



LEGISLATIVE COUNCIL

General Purpose Standing Committee No. 5

BUDGET ESTIMATES 2013-2014

Supplementary Questions on Notice

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Primary Industries, Small Business

Monday 12 August 2013

Answers to be returned by: Thursday 5 September 2013.

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Primary Industries

Hudson Pear cactus

The Western CMA has recently alerted the government to Hudson's Pear outbreaks in Broken Hill and the flood plains around Nyngan. The \$11m to control noxious weeds to improve agricultural productivity and protect the environment as outlined in BP3 p 8-5 is the same as in previous years.

1. What specific budget has been allocated to funding the control and eradication of the Hudson Pear cactus?
2. What control measures and programs are in place, and which body is responsible for coordinating them?
3. In regards to the potential spread of Hudson pear by opal mining operators around the Lightning Ridge area:
 - a. Is it a licence requirement of opal miners to prevent the spread of noxious weeds, such as the Hudson Pear cactus? If yes, how is it being enforced? If not, why not?
 - b. Are there driver/operator training programs aimed at preventing the spread of Hudson Pear via mining equipment?
 - c. When will your government implement the recommendations of the Wilcox Report?

Funding clarity – DPI or OEHL?

4. Is the \$30m referenced in the Minister's press release (18 June) for "new catchment action funding"¹ simply a rebadging of existing money from DPI being transferred to OEHL (BP3 p.8-12)?
5. What were these funds used for previously as Minister Parker's press release² says they are to be used for "natural resource management, including threatened species, aboriginal culture and native vegetation"?
6. What is the purpose of moving these funds?
7. How will future funding allocations be identified if OEHL is not listed under the premier and cabinet cluster?

Pests – feral pigs

8. It has been widely reported that feral pig numbers are on the increase, because of a boom in the population cycle due to the rain earlier in the year. BP3 p.7-6 shows \$38m to manage pest animals

¹ http://www.dpi.nsw.gov.au/_data/assets/pdf_file/0005/469760/strengthen-primary-industries.pdf

² <http://www.environment.nsw.gov.au/resources/MinMedia/MinMedia13061801.pdf>

which appears to be similar to previous year's commitments. What resources, personnel, and research services have been made available to monitor and control feral pigs in NSW?

9. The \$4.8m to support biosecurity programs in BP3 p.8-6 is the same as previous years. Given the rapidly expanding wild pig numbers what monitoring of *Brucella suis* will occur in the coming year?
10. Why were submissions concerning the abolition of the Snowy Scientific Committee and the establishment of a Snowy Advisory Committee not made public?
11. Can the Minister confirm that releases scheduled to take place from Guthega dam in 2007/08 and from below Island Bend dam in 2009/10 to replenish the montane sections of the upper Snowy River above Jindabyne dam have not taken place?
 - a. If so, can the Minister provide an explanation as to why?
12. Can the Minister confirm that releases to the Snowy River below Island Bend Dam will be occurring in the 2013-14 year?
 - a. If so, how much will be released?
13. Given that the ACCC has severely criticised the Australian Egg Corporation's attempt to register free-range standards with stocking densities of up to 20,000 chickens per hectare, as violating consumer expectations, will the Minister:
 - a. Move to legislate the standards of stocking densities in NSW, or
 - b. Approach the appropriate Ministerial council to work towards national stocking standards, or
 - c. Do nothing while free-range consumers continue to be deceived?
14. Regarding animal welfare:
 - a. In the 2013/14 budget there is \$1.1 billion allocated for primary industries. How much of this allocation is going towards animal welfare, animal protection or the prevention of animal cruelty?
 - i. Please provide a list of programs that will be/ are being funded and the budget allocation?
 - b. How many programs is the Government undertaking to increase the level of education and awareness of primary producers on animal welfare and animal protection issues?
 - i. Please provide a list of programs that will be/ are being funded and the budget allocation?
 - c. What research programs does the DPI have on improving animal husbandry and primary production with regards to animal welfare and animal protection, particularly with reference to alternatives to intensive production?
 - i. Please provide a list of these programs with budget allocations
 - d. What research programs does the DPI have on non-lethal or more humane invasive species and feral/pest animal control and management?
 - i. Please provide a list of these programs with budget allocations
15. Regarding pigs:
 - a. Is there any plan or research underway to introduce a phase out or ban of sow stalls or farrowing crates?
16. Regarding kangaroos:

- a. The Budget has included \$4.8 million to deal with biosecurity threats posed by pests, weeds and diseases. Does this plan include the mass “culling” of kangaroos for deemed ecological purposes?
 - i. If yes, please provide a list of such programs including geography, estimated culling numbers and budget.
 - b. How much funding does the NSW Government provide or plan to provide for the marketing, promotion, maintenance and development of NSW’s kangaroo industry in Australia and overseas?
17. Regarding animal protection law enforcement:
- a. Does the government provide funding to non-government animal protection agencies?
 - i. Please provide a list of these agencies with their funding allocations
18. In regard to the Game Council:
- a. The Government allocated \$4.3 million to the Game Council in 2013-2014. Where will this funding be reallocated following its abolishment and when?
19. Regarding Marine Parks
- a. How many revocations or amendments related to specific marine parks have occurred under this government
 - i. Please provide a list of all revocations and amendments to marine parks and marine parks plans of management since 2011.

Forestry

20. Given the NSW Environment Protection Authority identified 634 breaches of logging rules by the Forestry Corporation in the last financial year, what steps have been taken to ensure breaches do not continue?
21. Given the average of 16 breaches of licence rules identified for each forestry site visited, has consideration been given to increasing resources to visits to identify breaches?
22. Given only 3-4% of logging operations are audited, what is the estimated number of breaches and non-compliances that are occurring but are not identified?
23. When breaches are identified by environmental groups and reported to the NSW Environment Protection Authority what steps are taken?
24. What is the average time from receiving a report from an environmental group identifying a substantial breach and carrying out a site visit?
25. A number of logging breaches in Royal Camp State Forest were identified by the North Eastern Forest Alliance over a year ago and reported to the Minister, what steps have been taken in relation to this?
26. Penalty notices have been issued in some cases for logging within Koala High Use Areas, why is no remediation or additional habitat protection required in such circumstances?
27. Has consideration been given to imposing penalties other than penalty notices for illegal logging?

28. When imposing penalties for logging breaches, what consideration is given to the need to deter future breaches?
29. What monitoring is there of Forestry Corporation fulfilling requirements to conduct scat searches?
30. Are there current plans to declare Royal Camp State Forest as a koala reserve?
 - a. If so, what are these?
 - b. If not, why not?
31. Has any research been undertaken to assess the suitability of current penalties under the Protection of the Environment Act and the National Parks and Wildlife Act?
 - a. If so, what was the outcome of this?
 - b. If not, why not?
32. On what date was the current Wood Supply Agreement for hardwood between South East Fibre Exports and the Forestry Corporation or its predecessor signed?
 - a. For what duration?
 - b. Why was a new agreement entered into before the previous agreement had expired – when it had possibly as long as 10 years still to run?
33. What was the total royalty payments (for hardwood and softwood separately) made by South East Fibre Exports to the Forestry Corporation (and its predecessors) in each of the last 10 years?
34. It is a requirement under the Integrated Forestry Operations Approvals that Forestry Corporation NSW prepare annual plans of logging operations for each financial year by June 1 of the preceding financial year?
 - a. If so, where are these plans currently available? If they are not currently publicly available, what plans are there to change this?
 - b. Has a plan for 2013-14 been prepared?
35. Regarding the monthly Integrated Forestry Operations Approvals monthly reports, prepared by each region, which are intended to be an accurate record of logging operations – what confidence is there that the detail in these is accurate and up to date?
36. Are there procedures in place so that groups or individuals who have documentary evidence of irregularities in monthly reporting could provide such information and have it be investigated?
37. Are requirements that Forestry Corporation notify regulatory agencies when logging ceases in particular compartments currently being complied with?
38. What concerns, if any, are there that logging operations are being deliberately left 'open or ongoing'?
39. What information has the Minister received regarding BORAL's application for FSC Controlled Wood?

40. Did BORAL not obtain FSC Controlled Wood classification because it was unable to demonstrate that FCNSW operations do no harm to high conservation values?
41. Is the Government or its agency/corporation involved in discussions with BORAL about reducing their timber quotas for NE NSW?
42. Does the department continue to rely on the logging technique known as Australian Group Selection?
 - a. If so, why?
 - b. If not, why not?
43. Under this Minister how many peer review research papers have been published by FCNSW staff on the effects of logging on threatened species?
44. What active monitoring or research programs has been conducted by FCNSW into the impacts of logging on native fauna and flora, and in particular those listed under the Threatened Species Conservation Act?
45. What areas and locations of Koala habitat has been protected in accordance with the provisions of the Integrated Forest Operations Approvals since March 2011?
46. Since removal of the Pine Creek State Forest Koala Management Plan is it confirmed that the NSW Forests Corporation are now planning to log remaining native forest in Pine Creek State forests in the next 12 months?
47. Can the Minister confirm that logging in State Forest Flooded Gum plantations in the Bellingen Shire has been suspended or curtailed?
 - a. If so why?
 - b. If so, what impact will this have on the koala populations in those areas?
48. Can the Minister provide any information on the costs associated with logging and reestablishment of former Flooded Gum Plantations on State Forests in the Bellingen Shire, for example the cost of logging operations, income from the products obtained and cost of re-establishment?
49. When will the Minister publicly release the URS report into the state of timber resources in North East NSW?
50. Has the interdepartmental steering committee considering the state of timber resources in North East NSW provided its recommendations to Government, and if so, what options were presented?
51. What is the estimated sustainable yield of large high quality sawlogs until 2100 from State forests in each of the NSW CRA regions of Lower and Upper North East NSW?
52. What action will the Government take to reduce the current harvesting of large sawlogs down to the estimated long-term sustainable level?

53. Given that market demand for hardwood products from NSW's forests is currently down, what action has the Government taken to reduce commitments from State Forests in line with company commitments to take minimum volumes specified in Wood Supply Agreements?
54. Will the Government allow logging in any currently existing national parks, nature reserves, or state conservation areas to satisfy resource commitments?

Game Council

55. How much of the \$4.35m appropriation for the Game Council will be channelled into professional feral animal control programs?
56. How much of the \$4.35 million appropriation will go to:
 - a. Feral pest control in State Forests?
 - b. Feral pest control in National Parks?
57. Which National Parks are currently being proposed for recreational hunting trials and when will such trials commence in these parks?

Small Business

1. How many formal mediations were conducted by the Office of Small Business in 2012-2013 Financial Year?
2. How many were between small businesses in dispute with each of:-
 - a. Other businesses;
 - b. government;
 - c. local Councils?
3. How many resulted in an agreement between the disputing parties, by the above categories?
4. How many simply resulted in the small business getting achieving no positive result, in total and by the above categories?
5. Last year you indicated that you were not able to answer the above question at the level of categories set out above. If this remains the case, will you change you data collection so you are able to break down mediations in this way? If not why not?
6. How many new persons, not previously engaged to mediate in connection with the former Retail Tenancies Unit, have been used as mediators in 2012-13 in connection with the Office of Small Business Commissioner?
7. When were those persons selected?
8. What process was used to select those mediators?
9. What criterion was used to select those mediators?

10. Where are those persons based?
11. How many new persons, not previously engaged to mediate in connection with the former Retail Tenancies Unit, will be used as mediators in 2012-13 in connection with the Office of Small Business Commissioner?
12. How many persons are on the panel of mediators used by the Office of the Small Business Commissioner? How many of those persons were on the panel for 2012-13?
13. You indicate that “the[dispute resolution] unit has handled a total of 1,852 disputes” and has been able to “informally mediate 80 per cent of those matters at no cost to the parties.” Is that for the financial year 2012-13 or for some other time period? What exact number have been ‘informally mediated’ and what number have been ‘formally mediated’.
14. How many mediations will be conducted by the Office of Small Business in 2012-2013? Or how many do you expect to be conducted?
15. Last year you indicated the Small Business Commissioner would raise with you examples of unfair market practices that you would then take action on. How many examples of unfair market practices engaged in by private sector entities towards small businesses has the Small Business Commissioner raised with you in 2012-13 and since July 2013? What were they? What have you done about them to date?
16. You indicated during the Estimates Hearing that the Office of the Small Business Commissioner had received some 10,000 calls and emails. Over what time period? The 2012-13 financial year, or some other time period? If some other time period, what period?
17. The July 2013 advertisement for sponsorship of Small Biz Connect including the Small Biz Bus. Leaving aside the sponsorship of the buses, how much do you expect to raise in sponsorship? Will this money be in addition to the money allocated in the 2013-14 Budget.
18. At what locations have mediations been conducted by the mediators engaged by/through the Office of the Small Business Commissioner in 2012-13?
19. At what locations will mediations been conducted by the mediators engaged by/through the Office of the Small Business Commissioner in 2013-14?
20. Does your department provide recurrent grant funds to non-government organisations? If yes,
 - a. What are the names of all organisations in receipt of funding?
 - b. What is the total amount of funding received by each organisation including goods and services tax?
 - c. On what date was the funding advanced?
 - d. What was the purpose for each grant or funding advance?
 - e. Was any funding withheld or returned?
 - f. If so, what were the reasons for withholding or requiring the funding to be returned?

- g. What is the indexation rate applied to non-recurrent grant funds in 2013/2013?
- h. What are the details of any costs involved in each study, audit, taskforce or review?
- i. Have any provisions been included in grant agreements to prohibit these organisations from criticising the Government or any of its policies?

21. Is your department currently undertaking any feasibility studies, audits, taskforces or reviews? If so; then;

- a. What are the terms of reference or details of each study, audit, taskforce or review?
- b. Who is conducting the study, audit, taskforce or review?
- c. Was each study, audit, taskforce or review was publically advertised seeking expression of interest or competitive tenders?
- d. Is there a contract in place detailing terms of engagement for the study, audit, taskforce or review?
- e. What is the timeline of each study, audit, taskforce or review?
- f. What are the details of any costs involved in each study, audit, taskforce or review?