

Thursday, 20 June 2002

(General Purpose Standing Committee No. 5)

Portfolio

Environment, and Emergency Services

QUESTIONS TAKEN ON NOTICE DURING HEARING

1. **Mr Colless asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —**

(Relevant area in Hansard: page 2)

What proportion of Rural Fire Service tankers are currently less than 15 years old?

Answer:

As at 30 June 2002 there were 3,498 tankers in the bushfire fighting fleet. Councils or brigades retained about 400 of these tankers after receiving a replacement vehicle.

As at 30 June 2002 there were 2,521 tankers in the fleet that were either purchased or refurbished less than 15 years ago.

Over the past seven years this Government has allocated more than \$155 million for the purchase of 1,844 tankers in response to local government bids with a further \$32 million allocated this financial year towards the tanker replacement program.

2. **Mr Colless asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —**

(Relevant area in Hansard: page 13)

What is the cost to the National Parks and Wildlife Service of preparing a threat abatement plan?

Answer:

The National Parks and Wildlife Service will spend around \$4 million this year on threatened species programs under the Threatened Species Conservation Act 1995. This includes the preparation of recovery plans and threat abatement plans. Other agencies also provide funding for these programs. The individual cost of preparing a threat abatement plan will depend on many factors and varies according to the scope and detail of the plan.

3. **Mr Richard Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —**

(Relevant area in Hansard: page 7)

- (1) How much additional funding will be allocated for environmental assessment processes under the proposed code of practice?
- (2)
 - (a) Will the additional resources given to the Rural Fire Service (RFS) target this area and ensure compliance with the principles of ecologically sustainable development (ESD) in relation to hazard reduction burning?
 - (b) If so, how?

- (c) If not, why not?
- (3) How much of the additional RFS funding will be allocated in the development and implementation of the property plans and threat abatement plans under the Threatened Species Conservation Act to enable the code of practice to function according to the principles of ESD, given that high fire frequency is deemed to be a key threatening process?

Answers:

- (1) *The NSW Rural Fire Service (RFS) has been provided with a funding package of \$4.5 million specifically associated with the implementation of the Rural Fires and Environmental Planning Legislation Amendment Act 2002. Within this funding provision has been made for an additional \$1 million to include employment of an additional Environment Officer within the Planning and Environmental Services section and funding for community information and training.*
- (2) *The new Bush Fire Assessment Code will re-affirm the centrality of ESD to the Rural Fires Act and underpin the resources allocated. The additional resources provided to the RFS as part of this budget will cover the following areas:-*
- *audit, inspection and compliance with bush fire risk management strategies;*
 - *preparation and dissemination of the bush fire code and certificates;*
 - *training and information programs for staff, councils, volunteers and the community;*
 - *data recording and reporting systems;*
 - *development control and Local Environmental Plan advice to councils; and*
 - *preparation of bush fire prone maps for councils without a capacity to prepare these.*
- (3) *These matters are the responsibility of the NPWS and I am advised that \$4 million has been allocated over 2002-2003 for programs under the Threatened Species Conservation Act 1995. However, the community has a strong expectation that the RFS and fire-fighting agencies will generally act responsibly in relation to the protection of environmental and cultural values. The introduction of the new Bush Fire Assessment Code will ensure that bushfire hazard reduction works having a low impact on the environment will be afforded a streamlined environmental assessment while still being managed appropriately in the context of the principles of ecological sustainable development.*

4. **Mr Richard Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —**

(Relevant area in Hansard: page 18)

What is the average age of red kangaroos currently being shot as part of kangaroo management in NSW?

Answer:

Four years.

5. **Mr Harwin asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —**

(Relevant area in Hansard: page 12)

How frequently are sediment monitoring tests around the deep ocean outfalls undertaken?

Answer:

The EPA requires Sydney Water to collect 120 sediment samples each year from near the deepwater outfalls and at reference sites as part of a long term monitoring program.

6. Mr Harwin asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

(Relevant area in Hansard: page 13)

Have any national park annual passes gone missing in the past three years? In your answer please provide a copy of the report from the recent audit of the management of annual passes by the Service.

Answer:

I am advised that a small number of passes went missing and that an investigation by Australia Post was unsuccessful in tracking them down.

ADDITIONAL QUESTIONS ON NOTICE

7. Mr Harwin asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

- (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?

Answers:

- (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) *Official travel is undertaken in accordance with appropriate guidelines.*
Costs incurred during official overseas travel were in accordance with the appropriate guidelines.

- (5) *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) *Official travel was undertaken in accordance with appropriate guidelines and in a cost effective manner.*

- (7) *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) *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) *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) *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.*

8. Mr Harwin asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

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.*
- (5) How much was spent on legal expenses?

Answers:

- (1) *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) *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) *The cost of consultants is reflected in the annual report.*

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

- (5) *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.

For each of your portfolio agencies in 2001-02:

- (6) (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.*
- (7) (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:

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

Expenditure depends on the particular issues requiring overseas travel.

- (7) *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:

- (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:

- (8) *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) *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) *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) *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) *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) (a) How many times were matters referred for independent investigation to ICAC? *Please provide a breakdown of these referrals?*

Answers:

- (13) *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) *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.*

9. Mr Harwin asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

- (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?

Answers:

- (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.*

'Environment'

10. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to the 'State of the Parks Report'

- (1) How much did it cost to produce the State of the Parks Report released last year?
 (2) Why didn't the State of the Park report produced last year include any performance indicators, nor measure any of the parks against these.

Answers:

(1) and (2) The inaugural State of the Parks Report did contain relevant performance indicators including number of protected areas in the NSW parks system, total area of NSW parks and adopted plans of management. This report was the first step towards developing a comprehensive performance measurement framework for protected areas in NSW.

The cost of preparing the report (and associated CD) was around \$72 per NSW national park and reserve.

It is anticipated that the second State of the Parks Report will include performance indicators and related baseline data from a selection of parks.

11. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to the 'Transfer of Sydney Catchment Authority Lands'

- (1) What is the yearly contribution that Sydney Catchment Authority (SCA) will give to NPWS to assist with the management of the SCA lands adjacent to Warragamba Dam that are to be transferred to NPWS by the end of June 2002?
- (2) What are the costs incurred by NPWS to manage these lands and maintain the high level of water quality produced by national parks in the Warragamba Dam catchment?

Answers:

(1) and (2) The SCA will contribute \$2.8 million in 2002-03 to NPWS to manage the transferred lands to a standard that ensures the protection of water quality.

12. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'Feral Horses'

- (1) How much money has been spent on the wild horse strategy for Kosciuszko National Park?
- (2) How many feral horses have been removed from Kosciuszko National Park since its implementation?
- (3) How many feral horses are estimated to be within Kosciuszko National Park?
- (4) Now that the five reports prepared by Dr Tony English on English on the management of feral animals have been completed, can the Minister state how much was spent on each report?
- (5) (a) Has the final report completed by Dr Tony English in December last year on the management of a range of feral animals been publicly released?
(b) If not, why not and when will it be released?
- (6) (a) Has the consultant completed the report on the cultural heritage significance of the feral horses in Guy Fawkes River National Park that was due to be completed in October 2001 and has been delaying the continuation of feral horse eradication from the park?
(b) If so, when will it be released?
(c) If not, when is it expected to be completed?

Answers:

(1) Around \$20,000 has been spent on developing the wild horse strategy for Kosciuszko National Park.

(2) 13

(3) *I am advised approximately 3000.*

(4) to (6) *Dr English's report on the management of feral animals is expected to be released shortly. The report on the cultural heritage significance of horses in the Guy Fawkes area has already been released.*

13. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'Private Land Conservation Initiatives'

- (1) Given the NPWS's often stated emphasis on private land conservation, how has the NPWS expanded and improved its range of private land conservation initiatives over the last five year?
- (2) (a) Is the NPWS voluntary conservation agreement program going to continue in 2002-03 with the same or improved levels of funding?
- (b) If not, why not?

Answers:

(1) and (2) The National Parks and Wildlife Service (NPWS) has expanded and improved its range of private land conservation initiatives through the piloting of a Land for Wildlife scheme in NSW, the review of the Wildlife Refuge scheme and the establishment of the NSW Nature Conservation Trust.

The voluntary conservation agreement scheme will continue in 2002/03 as an integral part of the NPWS Conservation Partners Program. Funding will support the delivery of various schemes in the program and provide a range of options available to private landholders.

14. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'Land Acquisition'

- (1) Could the Minister provide details of the NPWS and Environmental Trust land acquisition funding program for new conservation reserves including details of each fund's purposes, funds available and budgeted spending for 2002/03 in a similar format to the response to the request for last year's figures?
- (2) (a) Has the Government continued to fund the general land acquisition fund?
- (b) If so, has it increased its funding after being at the same level of about \$2.2M over the last 20 years?
- (c) If not, why not?

Answers:

The land acquisition funding programs and budgets are:

General Fund:	<i>Available for the purchase of lands in any part of the State to fulfil priority conservation and management needs.</i>
Dunphy Wilderness Fund:	<i>Directed to the purchase of identified wilderness properties from a priority list developed annually by the Dunphy Wilderness Fund reference group.</i>
Open Space (8b) Fund:	<i>Directed to the purchase of lands zoned 8b (future national park) within and adjacent to various national parks and nature reserves.</i>

Northern Region Acquisitions *Directed to the purchase of lands in the north east following the RFA: of the State that contribute to conservation and management outcomes associated with the Lower and Upper North East Regional Forest Agreement.*

Environmental Trust funds: (i) *Western acquisitions program, particularly targeting lands meeting National Reserve System criteria, with an emphasis in 2002/03 on consolidating existing reserves; and*
(ii) *Inholdings program for the purchase of private land inholdings within national parks and nature reserves.*

Bequest funds: *The NPWS has received \$5 million for the purchase of lands State-wide for new nature reserves, or additions to nature reserves.*

Commonwealth National Reserve System funds: *to be advised*

<i>Acquisition program</i>	<i>Budgeted spending (\$m)</i>	<i>Funding</i>
<i>General fund</i>	<i>2.2</i>	<i>2002/03 allocation</i>
<i>Dunphy wilderness Fund</i>	<i>1.5</i>	<i>2002/03 allocation</i>
<i>Open space (8b) Fund</i>	<i>2.93</i>	<i>2002/03 allocation</i>
<i>Northern Region Acquisitions following the RFA</i>	<i>1.5</i>	<i>New funding allocation</i>
<i>Environmental Trust Funds</i>	<i>(i) 2.0 western acquisitions (ii) 0.5 inholdings</i>	<i>(i) 2002/03 grant (ii) 2002/03 grant</i>
<i>Bequest funds</i>	<i>5</i>	<i>New funds; received 2001/02</i>
<i>Commonwealth NRS Funds 2002/03</i>	<i>tba</i>	<i>tba</i>

15. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'Firewood'

- (1) (a) Given that the NSW Government is required to prepare a NSW Action Plan on Firewood Collection and Use during 2002 as part of the NSW endorsed 'National Approach to Firewood Collection and Use', what funds has the Government allocated to this important initiative beyond EPA's heater buyback pilot scheme?
- (b) If none, why?
- (2) How are important stakeholders involved in the development of the NSW Firewood Action Plan, including environmental groups and firewood merchants?

Answers:

- (1) and (2) An inter-agency committee is currently preparing a discussion paper about appropriate measures to include in the NSW Firewood Action Plan. Consultation with key stakeholders will occur on the measures proposed within the discussion paper. Following this consultation a final costed action plan will be prepared.*

16. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'Charter'

Given the EPAs charter to protect the environment and human health, what is the EPA doing in relation to:

- (a) Children's health?
- (b) Indoor air quality?
- (c) ESD?

Answers:

- (a) *Many of the EPA's environmental programs aim to reduce risks to human health including children's health. A number of programs and activities specifically focus on children's health, for example:*
 - *the Active for Air and Airwatch education programs, developed with the Heart Foundation, aim to improve the health of children and teach them about what they can do to improve air quality;*
 - *The statutory Pesticides Implementation Committee is currently considering the introduction of notification of pesticide spraying in sensitive locations such as schools and child care centres;*
 - *Children are particularly at risk from lead poisoning and funding has been provided from the Environmental Trust to the LEAD Group, a non-government organisation, to support its lead management training for local government.*
- (b) *The EPA regulates and sets standards for ambient air quality. NSW Health takes the lead on indoor air quality. In some cases other authorities also have a role, for example WorkCover NSW in relation to workplace environments and local government in relation to enclosed public spaces.*
- (c) *The principles of ecologically sustainable development underpin the EPA's actions to protect, restore and enhance the environment of NSW. A wide range of programs promote ecologically sustainable development such as:*
 - *the introduction of load based licensing that uses the polluter pays principle to drive environmental improvements and deliver rewards to cleaner industry;*
 - *developing the concept of green offsets as a tangible way of bringing the benefits of new jobs and economic development while protecting and improving the environment;*
 - *the introduction of a new framework for waste avoidance & resource recovery under the Waste Avoidance and Resource Recovery Act 2001;*
 - *the \$80 million Urban Stormwater Program that has stopped about 6,500 tonnes of pollution from reaching our waterways.*

17. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'Ulan Coal Mine'

- (1) (a) Was the discharge license renewal for the Ulan Coal mine, on the top of the Goulburn River in the Hunter Valley, recently on public exhibition and only available for viewing at the Bathurst EPA office?

- (b) Is so, why?
- (c) Isn't the Bathurst EPA Office some considerable distance from the mine, members of the Community Consultative Committee and concerned organisations in the Hunter Valley such as the Hunter Catchment Management Trust?
- (2) Why is the mine managed from Bathurst when EPA staff in the Hunter have considerable expertise in managing mine discharge and the Hunter Salinity Trading Scheme?
- (3) Why are there no salinity levels in Ulan Coal Mine discharge license?

Answers:

- (1) *I am advised that a licence variation for the Environment Protection Licence held by Ulan Coal Mine was advertised from 18 May to 7 June 2002 and was available for viewing around the State. The environment protection licence for Ulan is available on-line via the EPA's internet based Public Register or in hard copy by request to the EPA. The Notice to vary the licence and a summary of the proposal, on which the EPA sought comment from the public, were available by mail or fax on request.*
- (2) *Ulan Coal Mine is in both Mudgee and Merriwa local government areas, and is listed by the Department of Mineral Resources in the Western Coal Fields, not the Hunter Coal Fields.*
- (3) *The licence variation followed the negotiation of a pollution reduction program requiring the establishment of an irrigation and salinity control scheme to eliminate the mine's saline discharge to Ulan Creek.*

18. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'Air quality standards'

The recent NSW Auditor's report into the RTA's Environmental Management performance noted that "... one of the main indicators used by the RTA provide a level of assurance that it is complying with the law is the number of infringement notices issued on the RTA by the EPA but " that this level of assurance is, however, dependant on the efficiency and effectiveness of the EPA's monitoring program"

- (1) Why does the EPA have no direct role in monitoring pollution levels from the M5 East?
- (2) Why has it yet to adopt a standard for fine particles (PM2.5) given all the evidence on their harmful effects?
- (3) Why has it not required the RTA to monitor for PM2.5 around the M5 East stack?
- (4) Is the Minister aware that the National Environment Protection Measure (NEPM) air quality guidelines specifically exclude the use of these measures for point source emissions (as in tunnel stacks)?
- (5) Why does the EPA still countenance the use of regional goals, such as the NEPM for point sources of pollution for new projects, such as the Cross city and Lane Cove tunnels, in spite of the clear statement in the NEPM documentation against such use?
- (6) Why does it not require motorway stacks to be licensed?
- (7) Why do motorway stacks not appear on its pollution inventory?
- (8) Why was the M5 East's builder required to maintain a current Environment Protection License yet the RTA as its operator was not?
- (9) (a) Has the EPA independently assessed the viability of filtration technologies?
- (b) If not, why not?

- (c) How can they rely on the RTA when two inquiries have shown the RTA to be less than genuine?

Answers:

- (1) *Air quality performance criteria and monitoring requirements for the M5 East Motorway are conditions of development approval which are administered by Planning NSW.*
- (2) *The NSW Government is currently participating in the development of the Air Quality National Environment Protection Measure (NEPM) relating to fine particles.*
- (3) *Monitoring for PM₁₀ rather than PM_{2.5} was a requirement of the conditions of approval for the M5 East Motorway. By definition, PM₁₀ includes all particles less than 10 microns in diameter, including PM_{2.5}.*
- (4) *The NEPM for Ambient Air Quality standards are health based and are therefore appropriate measures for managing regional air quality impacts of all sources of air pollution.*
- (5) *See response at (4) above.*
- (6) *The Protection of the Environment Operations Act 1997 defines what requires a licence, not the EPA.*
- (7) *I am advised that the air emissions inventory includes gridded estimates of criteria pollutant emissions from all motor vehicle sources in the greater metropolitan region. The inventory treats emissions on a 3km x 3km or 1km x 1km grid square basis as a global total for the region. Emissions from the stack would be measured within the grid square covering that area.*
- (8) *Motorway construction is a scheduled activity under the Protection of the Environment Operations Act 1997 and therefore requires licensing by the Environment Protection Authority.*
- (9) *The EPA provides advice on the appropriate environmental outcomes for a project. It is the proponent's responsibility to select the most cost effective and technically feasible approach for meeting the required environmental outcomes. The EPA reviews this information to determine if it will achieve the goals.*

19. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'Regional Air Quality Management and buy up of wood stoves'

- (1)
 - (a) Who is responsible for actively pursuing improvements to air quality in NSW and around the M5 East resulting from vehicle emissions?
 - (b) Is it the M5 East's legal proponent, the RTA, or "inter agency cooperation?", or the community, or local councils as regulators of the M5 East?
- (2) Has a "Sub - Regional Air Quality Management Plan" been established in an attempt to compensate for increased local pollution from the M5 stack?
- (3) Does one of the strategies recommended for adoption involve the relocation of an existing RTA vehicle inspector to the M5 East sub Region at an estimated cost of \$50,000 initially?
- (4) How does this action improve regional air quality as the relocated officer already has duties in some other area?
- (5) Does the M5 East 'Sub - Regional Air Quality Management Plan' also recommend the establishment of a voluntary wood heater replacement scheme in the sub region at an annual cost of \$200,000 for 5 years, as compensation for the increased local pollution resulting from the M5 stack?
- (6) How will the replacement of a wood heater in Riverwood, part of the 'sub - region', compensate for pollution emitted in Turrella, almost 10 Km away?

Answers:

- (1) *Under the NSW Government's 25 year air quality management plan, Action for Air, several agencies lead and encourage all sections of the community to improve air quality. Those agencies include the Environment Protection Authority, the Roads and Traffic Authority (RTA), Department of Transport, NSW Health, Planning NSW and the Sustainable Energy Development Authority.*
- (2) *The Sub-regional AQMP Volume 1, page iii, states that:*
- “The AQMP has been developed to:*
- identify key contributors to emissions of oxides of nitrogen (NOx) and particulate matter (PM₁₀) in the area;*
 - formulate effective strategies to be implemented to address these emissions sources;*
 - prioritise the strategies to make the best use of the \$500,000 per annum for five years that the RTA has committed to improving air quality in the sub-region.”*
- (3) *and (4) RTA staffing matters should be referred to my colleague, the Minister for Roads.*
- (5) *and (6) The Air Quality Management Plan (AQMP) includes strategies to establish a voluntary wood heater replacement scheme and to distribute educational material about appropriate burning techniques for wood fire heaters. These strategies aim to improve air quality within the entire sub-region to which the plan applies.*

20. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In a media story reported in Sydney's Daily Telegraph on 3 June 2002, the Minister for Environment announced a \$1.2 million program to test new equipment to stop polluting vapours escaping at petrol stations and establish new regulations for low-polluting summer fuels and was quoted as saying:

“The State Government says its action for air strategy will see hydrocarbons fall 26 per cent, oxides of nitrogen by 71 per cent, carbon monoxide by 75 per cent and particles by 35 per cent by 2020”

Does the Minister expect residents around the M5 East affected by high levels of these pollutions to hold their breath for 18 years?

Answer:

I am advised that the air quality standards set for the M5 East are consistent with the most stringent in the world to protect the health of the community.

21. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to ‘Wolli Creek Regional Park’

- (1) What is the state of progress on the new Wolli Creek Regional Park, bushland saved by the creation of the M5 East road tunnel and declared a regional park in 1997?
- (2) (a) Has \$3 million been allocated to it's the Parks development and rehabilitation?
- (b) If so, what has it been spent on?
- (3) What has happened apart from a few consultation meetings, where the stack's visual and air pollution were identified as a major negative impact on the amenity, and the development of a draft management plan?

Answers:

- (1) *Lands have been progressively added to the Wolli Creek Regional Park reserve since the draft Plan of Management was completed in December 2000. A number of other lands in the area are pending gazettal and negotiations are continuing on the transfer of other lands.*
- (2) *The draft Financial Impact Statement prepared for Wolli Creek Regional Park estimated that \$1.3 million will be allocated for establishment works over the first three years, and a further \$3.5 million will be allocated over the following six years for enhancement, decontamination and remediation works. Since 2000, approximately almost \$1 million has been spent on planning and works not including salaries. This consisted of:*
 - *Plan of Management preparation*
 - *Stormwater/water quality improvement design and works*
 - *Visitor infrastructure design and installation*
 - *Bush regeneration, fencing and minor repair works*
- (3) *Since 2001, when the NPWS assumed management of the section of Wolli Creek Regional Park formerly known as Girrawheen Park, an exhibition of the draft Plan of Management, a program of works and maintenance has been undertaken. Stormwater and water quality management has been a major focus, together with the installation of visitor facilities at Girrawheen Park. A bush regeneration program has also been undertaken.*

22. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP—

In relation to the 'Charcoal Factory'

- (1) Did the Mogo charcoal factory approval on 1 May address all of the environmental and economic concerns of the local community?
- (2)
 - (a) Hasn't the environment movement asked, from the first stage of the proposal, the Government to establish a thorough assessment process to determine the full range of impacts the development would have on the region?
 - (b) Has this been done?
 - (c) If not, why not?
 - (d) If so, what is the economic impact that establishing this charcoal factory would have on the regional tourism industry which currently employs 6200 people, and earns the local community over \$700 million per year?
- (3) What impact will the additional heavy vehicle traffic have on highway businesses all the way up the coast?
- (4) What impact the proposal will have on local property values?
- (5) What assessment has been made of the implications of more than doubling the native forest logging industry in the region?
- (6) Has an environmental assessment of the impact of doubling the amount of timber removed from the region's forests been conducted?
- (7) Does the Regional Forest Agreement for the region mention or did it assess charcoal production at all?
- (8) Has there been any economic assessment of the impact this proposal would have on other parts of the timber industry, including regional sawmills, and the broader forest 'industry' (which includes water catchment values, estimated to be worth \$1.1 billion per year for the region)?

Answers:

(1) to (8) Questions concerning this project should be directed to the Minister administering the Environmental Planning and Assessment Act 1979.

23. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

Papers released under Parliamentary privilege, in particular the Timber Supply Agreement between State Forests of NSW and Australian Silicon, indicate both that ‘logs’ are required for charcoal production, and that there is a significant subsidy in the provision of timber supply.

- (1) How much will this project cost the taxpayers of NSW in terms of subsidies in timber supply, electricity supply, infrastructure development, and business grants?
- (2) Why has the Government refused to assess the economic and environmental impacts of this proposal?
- (3) Why has the disclosure of costs to the community been hidden behind ‘Parliamentary Privilege’ when the issues are so important for the citizens of NSW, and there has been such enormous community concern over the development?
- (4) Doesn’t the Mogo Charcoal Factory on the Nature Coast pose the biggest threat to the environment of that region ever?
- (5) Isn’t it also the most controversial development in the Nature Coast’s history?
- (6) Didn’t the proposal generate more than double the previous record for public responses to an EIS for any proposed development in the region?
- (7) Weren’t only 13 of the 1536 responses, none of which were form letters, for the proposal?
- (8) Doesn’t the Charcoal Factory require 200,000 tones of timber a year, a more than doubling of the forest industry in the region overnight?
- (9) Doesn’t much of the timber earmarked for the factory lie in and will most certainly degrade vital water catchment areas, worth 1.1 billion dollars to the area annually?
- (10) Aren’t the earmarked forests also areas of high conservation values, rich in biodiversity?
- (11) Doesn’t the factory also pose an extreme threat to the immediate surrounding environment, particularly a protected SEPP 14 wetland that intersects a corner of the factory site?
- (12) Won’t polluted runoff into that wetland travel straight to the ocean via the stream that feeds the wetland?
- (13) Won’t the 5 retorts of the factory emit thousands of tones of VOCs particulate matter, dioxins, mercury, nitrous and sulphur oxide (acid rain), carbon, etc, in a shire where the problems associated with home wood fire burners is so extreme they are now banned in new houses, these outpourings from the factory pose a huge threat to the local residents?
- (14) Why has the Government refused to assess the economic and environmental impacts on the forest and other offsite issues relating to the Charcoal Factory?
- (15) Why has the Government approved such a dangerous heavy industrial facility within 2.3 kilometres from 4 schools, and old people’s home and thousands of other residents?

Answers:

(1) to (15) Questions concerning this project should be directed to the Minister administering the Environmental Planning and Assessment Act 1979.

24. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to the 'Waste Levy'

Local Government and the Waste Industry were under the clear impression that the current waste levy under Section 88 of the *Protection of the Environment Operations Act 1997* (\$17 per tonne in the Sydney metropolitan area and \$8 per tonne in the extended metropolitan area) would be rising every year by \$1 a tonne and \$1.50 a tonne respectively, to bring the levy in the Sydney metropolitan area to a level of \$25 a tonne in eight years.

According to Government Gazette 24/2002, released on 14 June 2002 (page 4196), councils and the waste industry will now be facing an indexed increase of \$1.20 a tonne (Sydney metropolitan area) and \$1.60 a tonne (extended metropolitan area) commencing 1 July, and will, in subsequent years, increase the levy in accord with a complex formula incorporating the previous quarterly CPI.

- (1) Can the Minister provide some clear indication of projected Treasury Income from the Waste Levy over the next eight years?
- (2) Can the Minister confirm that the 55% hypothecation commitment for waste management will also be indexed accordingly with CPI?
- (3) Can the Minister confirm that these increases will, in fact, be capped at \$25 a tonne?
- (4) Can the Minister explain why this regulation was not accompanied by any consultation or the preparation of a Regulatory Impact Statement?

Answers:

- (1) *I am advised that the currently estimated revenue from the waste levy (after payment of rebates) over each of the next four years is as follows:*

- *2002/03: \$74.3 million*
- *2003/04: \$75.7 million*
- *2004/05: \$76.9 million*
- *2005/06: \$77.8 million*

Estimates for the years 2007 to 2010 are not yet available.

- (2) *The amount of the levy hypothecated to the waste fund is calculated as a fixed percentage of the total levy collected (after payment of rebates).*
- (3) *The Government has made a commitment to cap the waste levy rate at a maximum of \$25 in real terms, that is, calculated in 2001/02 dollars.*
- (4) *Pursuant to the Subordinate Legislation Act 1989, an amendment to an existing regulation does not require a regulatory impact statement. The Government announced the rate increase during the passage of the new waste legislation through Parliament 12 months ago to enable local government and the waste industry to plan for the increase. It was clearly stated at that time that the annual rate increase would incorporate CPI increases.*

25. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'Tiger Quolls'

- (1) (a) Did the National Parks and Wildlife Service poison and kill Tiger Quolls, including several endangered species, in the Kosciuszko National Park?
- (b) If so, why?

- (2) (a) If the project has been undertaken, how many animals were killed and how much did it cost?
- (b) If the project has not been undertaken, when will it be?
- (c) If the project has not been undertaken, how many animals are anticipated will be killed and how much is it anticipated to cost?
- (d) (i) If the project has not been undertaken, will the Minister guarantee that it will not go ahead in the future?
- (ii) If not, why?

Answers:

- (1) (a) *No.*
- (b) *Not applicable*
- (2) *The National Parks and Wildlife Service has commenced a broad scale research project into the distribution and ecology of the Tiger Quoll in Kosciuszko National Park. This includes the investigation into the potential impact of aerial baiting programs for wild dogs on the Tiger Quoll. The planned baiting experiment is expected to commence in July and will run for up to 30 days.*

Wild dog control is carried out across the State, across all tenures, using a wide variety of methods. The research proposal will provide a long-term, State-wide benefit to biodiversity that will lead to the development of an effective and efficient, ecologically sustainable technique to control wild dogs and other introduced predators.

26. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'NRA Review of 1080 Poison'

- (1) Is the Minister aware that the National Registration Authority for Agricultural and Veterinary Chemicals is conducting a review of the use of 1080 poison and that the principal reason for this review is that far too many non-target animals - including Australian native animals - are being killed by 1080 poison baits?
- (2) (a) Will the Minister halt the use of 1080 poison in NSW national parks until the National Registration Authority for Agricultural and Veterinary Chemicals review is complete?
- (b) If not, why not?
- (3) (a) How much 1080 has been used in NSW national parks over the last 12 months?
- (b) Where?
- (c) When?

Answers:

- (1) *I am aware that a review is being undertaken.*
- (2) *The use of 1080 is legal in all States and Territories in Australia through a Permit issued by the National Registration Authority for Agricultural and Veterinary Chemicals. At the present time, the use of 1080 is essential to prevent the otherwise extreme environmental and agricultural impacts of rabbits, foxes, wild dogs and feral pigs.*
- (3) (a) *NSW Agriculture is responsible for auditing the use of 1080.*
- (b) *The NPWS uses 1080 for the control of feral animals as required throughout the State.*

- (c) *In general, an integrated approach is adopted using a range of techniques at critical times of the year. Therefore, depending on the target pest species and the suite of control techniques used, 1080 can be used at any time during the year.*

27. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'Deer Shooting in Royal National Park'

- (1)
 - (a) At a meeting of the Working Party on 7 January 2002, did a senior NPWS officer inform members that the current deer population in Royal National Park was believed to exceed over 2,500?
 - (b) Was this number based on pre-fire estimates?
 - (c)
 - (i) Had a post-fire count been conducted by NPWS?
 - (ii) If not, why not?
- (2)
 - (a) How many deer have been shot in Royal National Park following the December 2001 fires?
 - (b) Does the Minister consider that the number of deer killed after the December 2001 fires shows a vast over-estimation of deer numbers in the park?
 - (c) How many deer that have been shot have not died immediately?
 - (d) How many wounded deer have escaped?
 - (e) What was the nature of their wounds?
- (3) Does the Minister believe that there is considerable doubt on the validity of the research conducted on the number of deer in Royal National Park?
- (4) Is the Minister aware that a post fire deer count conducted independently showed the numbers at about 600?
- (5) Why did the Minister approve the final Deer Management Plan when the research in relation to deer numbers was not complete and current?
- (6)
 - (a) What scientific evidence does the Minister have that deer have a detrimental effect on native animals and lands?
 - (b)
 - (i) If evidence exists, was it made available to the public during the debate surrounding the killing of deer in Royal National Park?
 - (ii) If not, why not?
 - (c)
 - (i) Has the NPWS undertaken research to consider the negative impacts associated with the removal or reduction in numbers of non-native species (such as deer) that have co-existed with native species for approximately 100 years?
 - (ii) If not, why not?
- (7) Does the Minister consider it acceptable that a non-native species be nominated as a key threatening process without scientific evidence of negative impact on threatened species?
- (8) What processes and criteria are in place to ensure that nomination of a non-native species as a key threatening process is based on valid evidence?
- (9)
 - (a) The NPWS Deer Management Plan states: "There is no fertility control technique currently available for deer." Is this statement currently correct?

- (b) Has the NPWS been advised repeatedly by several animal welfare organisations of the work of Dr J. Kirkpatrick at the University of Montana who visited Australia twice in the 1990s promoting fertility control and of his successful use of fertility control with deer and horses in the US?
- (c) Is the Minister aware that Dr Kirkpatrick has offered to assist with the implementation of fertility control in relation to the Rusa Deer in Royal National Park?
- (d) (i) Has the NPWS accepted his offer?
(ii) If not, why not?
- (10) (a) Is the Minister aware that a senior officer of NPWS at the Deer Working Party meeting of 7 January 2002 stated that the bushfires presented a “window of opportunity” to kill the deer at Royal National Park and that the plan was to commence with ground shooting but that aerial shooting would not be “completely ignored”?
- (b) (i) Will the Minister ensure that the aerial shooting of the deer will not occur?
(ii) If not, why not?
- (11) (a) Is the Minister aware that at the public consultation on the draft Management Plan it was stated that RSPCA or Animal Welfare League officers would be present whenever deer were killed in Royal National Park?
- (b) Is the Minister aware that this is not occurring?
- (c) What is the Minister doing to rectify this?
- (d) What is the extent and type of involvement of these organisations in the current kill program?
- (12) (a) Are recommendations that the NPWS conduct an ongoing audit of the killing process occurring?
- (b) If not, why not?
- (c) If so, what information has been provided and to whom?
- (13) (a) Is the Minister aware that hinds have already been shot despite the Deer Management Operational Briefing stating that hinds will not be shot until July/August?
- (b) Why have hinds been shot?
- (c) What is being done to rectify this?
- (d) What has happened to their fawns?
- (e) What was the cause of death of a fawn found recently near a Bundeena pre-school?

Answers:

- (1) (a) **Yes.**
(b) **Yes.**
(c) ***The pre-fire assessment was undertaken as part of a two year research project using an established wildlife population count methodology. The mobility of the deer means their numbers were unlikely to have been significantly reduced during the fires. The increased impacts of deer grazing on regenerating vegetation post-fire accelerated the imperative to implement the deer management program.***
- (2) ***Approximately 100 deer have been shot as part of this program.***
- (3) **No.**

- (4) *I am not aware of the methodology used for this estimate or whether there was scientific scrutiny of the counts.*
- (5) *The fieldwork and preliminary results from the research undertaken by the University of Western Sydney was completed in November 2001. These were provided to the meeting of the Deer Working Group on 7 January 2002. In addition to this immediate action was required to protect the limited area of endangered rainforest not affected by fire that was being heavily impacted through deer grazing in 70 percent of ground vegetation.*
- (6) *Scientific evidence is based on research work undertaken by the University of Western Sydney conducted in the Royal National Park between 1999 and 2001. The preliminary results of the research, were made available to the public during workshops to discuss the implementation of the Deer Control Plan.*
- (7) *Any person can nominate a key threatening process (under the Threatened Species Conservation Act 1995) to the NSW Scientific Committee.*
- (8) *The NSW Scientific Committee is an independent body whose role is to assess and then either seek additional information, refuse or list a threatening process where detailed and appropriate evidence is available. All information is assessed by eminent scientists in their chosen fields prior to any determination taking place.*
- (9) (a) *Yes.*
 (b) *I am advised that the known research to date has been undertaken on captive herds.*
 (c) and (d) *No.*
- (10) *The amended deer management plan ruled out aerial shooting as an option (see page 8, clause 1.6.6).*
- (11) *Both organisations continue to be involved in the audit process.*
- (12) *Audits continue to be undertaken by the RSPCA and the NSW Animal Welfare League. The Deer Working Group continues to regularly review the program. The Deer Management Plan requires the NPWS to report annually to the public in August. The Deer Working Group has met on four occasions since January 2002.*
- (13) *Effective management of deer numbers requires hinds to be included in the program.*

28. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to the 'Trapping and relocation of deer'

- (1) *Is the Minister aware that the Deer Management Plan states that the trapping and relocation of deer to deer farms can attract a mortality rate as high as 80%?*
- (2) (a) *Why has trapping and relocation been allowed to continue?*
 (b) *How many deer have been relocated in the last 7 years?*
 (c) *How many deer have died or been injured in the process?*
- (3) (a) *What monitoring occurs and what research has been conducted into possible problems of injury, trauma and death prior to program implementation?*
 (b) *If no research has been conducted, why?*
- (4) (a) *Will the program of trapping and relocation cease?*
 (b) *If not, why?*

- (5) (a) What information regarding high mortality rates in trapping and relocation has been made available to the public?
- (b) If none has been made available, why not?

Answers:

- (1) *I am advised that the current deer management plan does not state any mortality rate in relation to trapping and relocation of deer.*
- (2) (a) *Trapping is considered to be a humane way of removing animals from the Park.*
- (b) *A program to remove deer from the park through trapping and relocation was approved in 1998 and 30 animals have been removed from the Park.*
- (c) *I am advised that one deer was injured within one of the deer enclosures. This incident did not occur as part of the trap and relocation program.*
- (3) *A deer farmer with extensive experience in Australia and overseas in the trapping and relocation of deer provided advice on the size and structure of the enclosures and trapping techniques. The RSPCA was also involved in discussions regarding the method of trapping used.*
- (4) *The Deer Management Plan recommends the continuation of deer trapping and relocation as an acceptable method of reducing deer numbers within the Park.*
- (5) *There have been no deaths or injury as a result of the trapping program within Royal National Park. The public has been advised that trapping will continue.*

29. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to the 'Public safety and cruelty'

- (1) (a) How many rounds of ammunition have been fired at deer in NSW national parks in the past year?
- (b) How many times have rounds been fired but deer not been hit or had the bullet pass right through them?
- (c) In what areas did these incidents occur and how close to dwellings?
- (d) (i) Have there been any injuries to humans or non-target animals?
- (ii) If so, how many and where?
- (2) During estimates hearings the Minister was asked if he was aware that precautions for public safety specified by NPWS in relation to the shooting of Deer in the Royal National Park, including the use of infra-red cameras, a guard at the gate to areas where shooting was to occur and signs warning of the shoot, had not been implemented. Both the Minister and the Director-General stated that they were not aware of any such problems or failures but would investigate if details were provided.

The details are as follows:

A number of people from the Animal Societies Federation of NSW (up to about 16) participated in observing the Royal National Park for NPWS activity relating to the shooting.

These people were in the Park from shortly after dark till after 2.00 am in some cases, but in most cases up to between 11.00pm and 1.00am on the dates indicated below. At no time was any sign seen in the park warning that shooting of deer was to occur in any specific location - or indeed at all. This is of major concern given that NPWS information advises that 2 million people visit the park annually, including campers. It is well known that some illegal camping occurs.

DATE	LOCATION
20/02	Areas across park in areas where shooting was considered likely <i>The group requested information from the RSPCA officer present as well as from NPWS officers if shooting had occurred but were not given a clear answer. Newspaper reports that deer were killed on that night.</i>
27/02	Audley and widespread across park <i>Several NPWS utility trucks seen at Audley where no warning signs were seen. Again the officer in one of the utilities backed off wildly as the small group approached, to re-appear after a little time and swerved round the group and off down the road.</i>
6/03	Widespread at key points in Park - Audley, Deer Park, Garie, Bundeena
12/03	Widespread - different areas of Park
19/03	Bundeena and several other areas <i>Gun shots were heard by locals on this night</i>
23/03	Bundeena <i>Gunshots were heard</i>
26/03	Widespread across Park <i>Shots heard</i>
28/03	Parts of Bundeena
30/03	Sutherland to Bundeena <i>Shots heard in Bundeena</i>
4/04 and 5/04	Parts of Bundeena
11/04	Sutherland to Bundeena including Deer Park and Audley
12, 13, 14/04	Bundeena
16, 17/04	Bundeena
18, 19/04	Sutherland to Bundeena
23, 24, 30/04	Bundeena
1/05	Bundeena
2/05	Sutherland to Bundeens including Garie and Deer Park <i>A NPWS Meeting was occurring at Audley about 6.00pm. At Garie that night the gate was wide open.</i>
4/05	Bundeena till 1.30 am <i>Gunshots were heard later</i>
5/05	Garie and Bundeena <i>Security shut the gate at Garie at 10.15 pm</i>

9,11/05	Bundeena
13/05	Parts of Bundeena
	<i>Shots at Bonnievale 9.05 and security guard at gate reported by locals</i>
18,20/05	Bundeena
21/05	Sutherland to Bundeena
22/05	Bundeena
23/05	Bundeena
23/05	Sutherland to Bundeena
	<i>Meeting at Audley about 9.00pm - NPWS vehicles</i>
2,3,4,5,6,7,8/06	Bundeena area and nearby
11/06	Bundeena
	<i>two utilities seen leaving Bonnievale - sign: "PARK CLOSED"</i>
12/06	Bundeena and Garie
13,14/06	Parts of Bundeena
15/06	Sutherland to Bundeena
	<i>Shots heard at Bundeena about 11 pm</i>
16/06	Bundeena
21/06	Parts of Bundeena
	<i>Shots heard 9.45 pm</i>
22/06	Bundeena
23/06	Sutherland to Bundeena
(a)	What is being done to rectify this?
(b)	If nothing is being done, why?
(c)	Is the Minister aware that on one occasion a local resident watched as spotlighting equipment was being set up in Bonnievale, close to houses and in clear sight of the road?
(d)	Given this, how can the minister assure visitors and local residents that safety measures are being adequately implemented?
(e)	How many times has shooting occurred in Bonnievale and Bundeena?
(f)	What are the minimum allowable distances to residences in the current shooting program?
(3)	(a) Is the Minister aware that when shootings are occurring in national parks, warning signs are erected that merely state "Park Closed"?
	(b) Is the Minister concerned that this inadequate signage gives no indication that entry to the area may present life-threatening danger?
	(c) (i) Will the Minister ensure that detailed and appropriate signage is provided for?

- (ii) If not, why not?
- (4) Is the Minister aware that the rifles used to kill deer are seen by experts, and by Victorian legislation, as being completely unsuitable for the task because of the cruelty inflicted on the animal?
- (5) (a) Is the Minister concerned that an animal's suffering is exacerbated when not killed immediately because of the use of an inappropriate weapon?
- (b) (i) Will the Minister do anything to rectify this?
- (ii) If not, why not?

Answers:

- (1) *I am advised that 137 rounds have been used. Shooting has occurred at 13 sites within the Park and the angle and direction of shooting has always been away from houses. I am further advised that there have been no injuries to humans or non-target animals.*
- (2) *National Parks and Wildlife Service (NPWS) staff has developed strict procedures in relation to the shooting program which include:*
- *detailed briefings to staff prior to each event;*
 - *site assessment prior to shooting during the early stages which involved the use of FLIR (forward looking infra red camera);*
 - *signs warning the public about operations; and*
 - *staff at entry points to the specific site to prevent unintentional entry. Where people have been encountered in the vicinity operations have ceased immediately.*
- (3) *Warning signs are erected at each site.*
- (4) *The type of firearms used depends on the location, the size of animal and the distance of the animals.*
- (5) *I understand that both the RSPCA and NSW Animal Welfare League have provided advice that the program has been conducted humanely.*

30. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to the 'Illegal shooting'

- (1) What steps is the NPWS taking to stop illegal shooting?
- (2) How many people have been charged and how many convicted of illegal shooting in national parks over the last 5 years?

Answers:

- (1) *The National Parks and Wildlife Service (NPWS) undertakes regular patrols of all areas where shooting has been reported. Staff also liaise with local police to undertake patrol coordination or respond to reports of illegal shooting.*
- (2) *Illegal shooting in parks is normally investigated by the NSW Police who take any subsequent action.*

31. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to the ‘Cost of the Deer Management Program’

- (1) Does the Minister consider that the \$105,000 cost of the Deer Management Program (which has risen from \$64,000 last year) would be better used addressing issues of the systematic human destruction of native habitat rather than killing animals which have co-existed with native species for close to 100 years?
- (2) Why?

Answers:

(1) and (2) *The long-term effects of high levels of grazing by introduced animals such as deer, along with the impacts of trampling, warrant the current level of expenditure. Scientific evidence indicates that deer in the Royal National Park have serious effects on native vegetation, especially sub-tropical rainforest. This in turn threatens the future of numerous native animals.*

32. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to ‘Kangaroos’

- (1) Why is the “Code of Practice for the Humane Killing of Kangaroos” not linked to the Prevention of Cruelty to Animals Act to ensure it is legally enforceable?
- (2) Who is responsible for policing cruelty to kangaroos in remote areas in NSW?
- (3)
 - (a) What are the current average age of Red, Eastern Grey and Western Grey kangaroos in NSW?
 - (b) How does this compare to historical records from the kangaroo management programs?
 - (c) How does this value compare to one or more reference populations that are protected from harvesting?
- (4)
 - (a) What is the annual recruitment rate of kangaroos in Red, Eastern Grey and Western Grey populations in NSW?
 - (b) How does this compare to historical records from the kangaroo management programs?
 - (c) How does this value compare to one or more reference populations that are protected from harvesting?
- (5)
 - (a) What is the current male/female ratio in populations of Red, Eastern Grey and Western Grey kangaroos in NSW?
 - (b) How does this compare to historical records from the kangaroo management programs?
 - (c) How does this value compare to one or more reference populations that are protected from harvesting?

Answers:

- (1) ***I am advised that where licences have been issued by the National Parks and Wildlife Service (NPWS), the Code of Practice for the Humane Shooting of Kangaroos is legally enforceable.***
- (2) ***Where licences have been issued by the NPWS, all licence conditions including compliance with the Code of Practice for the Humane Shooting of Kangaroos are enforced primarily by the NPWS.***
- (3)
 - (a) ***The current average age of Red, Eastern Grey and Western Grey kangaroos in NSW is based on the carcass weights of kangaroos taken commercially. The current average ages are:***

<i>Species</i>	<i>Approximate Average age</i>
<i>Red – Male</i>	<i>4</i>
<i>Red – Female</i>	<i>= 4</i>
<i>Eastern Grey – Male</i>	<i>3</i>
<i>Eastern Grey – Female</i>	<i>= 4</i>
<i>Western Grey – Male</i>	<i>3</i>
<i>Western Grey – Female</i>	<i>4</i>

- (b) *The above figures are consistent with records from previous years.*
- (c) *Depending on seasonal conditions, the values are comparable with reference populations.*
- (4) (a) *I am advised that the recruitment rate is generally high in good seasonal conditions and decreases with poor seasonal conditions. There is no evidence of a long-term trend in kangaroo populations, therefore the average per capita net recruitment rate is zero.*
- (b) *This is comparable to the past.*
- (c) *This is comparable with populations where there is no commercial take.*
- (5) (a) *The ratio of male and female kangaroos varies regionally and seasonally.*
- (b) *They would be comparable to historical levels.*
- (c) *Depending on seasonal conditions, the values are comparable with reference populations.*

33. Mr Harwin asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP—

- (1) For each of the Garigal, Ku-ring-gai Chase, Blue Mountains, Wollemi, Georges River and Royal National Parks, what is the length of the boundary interface between the parks and urban areas?
- (2) How many homes are on the boundary interface of each park?

Answers:

- (1) and (2) *The approximate length of the boundary and the number of homes that interface between the parks and urban areas are as follows:*

<i>National parks</i>	<i>length of Boundary (km's)</i>	<i>No. of homes on the boundary interface (approx.)</i>
GARIGAL	36	3,100
KU-RING-GAI CHASE	39	3,200
BLUE MOUNTAINS	260	7,500
WOLLEMI	70	500
GEORGES RIVER	19.5	2,087
ROYAL	28.5	1,965

*‘Emergency Portfolio’***34. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —***In relation to ‘Education and Awareness’*

- (1) Does the Minister acknowledge that householders were under prepared for this years bushfires?
- (2) Doesn't this suggest that the education and awareness programs of the relevant government agencies are inadequate?
- (3) Doesn't the present system rely too heavily on volunteers to train and educate other volunteers?
- (4)
 - (a) Is the Minister employing more community education staff and standardising the education program across the state?
 - (b) If so, how many and how is the program being standardised?
 - (c) If not, why not?
- (5) Is the Minister aware of community initiatives such as “Cool Off Australia” day?
- (6)
 - (a) Would the Minister be prepared to provide additional funding to this and similar initiatives, and/or incorporate them into existing programs such as Community Fireguard (Rural Fire Service (RFS))?
 - (b) If so, when and how?
 - (c) If not, why not?

Answers:

- (1) *The findings of the recent Parliamentary Inquiry into the Christmas 2001 bushfires reported that, generally, across the State householders were not as well prepared as they could have been for the onset of major bushfires.*
- (2) *Both the fire services have ongoing and extensive community education programs that range from school age programs to initiatives such as Fire Safe Towns and the Community Fire Unit program.*
- (3) *The NSW Rural Fire Service employs staff at Head Office, Regional and District Offices to adequately train both salaried and volunteer members of the Service.*
- (4) *The recent re-structure of the NSW Rural Fire Service has resulted in an increase of six Community Safety Officers at Regional level, and two extra positions within the Community Education Section at Head Office.*

All of the current education programs encompass a standard application across the State.

- (5) *I am advised that the concept of ‘Cool Off Australia’ day evolved from a rural community which felt it would be beneficial to foster a community working bee that would address the preparation of fire breaks and properties prior to the commencement of the Bush Fire Danger Season.*
- (6) *The Community Fireguard Program in rural areas and the Community Fire Unit program in the urban areas already incorporate the ideals promoted by the ‘Cool Off Australia’ day. These programs are ongoing and enable the establishment and maintenance of fire safe properties and communities. Funds are available to rural brigades through the Community Education Grant Scheme to include such initiatives as part of its Community Education Strategy. The Government has also committed an additional \$750,000 to the Community Fire Unit program making a total of \$975,000 available in the 2002/03 financial year. This will allow the NSW Fire Brigades to install an additional 80 new units in locations around the State.*

35. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'Proposed Code of Practice (COP)'

- (1) How much additional funding will be allocated for environmental assessment process under the proposed COP?
- (2)
 - (a) Will the additional resources given to the RFS target this area and ensure compliance with the principles of ecologically sustainable development (ESD) in relation to hazard reduction burning?
 - (b) If so, how?
 - (c) If not, why not?
- (3) How much of the additional RFS funding will be allocated for development and implementation of Recovery Plans and Threat Abatement Plans (under the Threatened Species Conservation (TSC) Act) to enable the COP to function according to principles of ESD, given that high fire frequency is deemed a Key Threatening Process?

Answers:

- (1) *The NSW Rural Fire Service (RFS) has been provided with a funding package of \$4.5 million specifically associated with the implementation of the Rural Fires and Environmental Planning Legislation Amendment Act 2002. Within this funding provision has been made for an additional \$1 million to include employment of an additional Environment Officer within the Planning and Environmental Services section and funding for community information and training.*
- (2) *The new Bush Fire Assessment Code will re-affirm the centrality of ESD to the Rural Fires Act and underpin the resources allocated. The additional resources provided to the RFS as part of this budget will cover the following areas:-*
 - *audit, inspection and compliance with bush fire risk management strategies;*
 - *preparation and dissemination of the bush fire code and certificates;*
 - *training and information programs for staff, councils, volunteers and the community;*
 - *data recording and reporting systems;*
 - *development control and Local Environmental Plan advice to councils; and*
 - *preparation of bush fire prone maps for councils without a capacity to prepare these.*
- (3) *These matters are the responsibility of the NPWS and I am advised that \$4 million has been allocated over 2002-2003 for programs under the Threatened Species Conservation Act 1995. However, the community has a strong expectation that the RFS and fire-fighting agencies will generally act responsibly in relation to the protection of environmental and cultural values. The introduction of the new Bush Fire Assessment Code will ensure that bushfire hazard reduction works having a low impact on the environment will be afforded a streamlined environmental assessment while still being managed appropriately in the context of the principles of ecological sustainable development.*

36. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to the 'Local Government financial impact assessment'

- (1) Has the Government resisted the Private Members Bill introduced by Mr Torbay on unfunded mandates to Local Government on Minister Harry Woods assurance that:

As a result of Mr Torbay's interest my Department will now report on all legislation that may have a financial impact on local councils. These reports will be included in any reforms presented to cabinet that affect Local Government. The reports will ensure cabinet has the best possible understanding of the financial implications of Government policy on councils.?

- (2) (a) In terms of the Rural Fire and Environmental Assessment Amendment Bill 2002, what financial impacts then were reported to Cabinet on:
 - (i) The creation of maps of all land within the Council area declared to be bush fire prone?
 - (ii) Referral of all integrated developments to the RFS?
 - (iii) Referral of Development Applications to the RFS where they do not conform to the "Planning for Bushfire Protection" document?
 - (iv) Taking on a new function of issue of hazard reduction certificates?
- (b) If none, why?
- (3) (a) Is such information shared with the Opposition and CrossBench Members?
- (b) If not, why not?
- (c) Isn't such information vital in the consideration and debate of Bills?
- (4) Why does the Bill prescribe that a council must not charge any fee for the Certificate?
- (5) (a) Did you agree that this new function would not be undertaken by the RFS under the Service Level Agreement?
- (b) If so, why?

Answers:

- (1) *No.*
- (2) *Costs associated with implementation of the new legislation are related to the employment of additional staff in the RFS, expanded community education programs, training of brigades in the implementation of permits, the development of codes of practice and education programs for council staff.*

In the 2002/03 budget the RFS has been allocated an additional \$4.5 million for the extra work arising from these amendments. This funding will provide for an additional 18 staff to be located at Head Office and a further 35 staff at district centres. The staff at the district centres will provide support to councils, Bush Fire Management Committees and the community in dealing with inspections and complaints arising from the new powers of the Commissioner. They will also assist in ensuring the effective implementation of the new Bushfire Assessment Code (the Code). However, cost savings for local government are expected in the preparation of environmental approvals in accordance with the new Code. These savings will occur mainly in those Councils already administering the current environmental assessment processes. In particular, there should be significant savings for councils in undertaking environmental assessment for notices under section 66 of the Rural Fires Act 1997. The current process requires significant expenditure that should be borne by the relevant land manager. Compliance with the Code will also remove councils from liability issues.

These financial impacts were part of Government's considerations of the proposed changes.

- (3) *The resource implications of these reforms were made public as part of the debate of the Bill and during the budget process.*
- (4) *The charging a fee for the preparation of certificates arose during consultation on the preparation of the legislation. Due to the anticipated savings arising from the streamlining of the approval process,*

rural landholders in particular felt that hazard reduction would be impeded or environment assessments would not take place if a fee were to be applied.

- (5) *The RFS is not an environmental regulatory authority. Local government has had a significant role in assessing developments under the Environmental Planning and Assessment Act either through the provisions of Part 4 or Part 5 of that Act. This arises through the operation of local environmental plans, tree preservation orders or through the issuance of section 66 notices under the Rural Fires Act.*

37. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'Fire brigade Levy and Emergency Services staffing'

The Minister's recently concluded Working Party examines the origins and reasons for service wide program changes, and undertook to consult Local Government on future movements and trends.

The Minister's recent medial release also announced:

"This coming year the Service will receive an additional \$4.5 million for 53 new staff, including 35 to enhance bushfire emergency management and 18 who will be directly responsible for auditing hazard reduction work and assisting with planning processes for development in bushfire prone areas."

- (1) (a) Was this announcement previously discussed with Local Government, knowing that this would create an even greater contribution by councils, notwithstanding the rate pegging limit of 3.3% this next year?
- (b) If not, why not?
- (2) Has the Fire Brigade levy been increased by an average of 13.3% next financial year?
- (3) (a) Are councils are strongly opposed to the increase?
- (b) If so, why?
- (c) Is it because of the 3.3% rate pegging limit imposed?
- (4) How do you propose to rectify the plight of councils, particularly those that have to pay contribution to both the Fire Brigade and the Rural Fire Service?

Answers:

- (1) *Following the extensive bushfire activity earlier this year, the Government announced that legislative changes would be introduced to provide for the NSW Rural Fire Service to assume a greater role in the residential planning processes in high risk bushfire areas and to streamline hazard reduction approval processes. During preparation of the revised legislation, consultation took place with appropriate land management agencies, including local government councils.*

The announcement of 30 May 2002 was not discussed directly with local government prior to its release. However, all councils were advised of the likely impact of this change in March when they were advised of the anticipated increase in contributions to the 2002/03 Rural Fire Fighting Fund..

It is important to appreciate that, whilst the overall additional expenditure will amount to \$4.5 million, the contribution required from local government councils towards this amount will be approximately \$600,000, or less than 1% of the overall anticipated expenditure of \$120 million allocated for the NSW Rural Fire Fighting Fund for 2002/03 financial year.

- (2) *The aggregate net funded Fire District Estimate for the NSW Fire Brigades has increased by 13.3% for 2002/03 as compared with 2001/02.*

- (3) (a) *Some councils have written expressing their opposition to the increase.*
- (b) *Some councils have compared the percentage limit on their rate increase with the rise in the NSW Fire Brigades estimates for expenditure in Fire Districts.*
- (c) *This is the claim of some councils.*
- (4) *In 1996 the Government agreed that Councils could include any increase in the Fire Service levy in the list of considerations that Council can approach the Minister for Local Government to seek special variations for an increase above the minimum rate limit. Councils in expressing their opposition do not necessarily consider the actual sum involved which, in the case of 100 of the councils across the State, is less than \$10,000. It also overlooks the fact that for every \$1 that Councils contribute the NSW Fire Brigades expends \$7 in the Councils' fire districts. This brings funding and jobs into the council's area.*

38. Mr R Jones asked the Attorney General, Minister for the Environment, Emergency Services and Minister Assisting the Premier on the Arts, the Hon Bob Debus, MP —

In relation to 'State Emergency Service (SES) funding'

The SES was expecting a considerably larger allocation than was granted in the state budget. What are the reasons for the rejection of the SES funding bid, and how will this affect operations?

Answers:

With my support, the SES was funded for five enhancement projects in 2002/03 that resulted in an increase of \$1.753 million in its recurrent budget. Obviously this will improve the ability of the Service to assist the community in time of need. The increase in the total SES budget for 2002/03 is in the region of 10 per cent and as the Director General indicated at the Committee hearing, "from the volunteers' point of view, because they are aware of the increase – we certainly feel that we have been very fairly treated".