

Question 1

The Hon. CATHERINE CUSACK: Does the New South Wales Government support the Commonwealth definition of a farmer satisfying the ATO's definition? This is causing a lot of problems in the Northern Rivers.

SHANE FITZSIMMONS: I don't know the answer to your question off the top of my head.

The Hon. CATHERINE CUSACK: If you could take that on notice, because there's a lot of complaints about it. I think people would love to know—

SHANE FITZSIMMONS: Do they recognise a farmer as per the ATO's definition?

The Hon. CATHERINE CUSACK: Yes, which means that a majority of their income is coming from the property, not off-farm. So anybody whose wife is working as a teacher because the farm is losing money, their property won't qualify and they're not qualifying for these grants. The community would love to have some awareness of this amongst Resilience, and for some effort to be made to assist them with that problem.

SHANE FITZSIMMONS: I think with the Feds—and Mr O'Connell will confirm this—their definition in relation to primary producer grants is you've got to demonstrate more than 50 per cent.

The Hon. CATHERINE CUSACK: Correct. That's known as the ATO definition.

SHANE FITZSIMMONS: That's the Commonwealth criteria definition.

SEAN O'CONNELL: That's correct.

The Hon. CATHERINE CUSACK: Correct. My question relates to whether the New South Wales Government is trying to assist our community by seeking to make that definition more flexible.

SEAN O'CONNELL: Commissioner, I can assist Ms Cusack there.

The Hon. CATHERINE CUSACK: Thank you for taking that on notice.

ANSWER

The definition of a primary producer for natural disaster assistance is set out in the Disaster Recovery Funding Arrangements 2018 (DRFA) (see Definitions and Interpretation).

The Rural Assistance Authority is currently exploring alternate approaches that meet community and government expectations and to make applying for assistance as easy as possible while still maintaining an appropriate level of governance and oversight. This project is being undertaken by the Australian Farm Institute, a consultancy group, and is expected to have preliminary findings in the coming months.

Implementation of a change in the definition will require agreement with the Commonwealth and may require amendments to the *Rural Assistance Act 1989* (NSW).

Question 2

The Hon. MARK BANASIAK: I will be quick. I would ask that if you don't have the answer to hand to just take it on notice. The special disaster grants, Mr O'Connell, you didn't say how many people have received the further \$65,000. Do you have that figure?

SEAN O'CONNELL: I will come back to you, Mr Banasiak.

ANSWER

The Special Disaster Grants for the February and March 2022 NSW severe weather and flooding event include a maximum grant amount of \$75,000 for clean-up, reinstatement activities and emergency measures, per affected property. This consists of an upfront payment of \$15,000 provided to eligible, approved applicants without the need to provide invoices at the point of application, and an additional \$60,000 grant that requires valid tax invoices at the point at which claims are made.

As of 24 June 2022, there were 3,229 applications for the February and March 2022 NSW severe weather and flooding event. There were 1,556 approved applications with different levels of disbursements broken down as follows:

Disbursement bracket for customers	Number of applicants
How many customers have only claimed the up-front payment of \$15,000?	1,131 (36 have claimed less than \$15,000 and 1,095 have claimed \$15,000 only)
How many customers have claimed the full \$75,000 grant?	14 (received upfront \$15,000 plus additional \$60,000)
How many customers have received the upfront \$15,000 grant but not yet applied for the full \$75,000 grant?	411 (received upfront \$15,000 plus an amount less than \$60,000)
Total	1,556
NB: Average requested amount	\$55,618
NB: Number of applicants requesting and approved for the \$75,000 grant at the point of assessment	1,011 (65% of total approved)

Question 3

Ms CATE FAEHRMANN: Thank you, but I mean specifically in terms of the difficulties that we've heard about—we'll stick just with primary producers—the application process. Were there difficulties post-Black Summer bushfires—or, actually, the floods last year, I think you mentioned—when they came into force, that have been learning experiences to change the way in which they are applied for, to make it easier? Or has that just started now?

SEAN O'CONNELL: We're committed to continuous improvements, so every individual program we review that. We talk about quality with Resilience and they in turn talk to their counterparts at the NRRA. The short answer to your question is yes. I can provide information and specific examples of how that has manifested itself, if that would help. I could do that on notice, Ms Fachrmann.

ANSWER

The Rural Assistance Authority (RAA) has an ongoing program of monitoring, evaluation, reporting and improvement (MERI). These are reported across all programs in the RAA Annual Report which is tabled in both houses of Parliament. An example of a change the RAA has made to improve access to natural disaster assistance for primary producers, is to include in the guidelines for Special Disaster Assistance the opportunity to build for future resilience during recovery. Future resilience allows not only the replacement and repair of damage from the event but the opportunity to use more durable materials, design or a new location to reduce damage from future events.

Question 4

The Hon. CATHERINE CUSACK: Do you have a feeling for how many investment properties are involved?

DAVID WITHERDIN: I don't have a feeling for that, no, nor any detail. I am happy to take it on notice to see if we have something, but I am certainly not aware of it.

The Hon. CATHERINE CUSACK: I am interested in whether the assistance is different for a home owner versus a property investor, recognising that both forms of accommodation are needed in the Northern Rivers. I am absolutely not suggesting that one is better than the other.

DAVID WITHERDIN: Yes.

The Hon. CATHERINE CUSACK: Thank you for taking that on notice.

ANSWER

The NRRC does not have access to this data at this point in time.

Question 5

The CHAIR: Okay. But you must have an idea of what will be the cost to repair the infrastructure on the North Coast. You have roads, schools, bridges. If you're part of the reconstruction corporation—

DAVID WITHERDIN: Yes. We have a coordinating role sitting over that, and I'll take the detail of that on notice in terms of aggregating all of that—

The CHAIR: You're not doing work in that area now? You must have a ballpark figure. The Insurance Council came out and said that this was the fourth most costly natural disaster in Australia.

DAVID WITHERDIN: Yes.

The CHAIR: They've had 92,000 claims, so you must have an indication of what is the cost of the project, the task ahead of you.

DAVID WITHERDIN: The cost—so far all the funding that has been put forward both by State and Commonwealth governments is in the order of about \$3½ billion committed already. That's not just specific to the Northern Rivers but from this flood event. The insurance industry have indicated already \$4.3 billion. That's not closed yet. We know also that, in terms of Lismore, probably one of the most under- and uninsured communities in the country as well—

The CHAIR: There's a difference between saying \$3.5 billion or \$4.3 billion. What is the estimated cost to repair the region?

DAVID WITHERDIN: The estimated cost in terms of—

The CHAIR: To restore infrastructure, schools—we went to a school in Tumbulgum. We saw roads. We saw landslips. We spoke to mayors. Mayors ran through and gave us an indication. As I said earlier, \$250 million for roads in Lismore and \$80 million for roads in the Tweed—the Byron mayor gave us similar figures. In fact, they were massively beyond what they spend each year on roads. I'm trying to get an indication. You're the reconstruction commission. You're the rebuilding commission. You must have an indication of the cost that is before us.

SHANE FITZSIMMONS: Chair, if I may, I can help in this regard. Through the State Recovery Committee, we do get reports and updates from the infrastructure subcommittee and we also get it through the Transport task force. The infrastructure subcommittee is signalling in the figure of at least \$1.7 billion worth of infrastructure. When it comes to roads, the State road impact is about 3,000 kilometres—\$250 million cost to the State road network and about \$1.3 billion to the local government road network. They're some of the indications coming through. But as Mr Witherdin gets into his seat—into the role—we've also set up the ICO, the Infrastructure Coordination Office. It'll be co-located there as well.

The CHAIR: But you're saying getting into his seat. He's already out there giving speeches to infrastructure summits. You're clearly in the position now, even though July 1 is a legislative kick-off. You're out there. I'm just trying to get an indication of how much it's going to cost, what you're going to do, what direction you're going to set?

DAVID WITHERDIN: Yes, and I think I've said that pretty clearly. I've outlined the role of the Infrastructure Coordination Office and, most importantly, how we're prioritising that and what the value of that function is. Then in terms of the second—and some of the most important work, that'll come out of the flood inquiry. Mr Fitzsimmons has run you through, overall, about \$1.7 billion. I'm very happy to take it on notice and come back, detail by detail, with every step of the program.

The CHAIR: Take it on notice.

ANSWER

The NRRC does not have an accurate figure at this stage. Through its work, the Corporation will be able to verify the total cost at a later date.

Question 6

The Hon. CATHERINE CUSACK: Everywhere, actually. I am living at Lennox Head and Ross Lane is closed for three weeks because national parks won't let us clean out the drain. It is everywhere. It has riddled the region and the flooding is getting worse, I am sure you would agree. What is the solution to the drains that are in disrepair and need to be dealt with? Multiple landholders make the problem extremely complex. I understand that.

ROB KELLY: Given it is not in Local Land Services' jurisdiction in terms of the control and management of those drains, I will take it on notice and get back to you on how we are working with other agencies to try to resolve those issues.

ANSWER

Local Land Services has no legislative responsibility for the management of drains on agricultural land. The NSW Department of Planning and Environment's Environment and Heritage Group, through the Floodplain Management Program, partners with local councils to manage flood risk and build community resilience. Generally, ongoing maintenance of agricultural drains on private land is the responsibility of landowners, unless council owns the drains or has assumed responsibility for their ongoing management and maintenance.

Question 7

Ms CATE FAEHRMANN: In the first five days, or whatever, what was DPI's role? I'm sure you're aware of criticism of the fact that the Government was missing in action and it all largely fell to private vets to drop fodder. What did the Government do in that time?

JOHN TRACEY: We initiated staff in the response on 25 February, which was three days prior. On the twenty-eighth we had staff on ground, which included liaison with private vets as well as district vets through Animal Welfare League and RSPCA.

Ms CATE FAEHRMANN: How many staff did you have on ground, and where were they?

JOHN TRACEY: Overall, we had 395 staff engaged at different parts in the response. In that first day we had at least 13 staff on ground in the local control centre.

Ms CATE FAEHRMANN: Did that include dropping fodder to stranded livestock?

JOHN TRACEY: Norco were involved in the fodder distribution early, so I can get you the dates on that if you'd like.

Ms CATE FAEHRMANN: Yes, or you can do that on notice.

ANSWER

The Norco Fodder site was operational from 3 March 2022.

Question 8

The Hon. PENNY SHARPE: The allegation was that no fodder arrived for between five and six days. Are you saying that is not the case, in terms of fodder on land where animals were?

JOHN TRACEY: I can get the dates of when fodder was on land for you.

The Hon. CATHERINE CUSACK: I think it's in the submission, actually. It's five days.

The Hon. PENNY SHARPE: So it's five to six days and the general guidelines are three days. The frustration that we heard from vets and, to a lesser degree, farmers was that they are held to very high animal welfare standards, as they should be, but they felt that the Government was missing when they were trying to actually deal with that and it resulted in poor animal welfare outcomes.

JOHN TRACEY: In response to that, what you've got in a flood situation is typically animals that, in this case, were in quite good condition. You have some animals that die in a flood and you've got other animals that tend to survive. You've got animals in good condition. I guess the priority for us was to get in there as soon as we could. We do work through the State Air Desk—

The Hon. PENNY SHARPE: Just to clarify, it was five to six days before you got to them.

JOHN TRACEY: I will have to check those numbers for you.

ANSWER

The operational fodder pick up site at Norco was operational from day three. Aerial fodder drops commenced within five days.

Question 9

The Hon. PENNY SHARPE: It is my understanding that Minister Saunders arrived on or around 9 March to talk to people at Casino. Is that correct?

JOHN TRACEY: I would have to check the date for you. It sounds right, yes.

The Hon. PENNY SHARPE: Again, the evidence provided to us was that private vets were begging him to get more action on what was occurring. Can you let me know—and this is probably to Mr Kelly as well—what instructions or discussions you had with the Minister after his meeting on 9 March that changed anything you were doing?

JOHN TRACEY: I can take that on notice.

The Hon. PENNY SHARPE: You are not aware of who spoke to the Minister? Who would the Minister have spoken to? He was with Mr Hansen.

JOHN TRACEY: I can take that on notice. The feedback was similar to what we heard around some of the concerns from some specific individuals in terms of some private vets.

The Hon. PENNY SHARPE: Mr Kelly, can you also take that on notice if you cannot provide that to me now?

ROB KELLY: Absolutely.

ANSWER

Key learnings resulting from feedback given to the Minister and Director General, Department of Primary Industries included:

1. That the response team, the recovery team and the community appreciated the value of DRNSW DPI research stations as a base to work from, as temporary accommodation and as a place critical business can operate from. For example, NSW Police forensics officers are operating from Wollongbar research station. These stations were also used in bushfires for distribution of fodder. The learning for DRNSW DPI is to invest in the upkeep and infrastructure of research stations to ensure access during emergencies.
2. To increase the number of staff across government that are trained in emergency response. It was difficult to engage staff in the response that were personally affected. In preparation for future incident response and recovery measures, DRNSW maintains a minimum of 500 staff trained in emergency management roles, including incident management and support, liaison and field operations. Over 1,600 DRNSW staff have undertaken foundational emergency management training and can be deployed if required.
3. Local relationships. One of the things that was very successful in this response was the contracting of Norco who were local and in place immediately to assist. Support such as this, as well as that of private vets, is critical to provide support in these responses.