

The Hon. PENNY SHARPE: Can you rule out that it was not because of a fear of contaminants?

Mr BUFFIER: I cannot speculate. I do not know what was in the mind of Hunter Water when it made that decision.

The Hon. PENNY SHARPE: Can you take on notice whether the EPA was made aware of that at the time?

Mr BUFFIER: I can take it on notice as to whether Hunter Water notified us that that was the reason, yes.

Answer

The EPA was made aware in September 2014 in correspondence between Hunter Water and NSW Health that Hunter Water undertook water quality sampling at potentially affected Pumping Stations (5, 7 and 9) in May 2012. No PFOS/PFOA contamination was found.

The Hon. PENNY SHARPE: Will you be able to release the Defence report to which you alluded?

Mr BUFFIER: I do not know.

The Hon. PENNY SHARPE: Can you take that question on notice?

Mr BUFFIER: I will have to take it on notice.

Answer

The Defence report was provided in draft form to NSW agencies for comment. Defence has now finalised and publicly released the report on its website.

Dr MEHREEN FARUQI: Is it correct that a range of coalmining proposals are being considered at the moment by the Government, such as the Warkworth proposal, that would not be approved if they were required to comply with even the most generous PM10 option in the impact statement for the draft variation to NEPM?

Mr MARK SPEAKMAN: That question has a number of parts. Are there a number of mining proposals yet to be approved? The answer is yes. Would they fail with more stringent PM10? I do not know the answer offhand but I will take it on notice, if I may.

Answer

The National Environment Protection Ambient Air Quality Measure provides a national framework for the management of ambient air in Australia. The NEPM itself does not compel or direct pollution control measures. The NEPM requires participating jurisdictions to undertake nationally consistent monitoring and reporting activities that support the formulation of air quality management activities. The NEPM aims to guide policy formulation that allows for the adequate protection of human health and wellbeing.

The EPA provides advice to the Department of Planning and Environment as part of the development assessment process for State Significant Development (SSD), including coal mines. This advice typically includes a recommendation that coal mining operations implement best practice emission controls to minimise dust. The EPA is not an approval authority for SSD. Any further questions relating to the approval of coal mines should be directed to the Minister for Planning.

Dr MEHREEN FARUQI: I will have to check those figures. Is there any central database of biodiversity offset sites in New South Wales?

Mr MARK SPEAKMAN: The maintenance of such a database is an operational issue, so I invite Mr Bailey to respond.

Mr BAILEY: I will take that question on notice. My recollection is that there is no single location. However, I highlight the need for that, and acknowledge that need as part of the biodiversity review

Answer

OEH maintains a database of offset sites that are secured using biobanking and conservation agreement mechanisms.

A register showing approved biobanking agreements is publicly available from the OEH website. To identify the location of offset sites, the Biodiversity Investment Spatial Viewer is being developed by OEH to record Conservation Commitments. This will show the location of biobanking agreements and conservation agreements, and a number of other types of permanent conservation commitments.

Once completed, the Biodiversity Investment Spatial Viewer will be publicly available.

Dr MEHREEN FARUQI: Does the Office of Environment and Heritage monitor any biodiversity sites?

Mr BAILEY: As an agency it monitors an enormous number of biodiversity sites across the State.

Dr MEHREEN FARUQI: What is being monitored?

Mr BAILEY: We monitor for a series of things through our threatened species program and our state-of-the-parks reporting for the parks estate. We monitor for a large number of programs, including biobanking agreements, biocertification and so on. We do monitoring and have management plans with those responsible for them. However, the planning system actually makes those offsetting decisions. We work at setting the policy around that and we have input into planning decisions, but it is a planning matter in managing offsets.

Dr MEHREEN FARUQI: How do you monitor them if you do not have a register of their location and characteristics? What is the monitoring process?

Mr BAILEY: I said I would take on notice the question about the comprehensive system for offsetting.

Answer

Offset sites that are secured under a Biobanking agreement are monitored on an annual basis to ensure that the conservation work is being carried out on the site.

DPE may also issue conditions of consent that refer to monitoring of offset sites.

OEH maintains a database of offset sites that are secured using biobanking and conservation agreement mechanisms.

Where Biobanking is used as the mechanism to secure an offset, as part of reviewing the application, OEH consults with Department of Planning and Environment (DPE), the Local Land Services, the relevant Local Government Authority, and Land and Property Information for a title search, to check whether the land has previously been used as an offset. Under the Biobanking Regulation, land that is a part of a previous offset arrangement is ineligible to be a Biobank site.

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The Hon. MARK PEARSON: In relation to the kangaroo industry and the New South Wales kangaroo management plans, since Russia implemented a ban in 2008 followed by an even more strict ban in 2009 and then another ban earlier this year on the imports of kangaroo meat, and that constitutes 70 per cent of all exports of kangaroo meat for human consumption, what funds did the New South Wales Government give to the kangaroo industry to address the hygiene and welfare concerns which underpinned the Russian bans?

Mr MARK SPEAKMAN: I do not know the answer to that question.

Mr BAILEY: I would have to take the question on notice, but I would like to do a bit of clarification as we work through. Are you looking for the contribution to that program from the Office of Environment and Heritage?

The Hon. MARK PEARSON: Yes.

Mr BAILEY: I will take the question on notice and do a clarification. My understanding is that we would not have contributed funding

Answer

No funds were contributed to the industry by the Office of Environment and Heritage.

The Hon. MARK PEARSON: Thank you. In the development of the 2012-16 kangaroo management plan, what was the methodology used to inform the helicopter surveying conducted for the purpose of calculating and determining the number of kangaroos that may be permitted to be killed lawfully?

Mr MARK SPEAKMAN: I will invite Mr Bailey to answer that if he can.

Mr BAILEY: Again, Mr Pearson, that is quite a detailed answer on which I will come back with an answer on notice for you, noting that it is scientifically robust. As you have noted, the plan runs from 2012 to 2016, which means we are in the process of preparing another plan for agreement with the Commonwealth. I am pleased to say we are, obviously, reviewing it again. We will have peer reviewed the methodology that utilises or underpins any further work in relation to a management plan that might continue beyond 2016.

Answer

Kangaroos are counted by Helicopter Survey as they are observed along transects. Population numbers are then determined using a program called 'Distance R' which is custom designed to determine wildlife population size.

The Hon. MARK PEARSON: Thank you. Is the Minister satisfied that the infrared heat tracking methods used to determine kangaroo numbers did not mistake goats, dogs, sheep and other large animals for kangaroos in the calculation of kangaroo numbers?

Mr MARK SPEAKMAN: I am not presently dissatisfied. I am not going to answer in that in a double-negative way, but I will take that question on notice, if I may.

Answer

The Office of Environment and Heritage does not use infrared heat tracking methods.

The Hon. MARK PEARSON: Thank you. Despite a number of kangaroo management plans having been approved by the Commonwealth Government and the New South Wales executive Government over the past 20 years, not one of those plans has been the subject of debate or consideration by this Parliament. Would the Minister support a motion—and I look to bring such a motion to the House—to refer the commercial harvesting of kangaroos to General Purpose Standing Committee No. 5 [GPSC5] to investigate the sustainability of this industry?

The Hon. TREVOR KHAN: What do you reckon about that?

The Hon. RICK COLLESS: We could do that. **CHAIR:** We could do that.

The Hon. PENNY SHARPE: I think you have a deal.

Mr MARK SPEAKMAN: I will read the transcript of your question, give consideration to that and respond as soon as I can.

Answer

Any such Notice of Motion would be a matter for consideration by the Legislative Council.

The Hon. MARK PEARSON: Thank you very much. What are the trading names of the commercial operators that were contracted to undertake the helicopter flights for any or all of the surveys undertaken for the development of the 2012-16 kangaroo management plan?

Mr MARK SPEAKMAN: As that is a question of operational detail, I will ask Mr Bailey whether he is able to answer that question.

Mr BAILEY: Thank you, Minister. Sorry, Mr Pearson, I am not able to answer that question today. I will take that on notice.

The Hon. MARK PEARSON: The reason behind that question is that, because the operator is a private company retained to do that work, attempts by any organisation wishing to find the details of how that evidence is gathered have been thwarted and blocked. That information is quite pertinent to determine how kangaroo numbers are calculated, considering the consequence of injury and death which will ensue.

Mr BAILEY: I will certainly go back and take that question on notice. My recollection is that we have an intimate involvement in the annual surveying program that we run. We generally run those out of our own fixed-wing plane, which is managed through the Parks and Wildlife Service. But I will come back with more detail.

Answer

National Helicopters has been the commercial operator contracted within this period.

The Hon. PENNY SHARPE: Minister, in this year's budget papers the service group for the National Parks and Wildlife Service indicates a fall in full-time equivalent employees from 1,913 to 1,878 in 2014-15. Given the drop in numbers, can you explain to me why the employee-related expenses are set to more than double from approximately \$98 million to \$214 million in 2014-15?

Mr MARK SPEAKMAN: What page, Ms Sharpe?

The Hon. PENNY SHARPE: The Office of Environment and Heritage service group statements, National Parks and Wildlife, page 5-23 in the budget papers.

Mr BAILEY: I do not have it in front of me. Sorry, I missed the question initially.

The Hon. PENNY SHARPE: I am happy to provide you with a copy of it. Essentially you are cutting 35 staff, but your employee-related expenses as set out in the budget papers are doubling and I want to know why.

Mr MARK SPEAKMAN: May we have a copy?

The Hon. PENNY SHARPE: Sure. You can take it on notice if you do not know.

Mr BAILEY: We will be able to step through it. The question is the employee-related expenses as they are forecast?

The Hon. PENNY SHARPE: Yes.

Mr BAILEY: So the paper that I am looking at shows the forecast for 2014-15. Are we talking—?

The Hon. PENNY SHARPE: Essentially I want to know why your employee-related expenses are doubling from \$98 million to \$214 million.

Mr BAILEY: This will help explain. The Parks and Wildlife as a service group is actually more comprehensive than the National Parks and Wildlife Service in its own right. It is inclusive of a series of other aspects of the organisation that are actually funded through the same. I will have to have a look. That is a comparison of 2013-14 against 2014-15. The employee-related expenses often have a couple of major variations—there will be some additional programs that are then set into the service group statement of Parks and Wildlife in its own right.

The Hon. PENNY SHARPE: Would you be able to set those out? I am happy for you to take that on notice and provide that to the Committee.

Mr BAILEY: And a set of clarity around which agencies, organisations or trusts are incorporated into that service statement—it is often broader, and it certainly is broader than the Parks and Wildlife Service in its own right. We also have to manage matters around what financial relationships we have in a given year in terms of employee costs, so I will set that out. I will have a look at that for you.

Answer

Refer to page 31 of the Transcript for response.

Efficiency Dividends

The Hon. PENNY SHARPE: Will you be able to provide to the Committee what that means for the National Parks and Wildlife Service? You can take it on notice. I understand you cannot give it to me now, or are you saying to me that is not the way it is dealt with?

Mr BAILEY: There will be efficiency dividends out of that that are then allocated to the National Parks and Wildlife Service on a pro rata basis generally. There are a series of different efficiency dividends that we need to produce—procurement, savings and those sorts of things.

The Hon. PENNY SHARPE: Will you be able to give us a breakdown of that?

Mr BAILEY: I can give you those at an OEH level, yes.

Answer

National Parks and Wildlife Service efficiency savings for 2015-16 are \$5.707 million.

The Hon. PENNY SHARPE: Thank you. That has been very informative. Minister, are you looking at increasing existing park use and camping fees in the National Parks and Wildlife Service? If you do not know, you can take it on notice.

Mr MARK SPEAKMAN: Just give me one moment.

The Hon. TREVOR KHAN: This is the problem with not dividing it up. We have all these folders and it makes it difficult for the Minister.

The Hon. MICK VEITCH: Rumpole, just relax.

The Hon. PENNY SHARPE: The Minister is doing fine.

The Hon. TREVOR KHAN: I think he is doing very well.

The Hon. MICK VEITCH: Just relax. It is okay.

Mr MARK SPEAKMAN: I will have to take that on notice.

Answer

Yes, please see: <http://www.environment.nsw.gov.au/media/OEHmedia15090700.htm>

The Hon. PENNY SHARPE: At this point I might need to give you a document that indicates that there is extensive selling off of assets. I am about to put in front of you a memo from the deputy chief executive of the National Parks and Wildlife Service that says the following, "The Office of Environment and Heritage and other New South Wales Government departments facing ongoing budgetary pressures associated with increasing costs and salaries and decreasing expense allocations across the future years. We need to be proactive in identifying and implementing opportunities for savings."

If you look at the second page there are eight current projects that I understand your department is undertaking that are going to do a range of things. They go to the questions I have been asking previously. One is increasing camping fees and park use fees for members of the public. The other looks to me like the preparation of closing of offices and more senior staff are to go. Another one looks like selling assets. I draw your attention to "Capital works. Subproject 6", that says, "Prepares the total asset management plan", which Mr Bailey was just telling us about, and a business case for retention of revenue derived from asset sales. Do you accept this work is being undertaken in your department, Minister?

Mr MARK SPEAKMAN: I will take that question on notice.

Answer

Yes. The government is committed to the strategic management of our national parks and reserves system.

The Hon. PENNY SHARPE: Minister, if you are taking this memo on notice, will you come back to the Committee and outline the status and the expected savings that will be derived as a result of each of these projects that I have just put before you?

Mr MARK SPEAKMAN: I will take that on notice.

The Hon. PENNY SHARPE: You are taking on notice whether you are going to provide me with an answer?

Mr MARK SPEAKMAN: No, I will answer your question. The way you have put it is a question to me, which I will answer.

The Hon. PENNY SHARPE: You will provide us a breakdown of all of those?

Mr MARK SPEAKMAN: You have posed a question to me and I will answer it on notice.

Answer

The status and expected reinvestment amounts for each of the eight projects is as follows:

Sub-project	Status	Reinvestment amount
1. Vehicles and plant	Ongoing	Expected savings of \$861,000 in 2015/16.
2. Electronic equipment	Non-ongoing. A new OEH mobile services contract is currently under negotiation.	Expected savings of approximately \$500,000 across OEH in 2015/16 based on current mobile services usage.
3. Park use fees	Ongoing	Income generating initiative, estimated for 2015/16 at \$400,000 for Vehicle Day Use Entry fees and \$170,000 for Camping fees.
4. Office accommodation and depots	Ongoing	Not yet estimated
5. Optimising park infrastructure use	Ongoing	Not yet estimated
6. Capital works	This project is now part of a broader program for budget allocations.	Income generating initiative, yet to be estimated.
7. Re-use	Ongoing	Not yet estimated
8. Park maintenance services	Ongoing	Not yet estimated

The Hon. PENNY SHARPE: Minister, do you believe that it is appropriate that the head of your agency is in contact with a complainant during an investigation?

Mr MARK SPEAKMAN: I will repeat what Mr Buffier said: If there is any suggestion of impropriety people can make complaints to the Ombudsman. I have confidence in Mr Buffier and the way he handles matters in the EPA.

The Hon. PENNY SHARPE: Is that investigation now finalised? Is there any further investigation being undertaken for any of the officers involved?

Mr BUFFIER: It was finalised some time ago.

The Hon. PENNY SHARPE: When, exactly?

Mr BUFFIER: I would have to take that on notice. From recollection it was more than 12 months ago

Answer

The investigation was completed and the officer involved was advised of this, by letter, on 24 May 2013.

Mr DAVID SHOEBRIDGE: Has the New South Wales heritage office signed off on UrbanGrowth's plans for the Parramatta Female Factory and the Cumberland precinct at Parramatta? If so, why?

Mr MARK SPEAKMAN: Let me answer that question against the context of what my role is as heritage Minister. I have a number of defined functions in the Heritage Act, primarily the making of interim heritage orders—

Mr DAVID SHOEBRIDGE: I was asking about the office.

Mr MARK SPEAKMAN: I am coming to that. In my role as Minister I make interim heritage orders in relation to matters of State or local heritage significance and I list or delist things on the State Register. Permission to do works to State-listed items is a matter for the Heritage Council, rather than for me as Minister. There has, as I understand it, been an iterative process between the Heritage Council, using OEH staff as their secretariat, on the one hand and UrbanGrowth in relation to Parramatta north. I understand that iterative process has not yet been finalised. I think Mr Bailey can answer that question.

CHAIR: The Greens' time has expired.

Mr DAVID SHOEBRIDGE: That is okay; please take it on notice.

Answer

All plans and development applications which relate to the State Heritage listed Parramatta Female Factory and the Cumberland precinct at Parramatta require approval from the Heritage Council. To date no development applications have been submitted for these items to the Heritage Council for approval.

The Office of Environment and Heritage (OEH) has been advised by UrbanGrowth NSW that Tanner Kibble Denton Architects (TKD) were formally engaged to prepare a Conservation Management Plan for the Parramatta North Urban Transformation Site for endorsement by the Heritage Council by the end of the year.

The Hon. PENNY SHARPE: How many whales have we had in the harbour this season?

CHAIR: And can you name them?

Mr MARK SPEAKMAN: I would have to take that on notice.

The Hon. PENNY SHARPE: Can anyone with you answer it? I understand there has been at least one.

Mr BAILEY: My recollection is only one. Our mammal expert will be able to give us that number.

The Hon. PENNY SHARPE: When there is a whale in the harbour, there is a significant role for....

Answer

So far this season two whales are known to have entered Sydney Harbour, a Southern Right whale first seen on 24 July 2015 and a juvenile Humpback whale first seen on 11 August 2015.

The Hon. PENNY SHARPE: I will make my question more precise. I understand there has been a lot of burn-off work for fires outside Sydney. How many staff from the Sydney Harbour National Park have been offsite doing that work rather than at the Sydney Harbour National Park? You can take the question on notice, if you need to.

Mr BAILEY: I would have to take that on notice. There are a couple of components to come back to. One is remembering that we manage our resources. We have about 1,200 qualified firefighters across the National Parks and Wildlife Service filling that role in bushfire fighting and in hazard reduction burning.

Answer

In 2014-15, 11 Sydney Harbour National Park staff were deployed to 14 hazard reduction shifts outside Sydney Harbour National Park.

The Hon. PENNY SHARPE: How many permanent full-time field officers do you have for the Sydney Harbour National Park?

Mr BAILEY: I have not brought that level of detail with me today. I will take that on notice.

The Hon. PENNY SHARPE: It has been suggested to me that there are only four. Does that sound about right?

Mr BAILEY: I would have to take that on notice.

The Hon. PENNY SHARPE: Minister, you can see where I am getting to. There have been significant issues in the Sydney Harbour National Park in relation to fairy penguins and whales as well as job cuts that are forecast in relation to the budget. Do you believe there is sufficient funding to ensure there are sufficient staff to care for the fairy penguins, the whales and all other parts of the National Parks and Wildlife Service?

Mr MARK SPEAKMAN: Absolutely. I invite Mr Bailey to comment on staffing at Sydney Harbour National Park and North Head, in particular, insofar as the deal did not affect the protection of little penguins.

The Hon. PENNY SHARPE: I am asking this question in a larger context.

Mr MARK SPEAKMAN: Your question may have the implication that staff cuts—

The Hon. PENNY SHARPE: Yes, I am pretty worried as I do not think there are enough staff to protect the penguins or to look after the whales.

CHAIR: I have a solution, Penny.

The Hon. PENNY SHARPE: I do not think we want to know it, Robert. Mr Bailey, can you take my question on notice?

Mr BAILEY: I am happy to provide some clarification. I draw your attention to the year-on-year 2014-15 comparison with the 2015-16 budget allocation to the National Parks and Wildlife Service—not to that broader group. There is a \$6.8 million increase in that budget in 2015-16 compared with last year. I expect that the service will receive additional funds as part of the Saving our Species program that we run through another component. I am confident that the combination of our staff, volunteers and contract support staff who helped with trapping at North Head and Manly meant that there was no compromise to the operation. We ensured that we did as much as we could. We also flew in some expert shooters from around the State to ensure we had the best marksmen in the park service on site during that period. It is not unusual in high-impact moments to bring people from throughout the State to do that support work.

Answer

There are ten permanent full time Field Officer positions based in Sydney Harbour National Park.

In addition, there are two permanent Senior Field Supervisor positions, five permanent full time Senior Field Officer positions and one full time Trainee Field Officer position based in Sydney Harbour National Park.

The Hon. PENNY SHARPE: I appreciate that answer. If you want to provide more information that would also be appreciated. Minister, I refer you to the Parramatta Female Factory heritage assessment and the other buildings that are part of the UrbanGrowth NSW project. Was the first Heritage Council submission made only in February this year?

Answer

There has been ongoing consultation between UrbanGrowth NSW and OEH since mid-2014. The Heritage Council's submission, dated February 2015, was the first formal submission made to the Department of Planning and Environment for the Parramatta North Urban Renewal Rezoning Proposal.

The Hon. PENNY SHARPE: Are you aware if there is a conservation management plan or a built heritage strategy for this site?

Mr MARK SPEAKMAN: I will invite Mr Bailey to comment on that. As I said, it is an exceptional site. I went there a few months ago and spent the afternoon walking around. I appreciate its significance, not only to the people of Parramatta but also to the rest of New South Wales and beyond.

Mr BAILEY: UrbanGrowth NSW is preparing a consolidated conservation management plan for the Parramatta North historic precinct in consultation with the Heritage Council of NSW. That is consistent with the guidelines for State-owned heritage assets.

The Hon. PENNY SHARPE: When did that begin?

Mr BAILEY: I cannot provide a date. I will take that question on notice. I can assure the Committee that the consolidated conservation management plan is in preparation and that the Heritage Council has been closely consulted.

Answer

The Office of Environment and Heritage (OEH) has been advised by UrbanGrowth NSW that Tanner Kibble Denton Architects (TKD) were formally engaged to prepare a Conservation Management Plan for the Parramatta North Urban Transformation Site on 19 March 2015.

Dr MEHREEN FARUQI: Minister, why has there been no New South Wales commercial kangaroo harvest annual report since 2013?

Mr MARK SPEAKMAN: Mr Bailey knows the answer.

Mr BAILEY: There has been a delay in the issuing of that. I have looked into it and I expect that I will be able to issue a report in the next short while. I will indicate when that will be. That will go back for that period.

Answer

As a requirement of the Commercial Kangaroo Harvest Management plan 2012-16, the 2014 Annual Report was submitted to the Australian Government prior to 30 March 2015 for its consideration. The Australian Government has now responded and the report will be published on the Office of Environment and Heritage website by 30 September 2015.