just had to go through the process and the law, the Aboriginal Land Rights Act and our own legislation, to come to that end point.

**Mr GREG PIPER:** Obviously the process is being worked on collaboratively?

**Mr HARTE:** Yes.

**Mr GREG PIPER:** What is the feeling within rural landholders, more specifically those who make use of it or might wish to make use of travelling stock reserves in the future? Is there any anxiety or hostility towards it?

**Mr SEEARS:** There certainly is, especially in areas where they have significant use. As I said in my opening remarks, we expect they will remain under our management. Where it has been demonstrated they have had previous usage in the movement of stock, that is likely in the future, and that is one thing the authorities will look at, to see how much used they have had and what the ongoing use is likely to be. In some areas usage is very dependent on the season. The north-west is an example. In the past 12 months its usage has dropped right off. That is one of the problems we have with regard to management and funding the management of them, we never know how much income we are going to have from them.

We also have the scenario in other areas where a significant number of landholders resent the fact we are managing because of the cost it places on land. One of the problems we have is our ongoing management costs are relatively high and the income in a lot of these cases where there are no longer travelling stock is low. That has been assisted through agreement with Catchment Management Authorities and other funding applications to assist with ongoing management and their conservation value because any that we do retain, those values have to be considered in how we manage them. So, it does not mean we can push them harder or find grazing to raise more because that is then going to impact on the other values they have. So, it is a balancing act we have in maintaining reserves that are retained by our organisation.

**Mr HARTE:** As part of the Hunter pilot, we convened a stakeholder reference group which consisted of local government, former directors of boards, Aboriginal representation, bird watchers, the National Parks Association, the agencies and the CMA, and local landholders—their viewpoint on traditional grazing uses came through fairly strongly, so even if they came back to us, we will be looking, as part of that triple bottom-line assessment, the viability of sustaining a grazing industry where it is appropriate to do so. We are not about disenfranchising those people who have access to those lands for those periods.

The other thing is that some of these TSRs, some of the reserves, perform a fairly important basis for mitigating the impacts of drought, fire and flood as holding areas, so we have to be mindful of those social and economic needs as well. The other thing that the Minister has maintained—perhaps it is in that media release, I cannot quite remember—is that the maintenance of the travelling stock reserve reservation will prevail, so the reserve for travelling stock now, even the ones that come back to us, will still have that generic reservation on the Crown land that comes back to us, but we will also be looking at other reservations on top of that for multipurpose-type use, whatever is considered most appropriate for the parcel.

**DEPUTY-CHAIR:** With this map, obviously the closer to the coast, those dots could be routes not just hectares, is that right?

**Mr HARTE:** Each dot is a separate parcel. The size of the dot belies the size of it in actuality.

**DEPUTY-CHAIR:** It is not collapsed.

**Mr THOMAS GEORGE:** Could I give you an example?

**DEPUTY-CHAIR:** Yes.

**Mr THOMAS GEORGE:** Is Casino listed there?

**Mr HARTE:** Yes.

**Mr THOMAS GEORGE:** Casino is right up to the north near Lismore, Byron Bay.

**DEPUTY-CHAIR:** Got it.

**Mr THOMAS GEORGE:** See all those little dots?

**DEPUTY-CHAIR:** Yes.

**Mr THOMAS GEORGE:** Three of those reserves are right within the speed limits of the town where there was a cattle dip and the cattle used to come from Lismore across to Casino. No-one would probably use them today, however the people they are transferred to have to make sure that the management of that continues, otherwise it is an eyesore when you drive into the town.

**DEPUTY-CHAIR:** Obviously you have a study into the Hunter area. Does it extend out to Cessnock and north Rothbury? Were any TSRs within the Sweetwater development?

**Mr HARTE:** The Sweetwater development?

**Mr GREG PIPER:** The Branxton area, the controversial, fairly recent rezoning?

**Mr HARTE:** I am not sure. I cannot really answer the question. They are located just about everywhere.

**Mr GREG PIPER:** Looking at the map, it would be very light on in that particular area. It is not that far north-west of Maitland.

**DEPUTY-CHAIR:** Yes. Cessnock is not here but Maitland and Singleton are.

**Mr GREG PIPER:** It is fairly light with TSRs.

**DEPUTY-CHAIR:** There are a few mines there.

**Mr GREG PIPER:** All the stock fall in the mines. Mine subsidence; they are full of cattle.

**DEPUTY-CHAIR:** No, I think it is black coal. Obviously that was not part of the Hunter review at all?

**Mr HARTE:** It sounds like it is part of the Maitland board to me by the way you have described it. I dare say there might have been some small parcels of TSR. I mean it is everywhere. There is one actually in Lake Macquarie. I have a photo of it right along the bank of the lake. I do not know the historical origins of that; perhaps loading stock into ships in the old days.

**Mr GREG PIPER:** I have to buy a cow, don't I?

**Mr HARTE:** I will show you the photo; it is really interesting, but there are little parcels everywhere. Normally, what they did historically was have what they called a stock camp or a holding paddock around about

every seven miles along the public road system. Normally the drovers would move the mob in those days around about that distance in a day; that was a day's droving, having a little nibble on the way. Tim would know more about the origin of it than I, but that is as I understand it.

**Mr THOMAS GEORGE:** And that is where the watering holes are, too?

**Mr HARTE:** It had to coincide with water, but out west of course it is a different thing. The networks tend to be a bit more connected and they do not always follow roads either, but over in the east they tend to use the road reserve as part of the route, if that makes sense.

**DEPUTY-CHAIR:** Thank you very much for coming along and outlining that part of land management that pertains to the Land and Property Management Authority and the Livestock Health and Pest Authorities.

**Mr GREG PIPER:** It will be interesting to see how it progresses.

**(The witnesses withdrew)**

**ROBERT JAMES CONROY**, Executive Director, Park Management, Department of Environment, Climate Change and Water, 59-61 Goulburn Street, Sydney, and

**SIMON ARTHUR YARWOOD SMITH**, Deputy Director General, Department of Environment, Climate Change and Water, 59-61 Goulburn Street, Sydney, affirmed and examined:

**DEPUTY-CHAIR:** I welcome representatives from the Department of Environment, Climate Change and Water. Thank you for appearing today to provide evidence in response to the Committee's invitation. At its hearing on 4 May the Committee heard from representatives of your department. We have asked you here today to follow up some of the matters that have arisen from subsequent evidence. If you are not able to cover all of the questions that members have today, would you agree to provide answers to questions on notice?

**Mr CONROY:** Certainly.

**DEPUTY-CHAIR:** I am advised that you have been issued with a copy of the Committee's terms of reference and also a copy of the Legislative Assembly's Standing Orders 291, 292 and 293 that relate to the examination of witnesses, is that correct?

**Mr CONROY:** Yes.

**Mr SMITH:** Yes, it is.

**DEPUTY-CHAIR:** I draw your attention to the fact that your evidence is given under parliamentary privilege and that you are generally protected from legal or administrative action that might otherwise result in relation to the information you provide. I should also point out that any deliberate misleading of the Committee can constitute contempt of Parliament and is an offence under the Parliamentary Evidence Act 1901. Would one or both of you like to make a brief opening statement before we proceed to questions?

**Mr SMITH:** No, as this is the second time for the Department, we are happy to get straight to the questions.

**DEPUTY-CHAIR:** Would you like us to ask questions with respect to parks and wildlife and then climate change or go backwards and forwards?

**Mr SMITH:** If you just ask the questions, Bob and I will know who is best to answer.

**Mr THOMAS GEORGE:** On the expansion of the reserve system, which is probably a question more to you, Bob, can you provide the Committee with an overview of the New South Wales National Parks Establishment Plan?

**Mr CONROY:** Yes, I can.

**Mr THOMAS GEORGE:** And maybe expand on the priorities and acquisitions.

**Mr CONROY:** The acquisition plan is a document titled "The National Parks Establishment Plan", which was formally adopted by Government in 2008. It is available on the website if you would like to look at it there. Basically, it defines our acquisition priorities over a 10-year period consistent with the national reserve system strategy. Basically, it highlights which areas of New South Wales are priorities for acquisition. It identifies what the objectives of that acquisition program are. For example, one of the main objectives is to achieve a comprehensive, adequate and representative reserve system in New South Wales so that we are consistent with the national reserve strategy.

What that means in terms of comprehensiveness is to sample at least 80 per cent of the extant ecosystems within each of the 18 bioregions within New South Wales. There are approximately 140 ecosystems that are identified within New South Wales. We use what are called the Mitchell landscapes as a surrogate for ecosystems. There are 18 bioregions in New South Wales and that comprehensiveness target is all about ensuring that within each of those 18 bioregions, all of the extant ecosystems that exist within each of the bioregions are sampled within the reserve system. That is the first target.



The second target is about representativeness. What that means is that within each of the 18 bioregions there are also subregions—that is, each of the 18 bioregions are broken down. An example would be the Sydney Basin bioregion and the Cumberland Plains area is a subregion within the Sydney Basin bioregion. The representativeness target is about ensuring that within each of the subregions, for example the Cumberland Plains subregion, each of the extant ecosystems is sampled within the reserve system. So that is the representativeness target.

Then there is an adequacy target. We make reference in the reserve establishment plan to the national reserve system targets. They use the JANIS targets. It is a forest target that says that 15 per cent of the extant forest ecosystems that existed pre-European settlement of Australia should be sampled within the reserve system. Now that is for forest ecosystems. We tend to use that as a bit of a surrogate for all the different vegetation classifications in New South Wales. It is a target that says 15 per cent is a bit of a rough target to aim for in terms of adequacy of the reserve system. In New South Wales at the moment we have about 8.4 per cent of the State set aside as protected areas. If we apply the JANIS target, then we would be looking at a 15 per cent target for the broad vegetation types across New South Wales.

For some ecosystems, such as endangered ecological communities or for vulnerable communities, then the target is a bit higher. In fact it is a lot higher. For endangered communities it is 100 per cent and it is about 60 per cent for vulnerable communities. The plan says that they are the sort of broad objectives that we are aiming for over a 50-year period, but the plan itself sets some priorities and targets for the next 10 years. They relate to ensuring that the endangered ecological communities that we have are properly sampled, that we meet these targets that I referred to before as best we can or at least we move in that right direction, and that we look at some of the communities within New South Wales that we believe are high priority. I am referring there to aquatic ecosystems in particular. You will find in this action plan that aquatic ecosystems are identified as a priority.

**Mr THOMAS GEORGE:** The Livestock Health and Pest Authority and the Land and Property Management Authority talked about reserves. Are the travelling stock reserves [TSRs] one of your priorities? It was indicated today that they will probably go to the Department of Lands. If so, does that cause you concern? Also, do land council claims affect you at all?

**Mr CONROY:** We are certainly interested in travelling stock reserves that are either within or directly adjoining—I am talking in the order of 100 metres or a couple of hundred metres of our park boundaries. So, where the travelling stock reserve either directly adjoins or is within or within the vicinity of our parks and reserves, if those TSRs have high biodiversity values we are certainly interested in seeing those reserves added to the reserve system. While they exist as different tenure, they exist as a potential threat to the reserve system. It would seem to make sense from a whole-of-government perspective that they are captured within the reserve system, if they either sit within or directly adjoin, providing that they still have high biodiversity conservation values.

**Mr THOMAS GEORGE:** Does that mean all lands within that boundary, regardless of who owns it?

**Mr CONROY:** Yes. One of our strategies is to acquire lands that exist as inholdings voluntarily from landholders where that land exists as an inholding in the park and where the vegetation is still intact. If it has been cleared and it is currently being grazed or used as an orchard, then we have no interest. But if it is still extant vegetation and it exists as an inholding within a park boundary, then we have an interest in acquiring that in terms of rationalising the boundaries for the park, yes.

**Mr THOMAS GEORGE:** What about the land council claims?

**Mr CONROY:** No.

**Mr THOMAS GEORGE:** It was indicated that half the active claims may—

**Mr GREG PIPER:** The response was broad, but a significant number of TSRs were actively under claim under Aboriginal Land rights or State legislation.

**Mr CONROY:** There are 50 TSRs that exist in which we have an interest, that is, they are either within the boundaries of a park or they are directly adjoining a park and are currently the subject of land claims.

We will let that land claim process be resolved before we then make recommendations about adding it to the park.

**Mr GREG PIPER:** At the last public hearing the Committee received a submission about support for conservation hunting—it is obviously very topical and controversial—as a way to manage invasive, exotic or feral animals. What is the Department's view about that at this stage and the push to get conservation hunting into our reserves and parks system?

**Mr CONROY:** Government's position is that it has currently reached the right balance between recreational hunting within public lands within New South Wales. Currently there are 450 state forests—that is about two million hectares—that is currently available for recreational hunting in New South Wales. Extending that to the national park system, the Department does not support that and, as I understand it, the Government does not support that position either. As I said, Government feels it has reached the right balance at the moment in having those 450 state forests available for hunting without extending recreational hunting to national parks. We would have concerns from a department point of view about the safety of our park visitors, particularly in those parks that obviously have high visitor use at the moment. We would also have concerns about the use of hunting dogs within our park system and the possibility of those dogs escaping from their owners.

We would also have problems with the potential for national park areas to be seeded with game animals, that is, seeded with deer, as an example, or feral pigs or piglets in order to provide the capacity for hunters to use those areas. We would also have concerns about the proper disposal of carcasses as a general concern because if the carcasses are left on park, then it further encourages other vermin to remain on park, such as feral pigs, foxes and wild dogs, for example. There may well be a place for the use of licensed hunters in our pest management program, but not as recreational hunters.

**Mr GREG PIPER:** That is not unique. I think that has been done before with licensed professional shooters?

**Mr CONROY:** Yes. Each year we use the Livestock Health and Pest Authority rangers to assist us with programs on park. In fact for the deer control program in the Royal National Park we use the local Livestock Health and Pest Authority ranger to assist us with the control of deer by way of ground shooting within the park and we also use Livestock Health and Pest Authority rangers on the South Coast and far South Coast for various programs.

**Mr GREG PIPER:** However, that has not been controversial in conservation practices generally or in conflict with recreational use because of the management. More conflict relates to animal welfare and rights type issues, does it not?

**Mr CONROY:** They are all trained and there is a code for the humane destruction.

**Mr GREG PIPER:** I understand that. I am not challenging that. I am talking from our perspective in that your use of that type of eradication for conservation biodiversity has not been an issue?

**Mr CONROY:** No.

**Mr SMITH:** No.

**DEPUTY-CHAIR:** The Penrith electorate has numerous parks, including World Heritage listed national parks. At the Lithgow side of the Penrith electorate is the Gardens of Stone National Park. The Blue Mountains Conservation Society has thoughts on how the mining operation in the Gardens of Stone area is managed because it is adjacent to the World Heritage area. The society is aware that the views of pagoda outcrops have high conservation value, as well as the elevated alpine or tundra areas, what is it?

**Mr CONROY:** It is the upland swamps; the hanging swamps.

**DEPUTY-CHAIR:** That is right, the upland swamps. Is there any communication between your organisation and the Blue Mountains Conservation Society for the Gardens of Stone?

**Mr CONROY:** Yes, there has been. There has been a lot of correspondence exchanged between our Minister and the Department with the conservation society. The position we have put to them is that we are keen

to progress what is called the greater Gardens of Stone stage two proposal. We have a strategy to achieve that. Some of the lands that are proposed to be part of the stage two acquisition program have underground mineral interests.

**DEPUTY-CHAIR:** They are aware of those.

**Mr CONROY:** There is no reason why those mineral interests cannot exist—

**DEPUTY-CHAIR:** Co-exist?

**Mr CONROY:** Co-exist with the conservation values above the ground. We are working with the Department of Primary Industries to develop a draft management plan that covers all the issues that we jointly have with gazetting that land as a state conservation area, and I am talking about the Mount Airley part of the stage two additions. Once we have that plan of management jointly agreed we can then move to look at Cullen Bullen State Forest and the Newnes State Forest because they also form part of the stage two proposal. Under the same sort of arrangement with the joint plan of management, we will then have those added to the Gardens of Stone National Park. We have put that position to the conservation society.

**DEPUTY-CHAIR:** There is ongoing dialogue?

**Mr CONROY:** Yes there is.

**Mr THOMAS GEORGE:** With the purchase of Toorale Station and Booligool Station, was that purchase more of a priority because of the ecosystems or because of the benefit of the water rights?

**Mr CONROY:** That gives me an opportunity to carry on to explain the rest of your earlier question, which was the priorities, as identified in the establishment plan, are clearly in the central west and the far west and they are priorities because there is a great under-representation of the ecosystems that exist out there within the bioregion. So in order to achieve our comprehensiveness and representativeness targets we are clearly focusing on priorities in the central west and the far west and the Booligool property and the Toorale property are far west properties that clearly meet the strategies as identified and the priorities as identified in the establishment plan. To answer your question, I think it is a bit of both. I think the reason that the Commonwealth Government stepped forward to assist with the purchase of those properties was clearly to acquire the water rights associated with the Toorale property. There are not many, if any I think, water rights associated with the Booligool property.

**Mr THOMAS GEORGE:** No, it is more with Toorale.

**Mr CONROY:** But there are water rights that have been purchased separately within the Booligool catchment, which will contribute to maintaining the Booligool wetlands, which are really important from a conservation point of view.

**DEPUTY-CHAIR:** We heard from the Taronga Conservation Society about the project to reintroduce native rats into the Sydney foreshore as a means of displacing the pesky black rats. Given the number of national parks along the Sydney Harbour foreshore, has the Parks and Wildlife Group been involved with the Taronga Conservation Society?

**Mr CONROY:** We have. We have been doing joint fox control programs with the zoo as well as with approximately 14 councils in the northern Sydney area. There has been a major attack by councils and by the Department on foxes and this is a natural follow-on from that program. It has been very successful. I live on the northern beaches and I see everyday anecdotal evidence of what the impacts have been on controlling the foxes in that area. There has been a great flourish of native animals all over the place. But the next step then is to think about the possibility of reintroductions and we have been talking to both Taronga Zoo and the Sydney Harbour Federation Trust, which is another major neighbour of Sydney Harbour National Park on the north side of the harbour, about the reintroduction of native animals, including native rats, in both the Bradley's Head area and also the North Head area of the harbour.

**DEPUTY-CHAIR:** Obviously the fairy penguin colony would be a consideration for any reintroduction. I was at Taronga a few weeks ago to commend the students with the fairy penguin project that

they have in the schools there, and they had a few weekends of devastation within the colony. Is it foxes or local dogs?

**Mr CONROY:** We think it was both. We certainly saw a fox on a security camera that was using the area and we also used sand pads with free bait and then poison bait, and in the free-baited areas it was quite clear that a dog was also in the area. So we captured a fox on camera and we shot a fox with a shooter—that is another example of using a professional shooter to help with threatened species programs. But we also believe because of the sand pad disturbance, the nature of that disturbance, it was clearly a dog using the area. So there was a letterbox drop to all the people in that area giving advice about keeping their dogs under control.

**DEPUTY-CHAIR:** The only remaining colony of fairy penguins on the mainland is in Manly. Taronga Park Zoo and also the local schools along the peninsula have a program every year where they involve the high schools and primary schools in conservation projects and make them aware of where they are, how they are and how to protect them for future generations. It is an excellent project. It is good to see that the Department of Environment, Climate Change and Water is helping out, because it is devastating. There are only 60 pairs?

**Mr CONROY:** Seventy.

**DEPUTY-CHAIR:** Seventy pairs left.

**Mr CONROY:** At Manly.

**DEPUTY-CHAIR:** That is why it is important to find out what will help. Have there been any in the last few weeks?

**Mr CONROY:** No. Because it was at night the fox carcass was never found; we are still looking for the carcass. We know it was shot.

**Mr GREG PIPER:** So it was humanely shot and dragged itself away?

**Mr CONROY:** We are not sure what happened to the fox but there have been no further deaths. Probably in the last six weeks there have been no further deaths.

**DEPUTY-CHAIR:** Good, because in between the time I was there and the weekend before it was quite devastating for the students who are studying the colony. Now I will go to climate change. The Climate Change Action Plan, what is the update for that—timing-wise?

**Mr SMITH:** In the previous session were you given advice about the consultation process and the draft?

**DEPUTY-CHAIR:** Yes.

**Mr SMITH:** It is still with the Department. We have been working through the submissions and the comments and the input. There are quite a few significant external things happening in Canberra that affect what is the appropriate role for the State in relation to climate change, including everything has been planned on the basis of there being a Federal system to cap and reduce greenhouse gas emissions from all Australian States, and also a key factor is the passage of the renewable energy target legislation. Some of those things not being finalised makes a difference in terms of finalising the plan because the first greenhouse plan, to be honest, was appropriate for the time but it was mainly a project list of activities that were to be funded and undertaken. And we have done those things. We have invested that money and we have done those projects.

But the new plan needs to address the much more confidence we have got about the science. So that is why we went out and presented at sites across the regions of New South Wales. It also reflects that things have moved on with the Commonwealth taking leadership on those big-picture issues that can only be tackled by global coordinated action. We have to move on now. It is really the role of the State to be able to help break down the risks and opportunities into parcels that are appropriate to be dealt with by different people and different organisations within the State.

The idea with the plan is really about defining our new role, doing our share in reducing emissions, and also it is about understanding and making preparations for changes in climate that we cannot avoid. Even if all goes well internationally, there still will be significant, important and difficult changes ahead for us, and also understanding the economic opportunities that come from the policies that the Commonwealth and other nations put in place that set carbon prices or otherwise restrain carbon-intensive activity. So the plan is framed around those three things. It is still with the Department and the Minister is ringing me up quite often and saying, "Where is it?" We are working really hard on it, getting it ready for her.

So the plan is certainly to have it all done and dusted by the end of the year. It is being worked on with all the other agencies as well. Part of the benefit of these processes in writing a plan is that people get put down for committed actions they are going to implement and that takes some time to have people think through what climate change means across the different arms of different agencies within the Government. So we are working through all that as well.

**DEPUTY-CHAIR:** But a document also, as is the State Plan, which was bedded down and we are reviewing it now, obviously there should be inbuilt indicators for review for, say, three years down the track. Obviously what will happen Federally to our plan we need to make sure it correlates, but also there needs to be that review. I know that when the consultation meetings were rolled out there were two here in the city—one in Parramatta and the other in the Blue Mountains—so you are dealing with a huge swag of population. Can you remember the square size?

**Mr SMITH:** This is the grid pattern for the climate change modelling?

**DEPUTY-CHAIR:** Yes. How many kilometres was it, can you remember?

**Mr SMITH:** I think the global models were 300 and they were broken down into smaller units.

**DEPUTY-CHAIR:** I know it is an issue of resourcing but when you have got an area of a major population base and you have two in the inner city, it is a whole swag of Sydney.

**Mr SMITH:** There are two questions: one is about what is the appropriate level of precision to present modelling information so that it is not pointless. It is like a photograph, if you break it down so you see individual pixels it is not providing an accurate picture. Models are averages and they are divided into cells for calculation purposes. So it would be wrong to present information at a more local level than to communicate accurately what you expect to happen. But where we went is a step more precision than we have been before, based on the work we did with UNSW.

I think probably in terms of the people's involvement in the plan, Government's intention is to release a draft plan and to have further opportunity for people to input in that. It is an immensely complex issue because there is no-one in the whole State who is not going to be or is not already touched by either a change in climate or the effects of policies put in place in State, national and international levels that are going to affect us all, and that can be as small as changes in electricity prices that affects everyone in their home or their business or, in time, as large as whole agricultural systems and communities that depend on them being profoundly affected by reduced water availability or coastal or low-lying areas being affected by flood and sea level rise or more intense storms or loss of snow on the alps—all of those things.

They are profound things and they are very challenging. Even though they are not happening tomorrow they are happening and it is a big deal to incorporate that knowledge into all of the different activities that we have got across the whole community. It is not nearly as simple as dealing with our normal pollution issue, which is geographically confined and the sources are known and things can be done to reduce those sources of emissions that do not fundamentally alter the basis of the economy. Climate change is so difficult because it is so systemic. It is hard work preparing the plan.

**DEPUTY-CHAIR:** However, with the consultation, I sat at the meeting in the upper mountains thinking what about the person on the estuary in Hawkesbury because that was where the person for the estuary was supposed to give their feedback.

**Mr SMITH:** That is right. The plan cannot be everything to everyone. What it has to set in place are activities by all of the parts of the Government that are meaningful to everyone wherever they are.

**Mr GREG PIPER:** Mr Smith, is a biodiversity strategy still being developed?

**Mr SMITH:** That is correct, yes. There was this discussion paper that I think you have seen before. We have been out and talked to people about that and we have got some feedback from people about what they would like to see in a strategy. I guess the strongest theme of feedback was we need to roll up sleeves and get quite specific about priorities in different regions in relation to different species and ecosystems and so forth, so that is what we are working on at the moment.

**Mr GREG PIPER:** Have we got an indicative time frame you are working to? Also, as you move on from it, I know you have been talking about climate change but what are the implications on biodiversity that have been identified as part of this process so far and the strategies that might be being drafted into it?

**Mr SMITH:** The target date for the release of the draft strategy is December this year. That will be a draft strategy, so we can work through that with people. Climate change is listed as a threatening process. It is considered in all of the recovery plans and in our biodiversity investment activities, but the science on it is only progressing. There are certain outlying things that give you basic priorities to incorporate within a biodiversity strategy. We are fairly confident about the rate of sea level rise being at least the amounts that are in the Government's draft sea level rise policy—400 millimetres by 2050 or 900 by 2100.

People who are thinking about biodiversity in coastal areas can factor that in. Let us say, for example, that your ecosystems are up and they have hard boundaries at their rear where the land is rising quickly or whatever. You can say, "That will mean big changes as salt marsh areas or mangrove areas will be affected." When you talk about things like rainfall being reduced significantly, perhaps outside the historical average or the historical experience, which is what is forecast for the south-west of the State, rainfall is already intensely variable over long periods. If you have a track at this level over decades and you want it a bit lower, you cannot immediately say, "That means we have to do something."

**Mr GREG PIPER:** You need a period of hindsight?

**Mr SMITH:** Yes. Those kinds of changes have long lag effects. Think about Macquarie Marshes. The extent and condition of the marshes today reflects decisions that were made when the dam was built and irrigation was established as an alternative water use in that valley decades ago. But because water and rainfall are so variable over such long periods you only see the changes after decades. It is not that simple to change what you do about biodiversity below the level of general principles at this point, based on the science that we have. I refer, for example, to the reserve strategy or to the Catchment Action Plans put in place by the Catchment Management Authorities. They decide how to invest the funds that have come from the State and the Commonwealth.

They incorporate principles such as connectivity because we know that that is a sensible approach to allow for the passage of species to different settings where they may be more viable. In most cases we do not know enough to get down and to change exactly what we think we ought to do. Should we favour a different species over others that we thought were more likely be able to be assisted? That is a level of precision that we have not yet reached.

**DEPUTY-CHAIR:** Who is doing the monitoring?

**Mr SMITH:** That is going very well. We have set up a new science network about climate change to bring the universities in New South Wales together with the Government, scientists and researchers, for example, from the Gardens, the Museum, or the Department itself. That group is developing a research plan about the research priorities that relate to climate change across all issues for New South Wales. It will develop a strategy to seek funding from the various sources that might be available to help us progress that strategy. It has been quite a renaissance in collaboration with the different science-based organisations in the State, which is encouraging. Lisa, our Chief Executive Officer, has been instrumental in bringing people together with Mary O'Kane, the Chief Scientist, to show people that they are not out there on their own. We will cooperate and we will do far more.

**DEPUTY-CHAIR:** Referring to research, your submission notes that you need to research target populations. Is that human populations or species populations?

**Mr SMITH:** No.

**DEPUTY-CHAIR:** How are you going about that? Have you identified any populations to be monitored, or is it early days yet?

**Mr SMITH:** It is early days. As you know, under the Threatened Species Conservation Act there is a system whereby an independent Scientific Committee considers the threat status of individual species in ecological communities. People can nominate to it and say, "Here is my evidence that such and such a species is under threat of extinction." The committee evaluates that and all other available evidence and comes to a decision as to whether it is indeed under threat and, if so, whether it is vulnerable, endangered or critically endangered. There are now more than 1,000 entities on that list. When I refer to "entities" I mean individual species such as a bird or a plant as well as an ecological community, for example, Cumberland Plain woodland.

The framework of that legislation previously required that we prepare a recovery plan for everything that goes onto that list. That would have taken all of Bob's park rangers, everyone else in the Department and probably also half of several other departments. The Government introduced amendments and we now prepare a priority action statement. We look to available resources and decide on the most effective things we can do to make a difference. Under the State Plan there are 13 natural resource management targets—for example, the increase, extent and condition of native vegetation. There are others about improving the viability of populations of threatened species or ecological communities.

Monitoring species and communities is beyond the resources of any government to understand in full what is happening with all those entities. It simply never will happen unless some kind of remote sensing technology of which we are not yet aware becomes available. The work we are doing now is an attempt at saying, "How can we best track all this working with ecosystems?" Most of those species are a component of an ecosystem. We can now track those—or we are much closer to being able to track them—using satellite imagery and periodic field surveys. We are now focusing our work far more on that. After that there will be some species where it does not work that way because they are wholly mobile and they will rely on one ecosystem for food today and they will go and breed in another ecosystem tomorrow. We have separate programs for those entities.

**Mr THOMAS GEORGE:** The Committee heard evidence about the lack of interagency cooperation. Earlier you said that you were working with other agencies.

**Mr SMITH:** Yes.

**Mr THOMAS GEORGE:** From your department's perspective is there a lot more interagency cooperation?

**Mr SMITH:** Yes. I was thinking about this only yesterday. That is probably because half the agencies that did not work together are now in the one agency, which is remarkable. Over a number of years our portfolio has been consolidating and gradually coming together. There used to be nine regional waste boards, national parks, the Environment Protection Authority and Resource NSW. All those bodies have come into the one department. Internally we are over the first stage of consolidation. We have been formally structured into logical organisations and teams to address the different problems and services that we have to provide.

We are now getting to the nitty-gritty stage of integrating. We had a group of people that always worked to administer the threatened species legislation, we had a group of people who were always in the world of natural resource management, and we had a group of people who managed the parks. We are now getting to the nitty gritty of ensuring that we fulfil our statutory requirements and we are also delivering our services in a rational and integrated way, which is good. In order to ensure that that does not occur only within our department, CEO committees have been established under the new super-agency framework.

There is one for the CEOs of climate change agencies. That is when CEOs and senior officials meet regularly to ensure that everything we are doing on climate change is coordinated and everyone knows what the other agency is doing. There is also one on natural resource management and environment. Other senior people who are focused on those issues come together to coordinate dealings with the Commonwealth, to ensure that programs line up, or to make decisions about the allocation of funding and so forth. That is all happening at the senior level in the sciences and each of those groups of senior officers is tasked with specific project management and coordination. It is coming together much better than it has ever done in my time as a public servant.

**Mr CONROY:** There are a couple of good examples. Referring to the impact of climate change and fire, the Rural Fire Service and our department have developed a close working relationship with the University of Wollongong and with the Bushfire Cooperative Research Centre to better understand the impacts of climate change on fire regimes and the frequency and intensity of fires. In the area of pests and weeds we are working closely with the Department of Primary Industries, with the Invasive Animal Cooperative Research Centre, and with Macquarie University. Australian Research Council linkage grants are underway and we are looking at the impacts of climate change on the distribution of significant weed species and significant pest animal species.

**DEPUTY-CHAIR:** That is excellent. I refer to an area that has been a theme throughout the day. We are looking at urban areas and at biodiversity. Do any programs in the Department relate to the conservation of biodiversity in urban areas?

**Mr SMITH:** For both of us I think.

**Mr CONROY:** There are a couple, you referred to the little penguins. We are working with the zoo and with Manly council and we are surveying the population of little penguins at North Head. We also have an active monitoring program for the long-nosed bandicoot on North Head, which is an endangered population. We are also doing some work with some of the councils in the area looking at urban wildlife issues such as ibis. We are working closely with Bankstown council on an ibis population that exists within the council area that is creating a lot of angst with community groups. Interestingly, brush turkeys are becoming a real urban issue. Five or 10 years ago they did not exist in the Sydney region.

**Mr THOMAS GEORGE:** Come to the country; we will look after you.

**Mr CONROY:** Five or 10 years ago they were not in Sydney. There has been a population explosion. We are working with some university students to better understand why that is happening. We are getting lots of complaints from people about brush turkeys ripping up their gardens, destroying vegetable crops, and that sort of thing.

**Mr THOMAS GEORGE:** They would only be intending to cull them for other purposes.

**Mr CONROY:** I am sure.

You are probably familiar with the Australian Defence Industries [ADI] site. A lot of good work is happening in collaboration with Delfin Lend Lease. There is a population of 2,500 kangaroos on the ADI site.

**DEPUTY-CHAIR:** And emus.

**Mr CONROY:** And emus. A lot of good work is happening with Delfin Lend Lease and a group called Cumberland Ecology to deal with that population through sterilisation and translocation. That is producing a lot of good results that we can use to help manage similar species. Kangaroos are a problem right across Australia. There are former defence sites or current defence sites where kangaroos have been enclosed and the population has been allowed to expand. It is a particular problem at the ADI site because of the nature of the vegetation—it is an endangered ecological community—and the kangaroo population is having an impact on it.

**Mr GREG PIPER:** I refer to the expansion of the interagency relationship that was mentioned earlier by Mr Thomas George. You said that it had improved a lot, in particular, because of amalgamations and things like that. This morning I asked representatives from the Department of Planning about a seeming disconnect between advice being received from the Department of Environment and Climate Change and the Department of Planning. I gave as an example north Cooranbong—an example of which you might be aware—which is located in my electorate. This is an issue where there had been an agreed conservation outcome for increasing biodiversity. I believe that the Commonwealth Government intervened because there was a threatened species, and that triggered another response. How do we work at a State level from your department through to the Federal Government?

**Mr SMITH:** I probably should talk to you about some work that is going on between us, the Department of Planning and the Commonwealth Department of Environment, Water, Heritage and the Arts. Those are the people in Canberra who administer the Commonwealth equivalent of our threatened species legislation, which is called the Environment Protection and Biodiversity Conservation Act. At Cooranbong our department, the Department of Planning and the proponent have been working together for a long period.



The roles of different departments are as follows. It is the job of the Department of Planning to assess the overall balance of the costs and benefits of that proposal across the dimensions of the environment—the social and economic outcomes. Under the framework of the Environmental Planning and Assessment Act its job is to weigh that all up and to see what represents an appropriate balance of outcomes; for example, to recognise the economic benefits of jobs to the proposal, to understand its environmental consequences, to try to reduce those consequences through the good design of a proposal, and to negotiate positive offsetting measures that might make good for some of the unavoidable losses.

Our job is to give advice on what those impacts are, what might be sufficient or what the benefits of tweaking the development would be and what suitable offsets might be that would ensure that overall the project stacked up from an environmental perspective. In the end it is for the planning people to decide what the outcome will be. Everyone knows that those things have to be negotiated with a developer, and I make no comment on the proponent in that particular case, but the basic framework is that if you are a private company the main pressure will always be to maximise the development yield that you would like to get from a particular project, and that almost always means a reduced environmental outcome. So there is always a process of argy-bargy about trying to minimise environmental harm and achieve gains, if possible. I think what happened was that an agreed outcome had been reached, but the proposal triggered the application of Commonwealth legislation and the Commonwealth had not been involved early enough in that process, so that triggered a largely duplicative reassessment of the process, which slowed the whole thing down and prevented the agreement that had been reached being implemented.

Those and other examples have been recognised as basically that we need to get our act together so that these things are considered jointly, so the chief executive officers of the three agencies met and developed a work program of both short-term and longer-term measures to bring those systems into alignment. Within the Department we now have a set of projects that are underway between the three organisations, so just as basic as having someone from the Commonwealth come and sit in New South Wales a couple of days a week to be aware of the projects that are coming up, including in our documentation when people are conceiving projects to make sure that they understand to look for themselves to see whether it may be that they trigger the Commonwealth legislation, because not everyone knows about it, or more complicated work to develop the bilateral assessment agreement that we have so that there is an ability to use a single assessment process to provide the information for the different decision makers in Planning or in the Commonwealth. All of that stuff is happening now.

**DEPUTY-CHAIR:** I have a question about definitions. The Committee is going to the Cooma and Bega regions and we would like you to explain the differences between a conservation agreement, a wildlife refuge agreement and a property registration that you would offer to a private property.

**Mr SMITH:** A wildlife refuge is an agreement between the Minister and the landowner of the day of a private property and it relates to an agreement whereby it becomes an offence to harm wildlife on that property. The agreement lasts for the duration of the ownership, so it does not bind the successor in title if that property is sold and it is not exceptionally restrictive on the kinds of land use that take place on the property. There is an awful lot of wildlife refuges and they cover very large areas of the State. They have been around a long time and they are a kind of an association between the National Parks and Wildlife Service and the property owner for the protection of wildlife thereon.

There is a different kind of agreement called a voluntary conservation agreement, which is an agreement also under the National Parks and Wildlife Act. It is a much more serious conservation commitment that a landholder would make. In that case there is a management plan drawn up for the portion of the property that is to be included in the agreement. It sets out what may not happen and what will be done in terms of management for conservation values on that land. That agreement is co-signed by the property owner of the day and the Minister, and it is registered on the title of the property. It binds all the successors in title. There are some benefits that go with the conservation agreement that include concessions on council rates and concessions on land tax where that might otherwise apply to the property owner.

There are other forms of agreement that are around. There are property vegetation plans, which are negotiated by Catchment Management Authorities. They also are perpetual. They are done for two reasons. One is where a Catchment Management Authority wants to give money to a landowner to perform conservation works and those agreements, where they involve large sums and commitment of action over long periods of time, can be attached. They are signed off by the Catchment Management Authority and the landowner and they

are registered on title, just to ensure that whatever benefits are derived by public funding are secured, or they could be an agreement by which a landholder is authorised to undertake clearing of native vegetation.

Under the Native Vegetation Act broad-scale land clearing is banned unless it maintains or improves environmental outcomes. Where clearing is approved it is invariably associated with requirements to upgrade conservation protection on other portions of the property, so you could say that the clearing and upgrade achieves a balance of maintained or improved environmental outcome, so the property vegetation plans will record those areas that are authorised for clearing and those areas that are to be set aside for conservation purposes in perpetuity.

They are the three main agreement types that are in place. There is one other type, which is new and there are none of them yet, and they are biobanking agreements. They are the absolute hardest-edged conservation agreements intended to allow for offsetting of the impacts of development, so they have even stricter controls and more serious consequences for non-performance for conservation management on private land. I know it sounds complicated because there is a whole range of these things, but I hope you can see that they are suited to different purposes.

**Mr THOMAS GEORGE:** You have mentioned that some people are given exemption from rates—did you say "exemption"?

**Mr SMITH:** No, concession.

**Mr THOMAS GEORGE:** Why is that same concession not given to landholders affected by flying fox problems? Individual property owners are expected to carry problems with flying foxes, which affect the whole neighbourhood, and National Parks cannot help to shift them. Properties have been depressed by the existence of a colony. Why aren't concessions or support or stewardship offered to ratepayers in that regard, or could it be considered?

**Mr SMITH:** They could be, because concessions are provided if people enter into agreements to perform conservation activity. I suspect what you are getting at is an orchardist, for example, who experiences a reduction in yield because of the flying foxes eating the fruit.

**Mr THOMAS GEORGE:** No, there is a neighbourhood at Murwillumbah, or Lismore, and for the last two years bats have been in the trees on and behind four or five properties there.

**Mr SMITH:** If they wanted to manage it as a conservation area, they could do so. I do not think they would, but—

**Mr THOMAS GEORGE:** Their lives have been affected by it yet no concessions are afforded. It is a major problem wherever you have colonies of bats in built-up areas.

**Mr CONROY:** I certainly understand that it is a problem. If the flying fox camp had been there for a long time then certainly the voluntary conservation agreement is an option where they would get exemption from the payment of rates, so if it is an important breeding camp for flying foxes they could do that. The trouble is that most flying fox camps are temporary, transitory—they are there one minute and not there the next—and if they go down the voluntary conservation agreement line then it is like a covenant over the property, so they tie themselves in, even though the population has moved on.

**Mr THOMAS GEORGE:** They have tied themselves in with the colony, without having the plan.

**Mr CONROY:** Yes, we understand that it is a significant problem for quite a few communities. Could I clarify some points I raised before in answer to one of Mr George's questions about the National Parks Establishment Plan? I may have given the impression that the target within the plan is for all ecosystems within a bioregion to be conserved. It is in fact 80 per cent of all extant ecosystems within a bioregion to be conserved by 2015 and 80 per cent of all extant ecosystems to be conserved within sub-bioregions by 2020.

**DEPUTY-CHAIR:** We are going to the Cooma and Bega regions and as part of our visit we are going to look at the Kosciusko to Coast program. We understand that funding expires in 2010. What is happening? Is there any information you can give us?

**Mr SMITH:** That is part of the Great Eastern Ranges overall funding initiative. It is funded by the New South Wales Environmental Trust and it is funded for a four-year program. No decision has been made on what happens to the program after that funding expires. That will be something that the Minister will review when we evaluate what has been achieved towards the end of the program and she will consider what happens after that.

**DEPUTY-CHAIR:** There are some questions on notice. May we forward those to you?

**Mr SMITH:** Yes.

**DEPUTY-CHAIR:** Thank you very much for coming this afternoon. Please pass on to your Director General that at Penrith there is a lovely State office building with a boardroom where the chief executive officers could meet, and it would be worthwhile for them to come to Penrith and set a full agenda for the day. The welcome mat is out.

**Mr SMITH:** Thank you, I will pass that on.

**(The witnesses withdrew)**

**(The Committee adjourned at 2.25 p.m.)**