

'26 June 2002'

(General Purpose Standing Committee No. 5)

Portfolio

'Land and Water Conservation'

QUESTIONS TAKEN ON NOTICE DURING HEARING

1. Ms Forsythe asked the Minister for Land and Water Conservation, The Hon John Aquilina, MP—

In relation to Aboriginal land claims and the surveying of the claims and searching through plans, how have your contracting costs this year compared with those of last year?

Answer:

No aspect of the investigation of Aboriginal Land Claims is contracted out by the Department. The after-approval action of surveying the boundaries of some granted Claims was once tendered out to private survey firms, however, this practise ceased in 1998.

2. Mr Colless asked the Minister for Land and Water Conservation, The Hon John Aquilina, MP—

How many staff are employed as soil conservationists in the Department at present?

Answer:

There are some 105 professionally trained Soil Conservationists in Department of Land and Water Conservation. Apart from Soil Conservation functions many of these officers are engaged in landscape management and natural resource functions.

3. Mr Malcolm Jones asked the Minister for Land and Water Conservation, The Hon John Aquilina, MP—

In relation to the public consultation on water plans, are the submissions available for scrutiny under the provisions of freedom of information legislation?

ANSWER:

The plans prepared to date have been publicly exhibited and copies may be obtained from the Department of Land and Water Conservation. There is no need to apply for any plan under the provisions of Freedom of Information legislation. Similarly, any submissions received by the Department in respect of these plans may also be inspected without the need to make an application under the provisions of the Freedom of Information legislation.

4. Mr Malcolm Jones asked the Minister for Land and Water Conservation, The Hon John Aquilina, MP—

In relation to the line item 'Water licences managed' (pages 11-15 of Budget Paper No.3, Volume 2)—

At the end of 2003, you are anticipating 150,000 managed licences. Where you talk about the three tiers of licences, could you provide more detailed information on how that is reported and what they are?

Answer:

The increase in the 2002-03 outputs is due to the inclusion of licences which were previously perpetual in nature and were not required to be renewed on a periodic basis.

Under the previous legislation, the Water Act 1912, water licences were held by a landholder and a right to access and use water was tied to the actual works such as the particular pump or bore. The Water Management Act provides for these licences to be separated into three separate components being an Access Licence, a Works Approval and a Water Use Approval. This clear separation will streamline the process for water trading, as it is the Access Licence which is the tradeable commodity. This effectively means that a water Access Licence will be able to be managed like any other business asset. Further detail on each of the components is as follows:

- ◆ *An Access Licence entitles the holder to specified shares in available water from a water management area or particular source and to extract it at specified times, rates or circumstances. It may be described as a maximum volume or a proportion of available water. It is tradeable within the water source and it is not necessary to be a landholder to hold such a licence.*
- ◆ *A Works Approval is a licence which gives a right to take water from a particular water source using particular water supply works, drainage works or flood works. It is not tradeable and remains attached to the land on which the work is located.*
- ◆ *A Water Use Approval is a licence which gives a right to its holder to use water for a particular purpose at a specified location such as for “irrigation” or “industrial” purposes. This approval remains tied to the land and is not tradeable.*

The new Act provides for longer term licences and the establishment of a public register of all water licences and approvals. The licence register is a key provision of the Water Management Act and will be operated and maintained by Land and Property Information NSW within the Department of Information, Technology and Management. The register will record information such as the identity of the licence holder, the identity of third party interests and the nature and priority of that interest. It will also record the licence conditions, particulars of share and extraction components, the water management area or water source the licence is linked to and any leasing or sub-leasing of licence components.

5. Mr Richard Jones asked the Minister for Land and Water Conservation, The Hon John Aquilina, MP—

How many remedial actions have been taken to enforce compliance with the Native Vegetation Act since you became Minister and what kind of action has been taken?

Answer:

Section 47 of the Native Vegetation Conservation Act 1997 provides for the Department of Land and Water Conservation to issue directions for remedial work. A Remedial Notice includes a schedule which details the actions necessary and the time frame in which the works must be completed. It usually involves a site meeting between Departmental officers and the landholder to discuss aspects of the required works.

Since commencement of the Act in 1998 the Department has issued a total of 21 Remedial Notices. From November 2001 to June 2002, 8 Remedial Notices were issued, representing 40% of all notices issued since commencement of the Act.

In addition, since becoming the Minister for Land and Water Conservation the Department has issued 50 warning letters, 5 Stop Work Orders, entered into 15 remediation agreements and commenced prosecution in respect of 4 breaches of the Act.

6. Mr Richard Jones asked the Minister for Land and Water Conservation, The Hon John Aquilina, MP—

In relation to the prevention of cold water pollution, what work will be done in the next 12 months?

Answer:

The Department of Land and Water Conservation is developing a strategy to address cold water pollution from large dams and will continue this work over the next twelve months. The Department and NSW Fisheries have successfully applied for a grant from the Environmental Trust Fund to support this work. The Trust has provided \$250,000 for a four-part project. It will allow for a prioritisation of dams contributing to cold water pollution, coordination of revised operating protocols for government dams,

exploration of possible engineering solutions for six large government dams and preliminary design and costing of a trial using a draft tube mixer.

7. Mr Richard Jones asked the Minister for Land and Water Conservation, The Hon John Aquilina, MP—

What is the Department doing to improve the Brunswick River and encourage land-holders to fence off cattle from the river and its tributaries?

Answer:

The Northern Rivers Catchment Blueprint identifies riparian management along streams as one of its key catchment management targets. It prioritises a number of projects in key sub-catchments in the Brunswick River including Lower Brunswick and Simpson Creek. Restricting access by livestock to the river through the erection of fencing will be encouraged as a component of rehabilitation works.

8. Mr Richard Jones asked the Minister for Land and Water Conservation, The Hon John Aquilina, MP—

What is the Department doing about controlling feral pigs on land it controls?

Answer:

The Department of Land and Water Conservation is actively involved in the control of feral pigs. The need for such control programs varies with the seasons. Most programs are implemented because of damage, increased sightings of pigs or attacks on livestock. Feral pigs control programs are usually coordinated by the Rural Lands Protection Boards.

9. Ms Forsythe and Mr Colless asked the Minister for Land and Water Conservation, the Hon John Aquilina, MLC—

- (1)
 - (a) Does your Ministerial Office receive media monitoring services?
 - (b) If so, what was the annual cost in 2001-02?
 - (c) If the media monitoring services are sourced from other cost centres, which budgets are they allocated to and what is the annual cost?
 - (d) How many different suppliers do you have contracts with, either directly, or indirectly through media monitoring services sourced from other cost centres?
 - (e) Please list all suppliers.
- (2)
 - (a) Does any agency in your portfolio receive media monitoring services?
 - (b) If so, what was the annual cost in 2001-02, by agency?
 - (c) If the media monitoring services are sourced from other cost centres, which budgets are they allocated to and what is the annual cost?
 - (d) How many different suppliers do agencies in your portfolio have contracts with, either directly, or indirectly through media monitoring services sourced from other cost centres?
 - (e) Please list all suppliers.
- (3)
 - (a) In 2001-02, how much was spent on your Ministerial Office? Please provide a breakdown by expense.
 - (b) What is the forecast amount to be spent in 2002-03 and what is the forecast number of staff?
- (4)
 - (a) What is the total cost of your overseas trips in 2001-02?

- (b) Can you please provide a list of each trip, purpose and cost?
- (c) For each trip, please provide a breakdown in airfare costs, hotel costs, car hire, and accompanying staff and officials.
- (5) (a) What is the estimate of money to be spent on your overseas trips in 2002-03?
- (b) Can you please provide a list of each trip, purpose and cost?
- (c) For each trip, please provide a breakdown in airfare costs, hotel costs, car hire, and accompanying staff and officials.
- (6) (a) What is the total cost of your interstate trips in 2001-02?
- (b) Please provide a list of each trip, purpose and cost and for each trip a breakdown in airfare costs, hotel costs, car hire, and accompanying staff and officials.
- (7) (a) What is the estimate of money to be spent on your interstate trips in 2002-03?
- (b) Can you provide a list of each trip, purpose and cost?
- (c) For each trip, can you provide a breakdown in airfare costs, hotel costs, car hire, and accompanying staff and officials?
- (8) (a) How many staff were employed as at 30 May 1999, 30 May 2000, 30 May 2001 in your Ministerial Office?
- (b) What was the annual salary cost of those staff in each of those years?
- (9) (a) Does your office contract consultants?
- (b) If so, what consultancies have been commissioned in 2001/2002, and at what cost?
- (c) What consultancy services will be commissioned from July 1 2002 - March 2003 and at what estimated cost?
- (10) (a) Were any legal costs incurred by your office in 2001-02.
- (b) If so, what was the cost and nature of each instance of legal advice?

Answer:

- (1) (a) *Yes.*
- (b) *All costs incurred were appropriate to the needs identified.*
- (c) *All expenditure is from the appropriate cost centres.*
- (d) *Please refer to answer for (c)*
- (e) *Please refer to answer for (c)*
- (2) (a) *Any decision to access media monitoring is determined by the agencies concerned and the need for monitoring of issues.*
- (b) *All costs were in accordance with identified needs.*
- (c) *All expenditure is from the appropriate cost centres.*
- (d) and (e) *The appropriate cost centres are utilised.*
- (3) (a) *The Government has released the costs of Ministerial expenditure to the Opposition under an FOI application.*

- (b) *It is too early in the financial year to predict expenditure. Staff numbers will approximate those released under the FOI application.*
- (4) (a) to (c) *Official travel is undertaken in accordance with appropriate guidelines.*
- Costs incurred during official overseas travel were in accordance with the appropriate guidelines.*
- (5) (a) to (c) *This will depend on the nature and scope of any travel undertaken in 2002-03.*
- Costs incurred during official overseas travel will be in accordance with the appropriate guidelines.*
- (6) (a) and (b) *Official travel was undertaken in accordance with appropriate guidelines and in a cost effective manner.*
- (7) (a) to (c) *It is too early to provide an estimate at this stage of the financial year. However, expenditure will depend on the nature and scope of any travel in 2002-03.*
- (8) (a) and (b) *Ministerial staff are employed by the Director General of the Premier's Department in accordance with the provisions of the Public Sector Management Act 1988.*
- All costs were in accordance with the expenditure necessary to facilitate the effective functioning of the office and within allocations to Ministerial Offices.*
- (9) (a) to (c) *Expenditure on consultancies is reported in Annual Reports. All expenditure is in accordance with the appropriate guidelines.*
- It is not possible to predict so early in the financial year the likely expenditure on consultants in 2002-03.*
- (10) (a) and (b) *All legal costs were incurred after an assessment of the need to obtain external legal assistance. Legal professional privilege will be maintained in relation to advice and costs.*

10. Ms Forsythe and Mr Colless asked the Minister for Land and Water Conservation, the Hon John Aquilina, MLC—

For each of your portfolio agencies in 2001-02:

- (1) (a) What was the total cost of public relations activities?
- (b) What is the forecast cost for 2002-03?
- (2) How much was spent on public opinion surveys?
- (3) (a) How much money was spent on advertising? *Please provide a list of each campaign and cost.*
- (b) What is the estimate of money to be spent on advertising in 2002-03? *Please provide a list of each campaign and cost.*
- (4) (a) How much was spent on consultants? *Please provide a list of each agency and cost.*
- (b) What is the estimate of money to be spent on consultants in 2002-03? *Please provide a list of each agency and cost.*

Answer:

- (1) (a) and (b) *Public authorities conduct a range of extension activities aimed at communicating to the public a range of regulatory, advisory, research and general information.*

The question posed is too broad to identify an actual cost.

- (2) *The Premier issued Memorandum 2000-28 which specifically directed government agencies not to use surveys of government clients or NSW citizens to elicit questions on political issues.*

- (3) (a) and (b) *Details of total government advertising were published in the Sydney Morning Herald newspaper on Monday 29 July 2002 in an article by Paola Totaro, State Political Editor.*

All requests relating to advertising must be approved by a Cabinet Sub-Committee on Government Advertising.

- (4) (a) and (b) *The cost of consultants is reflected in the annual report.*

Expenditure depends on the need for consultancy services throughout the year.

For each of your portfolio agencies in 2001-02:

- (5) (a) How much was spent on overseas trips in 2001-02 by officials? *Please provide a list of each trip, purpose and cost.*
- (b) What is the estimate of money to be spent on overseas trips in 2002-03 by officials? *Please provide a list of each trip, purpose and cost.*
- (6) (a) How much was spent on inter-state trips in 2001-02 by officials? *Please provide a list of each trip, purpose and cost?*
- (b) What is the estimate of money to be spent on interstate trips in 2002-03 by officials? *Please provide a list of each trip, purpose and cost?*

Answers:

- (5) (a) and (b) *Details regarding all official overseas travel is included in the annual report and is in accordance with the appropriate guidelines.*

- (6) (a) and (b) *Interstate travel by portfolio agencies was undertaken in accordance with appropriate guidelines.*

Expenditure depends on the particular issues requiring travel.

For each of your portfolio agencies in 2001-02:

- (7) How much was spent on legal expenses?
- (8) (a) How much was spent on office fitouts and refurbishments?
- (b) What is the estimated cost for 2002-03?
- (9) (a) How much was spent on the cost of leases in the Sydney CBD?
- (b) What is the estimated cost for 2002-03?
- (10) (a) Was there any vacant or under-utilised office space?
- (b) What is the cost of such unused office space?

Answers:

- (7) *Expenditure on legal expenses followed appropriate review of the circumstances, the need for such expenditure and within appropriate guidelines.*

In the case of core work for public sector agencies the Crown Solicitor meets these costs.

- (8) (a) and (b) *All office accommodation fit-outs and refurbishments were undertaken in accordance with OH&S requirements and appropriate guidelines.*

It is not possible to predict so early in the financial year the likely expenditure on accommodation and fit-outs in 2002-03.

- (9) (a) and (b) *The Government Asset Management Committee (GAMC) monitors the leasing of the majority of government office space. Costs are kept to a minimum by virtue of the whole of government approach taken to leasing.*

- (10) (a) and (b) *The Government Asset Management Committee (GAMC) oversees the leasing of the majority of government office space. It monitors lease negotiations to maximise occupancy and avoid vacancies.*

For each of your portfolio agencies in 2001-02:

- (11) (a) How much money was spent on performance pay for public servants in:
- (i) 2000-01?
 - (ii) 2001-02?
- (b) Did you personally approve these bonus payments?
- (12) (a) How much was spent on the salary packages for the Senior Executive Service?
- (b) What is the estimated cost for 2002-03?

Answers:

- (11) (a) and (b) *On 28 August 2001 Premier's Memorandum 2000-21 was issued indicating that performance pay was not to be made available to members of the Chief and Senior Executive Services.*

Approvals for performance payments prior to 28 August 2001 as well as all other remuneration to members of the Senior Executive Service were made by the respective Chief Executive Officers.

- (12) (a) and (b) *Upon election, the Government inherited a Chief and Senior Executive Service of 1,434 positions. The Government reduced the number of Senior Executive Service positions in accordance with a commitment to do so. As at April 2002 there were 1,003. This is a reduction of 431.*

Remuneration for the Senior Executive Service (SES) is determined by the Independent Statutory and Other Offices Remuneration Tribunal (SOORT). It is not possible to predict so early in the financial year the likely expenditure on SES remuneration. However, expenditure will be in accordance with any determinations by SOORT.

For each of your portfolio agencies in 2001-02:

- (13) (a) Have any Departments or agencies been fined by a court or statutory or regulatory authority between July 1 2001 and June 30, 2002?
- (b) If so, detail each fine and amount, and the reason for each fine?
- (14) How many times were matters referred for independent investigation to ICAC? *Please provide a breakdown of these referrals?*

Answer:

(13) (a) and (b) *Any penalties imposed by a court or statutory authority are on the record of that court or statutory authority.*

(14) *Section 11 of the Independent Commission Against Corruption Act 1988 requires the principal officer of an agency to report any matter the officer suspects on reasonable grounds concerns or may concern corruption.*

Disclosure of information may identify issues under investigation and therefore impede these investigations.

For each of your portfolio agencies in 2001-02:

- (15)** (a) What fees were increased, and by how much?
 (b) What fees are expected to be increased in 2002-03?

Answer:

(15) (a) and (b) *As was the case in the former Greiner/Fahey Government's any increases in fees are measured and take into account the specific fee, movements in the CPI and other related factors.*

11. Ms Forsythe and Mr Colless asked the Minister for Lands and Water Conservation, the Hon John Aquilina, MLC—

- (1)** (a) In 2001-02, how many board appointments were made you, or by your portfolio agencies?
 (b) Of these appointments:
 (i) How many were women?
 (ii) How many were of people from a non-English speaking background?
 (iii) How many were of people with a disability?
 (iv) How many were Aboriginal Torres Strait Islanders?
 (v) How many were young people?

Answer:

- (1) (a)** *The Government made a total of 1754 appointments to boards and committees in 2001/02.*
(b) (i) *Approximately 694 were female.*
 (ii) *Due to the self-identifying nature of the nomination form no reliable figures are available for people from a non –English speaking background.*
 (iii) *Due to the self identifying nature if the nomination form no reliable figures are available for people with a disability.*
 (iv) *Due to the self identifying nature if the nomination form no reliable figures are available for Aboriginal Torres Strait Islanders.*
 (v) *Due to the self identifying nature if the nomination form no reliable figures are available for young people.*

12. Mr Colless asked the Minister for Land and Water Conservation, the Hon John Aquilina, MLC—

- (1) How much money has been spent to date on the implementation of the Water Management Act?
- (2) I refer the Minister to Budget Paper No.3 Volume 2, p 11-3, \$13 Million to met implementation costs associated with the Water Management Act 2000.

Can you provide us with a break down of how the \$13m is being spent, including that allocated to other agencies?

- (3)
 - (a) How much in total has the NSW Government received in National Competition Policy Payments?
 - (b) How much did they receive in 2001/2002?
 - (c) How much do you expect to receive in 2002/2003?
 - (d) How much of this, if any, has been allocated to the DLWC?

Answer:

- (1) ***\$13,070,000 in 2001-02***
- (2) ***The \$13,000,000 allocation to the Department of Land and Water Conservation in 2002-03 will be used for implementation of water sharing plans, coastal water quality estuary management, access licence register and approvals and conversion of current licences and water monitoring studies, etc.***

In addition other agencies have received funding for 2002-03 as follows:

- ***National Parks and Wildlife Service*** ***\$950,000***
- ***Environmental Protection Authority*** ***\$1,220,000***
- ***Agriculture*** ***\$1,100,000***
- ***NSW Fisheries*** ***\$1,300,000***

- (3)
 - (a) ***Around \$610 Million (\$1994-95)***
 - (b) ***\$243 Million***
 - (c) ***\$249 Million***
 - (d) ***National Competition Policy Payments are paid into the Consolidated Fund. Consolidated Fund revenues from all sources are allocated according to Government priorities.***

13. Mr R Jones asked the Minister for Land and Water Conservation, the Hon John Aquilina, MP -

In relation to 'Native Vegetation Conservation strategy'

- (1)
 - (a) How long has it been since the draft *Native Vegetation Conservation Strategy for NSW* was finalised and submitted to the Minister for Land and Water Conservation?
 - (b) Is it 6 months?
- (2) Was this draft Strategy the outcome of extensive consultation and feedback from the community, and considerable cooperation between the various stakeholders on the Native Vegetation Advisory Council, including the NSW Farmers' Association, the Nature Conservation Council, aboriginal, catchment, agency and other interests?
- (3) Does the Strategy provide a state-wide framework for not only conservation and management of native vegetation, but also for engaging landholders in conservation, as well as a positive rural extension framework?

- (4) Isn't the Strategy one of the few examples where the community was successfully engaged in providing common solutions, in an environment of deep division over regulation of activities on farm?
- (5) How much money has been allocated to implement the Native Vegetation Conservation Strategy for NSW and exactly how and over what time period will it be spent?
- (6) How does the Government intend to address the priority actions which the community has said are essential for progress i.e. an extension service on native vegetation, and a stewardship payments scheme to encourage good land managers?

Answer:

- (1) *The Native Vegetation Advisory Council submitted its advice on a native vegetation conservation strategy for NSW in January 2002.*
- (2) *The members of the Native Vegetation Advisory Council represent a variety of rural, community and government interests, including:*
 - *rural representatives*
 - *the Royal Botanical Gardens*
 - *NSW Aboriginal Land Council*
 - *Nature Conservation Council of NSW*
 - *Local Government and Shires Association*
 - *Total Catchment Management*
 - *Rural Lands Protection Board*
 - *NSW Agriculture*
 - *Planning NSW*
 - *National Parks and Wildlife Service and*
 - *Department of Land and Water Conservation*

The representatives from these organisations consulted with their constituents during the development of the Native Vegetation Advisory Council advice. The Native Vegetation Advisory Council released a Draft Native Vegetation Strategy for public consultation from November 2000 to March 2001. A revised draft strategy was developed following the consultation period.

- (3) *The draft strategy includes a comprehensive set of recommendations for the conservation and management of native vegetation in NSW.*
- (4) *The process for the development of the Native Vegetation Conservation Strategy for NSW is a good example of community involvement in strategic natural resource planning.*
- (5) *The recommendations contained in the draft Native Vegetation Conservation Strategy are currently being considered by the Government.*
- (6) *The recommendations contained in the draft Native Vegetation Conservation Strategy are currently being considered by the Government.*

14. Mr R Jones asked the Minister for Land and Conservation, the Hon John Aquilina, MP -

In relation to 'Urban Bushland Issues'

- (1) (a) How much does the sale of public lands contribute to the budget?

- (b) What is the projected figure for the sale of land such as that outlined in the Sydney Metropolitan Development Program or any other areas planned for urban release?
- (2) (a) If a figure is available for the amount of money raised from the sale of public land in NSW, how does this compare the money allocated to the acquisition of land?
- (b) Has this figure changed from previous budgets?
- (3) (a) How does the money raised from the sale of public lands get used?
- (b) Is any of the money raised from the sale of public lands used for the protection/ management of the areas of natural environment that remain?
- (c) If so, how much?
- (4) How does the amount of money allocated to local government for the protection of the natural environment compare to the amount of money allocated to the maintenance of active recreation areas (sports fields etc.)?

Answer:

(1) to (4) I am unable to provide a whole of Government response. These are matters for the Treasurer to address.

15. Mr R Jones asked the Minister for Land and Water Conservation, the Hon John Aquilina, MP -

In relation to 'Preparation of Statewide Vegetation Information'

- (1) What percentage of the land area of NSW has an accurate, detailed vegetation layer completed?
- (2) How much money is being allocated in 2002-03 and subsequent years to complete the detailed mapping of vegetation of NSW?
- (3) What year will NSW have completed a detailed vegetation dataset covering the entire State?

Answer:

- (1) The Department of Land and Water Conservation is undertaking highly detailed and accurate mapping under its Native Vegetation Mapping Program. This is a first in Australia. The program has so far delivered four maps. A further twelve maps will be available by 31 December 2002. These 16 maps represent about seven per cent of NSW. Work will continue on an ongoing basis.***
- (2) The NSW Government has allocated \$3 million to this program during 2002/03 for vegetation information products. A total of \$12 million will be spent on mapping products by this program during the period 2002/03 and 2005/06.***
- (3) A detailed digital vegetation layer for the whole of the State using the latest in satellite technology will be available by mid 2004.***