
QUESTION ON NOTICE: LC

Select Committee on Cronulla Fisheries Research Centre Closure

10 September 2012

**MARK I. PATERSON AO, DIRECTOR GENERAL, TRADE & INVESTMENT,
REGIONAL INFRASTRUCTURE & SERVICES**

Select Committee on Cronulla Fisheries Research Centre Closure

QUESTION

The Hon. MICK VEITCH: What was the tendering process that they used? Was it a tendering process or an expression of interest?

Mr PATERSON: I cannot answer that.

The Hon. MICK VEITCH: Will you take that question on notice and find out for us?

Mr PATERSON: I would be happy to.

ANSWER

In January 2012, NSW Trade & Investment formally requested the State Property Authority (SPA) to carry out a market search of Nowra to identify suitable premises for the decentralised Fisheries functions. In line with normal operating procedures SPA prepared a basic brief (amount of space required, lease term etc), placed it on the State Property Authority website, sent the same brief to selected agents and owners that they had previous dealings with in Nowra, searched on realcommercial.com.au for premises for lease in Nowra, and made telephone contact with other agents listed on realcommercial.com.au to ascertain availability. SPA consolidated the responses and presented them to NSW Trade & Investment. From these responses, space suitable for Government was in very short supply. NSW Trade & Investment in conjunction with SPA then inspected the opportunities.

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QUESTION

1. Were you aware that staff in the Public Hearings have claimed that Dr Allan had told them after the announcement of the decision that he hoped they would be able to overturn the decision to close Cronulla Fisheries? Do you agree that this was quite a mixed message for the staff to receive?

ANSWER

Dr Allan affirms that he did not tell Professor Kennelly that he hoped they were able to overturn the decision. Dr Allan affirms that he forwarded a submission to the Minister from Professor Kennelly on 20 September 2011, "Submission from staff re closure of the Cronulla Centre", which outlined staff concerns regarding the decision. In addition, Dr Allan arranged for three members of staff from Cronulla; Peter Brown, Geoff Liggins and Robert Harris, to visit the Minister to outline staff views.

Dr Allan affirms that he did not encourage Professor Kennelly, or any other staff member, to work against this or any other government decision. To the contrary, at Working Group meetings, staff meetings and informal conversations, Dr Allan encouraged staff to engage constructively in the planning process to help ensure a successful relocation. The majority of staff have had constructive input into those plans. I am satisfied there have been no mixed messages given during this process.

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QUESTION

2. Mr Pullen of the Shoalhaven City Council testified in part that: "...With regard to a couple of the Naval administrative offices that we moved to Nowra, Division of Local Government, Corrective Services, there were opportunities for familiarisation tours, which the council participated in. We organised bus tours of interested staff, took them on visits to various aspects of living in and around the Nowra area, had functions where local citizens could talk to staff, answer questions and so on and so forth, and provided things like newspapers in their staff canteen and things like that. We actively worked with agencies like that and with private companies. I have moved companies from America into Nowra. I have moved businesses from Sydney and Melbourne into Nowra. I am sort of familiar with their questions. I even know nowadays the answer to the question: Is there a ballet school in Nowra, because I have been asked those questions..."

ANSWER

Refer Q 3.

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QUESTION

3. We have not heard of any such efforts being made to help with the relocation of staff from Cronulla and yet the department officials have told this Inquiry they have 'bent over backwards for the staff'. Why has the DPI not done more to help with this relocation – for instance engaging with Mr Pullen or his counterparts in Coffs Harbour and Port Stephens to deliver these kinds of services to the staff at Cronulla?

ANSWER

All staff were offered and continue to be offered the opportunity to visit new locations. Staff were offered the opportunity to travel to Nowra by bus tour or similar soon after the announcement. Staff representatives on the Working Group have regularly reported limited interest in group tours and that staff preferred to undertake individual visits. Staff have been provided with information and access to information with reference to the destination sites.

Staff have been able to travel to their nominated destinations, and even alternative destinations, to collect information first-hand about the regional centres. Furthermore, staff were given the opportunity to travel to regional centres even if they indicated it was unlikely they would accept their transfer. Some staff undertaking such travel specifically requested that their travel not be made known to their peers. These requests have been respected.

Travel to destination centres has been undertaken by a number of staff, including: those who have already transferred; those who accepted a transfer and their move is pending; and those who have declined their transfer and left the Department. This opportunity to travel to the regional centres is additional to standard entitlements for transferred officers.

Some staff have travelled more than once and to more than a single destination. Much of this travel has been in work time. The travel, in addition to the usual entitlements, has extended to partners/spouses and their children.

In addition to the travel, a number of other activities have been undertaken to support the transfer of staff. Information has been sought on pre-school options, public transport (including air travel), and real estate.

The Relocation Manager and Line Managers continue to work with staff who have either chosen to transfer, or continue to be interested in transferring.

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Below are some clarifications we would like from you to responses received to the questions on notice that were put to Dr Sheldrake, Dr Allan and Mr Cooper and provided to the committee on Monday.

QUESTION

4. In relation to the poor quality of the answers we have received to Questions on Notice to DPI (for example Questions 58 and 59). Do you believe your department has taken these requests for information from Parliament seriously? Are these answers of a standard you expect from your department?

ANSWER

I am satisfied every effort has been made to supply accurate information to the Committee.

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QUESTION

5. Further to the responses received from DPI to the Questions on Notice, Question 6. It is stated that of the 97 people (and not 138 people) that work at Cronulla on Fisheries matters that 40% have agreed to relocate – yet it is also stated that this is based on “informal advice from employees who are yet to formally advise DPI management of their intentions”. What then is the formal number of staff who have actually agreed to relocate to regional NSW? We have heard a number like 8 or 9?

ANSWER

The 138 Cronulla based positions are made up of 97 Fisheries NSW positions, 22 non-fisheries positions and 19 casuals or temporary positions on terminating contracts.

As at 13 September 2012, 38 of the 97 Fisheries NSW staff have accepted a transfer, including 23 who have agreed to transfer to regional locations and 15 to new locations in Sydney, either SIMS or Newington.

Furthermore, recruitment has commenced for positions made vacant by staff that have not accepted their transfer and either resigned or retired. Recruitment has been completed or is underway for 19 positions - two located in Sydney and 17 in the regions.

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QUESTION

6. Further to Questions on Notice to DPI, Question 7. We have heard from many experts that the research done at the excellent, flow-through seawater systems at Cronulla cannot be duplicated in the brackish, flow-through system at Port Stephens – no matter how much good sea water is brought in. Please provide us with any independent scientific reports which lead you to state that “all experiments currently carried out at Cronulla could be redesigned and successfully carried out at Port Stephens Fisheries Institute.”

ANSWER

There are no independent scientific reports specifically on the redesign of experiments conducted at Cronulla but there is a very large body of scientific literature describing in detail the use of facilities at Port Stephens for marine experimental research involving large and small animals. The response to Questions on Notice 7 was based on experience with experimental design, knowledge of facilities currently available or able to be constructed at Port Stephens, and knowledge of experiments conducted at Cronulla.

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QUESTION

7. Further to the answer to Questions on Notice to DPI, Question 8. Contrary to your answer, we have heard from Cronulla experts that the snapper and mulloway breeding work at Cronulla was very successful. In fact, it is claimed that the broodstock currently held at Port Stephens came from Cronulla. Further, we, the Committee actually saw these fish at Cronulla ourselves, in the presence of Dr Allan. Can you clarify whether the answer provided by DPI to our original question is accurate?

ANSWER

In the response, the statement made was "Attempts to rear Sydney rock oysters and marine fish, including snapper and mulloway, many years ago at Cronulla Fisheries Research Centre were met with very limited success."

For clarification, breeding finfish and molluscs can be divided into the following stages: 1) broodstock management (obtaining, holding, feeding, fattening), 2) spawning (inducing adults to release gametes), 3) hatching eggs, 4) rearing larvae (for molluscs this also involved settling larvae at metamorphosis) and 5) growing juveniles through to the required size. Successful "rearing" involves success with all stages.

The centre for marine fish breeding research has always been Port Stephens. A component of the program was located at Cronulla and some research was conducted at Cronulla when research with mulloway and snapper commenced. Broodstock were collected from the wild for those initial experiments. The snapper broodstock were collected and held in the large pool at Cronulla. Wild caught snapper and mulloway broodstock, fertilised eggs and newly-hatched larvae were transferred to Port Stephens and held for many years (Broodstock) or reared (eggs and larvae). Progeny of wild caught broodstock were on-grown for use as domesticated (G1 – first generation) broodstock. Some of those fish are still held at Port Stephens. Some were also successfully transferred back to Cronulla.

Several snapper have been kept at Cronulla for display since this time. They have not been used in breeding research since before 2003. The mulloway broodstock were initially collected by angling by the then Director of Research and held in the pool at Cronulla.

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Those fish could not be induced to spawn and inability to control the environment was suspected as the cause. In response, the large 50,000 litre tank was constructed in the 1990s. Inducing spawning of those wild sourced broodstock in the new tank was also problematic but some larvae were obtained and then transferred to Port Stephens for larval rearing (stage 4 above).

In terms of the stages for breeding described above, the “work” with snapper and mulloway at Cronulla was successful for stage 1, only partially successful with both species for stages 2 and 3 (partially because spawning was unreliable), and not successful for stages 4 or 5, including because there were no facilities to produce live food on-site at Cronulla nor purpose-designed larval rearing tanks. The statement “Attempts to rear marine fish, including snapper and mulloway, many years ago at Cronulla Fisheries Research Centre were met with very limited success” is correct because animals were not reared on-site. The “work” done at Cronulla was ultimately all transferred to Port Stephens because of the facilities and expertise at Port Stephens.

The Fisheries Technician who maintained the pool and aquaria facilities at Cronulla, David Barker, was employed as part of the Aquaculture Research group (Marine Fish Breeding team) until he accepted a Voluntary Redundancy in 2003 and all the aquaculture research that had been conducted at Cronulla was transferred to Port Stephens.

For Sydney rock oysters, part of breeding “work” was conducted at Cronulla rather than Port Stephens because the aim was to breed particular lines of oysters than had been exposed to QX disease. QX disease was not present in Port Stephens. Experiments with Sydney rock oysters were conducted over two years 1997 and 2000. For those experiments, all tanks, screens and equipment was transferred to Cronulla from Port Stephens. All live food (microalgae) was produced at Port Stephens and transferred to Cronulla. The experiments were led by staff from Port Stephens and most technical help was provided by Port Stephens staff. A water truck from Port Stephens was on-hand at Cronulla so oceanic water could be transferred for sensitive larval stages if water quality deteriorated at Cronulla. Records do not indicate whether this was needed for the 1997 or 2000 experiments. The exact same approach is used at Port Stephens, although oceanic water is needed more frequently at Port Stephens.

The experiments with Sydney rock oysters were partially successful in that while some spat (juvenile oysters) were reared, survival and growth was not ideal and the logistics involved with transferring staff, facilities and live food were difficult. Only those lines that could not be produced elsewhere due to disease translocation risks at that time were ever reared at Cronulla. All attempts to rear QX resistant oysters at Cronulla were abandoned as soon as a quarantine capacity was developed at Port Stephens.

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QUESTION

8. Further to the answer to Questions on Notice to DPI, Question 8. It is stated that "The absence of any facilities at Cronulla to rear live food or to adequately control water quality (including temperature and suspended solids), prevents successful breeding research or production." Later it is stated that the Cronulla facility was originally designed and run as an Aquaculture facility. These answers appear inconsistent. Please explain.

ANSWER

The original pool was constructed for fish breeding (i.e. aquaculture) in approximately 1902. The history of the original experiments and attempts to rear fish are described in Anon 1997. (Anon 1997. NSW Fisheries Heritage and Conservation Register. NSW Fisheries, 85 pp.) (Report previously supplied to the Committee). The history of early attempts to breed and rear fish are described in that report.

Harald Dannevig was first engaged at the Superintendent of Fish Investigations and Fish Hatcheries, and his experience prior to coming to Australia was as officer in charge of the Aberdeen Sea-Fish Hatchery in Scotland, UK, a post he had held for nine years. Overall, hatchery success was limited because the technology was largely unknown. A number of fish were liberated, mainly imported Tasmanian species, but it is apparent from Anon 1997 that newly hatched larvae were liberated with little or no chance of survival.

Reasons for the lack of success are discussed in Anon 1997 but the lack of nursery ponds to "rear" the larvae to a large size (presumably the assumption was that nursery ponds would allow production of natural zooplankton on which fish would feed because at the time technology for culturing crustaceans as live food for marine fish had not been developed). The following note from Harald Dannevig's successor supports this: "*if we can evolve a means whereby the larvae can be fed and reared in enclosures until they have acquired all the characteristics of the adult and are fitted to take up their life on the ocean floor, then artificial propagation will eliminate the dangers to which they are exposed during their pelagic career*".

Finally, a storm event in February 1914 appears to have led to deoxygenation of water and a deleterious microalgal bloom killed all the fish except the mullet and the crayfish (Anon 1997) (See pp. 26-36 Anon 1997 for full description of the relatively short initial aquaculture history of the Cronulla site.)

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The other tanks (including the large 50,000 litre tank, the smaller, outdoor 4,000 litre tanks and the indoor 250 litre tanks) were also originally purchased for aquaculture in the 1990s. Because of the absence of facilities for producing live food and rearing larvae, these facilities were only purchased to complement facilities at Port Stephens.

Aquaculture involves research to breed and grow aquatic animals and some of the facilities were purchased to house broodstock (50,000 litre tank) while the others to run experiments on developing diets (250 litre tanks) or other aspects of culture (4,000 litre tanks).

Those facilities did produce some useful aquaculture research but successful breeding research was hindered because of the lack of environmental control and lack of facilities for production of live food (both necessary for successful rearing). All aquaculture research was subsequently moved to Port Stephens where those facilities were available.

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QUESTION

9. Further to the answer to Questions on Notice to DPI, Question 10. The answer given did not answer the question. Please provide an adequate response: Of the 40 scientists in NSW Fisheries overall, how many are experts in wild fisheries research? How many of these are based at Cronulla?

ANSWER

A total of 18 Scientists were based at Cronulla, including 16 in the Wild Fisheries research group and two in the Aquatic Ecosystems research group.

In the Wild Fisheries research group, three scientists have exited the agency and one has transferred to Port Stephens. In regional locations outside Sydney, there are an additional four scientists in the Wild Fisheries research group and an additional fisheries technician with a PhD in wild fisheries science located outside Cronulla. At least two other scientists in the Aquatic Ecosystems research group have expertise with wild fisheries research.

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QUESTION

10. Further to Questions on Notice to DPI, Question 11. The answer given did not answer the simple question asked. Please provide a yes/no answer to the original question: Does an aquaculture scientist have the same expertise in research and management of wild fish stocks as a wild fisheries scientist?

ANSWER

No.

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QUESTION

11. Further to Questions on Notice to DPI, Question 12. The answer given did not answer the question. Please provide the numeric answer to the original question: Dr Allan has stated (page 6 of the transcript) that staff that currently use a laboratory at Cronulla will be relocated to Port Stephens, Coffs Harbour, and SIMS primarily at Port Stephens. Exactly how many of the 40 scientific staff that use the Cronulla lab have committed to relocate to Port Stephens?

ANSWER

Of the reported 40 scientific staff at Cronulla, 14 had Port Stephens as their destination, this included two administrative/clerical staff, one laboratory manager and one aquaria manager. Currently two staff have already transferred to Port Stephens, including one with 14 post graduate students. Another two of the 14 have transfers pending.

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QUESTION

12. Further to Questions on Notice to DPI, Question 15. Please provide the report that leads to conclusions that "The steep topography at Cronulla can present challenges to easy access for larger vehicles and trailer boats at Cronulla. Disabled access is better at Port Stephens." We understand that wheelchair-bound school children have done classes at the Cronulla facility aquarium at the bottom of the hill and that large semi-trailers have delivered huge cranes etc to the bottom of the Cronulla facility and yet access to parts of the Port Stephens site is hampered by swamp land, muddy soil and buildings. Do you have any further clarifications to make to this answer?

ANSWER

There is no report. The steep, winding driveway at Cronulla is a challenge for large vehicles and vehicles towing trailers. The comment on disabled access was based on the number of buildings with ready wheelchair access at both sites. Access to some areas within the area of land bordered by the pisciculture reserve at Port Stephens Fisheries Institute are restricted because of protected wetlands, including saltmarshes, but access to the areas that are developed and where future buildings are indicated in the Site Development Plan for the Port Stephens Fisheries Centre 2007 (previously supplied to Committee) is not restricted by topography, "swamp land or muddy soil". The location of buildings at Port Stephens and Cronulla does restrict access by some vehicles to some areas of both sites.

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QUESTION

13. Further to Questions on Notice to DPI, Question 16, the question was not answered. Is the access road to either of the Cronulla or Port Stephens facilities currently subject to tidal inundation?

ANSWER

Access via the access road for the Port Stephens Fisheries Institute and the Cronulla Fisheries Centre has never been restricted because of tidal inundation.

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QUESTION

14. Further to Questions on Notice to DPI, Question 17, how will the access to the Port Stephens facility be affected by sea level rise in the next 40 years?

ANSWER

Access to Post Stephens Fisheries Institute will not be restricted in the event of sea level rise.

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QUESTION

15. Further to Questions on Notice to DPI, Question 18, this question was not answered. For each of Cronulla and Port Stephens, please provide the distance (in kms) to (i) the nearest domestic airport, (ii) the nearest international airport, (iii) the nearest train station and (iv) the nearest bus stop.

ANSWER

Site	Domestic Airport	International Airport	Train Station	Bus Stop
Cronulla	22	22	1	<1
SIMS	22	22	13	1.5
Port Stephens	29	29*	53	<1

* Although Newcastle Airport is an International Airport, it has limited destinations.

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QUESTION

16. Further to Questions on Notice to DPI, Question 19, for each of Cronulla and SIMS, please provide the distance (in kms) to (i) the nearest domestic airport, (ii) the nearest international airport, (iii) the nearest train station and (iv) the nearest bus stop. Numeric answers please.

ANSWER

Refer Q15.

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QUESTION

17. Further to Questions on Notice to DPI, Question 23, the answer states that "This statement is based on an analysis of the postcodes of fishing permit holders and the postcodes of most common fishing locations for permit holders". The question requested that the data and analysis be supplied to the Inquiry Committee. Please supply the analysis.

ANSWER

The table below includes estimators for relative fishing activity across NSW in 2001. It is aggregated by ABS regions. The first column shows home locations and the remaining columns show locations where fishing activity took place. The total relative fishing activity within NSW was 7.6 million units. The total attributed from people who lived in Sydney was 2.6 million units. Of that, the location for the fishing effort from people who lived in Sydney and fished in Sydney was less than 1 million.

HomeFRName	North Coast	Solitary Islands	Mid North Coast	Hunter	Sydney	Mid South Coast	South Coast	South West	Murray River	Darling River	North West	Lord Howe Island
02.VIC	23253	16748	9072	903	12141	25054	176816	112810	373496	18941	264	
03.QLD	366488	2962	23586	2235	5866	12342	1335	1132	171		4164	
04.SA	1973	2386	66	622	62	199	166	3761	9513	5872	234	
05.WA	601		619	3301	787	775	2225	200	389			160
06.TAS	34	220	99	2562	1096	739	328	228		135		170
07.NT	76		272		222	126	138	3			363	
08.ACT	979	3724	8214	3315	6688	86802	52425	67600	1088		721	
Hunter	11184	5046	301795	626698	6172	25855		729	782	2335	30714	
Mid North Coast	111650	145391	323185	23097	1297	466	1535	225	319	7192	7404	394
Mid South Coast	3091	3487	4197	2017	14943	358459	21097	1334	512		879	
North Coast	302174	3404	3151	8528	3068	418			169	507	6217	
North West	57655	39603	61636	39508	7101	9396		68887	5227	31955	244366	
South Coast			3833	315	489	55848	91162	3591	849	211		
South West	8763	1115	10414	13148	10341	86282	77264	256083	63472	16471	20497	
Sydney	39023	3558	236273	601982	934535	461362	90819	117385	9110	3404	53383	1393
Grand Total	926945	227642	986412	1328230	1004808	1124122	515311	633969	465097	87023	369207	2117

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QUESTION

18. Further to Questions on Notice to DPI, Question 25, the answer (which refers to the answer to Question 24) implies that, at present: a plan has not yet been developed for the preservation of aboriginal relics archaeological sites; and that no budget for the long term maintenance and preservation of the relics and heritage sites has been developed. These costs could be considerable.

- a. Please supply an estimate or range of what these costs will be.
- b. Please also report on what impact such costs will have on the benefit costs analysis

ANSWER

Estimates of these costs have not been prepared as the future use of the site has not yet been determined. It is not appropriate to speculate on costs or who might bear those costs until the future use has been decided. Similarly, no benefit has been estimated for future use of the site.

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QUESTION

19. Further to Questions on Notice to DPI, Question 28, the answer (which refers to the answer to Question 24) implies that, at present: the longer term management and maintenance arrangements for all heritage buildings at the site have not been costed.

- a. Please supply an estimate or range of what these costs will be.
- b. Please also report on what impact such costs will have on the benefit costs analysis.

ANSWER

Refer Q18.

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QUESTION

20. Further to Questions on Notice to DPI, Question 30, the question "How many volunteers will cease volunteerism because of the closure" has not been answered. Please answer this question, bearing in mind the evidence provided to the Inquiry by Mr Robert Audsley.

ANSWER

The DPI cannot give a definitive answer to this question. As previously indicated, there are approximately 340 Fish Care volunteers (active and inactive) across the State. The Director, Recreational and Indigenous Fisheries has met with Fish Care volunteers to reassure them of ongoing support for the program after the relocation. A small number of volunteers have indicated they will exit the program but to date, the Director has not had formal notification from any volunteers who have actually left the program because of the relocation. As previously stated, the Sydney-based Fish Care volunteer program will remain in the Sydney area and options to minimise impacts of the relocation on volunteers continue to be pursued.

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QUESTION

21. Further to Questions on Notice to DPI, Question 31, can you confirm that the only documentation you have of commercial fishers supporting the decision is the press release from the Professional Fishers Association?

ANSWER

The press release from the Professional Fisherman's Association and the evidence in transcript from the commercial fisherman, Mr Graeme Byrnes.

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QUESTION

22. Further to Questions on Notice to DPI, Question 32, this question had several component questions within it and not all were answered. What response (written or verbal) has DPI and/or the Minister received from the Advisory Council on Recreational Fishing since the announcement to close the Cronulla Fisheries Research Centre of Excellence?

ANSWER

The Advisory Council on Recreational Fisheries has discussed the relocation and made representations to the Minister expressing concern about the loss of expertise and potential negative impact on recreational fisheries programs. These concerns are being addressed as part of the relocation process.

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QUESTION

23. Further to Questions on Notice to DPI, Question 34, this question was not answered. The question was "Isn't it the case that the majority of commercial fishers are actually based closer to Sydney than Coffs Harbour?" Please answer the question.

ANSWER

Wallis Lake is very close to half way between Coffs Harbour and Sydney. The postal addresses of just over 50% of fishing business owners are north of Wallis Lake.

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**MARK I. PATERSON AO, DIRECTOR GENERAL, TRADE & INVESTMENT,
REGIONAL INFRASTRUCTURE & SERVICES**

Select Committee on Cronulla Fisheries Research Centre Closure

QUESTION

24. Further to Questions on Notice to DPI, Question 36, the answer was confined to statements about SIMS. The question did not ask about SIMS. Please answer the original question: "Has your office, or have you been aware of concerns raised by Sydney Universities and overseas research partners about the closure of the facility?"

ANSWER

Letters objecting to the decision have been received from staff from Sydney Universities and overseas who are colleagues or acquaintances of staff at Cronulla Fisheries Centre.

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QUESTION

25. Further to Questions on Notice to DPI, Question 43, Please elaborate on the new synergies being offered through co-location of staff with other DPI staff at Newington and Wollongong.

- a. What are they? How do they compare to the synergies currently enjoyed at Cronulla through the co-location of researchers, managers, administrators in Wild Fisheries management?
- b. Please provide evidence of the analysis undertaken to identify and assess these new synergies.
- c. Who completed this analysis and when was it completed?

ANSWER

New synergies will be facilitated through co-location of Fisheries NSW staff with NSW Food Authority staff at Newington. Both agencies have an education function; the Sydney-based Recreational fishing educational program will be located at Newington facilitating development of new relationships. In addition, Food Authority and Fisheries NSW interact through management of shellfish (including oysters and pipis). Fisheries manages the stocks, permits, leases and licences while Food Authority manages the shellfish safety programs, including biotoxin control plans. Both agencies sit together on several committees. Co-location will facilitate those relationships.

New synergies will be developed with DPI staff at Wollongong and allow closer interaction with academic staff at the University of Wollongong.

Synergies among Fisheries NSW staff at Cronulla have been assisted by co-location. Different synergies will now be developed among other Fisheries NSW staff co-located at the new locations.

Functional analysis was part of the responsibility of members on the working group, in conjunction with other officers within Department of Trade and Investment and was an ongoing process during the early stages of the relocation process. Minutes of the Working Group refer to discussions of sites and advantages of different locations. (Minutes have been previously supplied to Committee.)

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QUESTION

26. Further to Questions on Notice to DPI, Question 51, what are the "identified functional needs" that will be adversely affected by suspending the relocation until the committee reports and the Minister responds?

ANSWER

The major identified functional need that would be adversely affected is licensing as some staff members have already moved and others have left the unit. Recruitment action is underway for a number of positions in this area. Some positions have been accepted in the new locations. Given the licensing demand, particularly for recreational fishers in the months leading to summer, it is critical that the relocation of this group be completed and recruitment finalised. Staff training needs to be progressed and fully operational systems are required in the new location (Nowra) as soon as possible. Uncertainty about timing of relocation negatively affects productivity of all staff and this has a negative impact on service delivery.

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QUESTION

27. Further to Questions on Notice to DPI, Question 58:

- a. Is it true there was strong pressure from the Ministers office for the number of Sydney based positions to be restricted?
- b. Is it true that there are Line Managers who are keeping their positions in Sydney when almost all of their subordinate staff are relocating to regional locations?
- c. Did these Line Managers declare a conflict of interest and/or withdraw from participating in the evaluation of cases from their staff to be located in Sydney?
- d. Can you please provide any documentation prepared and advise what measures you have ensure were put in place to guard against cronyism or inappropriate favouritism in this process?

ANSWER

The reason for the relocation was the Decade of Decentralisation Policy. Decisions taken were consistent with this.

The positions of Directors and most senior managers from Cronulla have been transferred to regional locations. The locations were discussed with the Working Group, the Relocation Manager and the Executive Director. Where Line Managers have been transferred to Sydney locations, the choice of location was made on the basis of functional need. No Line Manager from Cronulla had sole responsibility for determining the location of their subordinates. There is a clear Code of Conduct (see <http://www.trade.nsw.gov.au/policy/ti-a-130>). The Code includes specific sections on ethical decision making and fairness and equity. This covers cronyism and inappropriate favouritism. All staff at Cronulla have been made aware of that policy on more than one occasion during the relocation decision. All decisions taken on location of staff have been made consistent with the Code.

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QUESTION

28. Further to Questions on Notice to DPI, Question 60 and the Relocation Working Group Meeting #28 minutes (Peter Brown brought up the issue that has caused widespread concern among staff around a new permanent position at Nowra that was "created without due process and before the Manager of FBS had made a formal decision about whether he would relocate.").

- a. Do you believe such hiring decisions should be undertaken through a process that is transparent and consistent with Sections 7 and 8 of the Change Management Plan including the position evaluation process?
- b. Are you aware of serious concerns with the hiring processes involved in this Cronulla relocation process?
- c. Have any steps been taken to deal with the problems with lack of transparency and accountability in the Cronulla relocation hiring process?
- d. Has a sufficient explanation been provided by Geoff Allan as to why he chose not support a reversal of this hiring decision?
- e. Can we please see the documentation that Peter Brown requested regarding all correspondence and briefings relating to this lateral transfer?

ANSWER

The issue in question has been discussed at the Working Group meetings. All employment processes throughout the Cronulla relocation process meet public service guidelines and are consistent with the Cronulla Change Management Plan. In the particular case concerning the Manager FBS, the individual had made public statements that he would not relocate on several occasions, including during a meeting with the Minister. That individual also stated publically, on more than one occasion, that urgent action was needed to ensure the function of his work unit would not be seriously disrupted during the relocation.

The "new" position was a vacant position from a previous structure for the work unit (Grade 11/12) and, while the title remained the same for reasons of legislative delegation, it included additional responsibilities to the previous Manager FBS position. The new position was filled through lateral transfer, consistent with the Cronulla Change Management Plan (see Section 8.1). To ensure transparency, the rationale and reasoning behind this recruitment decision were clearly explained at the first available Working Group meeting.

Refer to BN12/427 in Attachment.

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QUESTION

29. Further to Questions on Notice to DPI, Question 66, we are led to believe a work ban has been placed on the training of all new staff or in helping with the relocation until issues regarding the treatment of temporary staff have been addressed.

- a. How long has this work ban been in place?
- b. Is this work ban still in place?
- c. What efforts have been made to address the grievances of staff that has led to this work ban?
- d. What efforts have been made to ensure this work ban has not resulted in the loss of knowledge through lack of knowledge transfer?

ANSWER

The work ban has been in place since 23 April 2012 and it is our understanding that the work ban remains in place.

The Department has engaged in consultation with staff representatives and the PSA in recent months to discuss severance entitlements for temporary staff and permanency for long term temporary staff intending to continue employment with the Department. A number of temporary staff have had their contracts extended to ensure that they have opportunities to secure jobs in the new locations that have been advertised to Cronulla staff only in the past two months. A number of temporary staff have been approved to be made permanent under Section 31 of the *Public Sector Employment and Management Act 2002*.

A risk-based approach has been applied to knowledge loss and knowledge transfer. It has been an individual choice for staff members that have left to date whether or not to engage in the hand over and knowledge transfer process. Many staff who have left or are planning to leave have engaged actively and diligently in this process.

The Department is working to ensure that risk mitigation strategies are in place to address any risks associated with loss of knowledge, including:

- 1) Filling vacant positions as a priority and training new staff by those who have already transferred or who are familiar with the tasks - recruitment

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has been completed and/or underway for 19 positions with two in Sydney and 17 in the regions,

- 2) early transfer of managers,
- 3) employment of additional short term casuals,
- 4) cross training of staff who have agreed to transfer,
- 5) re-designing business processes, and
- 6) staggered transfer of functions and positions.

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QUESTION

30. Did Dr Geoff Allan meet with or have any verbal or written communications with the Hon. Andrew Stoner prior to the 2011 election? If so, was any potential regionalisation within Fisheries discussed?

ANSWER

No. Dr Allan affirms that he has only met the Hon. Andrew Stoner on a single occasion at a formal Royal Agriculture Society lunch in 2010 and that he has never discussed potential regionalisation, fisheries or Cronulla with him.

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QUESTION

In relation to the Department Employee Welfare Code of Conduct:

31. Last week the Inquiry heard about several instances of staff feeling bullied, intimidated and/or victimised during this process in closing the Cronulla Fisheries Centre of Excellence. As part of your own department's code of conduct, you, as Director-General are supposed to investigate such matters. What steps have you taken to investigate these instances?

ANSWER

The Department treats allegations of bullying with the utmost seriousness. The evidence provided at the Public Forum described part of the incident. That incident has been discussed with all staff involved. All staff involved have also been informed of the process for lodging a claim of bullying and assured that any complaints will be investigated under that policy. The policy is referred to in the Department of Trade and Investment Code of Conduct. That code can be found at <http://www.trade.nsw.gov.au/policy/ti-a-130>

To date there have been no formal complaints under the policy.

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**MARK I. PATERSON AO, DIRECTOR GENERAL, TRADE & INVESTMENT,
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QUESTION

In relation to the Cost Benefit Analysis:

32. In the Benefits section (Note 6) are the \$9,068,476 in benefits due to savings in 10 non-fisheries positions that no longer required with the closure of Cronulla Fisheries?

ANSWER

From the Benefit-Cost Analysis: "At this stage it has not been determined whether approximately 10 non fisheries positions will be transferred following the closure of the facility (including site management and administrative staff). Decisions on whether to fill these positions will be based on future business needs of the Department.

Factors such as site management requirements at new locations, current changes to fisheries administrative systems, research planning and budgetary considerations will influence the number of positions that will be transferred and filled. These 10 positions have estimated annual salaries of \$800,000. This benefit-cost analysis is based on the assumption that these positions will not be filled and there will be a resulting total annual payroll saving estimated at \$0.8 million. If some of these 10 positions are filled these savings will be reduced."

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QUESTION

33. In order for these savings to be accrued over the entire 20 year period these positions would have to be directly related to the Cronulla facilities and not an outcome of any departmental restructure. Please provide an indication of job titles of these 10 positions so that we can verify their direct association with the upkeep to the Cronulla facilities.

ANSWER

Refer to Q32.

All permanent and eligible temporary staff have been offered the opportunity to transfer. Obviously, the duties for some of those positions will change (e.g. the Site Manager for Cronulla). For the Cost Benefit Analysis, the following Cronulla-based *positions* were assumed to not be needed:

- Site Manager
- Asset Support Clerks (x 5)
- Receptionist
- Librarian
- Fisheries Technician (aquaria manager)
- Administrative Assistant (Clerk)

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QUESTION

34. In the Costs section (Note 14) are \$335,171 in costs due to overheads at 59 Berry St Nowra (Office). The notes state that these overhead charges at the Nowra facility include cleaning, waste disposal, security, fire equipment maintenance, water, sewerage and garbage rates. In the Benefits section (Note 2) there is \$313,000 per annum in costs associated with 'housing' of staff at the Cronulla facility including costs in cleaning, waste disposal, utilities, consumables and postal expenses. Can it not be assumed that all such costs associated with staff will move with the staff? Therefore, the overheads shown in Note 14 should actually also include such overheads at all new facilities. If we assume all except 10 positions will be relocating to the new sites then these overheads would be approximately $128/138 \times \$335,171$ or \$290,319 per annum – for a total NPV cost of \$ \$3,290,937. Is this correct?

ANSWER

Many of these costs are covered in lease or co-location agreements. Many of the costs for DPI-owned locations are fixed and already paid for existing staff. Costs will not increase with the arrival of additional staff. Actual costs cannot be estimated until final decisions have been made by staff.

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QUESTION

35. Why are costs associated with sea level rise at Port Stephens not included in the CBA given that the CBA assumes that the facilities will be maintained to be of "equal value to the original investment" after 20 years (Note 5)? What will be the cost of relocating the entire facility if the well researched and documented evidence of sea level rise impact on this site?

ANSWER

Refer Q14. Costs for relocating the entire facility have not been calculated as this is not anticipated to be a realistic response to sea level rise.

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QUESTION

36. You also claimed that the CBA for the Cronulla relocation was only completed on the day that it was submitted to the Public Hearing (September 10). However, the correspondence with the Auditor General's office (Answers to Questions on Notice to DPI Attachment B) contains a request for such a Cost Benefit analysis into the relocation back in November 2011.

- a. Why is it that this document was only just completed in September 2012 and is only 3 pages long when it was requested by the Auditor General's office in November 2011?
- b. Has the department done an adequate job of supplying the Auditor General's office with the information they have requested?

ANSWER

- a) The Benefit Cost Analysis was not a decision tool but was produced to provide a estimate based on information on costs and benefits available to date. A complete Cost Benefit Analysis will be produced when all data is available and this will be supplied to the Auditor General's Office, as discussed in meetings with Senior Officers from that Office.
- b) Yes

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QUESTION

37. In regards to the DPI Questions on Notice No. 66 and the Inquiry transcript for the Monday 6th August Public Hearing (page 22) Dr Allan states that "We have done an analysis and we should not miss any milestones for any research projects". However, the answer to Question 66 states "Some milestones are expected to be delayed. Almost all milestones will be delivered".

- a. What is the cost to funding from these milestones being missed or delayed?
- b. Why were these costs not included in the Benefit Cost Analysis?
- c. What measures are being undertaken to minimise such delays and costs?

ANSWER

- a & b) No costs have been identified to date.
- c) The Research Director is responsible for ensuring disruption to research is minimised and risks and mitigation strategies are a key function of the research members on the Working Group and the teams they lead.

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QUESTION

38. Several scientists have testified to this inquiry that the stock assessment process is under serious threat as a result of the loss of expertise expected from the closure of Cronulla Fisheries.

- a. What is being done to ensure that this does not occur?
- b. What does the department estimate the economic impact to NSW should the stock assessment system fail in terms of loss of income to fishers from lost export licenses and potential decline in fish stocks?

ANSWER

The stock assessment (resource assessment) program will continue after the relocation. The threat and risk associated with loss of officers through retirement as a result of the Cronulla relocation or other processes will be managed through: 1) analysis of needs for this function once relevant staff have made a decision about whether they will transfer or exit, 2) re-designing methods for resource assessment based on functional analysis, 3) recruiting priority vacant positions, 2) training of new staff by staff who remain, 4) employment of additional short term temporary or casual staff if necessary.

The resource assessment function will remain. The Department does not anticipate any loss of income to fishers from changes to the resource assessment program.

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QUESTION

39. When was the Change Management Plan (CMP) finalised and published for this Cronulla Fisheries Relocation project?

ANSWER

The Change Management Plan was approved by the DG DPI on 16 December 2011, after full consultation with the industrial relations committee established for the purpose of discussing the Plan, and with the Working Group. The PSA was consulted separately and were members of the industrial relations committee.



**MARK I. PATERSON AO
DIRECTOR GENERAL, TRADE & INVESTMENT, REGIONAL
INFRASTRUCTURE & SERVICES**

24.9.12

Attachment.

BN12/427...

11/5020
BN12/427

**PRIMARY INDUSTRIES
Fisheries NSW – Recreational and Indigenous**

Director-General Briefing

Manager, Fisheries Business Services

Issue:
Approval to advertise the position of Manager, Fisheries Business Services (Grade 11/12) in Nowra.

Brief prepared by Peter Turnell, Director, Recreational and Indigenous Fisheries
9 February 2012

Dr Geoff Allan
Executive Director, Fisheries NSW

*Supported condensed
function position
Gary Spawra
09/02/2012*

Director-General

*Approved [Signature]
11.2.12.*

=> Ed (Fisheries)

11/5020
BN12/427

**PRIMARY INDUSTRIES
Fisheries NSW – Recreational and Indigenous**

Director-General Briefing

Manager, Fisheries Business Services

Issue:
Approval to advertise the position of Manager, Fisheries Business Services (Grade 11/12) in Nowra.

Background:
The Fisheries Business Services team consists of 12 positions (3 currently vacant) and is due to be relocated to Nowra during 2012/13. The majority of team members have indicated they do not wish to relocate, and this presents a significant business risk. Steps have begun to move people into the team who are willing to relocate to ensure continuity.

A position of Manager, Fisheries Business Services (FCN210) previously existed at grade 11/12 with responsibility for managing the team. In February 2010 both the position and the position holder (Laurie Derwent) were transferred to the Compliance Branch as part of a small restructure. Since that time the team has been supervised by a new position of Manager, Fisheries Business Services at grade 9/10.

With the function moving to Nowra where there will be less day to day supervision and the expanded responsibilities, a new position based on the previously evaluated and approved position (FCN210) is required.

The position holder of the current Manager, Fisheries Business Services (grade 9/10) has indicated on numerous occasions he will not relocate to Nowra (in which case that position will be deleted). In the unlikely event the position holder chooses to move to Nowra, there will be numerous opportunities to restructure the team to avoid budget exposure.

Recommendation:
The Director General approves the creating of a new position to replace the former FCN210 and the advertising of the position on a permanent basis, located in Nowra.