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## GENERAL PURPOSE STANDING COMMITTEE No. 5

Friday 17 September 2010

Examination of proposed expenditure for the portfolio areas

### CLIMATE CHANGE AND ENVIRONMENT, CANCER

The Committee met at 9.15 a.m.

#### MEMBERS

Mr I. Cohen (Chair)

The Hon. R. Brown  
The Hon. A. Catanzariti  
The Hon. R. H. Colless

The Hon. L. A. Foley  
The Hon. C. J. S. Lynn  
The Hon. H. M. Westwood

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#### PRESENT

**The Hon. F. E. Sartor**, *Minister for Climate Change and the Environment, and Minister Assisting the Minister for Health (Cancer)*

**Mr T. Hayward**, *Chief of Staff*

#### **Department of Environment, Climate Change and Water**

**Ms L. Corbyn**, *Director General*

**Mr S. Smith**, *Deputy Director General, Climate Change, Policy and Programs Group*

**Ms S. Barnes**, *Deputy Director General, Parks and Wildlife Group*

**Mr G. Sullivan**, *Deputy Director General, Environment Protection and Regulation Group*

#### **Taronga Zoo**

**Mr C. Kerr**, *Chief Executive Officer*

#### **Cancer Institute NSW**

**Professor D. Currow**, *Chief Cancer Officer and Chief Executive Officer*

#### **NSW Health**

**Dr R. Matthews**, *Deputy Director General, Strategic Development*

**Dr K. Chant**, *Acting Deputy Director General, Population Health and Chief Health Officer*

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**CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

**Corrections should be marked on a photocopy of the proof and forwarded to:**

**Budget Estimates secretariat  
Room 812  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**

**CHAIR:** I declare the hearing for the inquiry into the budget estimates for 2010-11 open to the public. I welcome Mr Sartor and accompanying officials to this hearing. The Committee will examine the proposed expenditure for the portfolios of Climate Change and the Environment, and Cancer. Before we commence with questions, I will make some comments about procedural matters. In accordance with the Legislative Council guidelines for the broadcast of proceedings, only Committee members or witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photos. In reporting the proceedings of this Committee, media representatives must take responsibility for what they publish or what interpretation they place on anything that is said before the Committee. The guidelines for the broadcast of the proceedings are available on the table by the door. Any messages from attendees in the public gallery should be delivered through the Chamber and support staff or Committee clerks. Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers while at the table. I remind everyone to please turn off their mobile phones.

The Committee has agreed to the following format for the hearing. The Climate Change and Environment portfolio will be examined from 9.15 a.m. to 12.00 p.m. and the Cancer portfolio will be examined from 12.00 p.m. to 1.00 p.m. There will be a short break about 10.30 a.m. The House has resolved that answers to questions on notice must be provided within 21 days or as otherwise determined by the Committee. The Committee has not varied the 21-day time frame for answers to questions on notice. Transcripts of this hearing will be available on the website from tomorrow morning. All witnesses from departments, statutory bodies or corporations will swear an oath or make an affirmation prior to giving evidence. Minister, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament.

**ELIZABETH CORBYN**, Director General, Department of Environment, Climate Change and Water,

**SIMON SMITH**, Deputy Director General, Department of Environment, Climate Change and Water,

**SALLY BARNES**, Deputy Director General, Department of Environment, Climate Change and Water,

**GREG SULLIVAN**, Deputy Director General, Department of Environment, Climate Change and Water, and

**CAMERON KERR**, Chief Executive Officer, Taronga Conservation Society Australia, affirmed and examined:

**NEIL HAYMAN**, Acting Executive Director, Corporate Services Division, Department of Environment, Climate Change and Water, sworn and examined:

**CHAIR:** I declare the proposed expenditure for the portfolios of Climate Change and the Environment, and Cancer, open for examination. As there is no provision for the Minister to make an opening statement, we will begin with Opposition questions.

**The Hon. CATHERINE CUSACK:** Minister, what standards or codes of practice does New South Wales adhere to in the management of radioactive waste?

**Mr FRANK SARTOR:** I will refer that question to the Director General. We are in the process of updating our radiation control legislation and that should be coming forward shortly. That will be in line with the Council of Australian Governments agreement. In coming weeks we will introduce the Radiation Control Bill, which will replace existing radiation control. I will ask the department to provide more details on that.

**Ms CORBYN:** Generally we work to the national codes of practice that are set by the Australian Radiation Protection and Nuclear Safety Agency [ARPANSA]. I do not have the names of the codes of practice at hand, but we can certainly get them for you.

**The Hon. CATHERINE CUSACK:** Do you know whether New South Wales is meeting those standards?

**Ms CORBYN:** I do not have information on that. I will ask Greg Sullivan to comment.

**Mr SULLIVAN:** The code of practice is the Security of Radioactive Sources Code 2007 and the department complies with that code.

**The Hon. CATHERINE CUSACK:** Is the storage of radioactive waste around the State meeting the standards required in that code?

**Mr SULLIVAN:** Yes, I understand it does.

**The Hon. CATHERINE CUSACK:** How much radioactive waste is there in New South Wales?

**Mr SULLIVAN:** I will take that on notice.

**The Hon. CATHERINE CUSACK:** Is it notified to and licensed by the Environment Protection Authority [EPA]?

**Mr SULLIVAN:** We have a facility but I will have to take the detail of that on notice.

**The Hon. CATHERINE CUSACK:** You have a facility?

**Mr SULLIVAN:** There is a facility at Lidcombe where radioactive waste is stored.

**The Hon. CATHERINE CUSACK:** I understand that. Is radioactive waste being stored elsewhere around the State?

**Mr SULLIVAN:** I need to take that on notice.

**Ms CORBYN:** We have significantly upgraded over the past three or four years the storage facilities associated with radioactive waste and have a good centralised function for most of that waste, but we would have to take on notice the question about materials that might be elsewhere.

**The Hon. CATHERINE CUSACK:** My understanding is that all radioactive waste needs to be notified to the EPA.

**Ms CORBYN:** Yes.

**The Hon. CATHERINE CUSACK:** Are you on the board of the EPA?

**Ms CORBYN:** I am.

**The Hon. CATHERINE CUSACK:** Do you know how much radioactive waste there is in New South Wales?

**Ms CORBYN:** I do not have that figure off the top of my head. I will have to take that on notice.

**The Hon. CATHERINE CUSACK:** What level of radioactive waste is being stored at Lidcombe?

**Mr SULLIVAN:** The materials there have been collected over some 50 years from orphaned or disused radioactive sources. They have come from, for example, hospitals, schools, industry and in some cases members of the public. All of the more hazardous radioactive materials are stored at the Australian Nuclear Science and Technology Organisation [ANSTO] facility at Lucas Heights.

**The Hon. CATHERINE CUSACK:** Is that facility running out of waste? Is there a need for a new radioactive waste facility in this State?

**Mr SULLIVAN:** I understand the current storage capacity is adequate.

**The Hon. CATHERINE CUSACK:** How long has it been at capacity?

**Mr SULLIVAN:** My understanding is that there is adequate storage capacity.

**Mr FRANK SARTOR:** He is not saying it is at capacity. I am not sure we agree with the question. If you are interested in this topic I am sure we can find out more information. There is a bit of a misconception by some about radioactive uses in this State, such as that cobalt or other things were being used in hospitals. Caesium is being used for brachytherapy in hospitals. Cobalt has been pretty much phased out and I think only one hospital has it. It is being used in mining for certain types of assessments, to check metal fatigue, and in industry there are a number of sources. My understanding is there are between 40 and 60 locations that use radioactive material. It is usually low level but it is a pretty diverse industry. That is why there has been agreement for a new national Act to regulate how we do all that, and also from a security point of view as well as just the normal hazard and pollution point of view.

**The Hon. CATHERINE CUSACK:** It is my understanding that our management of radioactive waste is not meeting world's best practice.

**Mr FRANK SARTOR:** If you have any evidence or information relating to that issue we would be happy to hear about it, as this is a serious issue. We are happy to take it on board.

**The Hon. CATHERINE CUSACK:** Are you monitoring the storage of radioactive waste at the Lucas Heights facility?

**Mr FRANK SARTOR:** I am not doing it personally.

**The Hon. CATHERINE CUSACK:** Is your department monitoring the management of radioactive waste at the Lucas Heights facility?

**Mr FRANK SARTOR:** If you have concerns we are happy to take them on board.

**Ms CORBYN:** The Lucas Heights facility is a Commonwealth facility. Our legislation does not apply to the Lucas Heights facility. We work closely with the Commonwealth on that issue but that is a Commonwealth facility and it has its own regulatory approach to it.

**The Hon. CATHERINE CUSACK:** Are you satisfied that the radioactive waste is being stored safely at that site?

**Ms CORBYN:** We have had discussions with the Australian Radiation Protection and Nuclear Safety Agency [ARPANSA] to ensure that it regulates appropriately. That body would have that information and we would not. At a State level our legislation does not apply to that facility. However, we have strong controls for those things that are regulated by us.

**Mr SMITH:** It is probably worth noting that some years ago the storage arrangements for the materials from the Department of Health at Lidcombe were quite poor. I think the Government provided \$20 million to build a purpose-built facility, a laboratory and a storage facility that is excellent and that has all the bells and whistles you would want to be sure it was safely secured. It is my understanding that there is plenty of capacity there for dealing with it. It was designed to be able to cope with us coming across additional orphan materials and needing a safe place to put them. That is now in place.

**The Hon. CATHERINE CUSACK:** Would all the radioactive hospital waste be stored in that facility?

**Mr SMITH:** There are arrangements for the acceptance of materials that have nowhere else to go to be put into that facility.

**The Hon. CATHERINE CUSACK:** Are you confident that the material is being sent there?

**Mr SMITH:** Yes, because there is a detailed system of licensing. You need a licence to hold all radioactive materials with a currently useful or past useful life. Generally, suppliers of materials take back materials that are past their useful life. If you buy a device that relies on a radioactive source being inside it, as is used for road building or density measurement in manufacturing and so forth, once that source is no longer emitting at the level that is useful for that function you are able to return it and go back to the supplier who deals with it. Our facility is there to take it. We had examples of where previously licensed people had abandoned sources, or material turned up with no legal owner, or whatever. Our facility is there to be able to look after that material safely.

**The Hon. CATHERINE CUSACK:** The question is whether the material is in there. I understand that that question has been taken on notice. Minister, are you aware that 668 spent fuel rods that were sent to France for reprocessing were reprocessed by companies in France and effectively have been embedded in a type of glass? However, the French Government will not allow long-term storage of that material and it must be returned to Australia by 2015. At this stage Lucas Heights is the only place to which that material can be sent.

**Mr FRANK SARTOR:** It sounds to me as though this is a Federal issue. I will ask whether departmental officers have any insight into this issue. I do not have this information but someone in the department might know. It sounds to me as though it is entirely a Federal issue. Lucas Heights is a Federal facility. It would be a Federal matter and not a State matter.

**Mr SMITH:** The Commonwealth legislation specifically overrides and excludes the operation of the State jurisdiction. By law we are not permitted to be involved in that.

**The Hon. CATHERINE CUSACK:** Material would need to be shipped to Botany Bay and then transported by ship to Lucas Heights.

**Mr SMITH:** Again, that is authorised under Federal law. We are notified when transport is to occur, but the arrangements are under the control of the Federal regulators.

**The Hon. CATHERINE CUSACK:** You will not be required to issue a licence for the transfer of material from that facility?

**Mr SMITH:** That is right. The Commonwealth lifts it out and excludes it from our jurisdiction.

**The Hon. CATHERINE CUSACK:** As I understand it, New South Wales was opposed to the Howard Government's proposal for a national facility to be built in South Australia.

**Mr FRANK SARTOR:** What sort of a national facility? Are you talking about a nuclear power plant?

**The Hon. CATHERINE CUSACK:** I am talking about a storage facility for nuclear waste provided specifically to take this nuclear waste. That seems to have left us in a situation where it has to come back to Lucas Heights.

**Mr FRANK SARTOR:** Are you familiar with any position that you took on that issue?

**Ms CORBYN:** Not recently, no. Many years ago there were numerous discussions about the national repository but I am not aware of any recent discussions by the standing committee of officials.

**Mr FRANK SARTOR:** I have seen nothing that describes the position of New South Wales on any such proposal. Again, if you have information or a point to make in relation to that issue I am happy to pursue it.

**The Hon. CATHERINE CUSACK:** It is a matter of record that the States pulled out of the agreement. The then Howard Government legislated for a national facility in the Northern Territory, which the Rudd Government overturned. That left us in a situation where 668 spent fuel rods are coming back to New South Wales. I am interested to know whether the department is aware of that, or whether it is concerned about that. As you would know, there is no safe way of storing those spent rods at Lucas Heights.

**Ms CORBYN:** As I said, we liaise and the Commonwealth will notify us if anything is to be transported. However, we do not have a regulatory role or responsibility for that. We are often involved in an analysis of the Commonwealth's position of where a waste store might go from a national perspective. At this point I was not aware of the spent fuel rods coming back to New South Wales. It is a Commonwealth responsibility and it has a regulatory role for that.

**The Hon. CATHERINE CUSACK:** Are you not aware that the agreement required those rods to come back by 2015?

**Ms CORBYN:** As I said, it is a Commonwealth responsibility.

**The Hon. CATHERINE CUSACK:** Does the Commonwealth not notify you of that?

**Ms CORBYN:** I was not aware of it. It might have notified the department. I will have to take that question on notice.

**The Hon. CATHERINE CUSACK:** I refer to radioactive waste at the Hunters Hill site, which I understand is the responsibility of the Department of Health. Is that correct?

**Ms CORBYN:** A remediation program is underway at Hunters Hill and it is my understanding that the State Property Authority is undertaking that remediation on behalf of the New South Wales Government. I would have to seek clarification. Originally the sites were owned by the Department of Health, but I understand that the State Property Authority is managing the remediation.

**The Hon. CATHERINE CUSACK:** Is that being supervised by the Environment Protection Authority?

**Ms CORBYN:** We are overseeing the regulation under the Contaminated Land Management Act.

**The Hon. CATHERINE CUSACK:** What is the extent of the contamination there and does it extend into Sydney Harbour?

**Ms CORBYN:** I will get Greg Sullivan to comment on that issue. In a number of areas we were making sure that we had regulatory oversight. There was some sediment in Sydney Harbour and on several properties. Is that right?

**Mr SULLIVAN:** The material is classified in situ as restricted solid waste. That classification has been reviewed and confirmed by an independent auditor as well as by the department. The material can be taken only to a restricted waste landfill. There is only one landfill in New South Wales licensed to do that, and that is the SITA Environmental Solutions Australia facility at Kemps Creek. Negotiations are currently underway from the State Property Authority to look at the removal of that material to that SITA facility.

**The Hon. CATHERINE CUSACK:** I have SITA's EPA licence in front of me. I cannot see a condition in its licence that you have just described that would allow it to accept radioactive waste. Has that licence been varied?

**Mr KERR:** The waste is not classified as radioactive. It is classified as restricted solid waste, which SITA is licensed to accept.

**The Hon. CATHERINE CUSACK:** So it will not be dealt with as radioactive waste, is that correct?

**Mr KERR:** No. It will be dealt with in terms of the guidelines set out in the management of restricted solid waste and as per the directions given by the site auditor.

**The Hon. CATHERINE CUSACK:** Has the waste in Sydney Harbour been investigated?

**Mr KERR:** I will need to take that on notice.

**The Hon. CATHERINE CUSACK:** Does the EPA have a thorough knowledge of the extent of the radioactivity in that waste? Are those investigations concluded?

**Ms CORBYN:** I am not sure. We will have to take the timing of that on notice, but I know that we have had significant involvement in trying to make sure that we have a coordinated mediation process because my recollection is that from the parliamentary inquiry, which we presented at, the sediments actually were being dealt with through Maritime Services. We have oversight of that. I do not have the details on the actual Sydney Harbour process but I know we were very coordinated to make sure there was a plan, if you will.

**The Hon. CATHERINE CUSACK:** I understand, director general, but this has been going on for decades.

**Ms CORBYN:** It has.

**The Hon. CATHERINE CUSACK:** Does the EPA know the extent of the contamination?

**Ms CORBYN:** Yes, we do.

**The Hon. CATHERINE CUSACK:** You are confident that you know what is in Sydney Harbour?

**Ms CORBYN:** Yes. From the examination over the last few years and now the plans to actually remediate, there is a fantastic program in place that is progressing the remediation of the land and the sediments. But I will have to take on notice the actual because I do not have it off the top of my head.

**The Hon. CATHERINE CUSACK:** I understand that the sediment is still being investigated.

**Ms CORBYN:** But we actually have good information. That is why we issued a notice on that.

**The Hon. CATHERINE CUSACK:** You are confident there are no more hot spots?

**Ms CORBYN:** It is hard to say with Sydney Harbour. I think the plans actually will deal with the hot spots that need to be dealt with from a remediation point.



**The Hon. CATHERINE CUSACK:** In the event there is a hot spot in Sydney Harbour, where will that waste go?

**Ms CORBYN:** I do not know the answer to that. It would depend on the classification of the material.

**The Hon. CATHERINE CUSACK:** If it is a higher classification, where will it be taken to?

**Ms CORBYN:** A plan would have to be worked out for that. I could not answer that. I could not speculate.

**The Hon. CATHERINE CUSACK:** Is there anywhere in the State that could accept it?

**Ms CORBYN:** We have a range of different strategies that can be done. Sometimes the remediation program action can have the material treated and then it can be placed on sites. I cannot speculate on that until we actually see the results.

**The Hon. CATHERINE CUSACK:** But there is no facility you are aware of in New South Wales that could accept it?

**Mr SMITH:** Whatever material is in the harbour is likely, presumably, to have washed off from the land.

**The Hon. CATHERINE CUSACK:** Yes.

**Mr SMITH:** It is almost certain that if the material from the land is found satisfactory to go to Kemps Creek, then any material acquired from the harbour could also go there.

**Mr KERR:** Perhaps I could just add that I understand there is actually—

**The Hon. CATHERINE CUSACK:** The material on the land had a form of treatment, which the material in the harbour would not have had. I am not excepting that conclusion. There is a lot of anxiety about what is in Sydney Harbour. After all these years the EPA still does not know.

**Mr FRANK SARTOR:** But we do know there are whales back in Sydney Harbour. We do know the water quality has improved enormously in recent years. So, we do know we are heading in the right direction.

**Mr KERR:** Also the ANSTO reports concluded that remediation of nearby marine sediment, residential properties, roads and parks is not warranted on radiological safety grounds. Those results have been provided to the residents in Nelson Parade and to Hunters Hill council.

**The Hon. CATHERINE CUSACK:** The Auditor-General's report released yesterday basically was highly critical of the EPA not really knowing how many contamination incidents are reported to it each year, not being able to assess how those matters have been investigated and not knowing the outcomes. It just sounds like a mess, with respect. The Auditor-General's report was devastating to the EPA about its lack of management information and its inability to say whether things have been handled appropriately. The whole management of radioactive waste in this State, about which it sounds like there is no plan, seems to be part of a pattern of problems?

**Mr FRANK SARTOR:** I will start by saying that in fact the Auditor-General's report, contrary to your suggestions, confirms a lot of the appropriateness of the department's decisions in managing and protecting the environment. It notes we had a systematic approach of receiving, investigating and responding to pollution incidents. I will ask the director general to address the so-called criticisms. You have to look at the thing in context. It is fair to say that over some decades in New South Wales we have made huge strides in cleaning up the environment—huge strides—such as the wonderful lead petrol initiative that the industry derided for the first few years because it was going to bring about the end of civilisation as we knew it, yet within 10 to 15 years one of the best air pollution standards achievements in New South Wales is the low levels of lead in air because of fantastic achievements we have actually done. So, we have actually had startling success.

**The Hon. CATHERINE CUSACK:** The Auditor-General states:

I am calling on the department to find out how many pollution incidents occur and regularly analyse the risk to the environment.

The department could not report on how many high risk pollution incidents resulted in regulatory actions being taken. This is essential to understanding whether the department's actions are having a positive impact.

That is core business. You must have been devastated by that, Minister?

**Mr FRANK SARTOR:** Yes, but you have to look at the narrowness of what was being looked at. The trouble is you are trying to pretend that this is the whole EPA function. It is not. It focused only on the environmental line database, which was narrow in its scope and did not account for results and strong compliance in false mechanisms. In 2009-10 the department commenced 139 prosecutions and completed 134 of them. We ended up achieving financial penalties of \$1.4 million. We have successfully prosecuted more than 50 polluters annually for the past five years. The director general may want to add to that, but it was a very narrow review. It was not a review of the entire function. We need to put that into context.

**Ms CORBYN:** We are very proud of our regulatory credibility and the approach we take. We take audits very seriously. The results the Auditor-General actually found I think really did, as the Minister said, confirm that we had a very systematic approach to dealing with pollution incidents. These are calls people made to our Enviroline. We both respond ourselves and refer them to local councils as part of the regulatory responsibilities they have under the protection of the environment operations legislation. The criticism the Auditor-General made was that it thought we could not draw a linkage to environmental harm, but often we do that at a regional level, which is appropriate.

The main comment it was making was about us not having a centralised database rather than the information we actually keep at a regional level. Greg Sullivan actually has more detail on the specifics. My interpretation of the Auditor-General's report was that it actually confirmed that we have a very good system and that we take regulatory steps where there are significant environmental incidents that actually occur, but we have agreed that we would try to improve our centralised database process so that we can analyse the data centrally as well as take action at a regional level, which is really where you can determine the environmental harm as happens at a regional level.

**Mr FRANK SARTOR:** That is right. Action is taken regionally. His thing was more of a central accounting issue.

**CHAIR:** What steps has the department taken to prosecute Forests New South Wales or its contractor for the destruction of an Aboriginal place at Mumbulla Mountain?

**Mr FRANK SARTOR:** In the case of the particular site you refer to, I will have to refer that to the officials. A number of penalty notices and prosecutions are on foot against Forests. Since I have been Minister I have been completely aware that the department deals with these matters without fear or favour. They have been doing their job diligently. Perhaps in relation to that specific Aboriginal site, I will refer that to the department. I also note that we recently passed legislation that heavily strengthened protection of Aboriginal sites in national parks. I will get the department to answer that question.

**CHAIR:** Can we get an answer from Ms Corbyn?

**Ms CORBYN:** We have instituted an investigation to try to understand what actually happened at Mumbulla Mountain.

**CHAIR:** So there has been no prosecution, just an investigation at this time?

**Ms CORBYN:** We did an investigation to determine what the facts were initially and whether there was culpability by Forests NSW. I have not seen the review, but my understanding is that there was a lack of information to be able to determine the boundaries easily on that. I will pass to Greg Sullivan, if I can, about the actual results but we have not taken a prosecution action on this. My understanding is that the information was not sufficient for us to be able to bring a regulatory step.

**CHAIR:** On that boundaries matter, Ms Corbyn, were the local elders of the Aboriginal communities consulted about those boundaries?

**Ms CORBYN:** They would have been.

**CHAIR:** Are you saying there was no clear-cut evidence of boundaries, despite their being consulted?

**Ms CORBYN:** There was confusion about what the boundaries were.

**CHAIR:** Confusion by whom—the Department of Environment, Climate Change and Water [DECCW] or the contractors, or are you saying there was confusion in the Aboriginal community?

**Ms CORBYN:** I was saying there was more confusion with Forests NSW and our department.

**CHAIR:** That does not really add up to a lack of prosecution, would you not agree, if there is a misdemeanour?

**Ms CORBYN:** It depends on what the evidence actually shows and whether the information was clear and available. There are a number of steps that State Forests would need to take, and my understanding is that it did take a number of those steps. Our determination was that a legal prosecution was not appropriate in that case. I understand that. Greg, can you give more detail?

**Mr SULLIVAN:** Yes. I just add that the investigation found there was some confusion about boundaries, but Forests NSW was found to have consulted with the local Aboriginal Elders. In fact, the Elders themselves were not aware of the particular boundary involved but were later made aware when the information gap was provided. So on the basis of the investigation, it was determined that Forests NSW had gone through the necessary due diligence and that, while there were clearly some process issues that needed to be fixed in terms of the information gaps, it did not warrant taking further enforcement action.

**Mr FRANK SARTOR:** I might also say that logging operations did cease immediately and have not recommenced. There is work being done now to address those information gaps.

**CHAIR:** Thank you, Minister. You did mention earlier that the Department of Environment, Climate Change and Water has investigated various alleged breaches across New South Wales. How many alleged breaches has the Department of Environment, Climate Change and Water investigated in relation to harm of Aboriginal objects or places by Forests NSW in 2009-10?

**Mr FRANK SARTOR:** I suspect that we might have to take it on notice. I think we will have to take that one on notice.

**CHAIR:** I have some questions in relation to the Aboriginal Cultural Heritage Advisory Committee [ACHAC], which is an advisory committee under the National Parks and Wildlife Act. Was the Aboriginal Cultural Heritage Advisory Committee requested to consider the National Parks and Wildlife Amendment (Aboriginal Objects and Aboriginal Places) Regulation 2010? If that is the case, could the director general or another departmental representative explain the nature of the meeting held to consider the regulation?

**Ms CORBYN:** There is a requirement that the Minister consult the Aboriginal Cultural Heritage Advisory Committee on both regulations and due diligence codes. So we have two steps that we take. First, to make sure—because they are quite extensive documents—I sent draft documents to the Aboriginal Cultural Heritage Advisory Committee with both the regulations and the due diligence codes as we have them at the time.

**CHAIR:** Just on that point, Ms Corbyn, was the Aboriginal Cultural Heritage Advisory Committee provided with regulations that it was being asked to evaluate and consider 30 days in advance, which is specified in the terms of reference and meeting procedures for the Aboriginal Cultural Heritage Advisory Committee?

**Ms CORBYN:** We certainly provided the regulations. I am sorry; I do not have the dates specifically here.

**CHAIR:** Perhaps you could take it on notice.

**Ms CORBYN:** Yes.

**CHAIR:** But I understand that was to be part of the specifications.

**Ms CORBYN:** I know that we did provide the material in two stages. We provided it earlier so that they would have a chance. They held two meetings to discuss both the regulations and the due diligence codes at various stages so that we could get very considered comments from them and give them sufficient time to do that.

**CHAIR:** Was the Aboriginal Cultural Heritage Advisory Committee provided with the opportunity to gain independent advice on the regulations?

**Ms CORBYN:** I would have to take it on notice. I believe that we provided the material to the Aboriginal Cultural Heritage Advisory Committee, as I said, in two stages so that it could seek further comments from people that it represents. But, again, this was a consultation program that was not necessarily for it to just seek independent advice: it was to seek their views and the communities' views about the proposals that we have.

**CHAIR:** But they would need advice as well.

**Ms CORBYN:** They could have sought advice, if they had wished.

**CHAIR:** How long were those Aboriginal Cultural Heritage Advisory Committee meetings?

**Ms CORBYN:** I was not at those meetings. Our executive director of cultural heritage, Norm Lang, was at those meetings. But I believe that there was at least one day's meeting. I know that they convene for that. I will have to take it on notice in terms of the actual timing for that.

**CHAIR:** Perhaps you could take that on notice.

**Ms CORBYN:** Yes.

**CHAIR:** Also you might want to take on notice making public the minutes and other papers associated with the Aboriginal Cultural Heritage Advisory Committee's consideration of the National Parks and Wildlife Amendment (Aboriginal Objects and Aboriginal Places) Regulation 2010? Would you be prepared to do that?

**Ms CORBYN:** Yes. We would need to consult with the Aboriginal Cultural Heritage Advisory Committee about that: they are its minutes. But it certainly would be on the record. I know also that the Aboriginal Cultural Heritage Advisory Committee has written to the Minister for his consideration as well on the regulations and codes.

**Mr FRANK SARTOR:** Can I just add to that? Before we drafted the bill I had quite a number of meetings, and I think I had some with you, too, Mr Chairman. There was a substantial amount of accommodation of concerns that had been expressed. I am of course constrained by what the Government is willing to do in terms of Cabinet but I did substantially modify the bill to address that. Some issues that were raised at the regulation-making stage were, in my view, traversing old ground. They had already been resolved and settled. But we did make pretty substantial attempts. There is no doubt that the new scheme or regime, as you might call it, in place greatly enhances the protection of Aboriginal heritage. You cannot always give people what they want, but at the end of the day it is a balance. But we have certainly moved in that direction.

**CHAIR:** Minister, my office was contacted by the local indigenous people expressing great concern about Mumbulla Mountain 2010.

**Mr FRANK SARTOR:** That is this one?

**CHAIR:** Yes.

**Mr FRANK SARTOR:** But the new bill and the new regime are not in place yet. I think we hope to proclaim those things on 1 October. So we hope that the new bill and the new regulations will be proclaimed on 1 October. We are keen to get them in place.

**CHAIR:** Right. Thanks. Minister, going back to forests, did Industry and Investment NSW or Forests NSW lobby you or make submissions opposing the new heritage provisions in the new national parks and wildlife Act?

**Mr FRANK SARTOR:** No, not that I recall. As with all those things, there is a Cabinet process that I cannot discuss. Ministers make comments about possible implications. Usually it is about the general input of departments when you are going through a Cabinet process and what the implications might be in terms of their portfolio area. I do not recall any specific lobbying even inside the Cabinet, but not outside the Cabinet process by the Department of Industry and Investment on this issue.

**Ms CORBYN:** Can I comment?

**Mr FRANK SARTOR:** Whether there were discussions at departmental level, I do not know.

**Ms CORBYN:** There certainly would have been discussions at a departmental level on the code of practice that relates to forestry activities and plantation forest as well. My understanding is that Forests NSW significantly upgraded its codes of practice as a result of the legislation passing, and reviewed that to make sure that it had improved its practices. Also with the context of Mumbulla Mountain in mind, it recognised that there were improvements that needed to be made.

**CHAIR:** What examples of unauthorised destruction of Aboriginal heritage by the forestry industry are you, Minister, or the department aware of?

**Mr FRANK SARTOR:** Look, from time to time breaches of various sorts come to my attention. I am not particularly aware of any in relation to Aboriginal cultural heritage.

**CHAIR:** But you could take that on notice.

**Mr FRANK SARTOR:** I will take it on notice.

**CHAIR:** Ms Corbyn, do you have further information?

**Ms CORBYN:** I will take it on notice.

**CHAIR:** Thank you. I appreciate that.

**The Hon. ROBERT BROWN:** Good morning, Minister, and others.

**Mr FRANK SARTOR:** Good morning, Mr Brown, how are you?

**The Hon. ROBERT BROWN:** I am well, thank you. Minister, I have been going through my questions last year to your predecessor. I would probably like to ask most of those questions again this year.

**Mr FRANK SARTOR:** There are always penalties for repetition, you know.

**The Hon. ROBERT BROWN:** My first point—and this is not just related to your department; we will probably have to take this up with the Treasurer—is that the quality of the information provided in the budget estimates from year to year seems to be getting worse. It is atrocious. Some of the measures put in here—again, this is not a criticism of your department—are motherhood stuff. Your budget—

**Mr FRANK SARTOR:** There is nothing wrong with motherhood.

**The Hon. ROBERT BROWN:** The budget for your portfolio of Department of Environment, Climate Change and Water is about \$1.5 billion and it is all laid out in broad scale. What cost savings or efficiency dividend is the Government expecting to get particularly from the National Parks and Wildlife Service? Have you made any cost savings or efficiencies from last year in relation to the elimination of duplication of management in the National Parks and Wildlife Service?

**Mr FRANK SARTOR:** I will give a general answer, and the director general will then give, as usual, a forensic, detailed and accurate answer. We have been subjected to the same efficiency dividend as all

departments, which I believe is 1 per cent, and that has been ongoing for some five years. It is a good discipline to have, because the department has had to look at how it does things better. As public demands for more and more keep expanding, you have to make sure that you do things more efficiently. We have been doing that, and I think we have been achieving that quite well—the director general can confirm that.

In recent times there has been some efficiency pursued within the National Parks and Wildlife Service but I think we are talking in the order of—and I can be corrected by the department—about 33 staff and they were not front-line staff. For example, we have about 1,500 people who are involved in management of firefighting in national parks. We are one of four accredited firefighting enterprises in the State Government. Of the 33 positions that we have been trying to reduce, none of them is front line; they are mainly middle management. We have made a few regions a bit bigger to try to avoid duplication of middle management. There have been some negotiations with the Public Service Association, which sometimes end up in rational results and sometimes are fraught, as we know with all negotiations with the unions. Generally speaking, the department has carefully, conservatively and systematically achieved efficiency gains without sacrificing any front-line service. I hope that generally answers your question, but I will ask the director general and her staff to perhaps give you a bit more detail if you would like that.

**The Hon. ROBERT BROWN:** Thank you, yes.

**Ms CORBYN:** We have two types of savings. We have an efficiency dividend, which the Minister said is 1 per cent and sometimes a little bit more than that. We also have a requirement to pay 1.5 per cent in unfunded salary. So there are two different amounts of savings that we need to achieve. We have worked through for each of our groups, including national parks—

**Mr FRANK SARTOR:** That is the salary increases.

**Ms CORBYN:** Yes, salary increases. Sometimes people get those confused and sometimes people wish to use strategies for one to cover others. Ms Barnes can talk in more detail about the actual National Parks amount but in total our efficiency dividend in 2010-11 is \$14.9 million. We are working through that with strategies. It is true also that National Parks has run a restructure program that was in part designed to help us achieve those efficiencies, and my understanding is that we accepted 33 voluntary redundancies last year. Ms Barnes can give you the detail on that.

**The Hon. ROBERT BROWN:** Perhaps you could give me the detail as a question on notice rather than doing it now as I have more questions.

**Ms BARNES:** It is probably worth going through the principle just in terms of how we did it because you mentioned duplication. There certainly was not an issue of duplication. But as the National Parks and Wildlife Service has taken on more land to manage, particularly in North Coast and South Coast areas, we had a management structure that had 18 regions, which was very appropriate in those days of establishing new parks and developing management plans, fire plans and pest plans. The majority of that work has been done, so we could then start to rationalise some of those management structures.

So instead of having 18 regions across the State, we went to 14 regions. The regions coordinate the on-ground action. We took out that middle management, 18 to 14. As the Minister said, it meant that some regions had a larger space to manage, which is fine, but the important thing is the on-ground works in parks happen at the area office, where you have the area managers, the rangers, the field officers, the firefighters. There were no changes at that on-ground level; the same people who were managing parks previously are actually doing the on-ground work in parks now. What we have done is streamline that next layer up, the regional management structure. As Ms Corbyn said, we offered a voluntary redundancy program and 33 people put up their hands.

**The Hon. ROBERT BROWN:** Perhaps you can take this on notice, but can you provide the Committee with an organisation chart for the National Parks and Wildlife Service to show how it all works?

**Ms BARNES:** Certainly. The other thing I need to say, though—I know you are interested in the budget for National Parks and Wildlife Service—is that with those efficiencies and also with predicted increased revenue this year the actual total expenses for the parks and wildlife group within the department has risen by \$17 million from 2009-10 to this financial year, and that is through a variety of things, including money for river red gums, additional money for the lower Hunter lands, additional revenue for parks. So there has been an increase.

**The Hon. ROBERT BROWN:** The river red gum stuff was a one-off cost out of the Environment Trust, was it not—most of it?

**Ms BARNES:** River red gum money is spread over a number of years. There is money for establishment of the river red gums and then ongoing management of the river red gums. Establishment money is a bigger chunk to begin with to do capital works and then ongoing management money is in the budget.

**The Hon. ROBERT BROWN:** I could not find anywhere in the breakdown of the sub-groupings the actual budgets for the Marine Parks Authority and its sub-branches. Can you provide that? You can do it on notice.

**Mr FRANK SARTOR:** I do not think we were trying to keep it a secret, but I am happy to elucidate.

**The Hon. ROBERT BROWN:** I understand that. Maybe you could provide that information on notice—

**Mr FRANK SARTOR:** Yes.

**The Hon. ROBERT BROWN:** —rather than take up time now.

**Ms CORBYN:** Okay but I could just give you—

**Mr FRANK SARTOR:** We will give you an overview now.

**Ms CORBYN:** The budget was allocated \$5.7 million for marine parks.

**The Hon. ROBERT BROWN:** Overall?

**Ms CORBYN:** Overall. With some revenue and other things, we have a projected expenditure of \$6.2 million this year overall in marine parks.

**The Hon. ROBERT BROWN:** In previous budget estimates there was a bit of a breakdown under the Environment Trust of the amounts that the Government paid to certain non-government organisations for their administrative costs. I think it was about \$300,000 a year for three years. Has that grant program been finalised? Will it be renewed? How much is it?

**CHAIR:** How does it compare to the Game Council?

**The Hon. ROBERT BROWN:** That is not a non-government organisation; it is a government authority.

**Ms CORBYN:** The Environment Trust has a program that provides an opportunity for what we call lead environment groups to access a base level of money and this year it was \$600,000 spread across a number of non-government organisations. I do not have the number off the top of my head.

**The Hon. ROBERT BROWN:** Is that \$600,000 part of a three-year program or a two-year program or is it done every year?

**Ms CORBYN:** Grants are done every year, but I recollect that we had made it predictable so that the non-government organisations could do their budgets.

**The Hon. ROBERT BROWN:** When does that \$600,000 regime finalise or finish?

**Ms CORBYN:** I will have to take that on notice because it is a rolling program and I am not exactly sure of the dates.

**The Hon. ROBERT BROWN:** You publish the number of visits that you get to national parks. In order to keep the taxpayers happy you have to demonstrate that what you are doing is in the best interests of the

people of New South Wales. How do you get to the figure of 38 million or 39 million visits? In other words, how much extrapolation is contained in that estimate?

**Ms CORBYN:** I will get Ms Barnes to do that.

**Mr FRANK SARTOR:** We do satellite monitoring of everyone who walks in our national parks.

**Ms CORBYN:** I would never deign to contradict the Minister, but we have a sophisticated survey process that was undertaken last year. Ms Barnes can give you the detail on that.

**The Hon. ROBERT BROWN:** That is the end of my time to ask questions so perhaps you could provide that information on notice for me.

**Mr FRANK SARTOR:** I am interested to hear that answer.

**The Hon. HELEN WESTWOOD:** It is our time to ask questions now, so they can answer the question.

**Ms BARNES:** Indeed, Mr Brown, you are right that in previous years we did extrapolate and guesstimate and used a whole range of different methods to try to estimate how many people came to national parks and that led us to suspect it was between about 22 to 26 million. But as we became more focused on visitor experiences and also the State Plan target for us we then set about actually doing it in a more scientific, rigorous and valid way. So we looked at how other agencies were doing it across Australia and across the world and we settled on a methodology that Parks Victoria had adopted. It is actually a survey methodology. Roy Morgan Research runs it for us. They ran it in 2008-09 the first time.

Every month they do telephone surveys of either 1,000 or 1,500 people a month. They ask them if they have visited a national park in the last month. They do that every month and that builds up to an annual figure. So you get the seasonal differences and all the rest and it is quite a rigorous process. It was from that Roy Morgan Research that they told us that we had 38 million domestic visits, not international, and of that we then know it is 31 million adults and 7 million children, which is a worry. I am happy to talk about what we need to do to get kids back into parks because I think it is very important.

**The Hon. ROBERT BROWN:** I could tell you.

**The Hon. HELEN WESTWOOD:** They are not allowed in parks.

**Mr FRANK SARTOR:** I would hate to think what you have got in mind, Mr Brown.

**Ms BARNES:** That is the benchmark that we have set. We need to repeat that so we are back in the field now asking that again.

**The Hon. ROBERT BROWN:** The same survey?

**Ms BARNES:** The same methodology but we will not have those results till next year because it goes over a year.

**The Hon. ROBERT BROWN:** Will you provide the Committee with a copy of the questionnaire that Roy Morgan asked?

**Ms BARNES:** Absolutely. I think we provided it last year.

**Mr FRANK SARTOR:** My understanding is the survey covered 15,700 people. The department also manages infrastructure in national parks, which include 900 existing buildings, like coastal cabins, homesteads, ski lodges, 20 visitor centres, 450 camp grounds, 750 picnic sites and more than 2,000 walking tracks. They have 2,560 barbecues, amenities blocks and a lot of facilities which gives us a pretty good indication of when people come into parks. It is quite an extensive network. We are talking 6.8 million hectares.

**The Hon. ROBERT BROWN:** Over that now, I think, 7.2.



**Mr FRANK SARTOR:** Has it gone up?

**The Hon. ROBERT BROWN:** In the budget it is.

**Ms BARNES:** That is what we will get this year. It is only early.

**CHAIR:** Do those figures include the private ski lodges and facilities?

**Mr FRANK SARTOR:** They are in the national park so it would include the ski lodges.

**CHAIR:** Thredbo and Perisher?

**Mr FRANK SARTOR:** That would include those too.

**Ms BARNES:** There are about 10,000 beds altogether in Kosciuszko National Park.

**The Hon. ROBERT BROWN:** So that I do not take too much of the Government's time—

**Ms BARNES:** I was just going to say how we actually monitor visitors in between those big chunks of survey.

**The Hon. ROBERT BROWN:** I am more interested—

**Ms BARNES:** Because it is increasing: you can tell from the annual passes and things.

**The Hon. ROBERT BROWN:** Within the survey is there any method of determining where or what types of park?

**Ms BARNES:** Absolutely—

**The Hon. ROBERT BROWN:** In other words, you have 38 million people going to Kosciuszko—

**Mr FRANK SARTOR:** We can tell you how many go into the Blue Mountains National Park.

**Ms BARNES:** It gives us some rankings as to which are most visited. So the five most visited parks are Blue Mountains National Park, Royal National Park, Ku-ring-gai National Park, Lane Cove and Kosciuszko.

**The Hon. ROBERT BROWN:** You would almost guess those.

**Ms BARNES:** You would. The survey results are on our website, so you can have a look.

**The Hon. ROBERT BROWN:** It would be great to get the questionnaire.

**Ms BARNES:** Absolutely. It is either on the website or I can provide it.

**The Hon. LUKE FOLEY:** What is New South Wales doing to reduce greenhouse gas emissions?

**Mr FRANK SARTOR:** New South Wales leads the country. In fact, we had the first mandatory greenhouse abatement scheme, introduced in 2003. We lead the country. With the GGAS scheme, for example, we have achieved so far 100 million tonnes of CO<sub>2</sub> reduction. We have not only the GGAS scheme but also a whole lot of other things. In 2004 we introduced BASIX, which has achieved a significant reduction in terms of household emissions. It is equivalent to about 1.2 tonnes of CO<sub>2</sub> per house for BASIX-compliant homes, so that is quite a significant saving. We have attacked it at both ends. We have the GGAS scheme which is based on a credit scheme.

We were hoping that that would fade out into the national scheme, and there is still a little bit of confusion about what is happening at the national level, but I see in the papers recently a renewed debate, including the head of BHP calling for a price on carbon. We hope that happens. We have attacked it both at the energy efficiency end and at the household end. New South Wales has the \$150 million energy efficiency strategy and \$170 million Home Saver Rebates Program. The original home saver program was about

\$70 million and we extended it to \$170 million in January this year because we had a massive take-up of 245,000 households.

**Mr SMITH:** Now it has been updated to over 280,000 households.

**Mr FRANK SARTOR:** They have taken advantage of that program. We have saved \$25 million in annual household water and power bills, 275,000 tonnes of CO<sub>2</sub> and 3.3 billion litres of water every year due to the rebate program. We have now got a Low Income Program which we hope will target 230,000 people. There are free retrofits. I am not sure what the budget for that is, Simon, but that is another very significant initiative. Altogether we expect to have saved 674,000 tonnes of CO<sub>2</sub> through this program. So we have an extensive system. We have also got the Energy Savings Scheme, which is a separate trading scheme launched in July last year which is targeting to save 4,000 gigawatt hours of power per annum by 2014 which is another very significant change. It is based on a cap around energy retailers.

**Mr SMITH:** That is right. It creates an obligation on electricity retailers to procure energy savings measures. They can either do those works themselves in accordance with IPART rules or they can buy certificates generated by others who do that work. The most amazing thing about that really is that the level of the target rises to 4 per cent of electricity sales by 2014. That will give a huge stimulus to the whole new suite of industries that specialise in providing energy-saving technologies in large buildings, industries, homes and so forth.

**Mr FRANK SARTOR:** We expect that will save 8.5 million tonnes of CO<sub>2</sub> in the first four years. Also, our household rebates scheme will be expected to save people about \$50 per year on electricity bills. We have also got a renewable energy target of 20 per cent, which was aligned with the Federal target which was originally 15 per cent and it is at 20. We are spending significant amounts of money on renewable energy in that we have established six renewable energy precincts. We have committed up to \$120 million to support the Solar Flagships bid. Three of the proponents have establishments in New South Wales. We have introduced a Solar Bonus Scheme with a gross feed in tariff of 60¢ per kilowatt hour. Already we have had a take-up of 50 megawatt equivalents from that scheme a year ahead of schedule. Also, the Renewable Energy Development Program funds innovation and other projects. We are seeing savings of possibly 400,000 tonnes of CO<sub>2</sub>.

This Government has really been ahead of the pack by a long way in relation to CO<sub>2</sub> reductions. We have got some challenges ahead. We need certainty at a national level. Fugitive emissions from coalmining are an area of potential growth in CO<sub>2</sub> which we have to address in time. We have got a very proud record having been to a lot of jurisdictions overseas. The EU Scheme is now bigger than ours, of course. EU is a very big organisation with hundreds of millions of people. I think we have the second or third biggest scheme in the world and it led Australia by a long shot. It shows you that you can introduce a price on carbon or a trading scheme without the mayhem that some political opportunists in Canberra run around saying will result. It can be done.

The world withstood the two massive oil shocks of 1972 and 1978-79. I was in the oil industry for the second one and oil more than doubled in price. It hit the economies hard in the early 1970s and the second oil shock did not hit as hard. The price on carbon is a fraction of the impact of oil shocks. That is why I am constantly disheartened by the paucity of argument by the people against putting a price on carbon. Industry is crying out for one. We need to have a price on carbon.

**The Hon. ROBERT BROWN:** Some industry.

**Mr FRANK SARTOR:** We need to have a price on carbon to provide certainty for investment industry and to shift energy suppliers to sources that generate less greenhouse gases. We have done a lot. We are looking now at a new climate change action plan, which will refine these issues and address these measures.

**The Hon. CATHERINE CUSACK:** Another climate change action plan.

**Mr FRANK SARTOR:** No, we have actually done all of this, it is a continuation of what we have been doing.

**The Hon. CATHERINE CUSACK:** You have never released the plan.

**Mr FRANK SARTOR:** We are working on one—don't worry.

**The Hon. CATHERINE CUSACK:** It has been going on for years.

**Mr FRANK SARTOR:** Good things come to those that wait.

**The Hon. RICK COLLESS:** You have not got time.

**Mr FRANK SARTOR:** No.

**The Hon. CATHERINE CUSACK:** You have not told us the target.

**Mr FRANK SARTOR:** But a lot of it has already been done over the last six years. All I am trying to say is that we are going to be doing a new and improved version of it all, that is all we are doing, because we have been doing it—and not only doing it, but big achievements, way ahead of everyone else. Thank you for the question; it was a very perceptive question.

**The Hon. HELEN WESTWOOD:** What information can you provide to the Committee on environmental watering efforts in New South Wales?

**Mr FRANK SARTOR:** This is another thing of which we are quite proud. We have done a lot of work. There have been a number of wetlands—for example, in western New South Wales, the Macquarie Marshes, the area of the Gwydir around Old Dromana, Yanga, Murrumbidgee—where we were losing incredible amounts of biological diversity. Ecologically there was a big problem. As you will recall, some years ago, the New South Wales Government probably led the charge to a different approach to water nationally, six or seven years ago—well before Malcolm Turnbull decided it was fashionable. We were way ahead, as we were with carbon trading. In a lot of these environmental areas we have been the tip of the spear in the fight for the environment across the globe. We have actually been ahead of everybody else.

**The Hon. ROBERT BROWN:** Not in all areas, Minister.

**The Hon. CATHERINE CUSACK:** You still cannot tell us the target for emissions.

**Mr FRANK SARTOR:** The target is 60 per cent by 2050. We know that that is what it is. Today we have acquired over 1,000 gegalitres or a million megalitres for the environment in sections of the Murray-Darling basin. That includes quite a number of components. I will ask the department to elaborate a little bit on that, but the simple fact is that now we have some wetlands that are actually being regenerated, they are working extremely well—even Yanga, despite what some say. I have visited it and we are actually going to save a lot of the Yanga that would have been lost. We do this jointly with the Federal Government. We have provided significant amounts of water and the Federal Government provides water, and together we are keeping our rivers in much better health than they were. I will ask the department to elaborate on some of the programs that constitute this. There is quite a push that we think is very effective.

**Ms CORBYN:** I think that the New South Wales RiverBank Program, which was originally funded through the Government—the environmental trust—was really groundbreaking. It has been a fantastic opportunity during the time of drought to show how you can manage in a positive way, taking into account socioeconomics of rural communities, acquiring some water but then using it very well. So while it has rained most recently and that is very welcomed, we were actually able to get some very good watering in very dire circumstances, as an example, to help save the bell frog down in the Lowbidgee by working with landholders to be able to get water to particular places that had not been watered previously. We have been able to combine that with a national program that we participate in called the Living Murray. It has actually allowed us to get a fantastic set of waterings happening in western New South Wales and the thing that I am most proud of is that we have built up a team of people who really understand how water works and how to deliver environmental water, so it is building up expertise over the last four years in particular to be able to work with people on the ground, and we have seen some excellent examples of that. Simon, would you like to comment further?

**Mr SMITH:** Yes, just to elaborate, when we started the RiverBank Program it was groundbreaking. Since then the Commonwealth has also got involved in water buy-back and infrastructure investment and I think now New South Wales is at the next stage in the business of water recovery. The Commonwealth is still going to release its plan for the basin about water sharing. What we are focused on is how to make best use of that environmental water because water is always going to be very scarce in inland New South Wales, so we have

taken on the responsibility of using science and precision to control where environmental water goes. Just like an irrigator has to become more efficient as water becomes scarcer, and of higher value, and has to learn how to grow more crops with less water, we are using environmental water to sustain more wetlands with a minimum amount of water.

For example, we have funded LiDAR radar elevation modelling of the key wetland areas, so we know exactly the ground elevations. We map all of the structures and weirs that are available to deliver water to different places. We enter into partnerships with private landowners and with Sally's national park people to make the absolute maximum benefit from when there is a water release, so we have people who are able to respond very quickly. If there is local rain in areas, we can put our environmental water on the back of smaller storms, so we do not need to use environmental water to do the whole job of the watering, we only need to supplement nature's flow, and we monitor that really carefully.

We are now moving into the business of being an expert in managing environmental water and we are recognised in that by the Commonwealth because we have an agreement with the Commonwealth environmental water holder, who is a statutory officer of the Commonwealth, to essentially put the bulk of their water on loan to us to implement through the local plans we make for environmental watering, so our staff work with stakeholders in each of the valleys of New South Wales. There are committees, and plans are made—which assets are going to be watered and under what circumstances. They are all agreed so that the whole irrigation community and ecological communities of interest in those valleys are signed up for the plan. When certain trigger events happen, people are on the phone very quickly, Commonwealth water is made available and New South Wales water is made available—it is combined and delivered to the right places at the right time.

**The Hon. ROBERT BROWN:** For how long has that RiverBank Program been implemented?

**Mr FRANK SARTOR:** About five years.

**Ms CORBYN:** We actually started it in 2005.

**Mr FRANK SARTOR:** Could I make the comment that 10 years ago environmental water was what was left after everyone took their cut. It sometimes did not exist. It was what was left. Now environmental water is regarded as a critical part of the balance of rivers and creeks and all our streams, so it has really been a massive cultural shift and I have to say that this State can be proud. We were ahead of the pack on this. There is still a long way to go, and it is good that the Federal Government is involved—if we can keep it focused—but, even as we speak, 47 gegalitres are going down the Darling anabranch, something that we never would have thought of—

**The Hon. RICK COLLESS:** That is because it has rained.

**Mr FRANK SARTOR:** No, this is water that we provided.

**The Hon. RICK COLLESS:** It is because it has rained. It always went down the Darling anabranch—

**The Hon. IAN WEST:** You just don't like a good story.

**Mr FRANK SARTOR:** But what we are often doing is, as has already been said, adding environmental waters to minor flows to optimise the value of the water.

**Ms CORBYN:** The other thing that we have been very good at I think is trying to identify and develop adaptive environmental management plans for critical assets, and we have most recently—just the last year—done a very comprehensive program for the Macquarie Marshes and we have put out both a draft and now a final, which had wide consultation on it, for those environmental management plans. We have also got a draft out now on the Gwydir wetlands, which allows us to come together with the community, because there are some real collaborative efforts that can happen when you use this water very well, and that has been a very positive experience from our perspective because it is very open and people know how and what we are going to do with the water, and working with the catchment management authorities and the landholders on the ground there is a much better understanding of when we might be ordering water and getting the added benefit of people collaborating on that.

**Mr FRANK SARTOR:** Could I give a supplementary answer to a previous question? There are two reports on the website concerning visitation to our national parks. One is called Annual Visits to Parks and Wildlife Group Managed Parks in New South Wales by Roy Morgan dated April 2009 and there is a summary of visits. It asked how satisfied were visitors and 90 per cent of visitors were satisfied, which shows that it is a great asset for New South Wales.

**CHAIR:** Would you like to table those reports?

**Mr FRANK SARTOR:** They are on the website, but I am happy to table them.

**Documents tabled.**

**The Hon. RICK COLLESS:** Minister, did you travel overseas to attend a climate change conference in July?

**Mr FRANK SARTOR:** No, I travelled overseas to visit a range of places. There was one particular item at a climate change conference that I thought I might listen to so I went to one segment, and that was always part of the plan. Anyone who tried to feed to the media that I was supposed to go to a conference and was not there most of the time should know that it was never part of my plan. I have a plan, which is on the website, and a 126-page report that goes into great detail about all the people we spoke to and the information we gathered. It was a very useful trip. There was one segment that I attended at that climate change conference in London, which was part of a very busy itinerary.

**The Hon. RICK COLLESS:** Have you read a document entitled "The Torn Blue Fringe"?

**Mr FRANK SARTOR:** Catherine was very naughty about that.

**The Hon. CATHERINE CUSACK:** It was not me, Minister.

**Mr FRANK SARTOR:** It was you. How many did you go to? You went to the whole conference and only went to one session.

**The Hon. CATHERINE CUSACK:** It was a great conference and I did not feed anything to the media.

**Mr FRANK SARTOR:** Oh no?

**The Hon. CATHERINE CUSACK:** No.

**The Hon. RICK COLLESS:** Minister, have you read a document entitled "The Torn Blue Fringe"?

**Mr FRANK SARTOR:** Yes. It is the document relating to the review of the marine parks.

**The Hon. RICK COLLESS:** Does your department or any of its agencies support the findings of "The Torn Blue Fringe" or any component of it?

**Mr FRANK SARTOR:** Our response to the report is reflected in the advertised proposed amendments to the two marine parks that we are dealing with at the moment.

**The Hon. RICK COLLESS:** I will get to those.

**Mr FRANK SARTOR:** We sought some modest changes, some of which I think are uncontested by anybody because they are just common sense, and one or two issues are contested. That relates to the Jervis Bay park and the Solitary Islands park. That is our response to "The Torn Blue Fringe". We looked at the report and we felt this bit should be done and the rest would not be pursued.

**The Hon. RICK COLLESS:** Do you recall announcing in Port Macquarie in May that no marine park would be established in that local area?

**Mr FRANK SARTOR:** I said that no new marine parks are planned to be established anywhere in the State. We are proposing to make some changes to those two marine parks, which are currently on exhibition.

**The Hon. RICK COLLESS:** I will get to the two proposed changes in a minute. Is there a time frame attached to that commitment?

**Mr FRANK SARTOR:** For the foreseeable future. I do not know whether we said three years or five years, but we said that for the foreseeable future we were not planning to establish any more marine parks. That was said by my predecessor at the last estimates hearing.

**The Hon. RICK COLLESS:** Do you recall receiving a letter from the combined fishing clubs of Camden Haven asking for written confirmation of those comments?

**Mr FRANK SARTOR:** I do not recall receiving the letter but it is possible my office did and I probably would have said to them what I have just said to you.

**The Hon. RICK COLLESS:** Has a response gone out to that request?

**Mr FRANK SARTOR:** I do not know. I will have to check.

**The Hon. RICK COLLESS:** In relation to the Solitary Islands in particular, are you aware that there are plans to increase the sanctuary zones and ban prawn trawling in the Solitary Islands Marine Park?

**Mr FRANK SARTOR:** Yes. The only issue of contention is to increase the sanctuary zone from 12 per cent to 20 per cent. There are also some boundary adjustments that make a lot more sense. As part of that we would be proposing to assist financially by reducing some prawn trawling in the region. I have to say that the New South Wales territorial waters extend to three nautical miles and the Commonwealth territorial waters extend for 200 miles. Our proportion of the marine environment is a very small part of the whole picture. Any suggestion that what we are doing will somehow cause dire consequences for the globe and everyone in society is greatly exaggerated.

**The Hon. RICK COLLESS:** That is not what the prawn trawler men are telling us, of course.

**The Hon. LUKE FOLEY:** That is what you are telling them.

**Mr FRANK SARTOR:** It is probably what you are telling them. If you are offering to buy someone out and they may not wish to leave the industry, that can happen. I have a statistic here somewhere that refers to 174 countries having marine parks. It is important the Committee understand this because it is a critical issue. There are 5,700 marine protected areas across 174 countries. Australia has a lot more coastline so you would expect us to have more, but in New South Wales we have six protecting about a third of that three nautical miles zone. The evidence is that we are seeing an increase in species. This is the sort of thing that in five years time people will say, "Why didn't they do it sooner?" It is a no-brainer. I know Robert Brown is busy campaigning and his party has become a shooting and fishing party now, and is rootin' and shootin'. Sorry, I will withdraw that.

**The Hon. ROBERT BROWN:** No, no, leave it on the record!

**Mr FRANK SARTOR:** What are you called now?

**The Hon. ROBERT BROWN:** The Shooters and Fishers Party.

**Mr FRANK SARTOR:** The Shooters and Fishers Party. It sounds like a Monty Python sketch. Robert is keen to expand his political base, and good luck to him. It is a democracy and anglers vote like everybody else.

**The Hon. ROBERT BROWN:** Thank you for that.

**Mr FRANK SARTOR:** The obvious issue is that we are actually improving fish stocks. It is going to be better for recreational fishers. Your base is going to be better off.

**The Hon. RICK COLLESS:** Minister, I am talking about the commercial prawn trawling industry, not the recreational industry.

**Mr FRANK SARTOR:** I was quite happy to elaborate on a lot of matters.

**The Hon. RICK COLLESS:** Are you aware there are serious concerns within that industry? Grahame Turk, the CEO of the Sydney Fish Market, came out strongly on this recently, saying that Coffs Harbour king prawns are in such high demand in Sydney that should the \$16 million local seafood industry lose its prawn trawlers the Sydney Fish Market would suffer what he calls a devastating loss in profits. Will you guarantee that you will listen to these very serious concerns instead of pandering to the Greens' wish list?

**Mr FRANK SARTOR:** No, as I just explained, there are 5,700 marine parks across 174 countries, democracies and non-democracies. There is a global view that marine parks and protection of marine wildlife are really important. You would have to be a Neanderthal to not think that that is the case. My notes say that estimates based on data from fishers are that between only 2 per cent and 5 per cent of the State's king prawn catch comes from the marine park area. The Department of Industry and Investment is working with local fishers to refine the estimates and make new data available.

**The Hon. RICK COLLESS:** That is at present, not after you have banned prawn trawling in the Solitary Islands Marine Park.

**Mr FRANK SARTOR:** I used to win holy cards for arithmetic when I was a little boy, so just listen for a minute. I won many holy cards for being the fastest at tables. We are increasing one sanctuary zone in one marine park from 12 per cent to 20 per cent. We are not making any significant difference. We are actually increasing it by a small fraction in one of six marine parks, so it is 12 per cent of two-fifths of X, or whatever you want to call it.

**The Hon. RICK COLLESS:** Will they still be able to trawl the rest of the Solitary Islands Marine Park for prawns? Are you proposing to ban prawn trawling completely in Solitary Islands Marine Park?

**Mr FRANK SARTOR:** I will ask the director general to answer that.

**Ms CORBYN:** We were proposing to phase out trawling in the marine park, with a structural adjustment package associated with that. That is in the consultation process that is underway now.

**The Hon. RICK COLLESS:** That is the problem. You are phasing it out and that is going to be the issue for Coffs Harbour and the Sydney Fish Market.

**Mr FRANK SARTOR:** I am told that 2 per cent to 5 per cent of the State's king prawn catch is from the marine park, which is a third of New South Wales territorial waters and probably about 5 per cent of the national territorial waters—probably 2 per cent of them. It is a very small area.

**Ms CORBYN:** We have a Marine Parks Advisory Council and a number of people, including prawn trawlers, are represented on it. Some of the anecdotal comments we get are that marine parks are actually beneficial. This is up in the Cape Byron area. Even the existing prawn trawlers, who are still operating, say that it has assisted their business. Some of the comments were that there were higher financial returns from fewer prawns captured. It would only be anecdotal, but certainly the marine park has not damaged that business. That is one of the reasons we have been looking at prawn trawlers in Solitary Islands.

**Mr FRANK SARTOR:** It is also possible that if you take them out of the marine parks you will increase the total prawn stock overall and there will be some other compensating benefits.

**The Hon. LUKE FOLEY:** What is the point of countering scaremongering with facts? It just falls on deaf ears.

**The Hon. RICK COLLESS:** Let me change the pace and ask you about some native vegetation issues about which I have received many representations. Is there an interagency whole-of-government agreement with respect to the conversion of perpetual leasehold land that places caveats over and above the Native Vegetation Act, thereby placing an external level of restrictions on freehold land, which effectively duplicates what is done by the Native Vegetation Act?

**Mr FRANK SARTOR:** I will pass to Simon Smith in a moment. However, before I do so, I inform the Hon. Rick Colless that our Native Vegetation Act has been very successful. I will ask staff members to outline some of its achievements. We are using private conservation covenants on land on a strictly voluntary basis. It should be remembered that we are talking about seven million hectares of national parks. Australia is party to an international agreement and it has to achieve 15 per cent of conservation in perpetuity in each bioregion and sub-bioregion of the State. In some areas we are ahead of our goal but in many areas we are way behind, in particular, in New South Wales. That is why we are still acquiring land in some areas.

Rather than acquiring land everywhere, which we then have to manage and which incurs costs, we find that some of these conservation agreements, in particular, those relating to biobanking, are much more effective. For example, our biobanking agreement relating to the St Marys Towers site would have cost \$5 million in capital plus recurrent costs. We achieved that for about one-tenth of the cost.

**The Hon. RICK COLLESS:** With all due respect, that is not the question that I asked.

**Mr FRANK SARTOR:** That is the only place in which there is a covenant of which I am aware that is over and above the general restrictions of the Native Vegetation Act and the Threatened Species Act. Those are the two controls.

**The Hon. RICK COLLESS:** Perpetual leasehold and freehold land also have caveats placed on them otherwise those conversions do not go ahead.

**Mr FRANK SARTOR:** As that involves leases I think you need to talk to Warwick Watkins, the person who runs 50 per cent of the State.

**The Hon. RICK COLLESS:** We are indeed. However, my question relates to an interagency agreement between various government departments. Does that exist?

**Mr FRANK SARTOR:** Simon will be more specific than I have been. I was talking only about the principles.

**Mr SMITH:** Yes, it does. The Government commenced a program of offering to allow leaseholders of perpetual leases an opportunity to pay a fee and to have their land converted to freehold title. The leases that people held included provisions for the government agency administering the lease to impose a wide range of conditions at any time. Because of the way in which the program of conversion operates all the leases were identified, the landowners were given an opportunity to convert to freehold if they wished to pay the fee, and the lease areas were prioritised. Some of the areas that have very high conservation values have not been cleared or used for farming. Other areas have been fully cleared and completely integrated into farming activity.

The program started with those that are fully cleared. They were converted quickly and simply, based on the payment of a fee, and are then freehold properties owned by farmers. Those that have high conservation values, some of them even meeting the standard of a wilderness area, were purchased. There was an offer to buy back some of those properties from leaseholders. In other cases some areas on some blocks were identified as having very high conservation values. In lieu of the open-ended possibility of the Government imposing any kind of condition on a lease it was agreed that they could be converted to freehold, provided specific areas identified on title were subject to a protective covenant.

We have given assistance to the Department of Lands to implement those covenants but they are executed by the land and property management authorities as they convert the leases to freehold. It is important to recognise that these were not freehold properties before; these were leases subject to the Government's ability to impose almost unlimited types of requirements on the landowner, which have been removed.

**The Hon. CATHERINE CUSACK:** Can you clarify what the Government's 2025 emissions target is?

**Mr FRANK SARTOR:** The Government has a 2060 emission target.

**The Hon. CATHERINE CUSACK:** With respect, Minister, I am not asking about 2060; I am asking about 2025.



**Mr FRANK SARTOR:** The Government did not put a 2025 emission target in the State Plan.

**The Hon. CATHERINE CUSACK:** What was—

**Mr FRANK SARTOR:** Let me answer the question. At the time the Federal Government said that it was going to go for a 5 per cent target for the year 2020. I think it would have been quite confusing to industry to have two conflicting targets. Nevertheless, we have still been pursuing all the same programs. We drew a line just to make the point that our renewable target would be 15 per cent to 20 per cent. Where we can we are trying to avoid being in direct conflict between the national and State targets, which is why we took out that interim target. However, the same overall targets apply.

**The Hon. CATHERINE CUSACK:** The Victorian Government has a target, does it not?

**Mr FRANK SARTOR:** The Victorian Government has done something wrong.

**The Hon. CATHERINE CUSACK:** There is no 2025 target?

**Mr SMITH:** Let me add to that. This is a non-trivial issue.

**The Hon. CATHERINE CUSACK:** No, it is not.

**Mr SMITH:** We are not adopting an interim target. All the governments have agreed that this needs to be dealt with at a national level, so we have a unilateral adoption of a State level target.

**The Hon. CATHERINE CUSACK:** With respect, Mr Smith, you are politically debating the point that I made. I am asking only for information.

**Mr FRANK SARTOR:** He is only trying to help, Catherine; don't be horrible to him.

**The Hon. CATHERINE CUSACK:** My time is very limited. I am happy to debate this issue later. Minister, the Auditor-General, on page 21 of his report which was released yesterday, criticised the Department of Environment, Climate Change and Water for taking three years to acquire a premises to comply with laws concerning odours in spite of 170 reports. Is this the Jacks Gully Alternative Waste Technology facility, a facility owned and operated by the Government itself, constructed at a cost of \$16.4 million?

**Mr FRANK SARTOR:** I do not know whether it is Jacks Gully. However, I have visited Jacks Gully and I am aware of a reduction in complaints in recent months. Significant investment is taking place to try to address those issues. Greg Sullivan might be able to answer your question.

**Mr SULLIVAN:** I will take that question on notice. What specific property was the Auditor-General talking about?

**The Hon. CATHERINE CUSACK:** On page 21 of his report the Auditor-General criticises the department for taking three years to require it to comply with laws concerning odours. The Auditor-General's 2010 report on WSN Environmental Solutions states that WSN overspent its budget for legal disputes by \$4.6 million. Altogether there was a \$6.5 million loss of funds on legal costs. It also overspent its budget by \$3.8 million due to delays in the commencement of Jacks Gully facility. Are these chronic problems relating to Jacks Gully in particular finally being solved?

**Mr FRANK SARTOR:** I have visited many of these waste treatment plants. If you visit these facilities all around the world you find that waste technology is diverse. When we are talking about alternative waste technologies, including sludge and anaerobic treatments, it should be noted there are complications due to the fact that they are not the normal anaerobic treatments that apply when you have very homogenous sludge. The nature of waste is not that homogenous. There are always teething and start-up problems with these sorts of facilities, not just those owned by WSN. Five years ago we introduced a waste levy to encourage many more of these facilities to reduce landfill, so it is not unusual that there will be transitional problems. Some of those problems might continue for some years yet.

**The Hon. CATHERINE CUSACK:** At Jacks Gully?

**Mr FRANK SARTOR:** No. The Jacks Gully facility is taking significant steps to address those issues.

**The Hon. CATHERINE CUSACK:** My question is: Have the odour problems at Jacks Gully been solved? You said that they would be going on for a number of years. I want to clarify that we are talking about Jacks Gully.

**The Hon. HELEN WESTWOOD:** The member is aware that there are other sources of odour at Jacks Gully.

**The Hon. CATHERINE CUSACK:** Residents are concerned about the fact that, with the proposed sale of WSN, the Treasurer can grant a whole lot of immunities in relation to himself, the Government and that facility. I am concerned to ensure that those immunities are not used to absolve Jacks Gully of its responsibility to deal with its odour problems.

**Mr FRANK SARTOR:** To my knowledge there is no immunity from controls under the Protection of the Environment Operations Act. That will continue to apply to everyone without fear or favour. I understand that significant investment has been proposed to address those issues.

**The Hon. CATHERINE CUSACK:** For Jacks Gully?

**Mr FRANK SARTOR:** For Jacks Gully.

**The Hon. CATHERINE CUSACK:** How much investment?

**Mr FRANK SARTOR:** I would have to take that question on notice. A lot of work has been done over the past six months to address those issues. I have visited the site but I will take that question on notice and provide you with the latest information on that issue.

**The Hon. CATHERINE CUSACK:** Minister, have you met with the residents? Their lives have been ruined by this problem and they are devastated.

**Mr FRANK SARTOR:** Yes. I received correspondence from them and I have spoken also to the local member on a number of occasions.

**The Hon. CATHERINE CUSACK:** What is he recommending?

**Mr FRANK SARTOR:** He has raised these issues with me as a good local member and I have taken them on board. I have spoken to WSN and to others and those matters are being addressed.

**The Hon. CATHERINE CUSACK:** Can you explain why this has gone on for three years and it has not yet been resolved? This facility is not complying with the odour rules.

**Mr FRANK SARTOR:** I have not been involved in this for three years. I am simply saying what I know and what I have been dealing with in my time as the Minister.

*[Short adjournment]*

**The Hon. ROBERT BROWN:** In an earlier question mention was made that you received about \$5.7 million for the Marine Parks Authority?

**Mr FRANK SARTOR:** Yes.

**The Hon. ROBERT BROWN:** The Government received, and the Marine Parks Authority and the Minister endorsed, an independent review report entitled "Marine Parks Science in NSW" that was presented in November last year and made available earlier this year?

**Mr FRANK SARTOR:** Yes.

**The Hon. ROBERT BROWN:** That report contains a fairly heavy list of recommendations for research. Can that research be done within the current marine parks budget, is it done in other areas or would

you rely on other institutions to carry out the research? In other words, is there enough money to do what the report asks?

**Mr FRANK SARTOR:** I think so. We have \$1 million allocated in this year's budget for 45 research projects.

**The Hon. ROBERT BROWN:** Within that \$6 million?

**Mr FRANK SARTOR:** Recently I saw the new boat for oceanographic mapping, et cetera, which the authority is extending. The authority is doing great work. These things take time, but we want to end up with a really good chronological map of the territorial waters estate, particularly marine parks. Currently 45 projects are underway. I will see if the department has more information. Your point is well made and we have had discussions before about the importance of trying to refine and get the science right.

**The Hon. ROBERT BROWN:** And communicate the science?

**Mr FRANK SARTOR:** Yes. Sometimes I wonder whether we communicate the science well enough. That is probably my fault, but certainly we are doing a lot of good science.

**Ms CORBYN:** We took very seriously the recommendations from the independent review. One of those recommendations was about making sure that we do socioeconomic research work.

**The Hon. ROBERT BROWN:** Quite a few of them were.

**Ms CORBYN:** Yes. We have actually developed a five-year research plan that recently has been released. We used the independent review as a basis for developing that five-year plan. It definitely incorporates more socioeconomics and tries to schedule out the research program over the five-year period. This year we have \$1 million identified out of that budget for science, but there also will be an allocation in the subsequent four years.

**The Hon. ROBERT BROWN:** During the course of the current recreational fishing inquiry quite a bit of emphasis was placed on the interrelationship between terrestrial pollution, for want of a better word, and the marine parks and oceans generally. In addition to that \$1 million and the 45 projects, or as part of it, is any Catchment Management Authority's money dedicated to joint works related to pollution in marine parks from terrestrial environments?

**Ms CORBYN:** The Catchment Management Authority has identified additional money for which it has set up projects with the Marine Parks Authority and/or some of our scientists within the department to focus on land-based pollution, as people would call it.

**The Hon. ROBERT BROWN:** Are they in addition to the 45 projects?

**Ms CORBYN:** I believe so, yes.

**The Hon. ROBERT BROWN:** Could you provide a list of the projects the CMA will undertake?

**Ms CORBYN:** I do not have that with me, but certainly I can provide that.

**Mr FRANK SARTOR:** I said earlier that there were 45 projects. I have seen notes here that say there are 54 research projects in 2010-11. The 45 projects were in 2009-10. These 54 projects are being done in partnership with 22 research institutions.

**The Hon. ROBERT BROWN:** It is leveraged research?

**Mr FRANK SARTOR:** Many universities and people are involved. It covers quite a breadth of science. Some 150 Australian marine scientists have put their names down to support our general strategy. Some of it is evolutionary, but we believe that after looking at the international evidence there is no doubt we are heading in the right direction. With all these things it is always a question of degree, how fast and what you do.

**Ms CORBYN:** The independent review and the reviewers met with the Marine Parks Advisory Council. We have a wide range of people on that advisory council. We have taken the five-year plan to the advisory council for comment.

**The Hon. ROBERT BROWN:** That is the 2010 to 2015 plan?

**Ms CORBYN:** That is right.

**The Hon. ROBERT BROWN:** In that regard, I am pleased that the Government will support my moratorium bill because it will need that five years in which to get the research done. Your own people say that.

**The Hon. CATHERINE CUSACK:** Is that right, Minister?

**Mr FRANK SARTOR:** I need to qualify that. We are pretty sure that we know the direction in which the science is heading, but we are doing more work because you need to keep studying this issue. It will become more important, particularly if you get temperature change as well. We do not think our science is so weak that you have to wait five years. We think the science is probably in, but a lot more work needs to be done to improve it.

**The Hon. ROBERT BROWN:** Your own scientists are saying it takes five years to do the work.

**Ms CORBYN:** But we had a research plan from 2005 to 2010. I believe the head of environmental science also presented to the inquiry to talk about the significant science work we are doing.

**The Hon. ROBERT BROWN:** The Marine Parks Authority and the Minister issued a press release about how this report supported the contention that science has been done and done well. However, my point is, do you have enough money and enough resources to meet the recommendations of that review?

**Ms CORBYN:** I think we are actually implementing all of the recommendations.

**The Hon. ROBERT BROWN:** Over the next five years?

**Ms CORBYN:** Over the five-year period.

**Mr FRANK SARTOR:** From the notes I have, the Marine Parks Authority has accepted all the recommendations.

**Ms CORBYN:** That is right, but it is a five-year plan.

**The Hon. ROBERT BROWN:** Public submissions on the zoning plans for Solitary Islands and Jervis Bay close today?

**Ms CORBYN:** That is right.

**The Hon. ROBERT BROWN:** When do you expect that zoning plan will be finalised and ready for regulation?

**Mr FRANK SARTOR:** Just as a general process issue, with a public process, submissions come in, the department analyses them and produces a report. That usually takes a number of weeks. Perhaps the director general has better information.

**Ms CORBYN:** That is right. People have to go through an analysis process of the material. Any recommendations that might be coming forward will have to come up to both Ministers, and the Government will have to consider those recommendations.

**Mr FRANK SARTOR:** Might I ask: Do we know how many submissions we have received?

**Ms CORBYN:** No, I do not know.

**The Hon. ROBERT BROWN:** I can tell you how many there are of one type of submission.

**Mr FRANK SARTOR:** Do you mean how many form letters have come in from your mates?

**The Hon. ROBERT BROWN:** Not form letters, Minister. They have comments on them, but not all of them.

**Ms CORBYN:** What I can do is tell you how many submissions were received under a review that was done. We had 50 community and stakeholder meetings in each marine park and that had 1,700 submissions, including 660 for Jervis Bay and 1,079 for the Solitary Islands under the review process. I do not know what the total number is because the period has not closed.

**The Hon. RICK COLLESS:** Would those submissions for the parks, though, be on the web?

**Ms CORBYN:** We would always try to make those public. Usually what we do, if there are lots, is a summary and we actually include the numbers.

**Mr FRANK SARTOR:** And you would not put a form letter in. You would put one form letter on the web, not a thousand of them.

**Ms CORBYN:** Generally, yes. That would generally be the case.

**The Hon. ROBERT BROWN:** It is annoying, is it not?

**Ms CORBYN:** What, form letters?

**The Hon. ROBERT BROWN:** Yes.

**Ms CORBYN:** It is life.

**The Hon. ROBERT BROWN:** Coming back to my question, can you give the Committee a rough idea when you think that process will be concluded?

**Ms CORBYN:** No, I cannot. It depends.

**Mr FRANK SARTOR:** Oh, some time this side of 2014, I think.

**The Hon. ROBERT BROWN:** Very clever.

**Ms CORBYN:** It depends on the significance of the issues raised and the time within which the Government might need to consider changes, et cetera. It is too hard for me to speculate.

**The Hon. ROBERT BROWN:** Is it likely to go beyond the end of this parliamentary year, do you think?

**Mr FRANK SARTOR:** Absolutely—highly likely.

**The Hon. ROBERT BROWN:** Highly likely?

**Mr FRANK SARTOR:** I have said previously that we will try to address this as soon as possible.

**The Hon. ROBERT BROWN:** Okay.

**Mr FRANK SARTOR:** So that is what we will try to do. I am told that as of late August there were 400 submissions on Jervis Bay, but I have no better information than that.

**The Hon. ROBERT BROWN:** There are 910 of my supporters' submissions on Jervis Bay and 2,470 submissions on the Solitary Islands.

**Mr FRANK SARTOR:** How many of those are original?

**The Hon. ROBERT BROWN:** They are all original in that they all contain a comment.

**Mr FRANK SARTOR:** An individual signature?

**The Hon. ROBERT BROWN:** In the same way that the submissions from all the green non-government organisations [NGOs] were counted in the original zoning plans, Minister.

**Mr FRANK SARTOR:** That does not sound right.

**The Hon. ROBERT BROWN:** Oh, it is right. I am happy to concede that I have no further questions for the moment.

**CHAIR:** In the last three years the department has approved 7,898 hectares of mapped old growth forests for logging through the so-called reassessment process. On top of this there is an estimated 7,787 hectares of mapped old growth forests that have been approved for logging without any assessment. Are you satisfied that the private native forestry code of practice is providing satisfactory protection of these old growth forests?

**Mr FRANK SARTOR:** I will ask Simon Smith to answer that question.

**Mr SMITH:** I should start at the beginning. In former years, logging on private forests was largely unregulated and then the Native Vegetation Act was introduced. A code of practice also was introduced that provides a regulatory framework. Now private forestry operations can occur only if the activities are consistent with this code of practice. We have a property vegetation plan that is issued to each property owner for that property which sets out where and what type of logging may occur.

**CHAIR:** Are you disagreeing or agreeing with the area in hectares of old growth forests being logged through those reassessment processes?

**Mr SMITH:** I would have to take the figures on notice.

**CHAIR:** But if that is the case, is that satisfactory protection of old growth forests in this State on private property?

**Mr SMITH:** There is satisfactory protection of old growth forests.

**CHAIR:** What do you have to prove that? I have seen myself that there is significant old growth forest being logged through private forestry. I have given you hectare estimates. But just in general, how can you say that that is satisfactory protection of old growth forests? I ask the Minister that. I am really deeply concerned about what is happening under the private native forestry regime.

**Mr SMITH:** The code of practice does not allow for logging of old growth forests.

**CHAIR:** But these are departmental figures.

**Mr SMITH:** The question is in—

**CHAIR:** Are you aware of that? These are department figures.

**Mr SMITH:** No, I do not know. I cannot see the piece of paper that you are reading from.

**CHAIR:** But they are, so accept that. If that is the case—

**Mr FRANK SARTOR:** What is your source?

**CHAIR:** They are departmental figures.

**Mr FRANK SARTOR:** Yes, but what document?

**Mr SMITH:** The debate is which parcels of land actually are old growth. The code is clear: If it is old growth, then it cannot be logged. The debate that is occurring is when forestry maps were generated for the North Coast and other areas, old growth and rainforest was mapped at a scale. The purpose of that mapping was to provide input to Government regional forestry reforms.

**CHAIR:** Did that particular mapping process include the old growth on private land?

**Mr SMITH:** Yes it did, but at a fairly coarse scale.

**Ms CORBYN:** No, not adequately.

**Mr SMITH:** So when someone comes down the scale—

**CHAIR:** I am sorry, Ms Corbyn, you were saying? There is a lot of dispute about that. That is my understanding.

**Mr FRANK SARTOR:** I am sorry, Mr Chairman, I would like to hear what the process is because it will inform all of us in terms of getting at this issue.

**Mr SMITH:** For the forestry processes, all of the forests were mapped, but at a fairly coarse scale because the purpose of the mapping was to help the Government decide which State forests might become a national park in the future. When a private landowner comes and says, "Well, I want to undertake logging on my property", there is an opportunity for him or her to contest whether the mapping is correct as it applies to his or her property. Under that arrangement, our staff would attend the property. If there is doubt about whether it is rainforest or old growth in accordance with criteria that are not contested, then it can be that a reassessment is requested and then our science people will look at aerial images and possibly do field testing, if necessary, to determine whether it in fact is able to be logged.

**CHAIR:** Minister, quite clearly in terms of departmental approval, does it trouble you that those hectare assessments were answers to my question on notice last month—that it was an answer from your department? I think that verifies the figures that I have concerns with. Does that concern you that we are seeing a significant destruction of old growth forests by private native forestry?

**Mr FRANK SARTOR:** I am not sure that your assumption is correct.

**CHAIR:** Well, they are your figures.

**Mr FRANK SARTOR:** But what the officer has said is that there is a process. There is a coarse assessment first.

**CHAIR:** What, the reassessment process?

**Mr FRANK SARTOR:** But the coarse assessment does not mean that they are old growth forests. It just means that the matter merits consideration, as I understand it. But when people make an application, then you do the detailed assessment. I am not convinced that we have done that.

**CHAIR:** Minister, I am convinced you have not done that because the departmental audit of the reassessment process is now 12 months overdue. I am asking you: What has caused that delay? What is the department doing to speed up the process? We are still experiencing significant impact on private native forests. As I am sure you are aware, I have made complaints that it does not keep up with the State forest or the public forestry domain. We are seeing destruction of these areas on private lands, and we do not have this reassessment process. It is 12 months overdue and the destruction is still happening.

**Mr FRANK SARTOR:** I was not aware that there was a reassessment process planned, but all I can say is that I would be very surprised if there was a conspiracy.

**CHAIR:** I am not suggesting conspiracy, but this is an inadequacy that is leading, in a State in which as you have mentioned previously the proudest moment for the Government was saving rainforests, to rainforests and old growth forest being destroyed on private land.

**Mr FRANK SARTOR:** If they are being destroyed: if they were old growth forests.

**Mr SMITH:** Yes, that is right. We had representations from environment groups who questioned the reassessment process—whether it was being done correctly and fairly—so to satisfy them and ourselves, as you say we agreed to get independent experts in to review a number of those assessments that had been done. It is true that it has not happened as quickly as we want it to happen, so it is late. Some of the delays were finding, in this specialised field, which interpretation of aerial photography to accept. We had to find people who were acceptable to the parties as being independent. It also took time to get out and do the work in the field to be able to complete the verification. We apologise for those delays, but we are making best efforts to do the reviews. If the reviews find that things are not being done as they ought to be done, of course we would correct that.

**CHAIR:** Considering the level of logging of old growth forests occurring under the private native forestry code of practice, can it still be argued—you have acknowledged that the review is slow in coming—that the code maintains or includes biodiversity values? That is the claim that was made originally. As such, should it retain biodiversity certification?

**Mr SMITH:** Yes. We would argue that it should.

**CHAIR:** Do you state now, before the inquiry, that this process, which is happening in private native forestry with the code of practice currently, is maintaining or improving biodiversity values?

**Mr SMITH:** Yes, we believe it is.

**CHAIR:** Despite the rate of logging that is occurring in private native forests at this point in time?

**Mr SMITH:** The code is intended to provide for a sustainable forest operation.

**CHAIR:** No, I am talking about the practical on-the-ground result of a lack of assessment. You have made claims, or your department and your Government have made claims, about the protection of something in relation to which the public is very concerned. We know the whole history of rainforest and old growth forest logging. We have had significant impacts in the public sector under State Forests. I suggest that we still have rainforests and old-growth forests being logged on private lands in this State.

**Mr FRANK SARTOR:** We do not believe the code and the processes are wrong, but we agreed in good faith—

**CHAIR:** But they are not there yet.

**Mr FRANK SARTOR:** No, they are there, but we agreed in good faith to have an independent verification assessment of them, and that is what has been delayed. I will personally take up the issue of the delay and see if we can hurry up and get that independent work done. But we are not saying that the processes we have are wrong or flawed; we are simply saying that to provide more comfort we will get an independent assessment. That is all. So we are not actually saying that what we are doing is wrong; we are simply trying to be transparent and accountable and making sure that we have an independent review.

**CHAIR:** Do you have any concerns that the process on the ground with private native forest logging is not as stringent as what has been occurring in the public sector under State Forests—

**Mr FRANK SARTOR:** That is your view.

**CHAIR:** I am asking whether you concede that that is an issue that needs to be properly addressed.

**Mr FRANK SARTOR:** All I will concede is that it is always good to have independent verification to satisfy people that we are doing everything reasonable and in a proper way, and to that extent I will take that up with the department to ensure that we get that independent assessment. But I am not conceding that what the department has been doing is wrong. I am simply saying, "Let's just belt some braces. Let's make sure we are satisfied."

**CHAIR:** I appreciate your assurance that you will look into it.



**Mr FRANK SARTOR:** I will do that.

**CHAIR:** Thank you. Regarding waste minimisation and resource recovery, what percentage of the total waste and landfill levy collected by the New South Wales Government is returned to local councils in the form of waste performance bonuses and grants?

**Mr FRANK SARTOR:** There are three streams of funding that go back into the waste industry, and I think at least two of those streams go to local government. Mr Smith will give you the terminology for each of the three streams. Other funds from the waste levy go into the Environment Trust, which is funding things like riverbank and other important things, and other environmental programs. Altogether, one-third of the environmental levy goes back into environmental issues or waste. In relation to the State waste programs for local government, one purpose of our visit overseas was to look at other jurisdictions and what they do. At the moment we are doing some internal work on whether the money we are putting in is targeted to guarantee. We have made good progress on resource recovery but we want to ensure that we meet the State targets. It looks like we will meet them with construction-demolition waste. That is going well. There is some doubt about commercial- industrial because of the nature of diversity of private sector collection and all that, so we need to look at that more closely.

There is probably more that can be done in terms of household waste. There is some thinking done at the moment to see whether we can better target those funds to make sure that we maximise our chances of achieving those waste recovery targets, which are 66 per cent by 2014 for municipal, 63 per cent for commercial- industrial and 76 per cent for construction-demolition. As of 2008-09, we had achieved 44 per cent in municipal, 52 per cent in commercial-industrial, and 73 per cent for construction-demolition. You can see that we are easily on target for construction-demolition. The others are more challenging, which is why we are looking at the money. I am not completely convinced that the way we are targeting the money to both local government and industry is producing the optimum result. That is what we are doing some homework on at the moment.

**The Hon. IAN WEST:** Can you provide the Committee with information on Aboriginal participation in the management of national parks?

**Mr FRANK SARTOR:** This is an important area. Some of you might recall that recently when we passed the Riverina red gum bill we provided for the Werai to become a joint management partner under part 4A—it might even have been under the national scheme for Aboriginal people—and we allocated \$2 million to that. We have some 150 Aboriginal people participating in joint management boards and committees around the State. We have some 18 formal arrangements in place at the moment. Since 2008, 42 projects with Aboriginal communities have been funded under the Aboriginal Park Partnership Funding Program. There is a significant amount of work being done and some models being developed that enhance the number of co-management arrangements that we have. I will ask the department to elaborate on some of the details. At the moment, for example, we are looking at some 12-year agreements alone for the Brigalow belt and the Nandewar community conservation areas.

**Ms BARNES:** Our joint management programs recognise the aspirations of Aboriginal people, particularly traditional owners, to be directly involved in the management of traditional lands. Our programs recognise the rights and show respect to the connection of Aboriginal people to country. We have a range of arrangements from formal part 4A lease-backs under the National Parks and Wildlife Act to indigenous land use agreements and also eight more formal memorandums of understanding with Aboriginal people. That has meant working with Aboriginal people and getting their advice on how we manage land but also working on where they would like to work with us to manage land. Over the past five years within the National Parks and Wildlife Service part of the department we have been able to double the number of Aboriginal people working on country, from 121 people at the end of June 2005 to 263 Aboriginal staff at the end of June 2010.

That brings us greater connection to the communities and greater connections to the Aboriginal people in those local areas. It also means that we deliver real and lasting social and economic benefits. Those Aboriginal staff are employed as field officers through to rangers, policy officers and in a whole range of other positions. We also intend to negotiate a further 13 new Aboriginal joint management agreements and two new Aboriginal protected areas with Aboriginal communities over the next three years, and, as the Minister said, we have funding to continue the work with Aboriginal communities in the Brigalow belt and Nandewar conservation areas.

On 23 April this year a new Aboriginal-owned Gaagal Wanggan national park was created near Nambucca Heads. This park is owned by the Nambucca and Unkya Aboriginal land councils and will be jointly managed between ourselves, the traditional owners and that group. That will lead to increased employment in that area. It will also lead to opportunities for Aboriginal people to showcase their culture and, hopefully, to run businesses in that area around particularly discovery programs. As the Minister said, as part of our joint management arrangements more than 150 Aboriginal people have done corporate governance training and are now running boards themselves. They have also said to us that they want to work to train their young people in tour guiding. So we have developed, with TAFE, a program where we deliver Aboriginal tour guiding training. To date, 203 Aboriginal people from 17 communities across the State have done this training.

The beauty of this training is that not only are there opportunities for them to work with us in terms of discovery ranger programs but we have seen people who have done these programs go to work for other tour operators or other tourism operations. For example, seven people are employed in the Jumbulla Aboriginal Cultural Centre near Wollongong. The other good news is that out of those programs tour guides have gone to non-government agencies or local agencies like the Murook Worimi Aboriginal Cultural Centre or to work for Penrith City Council. Those 203 Aboriginal people have formed three groups that are now running community-owned businesses from that training: the Githabul Aboriginal Corporation Dance Group, Khinki Aboriginal Cultural Tours and Pandanus People of Kempsey. They have set up their own businesses from that initial training. There have also been some joint ventures. Sixty-three of the people who participated have gone on to enrol in further studies either in certificate III in tourism or certificate II in business. We are finding that through those joint management programs we are creating pathways for employment both in national parks and for community members outside national parks.

**Ms CORBYN:** We have a number of other programs on which we are working very hard. In particular, we are trying to bring forward the linkage for culture and heritage in a policy sense to the Closing the Gap strategy. So we are pressing very hard at both a national and a broader State level for the benefits that people get whether it is in education systems, Juvenile Justice or other strategies that are happening to getting people back on country and building up their confidence, skills and knowledge. We are putting in a huge amount of effort to recognise the importance of the culture and heritage of Aboriginal people and where we can do both policy and on-park programs. Earlier you asked about our Aboriginal Cultural Heritage Advisory Committee [ACHAC], which is a statutory body. They had two meetings: one for two days and one for one day on the regulations and programs that we were consulting them on.

**The Hon. LUKE FOLEY:** At the moment a scare campaign is going on. Is it correct that whilst marine parks cover only about 34 per cent of New South Wales waters in total, only 6.7 per cent is protected as sanctuaries?

**Mr FRANK SARTOR:** If you take into account all New South Wales waters, it would be that. I want to start by putting marine parks into perspective. We have in land protected as national parks in the order of 6.8 million to seven million hectares. In marine parks, adding Cape Byron of 22,000, Solitary Islands Marine Park of 71,000, Port Stephens-Great Lakes Marine Park of about 99,000, Lord Howe Island 646,000, Jervis Bay 21,000, Bateman's Marine Park 85,000, it is only about 350,000 hectares of land. Compare that with what we are doing terrestrially, and 350,000 is miniscule.

**The Hon. RICK COLLESS:** Although you are talking a lot less area in total, three nautical miles off the coast.

**Mr FRANK SARTOR:** The Australian territorial waters are 200 nautical miles. The highest sanctuary zone is Cape Byron at 27.5, the lowest at the moment is Solitary Islands on 12, and they are averaging around about 20. If you take sanctuary zones as a proportion of the total, it is the figure mentioned by the Hon. Luke Foley.

**The Hon. ROBERT BROWN:** That is not far behind the same percentage when you look at the terrestrial national parks in terms of protected areas.

**The Hon. LUKE FOLEY:** It is not a debate; it is question and answer.

**Mr FRANK SARTOR:** No, because the difference is our territorial waters are only a small proportion of the coastal waters of New South Wales—they are a very small proportion. I say that 34 per cent of our

territorial waters, the three nautical miles limit, have a marine park and on average about 20 per cent of them are sanctuary zones. So 20 per cent of the 34 per cent is 6.7 per cent, a very small number. This is very small.

**The Hon. LUKE FOLEY:** In other words, fishing is permitted in more than 93 per cent of our marine jurisdiction?

**Mr FRANK SARTOR:** That is correct: fishing is permitted in 93 per cent, which is why I do not understand why people get excited. But some people find it really hard to find a reason to get excited, and maybe this is a reason. Some people have trouble with excitements.

**The Hon. LUKE FOLEY:** Are people are allowed to swim in sanctuary areas?

**Mr FRANK SARTOR:** Yes.

**The Hon. LUKE FOLEY:** Are they allowed to boat?

**Mr FRANK SARTOR:** Yes.

**The Hon. LUKE FOLEY:** Are they allowed to dive?

**Mr FRANK SARTOR:** Yes.

**The Hon. LUKE FOLEY:** Are you allowed to snorkel?

**Mr FRANK SARTOR:** Yes—and you can join the Shooters and Fishers Party, no problem.

**The Hon. LUKE FOLEY:** In the 80 per cent of marine park areas that are not sanctuary areas are people allowed to fish?

**Mr FRANK SARTOR:** Correct.

**Ms CORBYN:** Marine parks have four different zones, and the only one that actually prohibits fishing is the sanctuary zone. We have habitat protection zones, general use zones and special purpose zones.

**Mr FRANK SARTOR:** In addition to sanctuary zones.

**The Hon. HELEN WESTWOOD:** As we are in spring and heading towards summer, will the Minister outline what hazard reduction efforts have been made in the past 12 months, particularly in national parks, to reduce the fire risk for people and property?

**Mr FRANK SARTOR:** The national parks service, as I said earlier, has some 1,500 people who have become involved in fire protection and firefighting. We have increased substantially the amount of prevention, load reduction and back-burning in recent years. This year alone I think we are targeting 94,000 hectares. The deputy director general in charge of national parks will provide the exact number but it is about 94,000 hectares, which is about 1.5 per cent of the whole system. Previously it was a bit lower than that. It varies from year to year because of rainfall patterns, moisture, weather conditions and so on. We are more than 50 per cent higher than the average of the past five years I believe. So we have an extensive program. I will ask Sally to take us through it because we do a lot of this work. Recently the Victorian royal commission made a number of recommendations and this Government will be responding in due course. We take that very seriously. The Committee needs to understand a couple of key statistics about our national parks. Only about 5 per cent of bushfires in New South Wales start in national parks yet national parks have 40 per cent of bushfire-prone areas, according to the Rural Fire Service.

**The Hon. CATHERINE CUSACK:** Fires start outside and go into the parks.

**Mr FRANK SARTOR:** They may do that. Of that 5 per cent of bushfires, 48 per cent of the 5 per cent—in other words 2½ per cent—of fires are started by lightning strikes. When one thinks about it, the national parks system is actually much more fire safe than other lands.

**The Hon. RICK COLLESS:** That is a spin if ever I have heard it. Shane Warne would be proud of that.

**Mr FRANK SARTOR:** No, it is actually true. Five per cent of all bushfires in New South Wales start in national parks and, of those 5 per cent, 90 per cent are contained within the national parks. This is an incredibly telling statistic. Victoria is talking about 5 per cent of its whole estate. One has to look at what is being done about fires. What do you protect? Do you protect life and property, which is legitimate and what one should be doing, or do you try to prevent bushfires? You should look at the pattern of lightning strikes, including dry lightning strikes, around our State. They occur frequently—it has nothing to do with firebugs or the work of the fishers and anglers or the Shooters or even the Greens.

**The Hon. CATHERINE CUSACK:** People are worried about what happens after the fires start.

**Mr FRANK SARTOR:** Our record is that 90 per cent of fires that start in national parks are contained within national parks yet our fire incident rate in national parks is small compared with other fire-prone areas of the State.

**Ms BARNES:** Over the past few years we have completed a reserve fire management plan for every park and reserve. We are diligently working on those now, particularly in the new Riverina red gum parks and talking to the Rural Fire Service. Those reserve fire management plans, as the Minister said, look at where fires have started previously, the history of fires and the vegetation types. They also look at where the biodiversity assets and life are, and the property assets around protection. Those reserve fire management plans fit under the broader community bushfire plan. That says to us what we need to burn and when we need to burn it.

We have a clear path of what needs to be burnt, and what we have done is accelerate work on individual burn plans. So at any one time we have over 150 burn plans ready to go, weather dependent. We have also had additional money in the last few years for additional staff to help with hazard reduction burning, and we have had additional money for track maintenance and for our radio network. So we have been gearing up for facilitating as much hazard reduction burning as possible.

That coincided last year with very good weather in terms of what could be burnt. Last year, as the Minister said, was our best ever record for hazard reduction burning on park. We burnt a total of 93,000 hectares. But I have to be quite clear that that was mainly because the weather was with us. We had the plans, we had the resources, and the weather was with us. This time last year we burnt approximately 20,000 hectares because the weather was fine and it was dry. This financial year we have done 10,000 hectares. That is because we have had wet weather. Just to show how weather dependent it is, this time last financial year—so July to now—as well as burning 20,000 hectares in hazard reduction, we also had to fight 48 wildfires, which shows you how dry the conditions were last year.

For the same time this year we have had only three wildfires, so it is a lot about the weather conditions. But we are ready to go when the weather is right. We have more than 133,000 hectares scheduled, as I said, planned and ready to go, and when the weather is right we will do that. We have done 10,000 hectares already and in the last five years we have done more than 720,000 hectares of hazard reduction on park. As the Minister said, we need to be careful. It is not just about how many hectares but about where you burn. So if you look around the Sydney urban area, we have burns of four hectares and seven hectares and they are in fact more labour intensive and resource intensive than fires that can burn thousands of hectares in more remote areas. We are planned and ready, but it is all about the weather.

It is about prevention, and certainly if you can get the right hazard reduction burns in the right places you can slow down a fire. But the other thing is that, when we have a fire, we pride ourselves on keeping the fire within the park boundary. So only 10 per cent of the fires that start in park go off park and, when they do, we fight them off park; whereas 27 per cent of fires that were in park started off park in neighbouring lands. The other thing is that we have been working hard to reduce the coverage of those fires when they start. So when they start from lightning we have better systems of having spotters up to spot them and getting remote area firefighting teams into those areas to reduce the fires when they start. As I said, all that helps to protect, but in terms of future wildfires—particularly in relation to hazard reduction burning—with some fires hazard reduction will not help at all.

**Ms CORBYN:** If I could also comment, one of the differences that I see nationally is that Parks has put a huge amount of effort into remote area firefighters, as they are called, and they are the people who put out

fires very quickly. One of the big challenges you face, especially with lightning fires, is that they are often remote and you need to get in there quickly. It is quite dangerous work, but we have teams of people who are expert remote area firefighters—remote area firefighting teams [RAFT] or catchment remote area firefighting teams [CRAFT], as they are sometimes called. They have been very successful, in the last year particularly, at putting out fires before they got on a run.

**The Hon. CATHERINE CUSACK:** Minister, the member for Port Macquarie, Mr Peter Besseling, says that you have ruled out any new marine parks.

**Mr FRANK SARTOR:** For the foreseeable future, yes.

**The Hon. CATHERINE CUSACK:** The Hon. Robert Brown just said that the Government was supporting a five-year moratorium on marine parks. Is that correct?

**Mr FRANK SARTOR:** I do not know whether the Government has formalised it or finalised its position yet, so I am not sure that I can answer that at this stage. I think it is still part of the Cabinet process.

**The Hon. ROBERT BROWN:** That is an interesting situation, given the speech in reply.

**The Hon. LUKE FOLEY:** "Support in principle" was the wording in the speech.

**Mr FRANK SARTOR:** But there are, for example, issues about changes to existing marine parks, which are part of a public process.

**The Hon. ROBERT BROWN:** That is happening now.

**Mr FRANK SARTOR:** That is happening now. So we have to make sure that we do not forsake the public process.

**The Hon. ROBERT BROWN:** We would like to see the process completed, actually.

**Mr FRANK SARTOR:** You did ask that earlier and I said it would be completed reasonably expeditiously.

**The Hon. CATHERINE CUSACK:** What is your view on container deposit?

**Mr FRANK SARTOR:** I am getting conflicting advice on this, to be very honest with you. There is a regulatory impact process being done at a national level. It is something that Jeff Angel has a very strong view about.

**CHAIR:** And many others.

**Mr FRANK SARTOR:** You do—you have strong views about lots of things.

**CHAIR:** That does not mean I am wrong.

**Mr FRANK SARTOR:** I just said you had a strong view; I did not say you were not infallible.

**The Hon. CATHERINE CUSACK:** Minister, do you have a view?

**Mr FRANK SARTOR:** No, I am a little bit of a sceptic on it because I have had people tell me that, for example, in South Australia it has other implications and ends up creating more litter rather than less. I am supportive of anything that will practically improve resource recovery and reduce litter in our community, but there is some debate about whether container deposit legislation [CDL] does that. We have agreed nationally with the former Federal Minister Garrett and others that there would be a regulatory impact assessment that would look at all of this, so I am prepared to defer to the process of assessing that. But I get quite a lot of conflicting advice, not just from people who might be in industry who may naturally oppose these things but also from others such as Keep Australia Beautiful who think it has some rather negative effects. The other problem with it is that it is a very narrow instrument. It just deals with certain types of containers; it does not deal with a lot of other stuff. So let us see what the Federal regulatory assessment process comes up with.

**The Hon. CATHERINE CUSACK:** The green lease guide was launched by the Department of Environment and Climate Change in partnership with Investa, the City of Sydney, the city of Melbourne and the Institute for Sustainable Futures in December of 2006. How many New South Wales government department offices are occupied under a green lease?

**Mr FRANK SARTOR:** I might have to take that on notice—unless Simon has a better update?

**Mr SMITH:** No.

**Mr FRANK SARTOR:** We will take it on notice.

**The Hon. CATHERINE CUSACK:** Do you have any advice at all on green leases?

**Mr FRANK SARTOR:** No.

**The Hon. CATHERINE CUSACK:** So any question I ask about green leases you will not know the answer to?

**Mr FRANK SARTOR:** That is possible.

**Mr SMITH:** The decision on procurement of government leases is under management of the State Property Authority. We have information about the performance of our own buildings.

**The Hon. CATHERINE CUSACK:** It was a fantastic launch in 2006; it is just that there are no government buildings occupied under green leases. But, given that DECC launched it, I thought I would ask DECC why it is not working. But it sounds like nobody knows anything about it beyond the launch.

**Mr SMITH:** No, we do work with the SPA. But they are the ones who sign on the line about what leases are provided for each agency.

**The Hon. CATHERINE CUSACK:** But you are the environment department, so maybe you would know whether there are any green leases. Will you be monitoring the performance of that program?

**Mr SMITH:** Yes, and we will take it on notice.

**The Hon. CATHERINE CUSACK:** I want to talk now about air quality. Does the Department of Environment liaise with the Department of Health on advice about things like asthma rates when it is determining its strategy for air quality monitoring?

**Mr FRANK SARTOR:** The department works very closely with the Department of Health. More than that, I have had discussions with the Minister for Health and I have had meetings with the Chief Health Officer with my departmental officers present. I have been to the Upper Hunter and met with a whole range of people, and at some of those meetings the regional director of health was present. So we work pretty closely with them on this issue. Wearing my Cancer hat, I also have a particular interest in some of these health issues. So the answer is that we work pretty closely.

**The Hon. CATHERINE CUSACK:** Why is it that children across New South Wales aged two to four years have an asthma rate of 17.2 per cent and in western Sydney boys in that age group have a 26.3 per cent asthma rate; and, in relation to children aged nine to 15 years, the State rate for asthma is 28.3 per cent—which is very high—but for boys in western Sydney it is 34.3 per cent?

**Mr FRANK SARTOR:** Could you repeat the last fact?

**The Hon. CATHERINE CUSACK:** For children aged 9 to 15 years the State asthma rate is 28.3 per cent and for boys in western Sydney it is 34.3 per cent—more than a third of boys aged 9 to 15.

**Mr FRANK SARTOR:** We will have to take that question on notice. It is not something we can answer without reference to Health.

**The Hon. CATHERINE CUSACK:** Putting aside the specifics of the figure, I am saying there is a major spike in asthma rates in the Sydney West Area Health Service area.

**Mr FRANK SARTOR:** You used the word "spike". You have said there is a higher rate geographically for western Sydney than for the State average. That is not necessarily a spike; it may have traditionally been that. I do not know. We would need to get Health to give us advice.

**The Hon. CATHERINE CUSACK:** Do you accept that the asthma rates are higher in western Sydney?

**Mr FRANK SARTOR:** You have quoted figures, Catherine, but I am never sure that I will ipso facto always rely on your figures as gospel.

**The Hon. CATHERINE CUSACK:** That is okay. That is why I was asking whether you had talked to the Department of Health because I was hoping you would have the same figures.

**Mr FRANK SARTOR:** Not on that particular information, no. I have had discussions with Health, but more about the Hunter and other areas.

**The Hon. CATHERINE CUSACK:** What are they telling you about asthma rates and air quality?

**Mr FRANK SARTOR:** We have not discussed the sorts of numbers you are talking about.

**The Hon. CATHERINE CUSACK:** Anything about asthma?

**Mr FRANK SARTOR:** I need to refer this to the Health department.

**Ms CORBYN:** We have regular meetings with Health and the standards that are set for air quality take into account advice from Health at a national level. In the discussions we have had, particularly at a regional level, whether Wagga Wagga or the upper Hunter generally—

**The Hon. CATHERINE CUSACK:** Can you clarify that? When you talk about the standards for air quality are you referring to the standards for monitoring air quality?

**Mr FRANK SARTOR:** National standards.

**The Hon. CATHERINE CUSACK:** But that is for monitoring air quality.

**Ms CORBYN:** No, they are national standards—

**The Hon. CATHERINE CUSACK:** For monitoring air quality.

**Ms CORBYN:** You have to monitor to determine whether you are achieving the standards but they are not for monitoring; they are for emissions. They are health-based standards for emissions into air quality, not standards about monitoring. They are actually about the emissions, so they set standards for carbon monoxide or sulphur dioxide et cetera. You have to monitor to determine whether you are achieving them, so we have health-based information that comes in at a national level in determining those levels.

**The Hon. CATHERINE CUSACK:** I am talking about New South Wales health. I think it is fair to say there is no place in Australia like Sydney when it comes to air quality, is there?

**Ms CORBYN:** There is. Wagga Wagga.

**The Hon. CATHERINE CUSACK:** That is because they are burning stubble at Wagga Wagga.

**Ms CORBYN:** And dust storms and a range of other things. We have had discussions with them about a strategy that we have been developing called the rural particle strategy, which brought in asthma.

**The Hon. CATHERINE CUSACK:** With respect, without being diverted into agricultural issues in Wagga Wagga, is there anywhere in Australia that is comparable with the Sydney basin in terms of geography and air quality issues?

**Mr FRANK SARTOR:** I think it is fair to say that, given the Sydney basin and the Sydney air shed, we do very well in four of the six national standards. The ones that are the most difficult are ozone, which has a lot to do with vehicle emissions, and particles. That is caused by a range of factors and is always aggravated if there are bushfires and dust storms. We do very well on four of the six standards, but two of them are difficult. I do not know that I have heard your side of politics come up with a solution to it either. They are difficult issues that we are addressing over time.

**The Hon. CATHERINE CUSACK:** I think Sydney's air quality is different from that anywhere else in Australia and I do not think the monitoring is necessarily—

**Mr FRANK SARTOR:** What are you going to do about it, Catherine?

**The Hon. CATHERINE CUSACK:** I think there needs to be more monitoring, in particular the smaller particles, which are not being monitored.

**Mr FRANK SARTOR:** We already know that on two air standards we sometimes breach the national standards, and that is in particulates and ozone. We already know that.

**The Hon. CATHERINE CUSACK:** We often breach the national standards like nobody else does, and they are only the things you are monitoring for.

**Mr FRANK SARTOR:** The national standard talks about numbers of days per year when these standards can be exceeded. We know that in those two areas we exceed more than those numbers of days. We know that: it is a fact.

**The Hon. CATHERINE CUSACK:** And you have no plan to address that.

**Mr FRANK SARTOR:** We have a lot of plans and we are doing a lot of work on it but I would like to know what your plans are because I have never heard anything positive out of you lot.

**The Hon. CATHERINE CUSACK:** Minister, with respect, you are batting and we have to see out this innings, including answering questions at this estimates hearing, if that is okay.

**Mr FRANK SARTOR:** You asked what we are doing about it. We are doing a lot. What are you proposing to do about it? They are critical issues.

**Mr SMITH:** On the link with Health, New South Wales is the chair of an air quality working group, which reports to the Ministerial Council on the Environment. I am the chair of that working group for Australia.

**The Hon. CATHERINE CUSACK:** It is the national one.

**Mr SMITH:** Yes. Under that working group health research is being done by eminent health specialists to try to understand correlations between air pollution levels and health outcomes in Australian cities. Some of that has been published on the web and some of it is incomplete.

**The Hon. CATHERINE CUSACK:** Are we in some doubt as to whether there is a correlation?

**Mr SMITH:** No, most of the health literature is based on epidemiological studies in the United States and Europe. This research is trying to understand whether there are different correlations between different pollutants in Australia so we can set our priorities.

**Ms CORBYN:** In the discussions we have had on asthma with Health the assumption has always been that it is the air quality that is causing the asthma. There is a whole range of issues such as pollens and grasses and other things that affect Sydney and western Sydney.

**Mr FRANK SARTOR:** Smoking rates.



**The Hon. CATHERINE CUSACK:** Hopefully, not amongst two- to four-year-olds.

**Mr FRANK SARTOR:** The household smoking rates.

**The Hon. CATHERINE CUSACK:** You have a system of issuing advisories on a daily basis—

**Ms CORBYN:** We provide information and if there are very high air pollution days, which we do not have many of but we do have them, we have a coordinated process with the Department of Health to provide a health alert. They issue the alert and we put it on our website.

**The Hon. CATHERINE CUSACK:** But you issue advice on a daily basis.

**Ms CORBYN:** We provide advice about what the air quality is, yes—not health alerts but advice. People can go to our website and determine what our monitoring is telling us about air quality.

**The Hon. CATHERINE CUSACK:** Every day you issue SMSs and emails saying what Sydney's air quality will be like tomorrow.

**Ms CORBYN:** If there is a health alert—

**The Hon. CATHERINE CUSACK:** I get them every day by email and by SMS. They come from your department. What is the cost of that program?

**Ms CORBYN:** I do not know the answer but I can get it on notice.

**The Hon. CATHERINE CUSACK:** Why are you not including pollen counts in that monitoring? I agree with you that it is a significant issue for air quality, particularly for asthmatics.

**Ms CORBYN:** We have traditionally focused our monitoring program on emissions and pollutants. That has been our job. Pollens are not something that we have expertise in so we would not be the body with the capacity to do pollen counting. I believe that that is more in the Agriculture and Health world.

**The Hon. CATHERINE CUSACK:** You issued an SMS for today saying the air quality today will be good, as if the pollen count does not—

**Ms CORBYN:** Pollen is a completely different issue in terms of when it happens. I am not an expert on pollens.

**Mr FRANK SARTOR:** I am not aware of any jurisdiction that does pollen counts on a daily basis.

**The Hon. CATHERINE CUSACK:** The United Kingdom does and they publish information about pollen counts in their weather reports.

**Mr FRANK SARTOR:** Does it? We will get back to you and give you an answer.

**The Hon. CATHERINE CUSACK:** It is available every day in the paper.

**Ms CORBYN:** Our service has been designed to deal with emissions into air quality and what that is doing to air quality rather than pollens. That is how it was designed. It is not something that was originally built in.

**The Hon. CATHERINE CUSACK:** Perhaps the information you issue to the public should say that Sydney's air quality in relation to pollution levels is forecast to be good, but this does not take other factors into account. Would you consider including the pollen count?

**Mr FRANK SARTOR:** We will see how significant it is, Catherine. It is obviously important to you but I want to see how important it is to the Health people, by region.

**The Hon. CATHERINE CUSACK:** A warning has just been issued specifically about the problem with pollens that are in the air this season, particularly in relation to grass.

**Mr FRANK SARTOR:** It may be that pollens are only an issue for a month of the year around spring. We will take that on notice.

**The Hon. ROBERT BROWN:** We discussed the issue of the RiverBank program allocations of environmental water into stressed areas. The program has been running for the past five years. Have there been any allocations from that program into the Millewa State Forest in those five years?

**Ms CORBYN:** I think not. There is a Living Murray program that is a joint Commonwealth-State program under the Murray-Darling Basin Authority process. There may have been some water from that program, but that is separate from RiverBank. I do not believe RiverBank has allocated water into the Millewa.

**The Hon. ROBERT BROWN:** Is it correct that as part of the conversion to national parks you are undertaking works to be able to provide water to the forest?

**Mr FRANK SARTOR:** Yes. We are doing that also at Koondrook, where the Department of Planning just approved a \$40 million water diversion works. But that is not for Millewa, which is becoming a national park.

**Ms CORBYN:** The Living Murray program is separate from the RiverBank program. That is the distinction I was making.

**The Hon. ROBERT BROWN:** In earlier estimates committee hearings I asked this question and I received an answer to it. When you take over a State forest in some cases you decommission or reclassify fire trails to a different classification. Is that correct? They become park roads or something else.

**Ms BARNES:** When there is a transfer of land from State Forests to National Parks we conduct a survey of the area and look at the roads and at what they are used for. Obviously State Forests has had roads that have been used for logging activities. Heavy trucks travel over those roads and over the bridges on those roads and they can be left in very poor condition. Because of visitors to those areas we need either to repair them or to deal with them in some other way. Our process is to look at the roads and at their condition and to do a risk assessment on all of them. As I said, we have reserve fire management plans for each park that examine where the fires start; establish how we get there and whether the existing road system that is used for logging works for fires; whether we need to put in new roads; and where we put our firefighting efforts.

**The Hon. ROBERT BROWN:** Do you take into account the fire plan of the previous tenure—that is, the fire plan of State Forests?

**Ms BARNES:** If the previous tenure has a fire plan obviously we start from that. In the Riverina many former State Forests employees are coming to work with us and for us. Returning to your water question, State Forests field officers who used to open the gates to let water into the Millewa when there was water in the river are doing that again. Water from the river is flowing into those forests and rainwater is also going into those forests.

**The Hon. ROBERT BROWN:** Minister, do you have a program, in particular in the National Parks and Wildlife Service, that enables you to send any level of employee overseas for any period? When Mr Koperberg was the Rural Fire Service chief executive that program enabled us to send our people to California and to bring people from California to Australia. Is there anything similar in the National Parks and Wildlife Service?

**Ms BARNES:** At this stage we do not have a formal secondment processes; we work on a number of exchanges but not on a time period. For example, in relation to the Californians and the Americans, our firefighters go over there if they are called. The Rural Fire Service organises that and sends people overseas for firefighting.

**The Hon. ROBERT BROWN:** I was not referring specifically to firefighting.

**Ms BARNES:** A relationship with Bhutan was established by Minister Debus to understand and to manage mountainous areas. Bhutanese staff members often come to Kosciuszko National Park.

**The Hon. ROBERT BROWN:** I have met many of them.

**Ms BARNES:** They bring with them their skills and they are teaching us great track work. Sometimes we send people back over there, but that is very rare. Similarly, we helped the East Timorese Government over a number of years to establish its first national park. However, that work has now been finished and there is no formal exchange. Parks Victoria has formal exchanges with Canada.

**The Hon. ROBERT BROWN:** And British Columbia.

**Ms BARNES:** I think it is looking also at formal exchanges with Korea and British Columbia. That is something we do not do at the moment.

**The Hon. ROBERT BROWN:** Is that something you could perhaps look at in the future? It seems to me that if other jurisdictions are doing it the New South Wales National Parks and Wildlife Service ought to be taking it on board.

**Mr FRANK SARTOR:** Yes, we will take it on board.

**The Hon. ROBERT BROWN:** I understand that it is difficult to get staff overseas because it takes ministerial approval for each and every trip. Is that right?

**Mr FRANK SARTOR:** It is something we need to be careful of.

**Ms BARNES:** I think we need a programmed approach. Rather than it being just an overseas exchange we need to know what will be the objectives of the exchange. Over the past year many people have come to Australia for conferences and we have got ideas from them. We could look at that plan as part of a broader program of knowledge exchange.

**The Hon. ROBERT BROWN:** Who in the department has that role? Do you have a human resources department or a training wing, or is it just up to each line manager to decide?

**Ms CORBYN:** We have one person who provides a point of contact for international interactions that we might have when delegations are coming to Australia, or we might be wishing to do programs overseas. However, if it is an overseas program it would be best designed by the National Parks and Wildlife Service as it would know what its requirements and needs were and it would have its linkages. Generally the National Parks and Wildlife Service would do that for itself.

**The Hon. ROBERT BROWN:** So at this point in time no formal program is laid out for the future.

**Ms CORBYN:** No.

**CHAIR:** Would you provide details of proposals for air quality monitoring costs—which are identified on page 4-13 of Budget Paper No. 3, Volume 1—and \$1.2 million for ambient air quality monitoring? I know that you touched on this matter earlier when answering questions asked by members of the Opposition. Why are these costs not borne and funded by emitters with environmental protection licences?

**Ms CORBYN:** The amount of \$1.2 million is for ambient air quality monitoring. It covers air quality across Sydney, Newcastle and Wollongong, which is contributed to not only by licensees as the emissions come from motor vehicles and a range of other activities. We have now set up a separate process for the Upper Hunter and a deed of agreement has been signed by mining companies and power stations to pay for the monitoring work that will be going into the Upper Hunter, which the Minister has announced. Broadly, there is an ambient monitoring network at a regional level so you cannot attribute the pollution potential to licensees.

**CHAIR:** Would it not be consistent with the polluter pays principle for emitters to pay for monitoring air quality, especially to monitor pollution pathways in residential areas?

**Ms CORBYN:** In many cases we require licensees to do monitoring associated with their own premises. Broadly speaking, where motor vehicles are contributing a substantial amount I think it would be impractical to ask all owners of motor vehicles to contribute to a monitoring program. Hence the Government has decided to contribute from consolidated revenue.

**Mr FRANK SARTOR:** In order to address the issue of a manageable number of significant polluters contributing to it, we have entered into an agreement in the Upper Hunter where 11 different mining companies, or 11 different mines, are contributing \$2.2 million in capital and \$350,000 a year concurrently. They have all executed those agreements in the past few weeks. I met with them in the Hunter when I met with community groups. That is a cumulative impact issue. As the director general said, in areas such as Sydney where there are vehicle emissions should every vehicle contribute? It is a much more difficult issue to deal with. Coal companies in the Hunter have voluntarily agreed to pay for the costs of monitoring and that monitoring is population based. It is not the monitoring that they are required to do on their individual consents; it is around Singleton and Muswellbrook, which is important as it is about protecting the population, having regard to the fact that different companies contribute different amounts. It depends on the wind pattern and everything else. We are moving in that direction.

**CHAIR:** I am interested in some of those studies. Have you looked at biodiesel and its emission reduction potential?

**Ms CORBYN:** We have done some studies on ethanol.

**CHAIR:** I am referring specifically to biodiesel and particulate emission reduction.

**Mr SMITH:** We have not, but I know that the CSIRO has done so.

**CHAIR:** Would you take that question on notice and obtain information for the Committee?

**Mr SMITH:** We will take that question on notice.

**CHAIR:** In relation to the \$19.1 million provided to local councils for estuary, coastal and floodplain management, can you indicate whether that funding is for research and modelling or actual mitigation and adaption infrastructure?

**Mr FRANK SARTOR:** Recently I approved a number of grants for councils. However those grants were to do with preparing plans.

**Mr SMITH:** There are three funding streams: one for the coastal erosion processes, one for estuaries, and one for flood management. The moneys are used, in part, for planning and, in part, for subsidising works. Most of the money is going on works.

**CHAIR:** How many local councils have completed coastal zone management plans, and how many have completed estuary management plans?

**Mr SMITH:** There are no completed and gazetted coastal zone management plans for New South Wales. That is one of the reasons why, as you know, the Government is proposing to amend the law to speed up that process. There is a small number of adopted estuary management plans. I will get the detail of those plans for you.

**CHAIR:** Does the Department of Environment, Climate Change and Water provide funding from the Climate Change Fund to private golf courses? If so, how much funding has been provided and what is the cost-effectiveness of water savings?

**Mr SMITH:** A range of programs is available for public facilities. These are places where the public can go. Also, there are programs for community organisations. Those funds are provided for water savings and energy savings projects. They are all listed in the annual report of the Climate Change Fund.

**CHAIR:** How much Crown timber land in national parks has been nominated, assessed, identified or protected under the Wilderness Act 1987 since the Forestry National Parks Estate Act 1998 came into effect?

**Ms BARNES:** Lots.

**CHAIR:** Do you want to take that question on notice?

**Ms BARNES:** No. I can give you the figures.

**CHAIR:** Also, how many wilderness nominations under the Wilderness Act 1987 are before the department?

**Ms BARNES:** The State's declared wilderness within national park reserves has increased to around two million hectares, or 2.5 per cent of New South Wales. That equates to 30 per cent of the land we manage under the National Parks and Wildlife Service banner. Recently, in 2009, we declared 120,000 hectares of Yango wilderness. That completes the green chain of wilderness around Sydney that includes Yango, Wollemi, Blue Mountains, Kanangra Boyd and Nattai. There has been a huge increase in wilderness. We are still working through some nominations. That process is in line with the commitments we made with the Colong Foundation with whom we have been communicating if we have not been able to meet those time frames for whatever purpose. We anticipate an additional 30,000 hectares to be declared as wilderness by the end of 2010 and a further 10,000 hectares probably during 2011.

**CHAIR:** What funding has been allocated in the current budget for the department to acquire wilderness areas?

**Ms BARNES:** None. The Dumphy Wilderness Fund actually bought a number of properties. That fund does not exist as a stand-alone fund, but we look at wilderness through the National Parks Establishment Plan and priorities. Generally, wilderness is in areas already protected by the National Parks and Wildlife Act. Our priority is for acquisition of new lands are mainly those bioregions that are underrepresented. As the Minister said previously, that is mainly in western New South Wales, but we have also had some coastal wetlands projects because they are underrepresented. The areas that could be classified as wilderness are already protected as parks. So our acquisition focus is on those underrepresented bioregions.

**CHAIR:** How many households to date have joined the Home Power Savings Program, which is part of the New South Wales energy efficiency strategy?

**Mr FRANK SARTOR:** I am not sure whether it is the low-income program or the other one.

**Mr SMITH:** Are you referring to the one where people subscribe through our website to participate in the power saving program?

**CHAIR:** Yes.

**Mr SMITH:** I will have to take that on notice and get you an update.

**CHAIR:** What is the cost-effectiveness of greenhouse gas reduction and energy savings under the Sustainability Advantage program?

**Mr SMITH:** That would vary from company to company. We are happy to provide some information for you. It is important to note that the funding we provide through Sustainability Advantage is only to subsidise audits. The actual implementation of energy savings measures is fully funded by the companies involved.

**The Hon. LUKE FOLEY:** Mr Kerr, would you update the Committee on the capital works grants for Taronga and Western Plains zoos?

**Mr KERR:** We have a 12-year master plan for Taronga Zoo and Taronga Western Plains Zoo. We have just completed year nine of that program. To date, the total spend is just over \$190 million for the nine years. That came from three sources: capital grants from Treasury, fundraising from the Taronga Foundation and TCorp loans we have taken out. This year we plan to spend \$5 million of capital funds from government, \$12 million from the Taronga Foundation and \$6 million from loans we will take out, on which we are servicing the interest. In this past 12 months we have had some quite significant developments. We are doing major works on the Taronga Western Plains Zoo open entry plaza. This will provide free access to the community of Dubbo

and surrounding regions. That zoo is a very important part of the Dubbo economy for employment and regional tourism. It is the largest regional tourism destination.

**The Hon. CATHERINE CUSACK:** Are you saying that entry to the zoo will be free?

**Mr KERR:** The entrance plaza will be free. We are creating an area at the front of the zoo for the local community, because many in that community may not choose to pay to come into the zoo. We are creating a big plaza area where they can look over the lake, enjoy the facilities, playgrounds and things like that without actually having to enter the zoo proper. We hope that will increase the amenity for the people of Dubbo and also generate income through the coffee shop and things like that. Obviously, this follows on from the quite extensive work on Dubbo's quarantine facility and our veterinary hospital. Over 1,000 animals a year, including native wildlife, come through our two wildlife hospitals in Sydney and in Dubbo.

We have done work also on the Indian rhino breeding facilities. This past year we have done quite a bit of work on de-silting the lake, the white rhino exhibit, the main wolf exhibit, cleaning the hippo moat, and the eland exhibit and holding facilities at Dubbo. Quite significant work is underway at Taronga Zoo in Sydney on the chimp exhibit and holding facility. We are looking forward to opening that mid next year. It is an important chimp facility because its management is recognised globally and fully supported by Jane Goodall as one of the best chimp troops and the best-managed chimp troops in the world. She has committed to support us when we open the new facility.

We are also upgrading the entrance plaza at Taronga Zoo in Sydney. The old heritage building is being restored to its former glory. Quite extensive work is being undertaken on that project. We are also creating an open plaza area at Taronga so that the community can come in, use the facilities and get a taste of what is over the other side of the wetlands area. At Taronga we have also been doing quite a lot of work to renovate or upgrade our rainforest aviary. Architecturally we have quite a famous Australian rainforest aviary. We have done work on the koala walkabout area and the wetlands ponds around the top entrance and we have put in a new perimeter fence at the giraffe exhibit. Over the past nine years we have put a lot of work and energy into the animal exhibits. As part of the feedback from customer research, we are starting to address some visitor facilities, such as providing baby change areas. I think that provides a summary of some of the activities that have been going on.

**The Hon. CATHERINE CUSACK:** How many animals escape from the zoo each year?

**Mr FRANK SARTOR:** Apart from the ones that end up in Parliament House?

**Mr KERR:** I could not tell you the exact number, but it is very low.

**The Hon. LUKE FOLEY:** Donkeys.

**The Hon. ROBERT BROWN:** Sloths.

**Mr KERR:** I will take that on notice.

**The Hon. CATHERINE CUSACK:** In answers to questions on notice you indicated that the Energy Efficiency for Small Business Program cost \$3.9 million to operate, including \$650,000 of government expenses. What are the performance indicators for that program?

**Mr FRANK SARTOR:** I will refer that to the very competent and highly intelligent Simon Smith.

**Mr SMITH:** I am sorry, the question was about the Small Business Energy Efficiency Program?

**The Hon. CATHERINE CUSACK:** Yes. Often you will do the audit of the small business, and then they apply for the subsidies in order to implement the recommendations—

**Mr SMITH:** Yes.

**Mr FRANK SARTOR:** You are asking about performance measures.

**The Hon. CATHERINE CUSACK:** By looking at the number of rebates applied for as a performance indicator, which would be a reasonable way to do it—

**Mr SMITH:** Yes, that is right.

**The Hon. CATHERINE CUSACK:** —there has only been \$352,000 in rebates for a program that costs \$3.9 million to operate.

**Mr SMITH:** Yes. The major part of the costs so far have been in subsidising the audits at the sites. Unlike the low income program, we require a co-contribution from the small business owner to have somebody come out to do the audit. What we have found in the first period of the scheme was that people were really keen to get the audits. They were given a report on what they could do in their operation to cut power bills and reduce power consumption, but there was a slowness in follow-through in implementing the measures at some of the small businesses.

I think it really just reflects how busy small business people are. They could see the results were there and they just never quite got around to doing it. So we changed the funding allocation so that we now provide additional support for someone to help the small business owner get the quotes and do the paperwork to implement the work. More recently—I could get some more statistics for you on this—we are finding a much greater conversion rate because we have largely implemented the work that needs to be done.

**The Hon. CATHERINE CUSACK:** Minister, there are 5,170 energy audits with only 180 businesses applying for rebates. That is a really pathetic performance, is it not?

**Mr SMITH:** No. I think it is just an indication of the start of the program. It is a longer-term multi-year program. I am happy to get you more up-to-date statistics because, as you say, we noticed that the conversion rate was lower than we would like it to be, so we made some changes in how the program is administered.

**The Hon. CATHERINE CUSACK:** For the Sustainability Advantage Energy Saver Program, you indicated that 60 audits have been completed or are under way. Sixty is a very small number, considering that that included the ones in progress. Can you tell me how many actually have been completed?

**Mr SMITH:** I can and I think it is probably best to give you up-to-date figures.

**CHAIR:** You can ask one question.

**The Hon. CATHERINE CUSACK:** I am sorry, I thought it was five minutes.

**CHAIR:** No, I did not say that. I said one question each because Government members concluded early. It is not another five minutes. I cannot do it. So that is your question.

**The Hon. CATHERINE CUSACK:** I state for the record that the Opposition requested an additional five minutes for Environment questions to be taken out of our Cancer time, but that request has been declined.

**Mr FRANK SARTOR:** I thought Environment was going to finish at 12. We are already at 12.12 p.m.

**CHAIR:** I have already taken a substantial amount out of the Cancer time allocation as a result of general feeling. I gave an extra question because Government members concluded early. I gave you an extra question. I state that in reply to what I consider to be quite an unreasonable concern.

**The Hon. ROBERT BROWN:** Say thank you.

**The Hon. CATHERINE CUSACK:** I will not say thank you.

**CHAIR:** This is another question from me. In Budget Paper No. 3 volume 1 at 4-12, it is stated that \$81 million has been allocated for environment protection, regulation and compliance activities. Why can the Department of Environment, Climate Change and Water [DECCW] not fund regulation and compliance activities on a cost recovery basis through environmental protection licensing fees and successful prosecutions? Or does it do that, and does the revenue go to Consolidated Revenue and back? What is the situation?

**Mr FRANK SARTOR:** We do impose significant numbers of charges. I will ask the director general to answer that more specifically.

**Ms CORBYN:** When the Protection of the Environment Administration Act [POEA] was originally passed and then the Protection of the Environment Operations Act [POEO], there was quite a deal of concern raised that if we were to link license fees to our costs and also our enforcement actions to keeping the penalties, et cetera, it would give us an incentive to—

**The Hon. ROBERT BROWN:** Penalise more people?

**Ms CORBYN:** —penalise more people without the results. So there was quite a clear direction that we should separate those. It would mean that we might license people to raise revenue rather than from an environmental perspective. We maintained and built a very strong link between license fees and pollution loads, but not between funding costs and license fees.

**CHAIR:** Thank you very much. That concludes the Committee's Climate Change section of the inquiry.

**(The witnesses withdrew)**



**DAVID CURROW**, Chief Cancer Officer and Chief Executive Officer, Cancer Institute of New South Wales, affirmed and examined:

**KERRY CHANT**, Acting Director General, Population Health and Chief Health Officer, New South Wales Health, sworn and examined:

**The Hon. RICK COLLESS:** Minister, on 11 May this year you told Parliament that the rate of smoking in New South Wales in 2009 was the lowest ever recorded, decreasing to 17.2 per cent. You also told Parliament:

These results have come about not just by bluster or rhetoric but ... the Government has run an extensive number of public campaigns on television and elsewhere to reduce smoking.

Bearing that in mind and considering that smoking causes one in five of all cancer deaths in New South Wales, with more than 6,500 people dying each year, why did you cut the budget for anti-tobacco advertising by \$5.1 million?

**Mr FRANK SARTOR:** The issue about tobacco control is how effective you are. I believe we have been very, very effective. In that context, when the Government makes a broader decision to cut advertising—which the Opposition has been advocating quite extensively—a small reduction in a public health campaign must be seen in that context. But the proof of the pudding is in the eating: we have actually achieved significant gains because the campaigns that we are running, which are still running, have been very effective. But we have also introduced smoking bans in pubs and clubs. We have introduced other legislation relating to tobacco displays and all sorts of other things that are happening. You need to look at the success of the campaign overall and then allocate your dollars in the most cost-effective way.

**The Hon. RICK COLLESS:** Are you saying that the campaign has been so successful that you do not need to fund it to the same extent anymore?

**Mr FRANK SARTOR:** We have allocated resources to other things. The fact is that we have been very successful. It would be different if we were not succeeding and we were cutting the budget but we have actually succeeded. The reduction in the advertising spend has to be seen in the context of a decision across the board in New South Wales. It is not specific to the Cancer Institute.

**The Hon. RICK COLLESS:** The Treasurer, I think in 2008 in his mini-budget, made the statement that the Government would cut taxpayer-funded advertising by 25 per cent. That is in the order of the reduction in the smoking advertising campaign. However, the actual expenditure on taxpayer-funded advertising in 2007-08 was \$116 million; 2008-09, \$99 million; and 2009-10, \$105 million. That is certainly not a 25 per cent reduction in Government advertising, yet the smoking advertising has been reduced. Do you think that is ironic, given the importance of advertising in relation to people giving up smoking?

**Mr FRANK SARTOR:** You would have to direct the question about advertising in other areas to the Treasurer and other relevant Ministers. All I can do is deal with the issue in relation to cancer. All I can tell you is that our programs, viewed as a whole, have been extremely successful. I think it is quibbling over detail.

**The Hon. RICK COLLESS:** Can you quantify that? How much has it reduced?

**Mr FRANK SARTOR:** A 5 per cent reduction in smoking. I think that is fantastic.

**The Hon. RICK COLLESS:** Is there room for another 5 per cent?

**Mr FRANK SARTOR:** We have a target to get down to 10 per cent by 2020, but the instruments that we are using are not just advertising. We are using a range of instruments to deal with this. Local government has done its bit. It has been banning smoking in all sorts of areas. We have banned smoking in cars. We have had 250 prosecutions or thereabouts against people who have smoked in cars with children. As I said, we have had the pubs and clubs legislation and we have had other legislation in terms of display advertisements. The Federal Government has increased the tax on tobacco by 25 per cent. The reality is that there are probably 10 different policy measures being used: advertising is just one. We took a cut in advertising at a time when there was a general cut across the Government. As for the other areas of spending, you would have to direct that to the Treasurer and others, but I think it is, with respect, quite a small point.

**The Hon. RICK COLLESS:** What is the role of the Cancer Institute compared with that of the Cancer Council? Is there any duplication or overlap in the functions performed by the Cancer Council and the Cancer Institute?

**Mr FRANK SARTOR:** To the extent that there is any duplication, you would have to direct it to the Cancer Council because what the Cancer Institute does is what was put into the Cancer Institute (NSW) Act, and what was agreed at the time we created the Cancer Institute by legislation. At the time I had extensive negotiations with the Cancer Council and all other stakeholders, including many medical professionals. Indeed, I conducted a number of workshops with key cancer clinicians, directors of cancer area health services across the State. I think the then Director General of Health, Robyn Kruk, was present at all those meetings. We said that we would not get into the public campaign to raise funds. I am not saying we would not accept funds but we are not out in the same space competing against the Cancer Council. That is correct, I believe.

**Professor CURROW:** Absolutely.

**Mr FRANK SARTOR:** As to where they choose to spend their money, they have been made an independent organisation. I cannot, and nor do I seek to, control what they do and how they spend their money. I do not know who is advising you but to the extent that there is any duplication it is the Cancer Council seeking to be involved in areas that we always said, and the legislation said, the Cancer Institute would be involved with. We will always be involved in cancer research. The institute's drug trials have been massive successes. The institute is looking at clinical care nurses and the penetration of radiation therapy. We have run BreastScreen and so on. The Cancer Institute was designed to do those things, and that is what it is doing. It is true to its mission as legislated by this Parliament and, I might add, adopted unanimously by both Houses.

**The Hon. RICK COLLESS:** Can you tell the Committee how the institute is administered?

**Mr FRANK SARTOR:** Technically, the chief executive is the Director General of Health but in practical terms the Chief Executive Officer is the Chief Cancer Officer, who is sitting on my right. He is a very intelligent, thoughtful, well-regarded, handsome individual called Professor David Currow. He could tell you more about how fabulous he is, if you wish. We have been lucky to have two outstanding chief cancer officers. The first was Professor Bishop, who was scooped up by the Federal Government to become the Chief Health Officer in Canberra. Now we have Professor Currow, who is doing an outstanding job.

**The Hon. RICK COLLESS:** Professor Currow answers to a board, is that correct?

**Mr FRANK SARTOR:** He has a board, which is the board of the Cancer Institute of New South Wales, the composition of which is designed to reflect the different stakeholders. I think there is one person from the nursing profession, there is Creagan, who is the cancer surgeon from Nepean, there is someone representing country health and there are a couple of researchers.

**The Hon. RICK COLLESS:** Who chairs the board?

**Mr FRANK SARTOR:** The current chairman is Morris Iemma. He was preceded by Peter Collins. I remind the Opposition that we had John Fahey on the board for a while, and we had a judge of the Supreme Court chairing it for a while.

**The Hon. RICK COLLESS:** Can you tell the Committee how much the chairman of the board is paid?

**Mr FRANK SARTOR:** It would be whatever the health organisations under the Health Administration Act are paid, which is about \$20,000 a year, but the department can get you the details. It is whatever is the standard fee for similar health organisations. There has been no variation in that regard.

**The Hon. RICK COLLESS:** Turning briefly to breast cancer screening, how many mobile BreastScreen NSW buses are on the road at any one time?

**Mr FRANK SARTOR:** I will ask Professor Currow, the Chief Health Officer, to answer that. In some areas I think we have gone for more mobile; in other areas we have gone for more stationary sites because we

are trying to maximise and optimise the penetration of screening services in the State. Perhaps Professor Currow can answer that question. If he cannot he will take it on notice.

**Professor CURROW:** As the Minister has indicated, statewide there has been a shift in the fixed and mobile vans. Currently there are 12 mobile vans available statewide and 45 fixed sites for BreastScreen NSW.

**The Hon. RICK COLLESS:** Do the mobile vans operate principally in regional areas?

**Professor CURROW:** Yes.

**The Hon. RICK COLLESS:** We have just had a report that the mobile BreastScreen NSW service that served Richmond in western Sydney has been cancelled. Where is the nearest permanent facility to there?

**Professor CURROW:** In Sydney West, which is the area health service serving Richmond, fixed sites include Parramatta, Penrith, Blacktown and Castle Hill, which would variously be available to people from Richmond. Other fixed sites within that region currently include Lithgow and an assessment clinic at Westmead serving the region.

**The Hon. RICK COLLESS:** Can you tell me how many of these buses there have been on the road over the years, say, from 2003-04 to currently?

**Professor CURROW:** I cannot give you the figures from 2003 this afternoon, but I am happy to take that on notice.

**Mr FRANK SARTOR:** You need to be aware that the BreastScreen service was run out of the western area health service until about 2006 and was then transferred to the institute, so we would not have that original information.

**Professor CURROW:** Another thing is that it is most important that we do not look at the number of vans in isolation of the number of fixed sites that are available to women across New South Wales to participate in breast screening.

**The Hon. RICK COLLESS:** The service is highly regarded and well supported in regional areas.

**CHAIR:** Professor, I refer to the removal of mobile units from the North Coast in the Byron area. I also refer to the transport difficulties experienced by people travelling to Lismore and Tweed Heads. What is the current position?

**Professor CURROW:** The issue is that to increase capacity across the Northern Rivers there has been a shift in resources and now the North Coast has fixed sites available at Lismore, Port Macquarie, Coffs Harbour and Tweed Heads. The number of fixed sites has increased from two to four and, most importantly, we have seen an increase in the available screen capacity for the North Coast as a result of that change.

**CHAIR:** The area does not have a train link and has a considerable lack of public transport. The distances do not necessarily assist women who live in the Byron-Mullumbimby area. Has that been properly assessed?

**Professor CURROW:** In terms of the mobile van, it still operates on the North Coast. It includes regular programmed visits to Mullumbimby, Casino, Uki, Mullumgum—

**Mr FRANK SARTOR:** Evans Head—

**Professor CURROW:** Urbenville, Kyogle, Grafton, Iluka, Maclean, Dorrigo, Yamba, Wooli, Bowraville, Kempsey, Bellbrook and South West Rocks.

**CHAIR:** I am sure the Minister appreciates some of the difficulties for people in country areas accessing those types of services.

**Mr FRANK SARTOR:** I have asked similar questions.

**CHAIR:** Was the decision to reduce the budget for anti-smoking advertising—

**Mr FRANK SARTOR:** That was a mini-budget decision taken in 2008.

**CHAIR:** Was it based on empirical evidence that the advertising was not effective in helping to reduce the rate of smoking?

**Mr FRANK SARTOR:** It was a mini-budget decision. However, we have been able to reconfigure our programs to achieve the same objectives.

**The Hon. RICK COLLESS:** The rest of the Government has not.

**Mr FRANK SARTOR:** The reduction trend in smoking has continued and we have been managing to continue it, despite the fact that we have reduced the total spend on advertising.

**CHAIR:** In terms of patches, alternative therapies and other incentives to get people off cigarettes—including those no-smoke ventilation devices; I do not know what they are called—is there any Government funding for that? Is there any incentive to get people onto those alternative therapies?

**Mr FRANK SARTOR:** We run the Quitline. To give an example, when the Federal Government introduced the tax—I think it increased by 25 per cent—calls to Quitline shot through the roof. We spend money on Quitline and some other assistance programs. The Chief Health Officer might wish to elaborate.

**Dr CHANT:** In addition, one of the important issues around smoking is some of the disparities in smoking rates in some communities. Certainly disadvantaged groups and our indigenous Aboriginal populations have extremely high smoking rates. Currently a lot of work is underway to make nicotine replacement therapies more accessible to socially disadvantaged groups. We are doing some work with the Cancer Council in that regard as well as with our area health services and the Cancer Institute. We are certainly undertaking a number of initiatives in relation to mental health clients and also Aboriginal health workers and others to provide access to nicotine replacement therapies. We are certainly conscious of the need to do that. Some of the access to the nicotine replacement therapies is achievable through general practice via prescription.

**Professor CURROW:** The issue is that those replacement therapies are the responsibility of the Pharmaceutical Benefits Advisory Committee and its deliberations around what should be subsidised. A number of therapies are subsidised through that program. However, interestingly, data in New South Wales suggests that the best predictor of successful quitting is someone who decides to do it with the help of organisations like the Quitline and goes cold turkey. That is not to say that the other therapies do not have a role to play; they clearly do. But the vast majority of successful quitters—that is, people who are still non-smokers 12 months later—are people who have ceased to smoke.

**Mr FRANK SARTOR:** One of the recent surveys show that two-thirds of smokers are interested in quitting at some stage.

**Professor CURROW:** And smoking rates are continuing to fall.

**Mr FRANK SARTOR:** Not only that, we are setting up an interactive website to help take people through the personal decision-making and issues they have to come to terms with themselves in order to get there. We are doing a lot of things like that now so that people who have the motivation to do it find ways and tools to then be able to think it through and we can assist them in the process of transitioning.

**Professor CURROW:** The I Can Quit website has had a soft launch and will have its formal launch within the next two months. It really is building on people's own capacity and resilience to quit. It is very much like several other websites around improved health behaviours in the community. It is personalised: you set your own goals and you work within those goals towards the process of giving up tobacco. It is building on the capacity of individuals to make these decisions and to be supported in achieving those outcomes. Our smoking rates do continue to fall as a result.

To follow on from Dr Chant's important issues around disparity in smoking levels within the community, I also draw to the attention of the Committee to the fact that the Cancer Institute has, through its management of Quitline, obtained additional funding from the Federal Government to target Aboriginal and

Torres Strait Islander communities through both the Quitline and the Smoke Check Program, which has seen more than 500 health professionals trained across the State looking particularly at smoking and smoking cessation in the Aboriginal and Torres Strait Islander communities.

**CHAIR:** Dr Chant, you mentioned smoking and mental health, particularly people in institutions, which I find interesting and challenging. I am certainly very strongly anti-smoking. However, there is a certain efficacy regarding people under extreme mental health who use and need tobacco. Have you been able to address that? I know there are alternative therapies but is there a point at which tobacco is the lesser of many evils in terms of people under treatment?

**Dr CHANT:** I think you are correct in identifying the challenges in working with mental health clients. The mental health workforce is also a strong advocate for the client group. However, smoking is inherently dangerous and harmful to health, so if we can manage the issues of patients and move them to non-smoking—and we do that gradually, with sensitivity and care—then I think that is a good outcome. I think in developing policy in this area we are very cognisant of the challenges and are moving slowly and carefully to change those dynamics.

**CHAIR:** There is another issue around passive smoking in particular areas. There has been a lot of debate about the adequacy or otherwise of covered areas in pubs, no smoking areas. Many people feel they are not sufficient. If we take the airport—I am sure, Minister, you would catch enough planes—when you come out of the airport into the waiting areas and taxi ranks that are partially covered, there are very high levels of tobacco smoke. Another area is bus stops. There is a ban on smoking at railway stations but—

**Mr FRANK SARTOR:** And playgrounds.

**CHAIR:** Bus stops, in particular. Have you looked at the impact of that and the possibility of banning where people are congregated so closely together because, from my experience, which I am sure other people have had, at public bus stops it is quite a difficult situation at times.

**Mr FRANK SARTOR:** Yes. There is a draft tobacco action plan that is in the pipeline—it will be coming to us shortly—and that I think canvasses what some of the next steps might be in terms of smoking prohibitions. That is a matter that neither the Minister for Health nor I have had a chance to sit down and properly talk through, but we generally look at what is the next logical thing to do. Local governments have done it in some areas, but they are pretty variable—some do not do anything and some do a lot.

Issues that arise are, for example, smoking in and around playgrounds, possibly also in dining areas—those sorts of issues. In the coming weeks and months a tobacco action plan will surface and there can be more debate around it in that context. It is a question of how far you go where, but as a Government we have done a lot, apart from just the Cancer Institute and all of its programs. In 2008, when Minister Firth was the Minister for Cancer, she introduced amendments relating to the display of tobacco products and a whole lot of stuff, so we are doing more and more—as we have done with solarium, for example—in these areas.

**CHAIR:** I appreciate what the Government has done. I do not know whether it has been raised, but I would ask you to keep in mind public bus stops.

**Mr FRANK SARTOR:** Yes, I do not know, but we will consider all of those in the context of the tobacco action plan.

**CHAIR:** In terms of advertising at sporting events, are all sporting events banning tobacco advertising, including car rallies and car racing?

**Mr FRANK SARTOR:** I would have thought they were, except there is an issue I think around Internet advertising, which should be a national issue. I would have thought that the others were covered. I am not aware of any—

**CHAIR:** Is tobacco advertising in any way associated with any sporting events in New South Wales?

**Mr FRANK SARTOR:** The answer is not that I know of. That is not to say there is not, but not that I am aware of anyway.

**Professor CURROW:** I would include motor sport in New South Wales in the answer.

**The Hon. RICK COLLESS:** Is international motor sport still a problem?

**CHAIR:** I think at the Repco Rally, which I opposed, some of the international teams had tobacco advertising on their vehicles.

**Mr FRANK SARTOR:** It is pretty loud advertising, but I did not think it was tobacco based.

**CHAIR:** I might be wrong.

**The Hon. HELEN WESTWOOD:** Could I ask a question about the Cancer Institute and the work that is currently being undertaken? Could you give the Committee some information about that work, particularly as it relates to cancer research?

**Mr FRANK SARTOR:** One of the institute's key programs is research. There are four points that I want to make. The first point is that we have been spending a very substantial amount of money on research. There has been \$72 million spent so far since 2004 on career support programs, about \$40 million in infrastructure, \$28 million on translational research programs and \$22 million on clinical trials. Interestingly for members of the Committee, one of the great successes of the institute has been that through supporting our local research we have been able to leverage and attract a lot more money from the National Health and Medical Research Council [NHMRC]. For example, from 2005 to 2008 we have gone from attracting 19 per cent of the National Health and Medical Research Council grants to attracting 28 per cent of cancer-related National Health and Medical Research Council grants, so we now have 38 grants. That translates to an increase from \$9.8 million of Federal money to \$19 million, so our investment has pulled in a lot more Federal money.

The other interesting thing is that when it comes to clinical trials we have gone from 190 in 2004 to 283 in 2009, which is a 49 per cent increase in five years, and that is terrific. It puts us much closer to the vanguard on the latest best practice that has been considered. The number of patients enrolled in clinical trials has also gone up in those five years by more than 100 per cent to 2,207. The number of patients in long-term follow-up trials has gone up—it is now over 8,000, an increase of 79 per cent. There are some 55 full-time equivalent trial nurses and data managers across 44 clinical trial units in New South Wales now involved in this process. So that has been an outstanding success.

If you look at total cancer effort in New South Wales from the 2004-2006 period to the 2007-2009 period you will see that it increased to \$239 million, an increase of 75 per cent. There are peer review groups that hand out money, often interstate people, people without a conflict of interest, and we have managed to almost double the cancer research effort in the period of five years. We now have 1,300 or so full-time equivalents working on cancer research. We have some 300 research achievements reported by groups, 58 per cent of which were assisted somehow by the Cancer Institute. So we have had a big impact on research.

Every year we have the Cancer Research Awards presentation. The last one was at the Australian Technology Park. We started those, I think, when I was the Minister for Cancer—before I stopped being the Minister for Cancer for a while. A number of senior clinicians and people come up and say, "This is fantastic"—the buzz in the room is absolutely fantastic. The people at the vanguard of cancer treatment in this State regard it as terrific. I have to say that the Cancer Institute initially was viewed with a little bit of scepticism in some sections of the medical profession—not that they are ever sceptical, though, Dr Chant. I suppose they were concerned about their own patches, but what we effectively have is a research system that is, in a sense, the research equivalent of the Internet where it is a distributed system. Through the Cancer Institute they match programs that relate to the same thing and often there is a lot of joint funding of programs occurring over three centres. It is extremely well regarded and now every year we acknowledge the top researchers.

We have become a great portal not only for new basic research but for translation of the latest and best practice overseas. For example, recently—and Professor Currow might be able to offer a more professional comment on this—there have been trials of the ability to deal with breast cancer by giving a radiation dose at the time of breast surgery, which apparently is as equivalent in its effectiveness according to one trial as the course of 20 visits to radiotherapy that you might otherwise do. It is early days, but there is going to be a massive change in the modality of treatments for cancer research. A bit like Gleevec, which is about 99 per cent effective for chronic myeloid leukaemia, it pretty much cures it, so that is one cancer we know of where we almost have a cure now, or we think it is a cure.

If that has changed in recent times, Professor Currow will correct me, but it certainly has been the case that Gleevec has been a magic bullet for one type of cancer. Unfortunately, there are hundreds of types of cancer. Professor Currow, would you like to elaborate on where it is moving, why it is so important and how it is going to mean that we might even, for example, change the way we treat women with breast cancer and make that a lot more effective?

**Professor CURROW:** Thank you, Minister. I think the very great challenge in cancer and providing excellent cancer services is that the knowledge base is changing rapidly and, although we have committed clinicians right across the State in primary care, in general practice and specialist practice, how do we actually provide up-to-date information for each of those practitioners to ensure that every person in New South Wales has the most current therapy?

The Minister has highlighted a number of areas where there have been profound steps forward in the last decade. What we need to do at a systems level is ensure the system is maintaining that sort of momentum. There is now, as alluded to by the Minister, a landmark study that suggests that for a small group of women with early stage breast cancer the need to travel long distances for therapy may well be a thing of the past. We would need to see confirmatory studies from around the world in that area but it is likely that the biology of what has been tested is now being borne out in clinical trials.

Beyond that there is the Cancer Institute's investment in things such as the eviQ website, which now has almost 1,000 clinical protocols on it that look at the treatment of different cancers. It is an evidence-based resource that is not only changing practice in New South Wales but, because it is on the Internet, is having a ripple effect well beyond our borders.

**Mr FRANK SARTOR:** A lot of people focus on the latest breakthrough. Every Sunday night Channel 10 has some breakthrough that is going to cure cancer. That is Channel 10—they cannot help themselves. The truth is that the gains in survival of the population that gets cancer are going to be much greater in lifting the bar for the people who do not have access to the best services, through things such as eviQ and by providing digital mammography, which we put in place, which means your screen can be transferred to a specialist at a teaching hospital.

It is making sure that we bring the best treatment to the people who did not previously have access to it. Lifting the bottom end is by far where the big savings in lives and suffering will occur. Sure, we want to advance the cures, and that has to happen as well, but one of the things about the institute is that, together with the rollout of more cancer centres, we are lifting the bar. Things are changing. We also have to be mindful that if the radiotherapy approach changes, the demand for radiotherapy services might change dramatically as well.

That is why the institute is such a good idea. We need to be able to see where the research is taking us because it may be with some of these breakthroughs that the modalities will change completely within a matter of two or three years. Just remember that 30 years ago many cancer patients were not ambulatory care patients, they were inpatients. Now I think only about 5 per cent of cancer patients end up as inpatients and 95 per cent are ambulatory care patients. They go in, have their chemo and go home. The modalities are changing. About 13,000 people die in this State every year from cancer and 40,000 are diagnosed with it. There are massive numbers of patients and as a population we need to ensure that we give all the people who have the misfortune to contract cancer the best possible chance whether they live in Broken Hill or Point Piper.

**The Hon. IAN WEST:** And quality of life.

**Mr FRANK SARTOR:** Absolutely, in all senses, which is why we have introduced case managers, cancer care nurses, to try to help people on the patient journey, and the idea of getting a second opinion, which is to be encouraged. A lot of people approach me because of my personal background in this area, as opposed to my professional background, and ask me to redirect them to the best people. I might need to make a phone call to someone senior in Health to say that a person has a certain type of cancer and wants a second opinion and ask where they should go. We do some of that. It is hard work and it is going to take decades, but the survival rates are now 63 per cent overall for cancer. A few years ago it was 60 per cent and it was a lot lower, about 50 per cent, 20 years ago. For breast cancer I think the five-year survival rate now is 85 or 86 per cent. We are getting there.

The big challenges are going to be in bowel cancer, for example, because the screening is a bit unpleasant and people have to take their own samples. The Federal Government has run a bit of a trial. The other big challenge is in breast screening. The penetration of some cultural groups to get them motivated to get breast screening done between the ages of 50 and 69 is a lot harder. There are some institutional barriers to further progress, but basically it is about egalitarian health care—making sure that in this country if you are poor, live in a remote area or are not educated there is every chance we can pick you up and give you just as good a treatment as the people from the wealthy end of town. That is what it is about.

**CHAIR:** I think everyone appreciates what you are saying. You referred to effective early detection and strategy. How are you dealing with prostate cancer screening, which sometimes is controversial? How does that relate to the general population and what is the most effective way forward from a public health point of view?

**Mr FRANK SARTOR:** I will ask both the experts with me to give you details, but as a general comment I think men could learn a lot from the way women have managed the breast cancer issue as a section of society. Women have done a brilliant job at increasing awareness of breast cancer and dealing with it and men generally have not been as collective in their approach. It has also been a bit confounded by the debate over prostate specific antigen [PSA] and the importance of PSA and a whole bunch of other issues. It is a critically important issue. There is a prostate cancer institute at St George and there are similar bodies around. Some of the research program does go to prostate cancer. Perhaps David and Kerry could add something to that.

**Dr CHANT:** I will speak in general terms and David can be specific. There are criteria from which we evaluate whether a screening test is useful, and cervical cancer, bowel cancer and breast cancer screening have met those criteria. At the moment the prostate specific antigen screening does not meet that, and I am happy to circulate the documents that underpin that. There are always risks associated with a screening test, but also benefits. It is about making sure that the risks and benefits weigh up. One of the challenges for us is that whereas we have good evidence of how an abnormal finding on a pap smear can potentially progress to cancer, the same issues are not quite there around prostate cancer. There are processes by which the nation looks at these tests. There are national committees that look at the evidence and determine whether a screening test meets those criteria.

**Professor CURROW:** The national screening committee, which reports through the Australian Health Ministers Advisory Council, has a position on prostate cancer screening that was updated last year. For more than four decades now those principles to which Dr Chant has referred have been in place. The difficulty with prostate cancer is that several of those criteria are not well met. Clearly prostate cancer is a major health problem so it ticks the first box. There should be a treatment for the condition, and that is where it starts to become more difficult to justify at a population level, even with the second of those key principles. There should be a latent stage for the disease; that is, there should be a stage where you can detect it in people who have absolutely no symptoms and be confident that you will change the course of the illness. We know that is the case for some prostate cancers and not others, and that is a fundamental difficulty for us as we think about this.

That means the biggest single risk factor for getting prostate cancer is being a man, followed very rapidly by age. Age is a strong predictor of this, so that at autopsy you will find the majority of elderly men have prostate cancer that has not caused them any problems and has not spread beyond the prostate. That increases with age, so 70 per cent of 70-year-olds, 80 per cent of 80-year-olds, 90 per cent of 90-year-olds and 100 per cent of 100-year-olds. The question is which of those cancers is actually the cause—

**Mr FRANK SARTOR:** You mean if I live to be 100 I am going to have prostate cancer?

**The Hon. RICK COLLESS:** You got it, Frank!

**Mr FRANK SARTOR:** It is not worth going to 100.

**The Hon. CATHERINE CUSACK:** Only if you are Japanese.

**Professor CURROW:** The challenge is those people who have died with prostate cancer, not from prostate cancer. How do we distinguish those who need more aggressive therapy from those who do not? At the moment the prostate-specific antigen can identify that a person might have prostate cancer, but it will not tell us whether this is a particularly aggressive form of prostate cancer that needs radical therapy or that it needs to be watched closely. When we look again at those principles we find that we have the test that we need to



understand, which at the moment is the prostate-specific antigen. We find also that there is consensus about the intervention. I think the medical profession is still somewhat divided on that issue. There are those who are comfortable, there are people who need to be treated immediately, people who do not need to be treated, and people who can be watched. I think the profession is still coming to terms with that middle group, who they should be, what the parameters are for such a decision, and how to translate that at a population level to improve health outcomes.

This is not just about diagnosing prostate cancer; it is about improving survival. It is crucial for us to bear in mind that this is about improving survival. Many people ask us why we do not find many cancers earlier than we do. We will find some of those cancers but we will not influence a person's overall survival; we will only give him or her more lead time. We will diagnose it earlier but we will not change the course of that illness. While talking about prostate cancer, I come back to Dr Chant's point. There is the issue of the investigation, which is not without its problems. If you are going to have biopsies there are complications relating to biopsies and if you are going to have imaging potentially there are complications relating to imaging. We need to get two curves intersecting at the right place before we state that a population-based screening program should go ahead.

Internationally there are only three programs to date that have reached that level: breast cancer, cervical cancer and rectal cancer. The evidence base is changing. I assure the Committee that we have a watching brief on this and, as new studies become available, they will be evaluated both within the State and nationally. Clearly, this issue is of concern to a great many people. At the end of the day it has not reached that threshold where, at a community level, we can be absolutely confident that we are causing more benefit than harm right across the community. This is not about individuals who state, "If I had not had the test I would not have been diagnosed." I accept that that is the case. We cannot ever argue with the individual who has been diagnosed. But at a population level in a policy sense we need to come back to principles that have been in place since the late 1960s and tick off every one of them in order to say that there is a net benefit at a community level that justifies that as the way forward.

**Mr FRANK SARTOR:** I dream of the day when we can diagnose or screen cancer either by a blood test or a breath test. It will come.

**The Hon. RICK COLLESS:** There are some reports that animals can pick that up now, are there not?

**Mr FRANK SARTOR:** There are.

**The Hon. RICK COLLESS:** They are using dogs to detect early cancer.

**Mr FRANK SARTOR:** There is a recent report also about breath tests picking up some types of cancer in humans. It is early days and these things take time. When we are dealing with populations it takes decades to do scientific evaluations in the medical sphere. We have to get to that point. Early detection is one of the key ways to do that. We then have to find modalities for treatment.

**CHAIR:** It is good to have on the record those informed answers, which I am your sure will be of use to many people. I thank the Minister and departmental officers for their time. That concludes this estimates committee hearing.

**(The witnesses withdrew)**

**The Committee proceeded to deliberate.**

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