



LEGISLATIVE COUNCIL

GENERAL PURPOSE STANDING COMMITTEE NO. 3

BUDGET ESTIMATES 2008-2009

QUESTIONS ON NOTICE

General Purpose Standing Committee No. 3

Lands

Tuesday 14 October 2008

Answers to be lodged by: Friday 7 November 2008

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Questions relating to the portfolio of Lands

14 OCTOBER 2008, 4.15 pm – 5.00 pm

Questions from Ms Hale Travelling Stock Reserves

1. If Department of Lands takes over the control of parts or all of the TSR network in NSW:
 - a. How will the land management be funded (e.g. looking for and controlling environmental and noxious weeds and pest animals; checking for and responding to illegal activities such as unauthorised grazing or wood harvesting)?
 - b. What DoL staffing will be allocated to the management?
 - c. What additional administration will be needed by DoL to manage the various uses of the TSR network?
 - d. Will public access to all TSRs for recreational purposes such as bird-watching, fishing and picnicking be maintained?
 - e. If RLPBs and other managers are responsible for parts of the network how will DoL management be integrated to achieve consistency and maintain all values across the whole TSR network?

2. If the Department of Lands takes over the control of parts of the TSR network in NSW:
 - a. How will the Department ensure that the nature conservation values of the ground cover and shrub layers are maintained, not gradually lost through pest animal or weed invasion, pasture improvement or inappropriate grazing regimes such as regular grazing in good seasons as well as droughts?
 - b. In any areas where grazing, harvesting (e.g. of timber or firewood), new uses or more intensive recreation are permitted, how will the Department ensure that all common and rare plant and animal species that live in or depend on the area have adequate opportunities for their populations to maintain or recover to near-natural density and abundance following these disturbances or periods of stress such as droughts?
 - c. Will the Department ensure that the potential value of the whole TSR network as corridors, stepping stones and refuges for species attempting to adapt to and survive climate change is maximised, and if so, how and with what resources?

3. Given the pressure on Rural Lands Protection Boards to manage TSRs as a business in the adoption of the IMC report recommendations:
 - a. How will the RLPBs ensure that the nature conservation values of the ground cover and shrub layers be maintained, not gradually lost through pest animal or weed invasion, pasture improvement or inappropriate grazing regimes such as regular grazing in good seasons as well as droughts?
 - b. In any areas where grazing, harvesting (e.g. of timber or firewood), new uses or more intensive recreation are permitted, how will the RLPBs ensure that all common and rare plant and animal species that live in or depend on the area have adequate opportunities for their populations to maintain or recover to near-natural density and abundance following these disturbances or periods of stress such as droughts?
 - c. Will RLPBs ensure that the potential value of the whole TSR network as corridors, stepping stones and refuges for species attempting to adapt to and survive climate change is maximised, and if so, how and with what resources?

Delay in responding to Aboriginal Land Claims

4. Given the recent unanimous decision of the High Court in the Wagga Wagga land claim will the Government, and more particularly the Minister, take up the suggestion from NSWALC Chairperson Bev Manton that the NSW Government pause and reflect on the fundamental principles of the *Aboriginal Land Rights Act*, and the right of Aboriginal people to lodge legitimate claims for the return of land under the compensatory mechanism set out in the legislation?
5. Does the Minister agree with Ms Manton's observation that the High Court decision clearly reaffirms the fundamental right of Aboriginal people to pursue such claims?
6. If so, can we expect the High Court decision to signal a change in the Government's attitude given Ms Manton's regret that Aboriginal people are being increasingly forced into timely and costly litigation to defend those rights?

St Ives Showground

7. Are there any plans to sell off or lease the St Ives Showground?

Old Campaign Ground at Wallaga Beach

8. The Old Camping Ground (dedication 580068 for Public Recreation) is an Aboriginal heritage site which is due for hand-back at a future date yet to be decided. The site is situated on Wallaga Beach, a beach that runs from the mouth of Wallaga Lake up to Mystery Bay. The only access to this beach is via road reserves (or paper roads) that run through private property and also run through wetlands. I understand that the Lands Department has offered for sale the road reserve that runs down to the Old Camping Ground and have approved the sale and forwarded to the applicant P.L. & H.J. Blessington an application to purchase it. Will the Minister make this purchase conditional upon formal permanent access to the Old Camping Ground being put in place?

Fleet Cars

9. What is the percentage of hybrids in the car fleet associated with the Lands portfolio?
10. Is there a mechanism within the agency to reward staff who choose not to exercise an entitlement to a fleet vehicle as a part of their package, but use public transport instead?
11. What car does the Director-General drive?

Questions from Mr Gay

12. In the "Strategic Direction" of the Budget Papers (Budget Paper Vol 2 at 15.3) it states that there has been a "divestment of some land to its users, while other land will be sold."
 - a. How much land has been divested to its users in 2007/08 and what, if any, was the amount received for such divestment?
 - b. At 15.4 of Budget Paper 3 Vol 2, it states 200 lots of the Crown Estate was sold in 2007/08. What was the cash value received by the Government for the sale of those lots?
 - c. It is also noted at the same reference that since 2005/06 to 2007/08 654 lots have been sold. What was the cash value for all lots sold?
 - d. Obviously you will have to take this on notice, but please provide a list, which will identify each 654 lots.

- e. Where were the funds from any divestment or sales deposited. What does the Government intend to do with such funds?
- 13.
- a. How many agreements have the Department of Land entered into with Councils to identify Crown Land that might be able to be disposed of or divested?
 - b. Please name the Councils and how much they have paid to the Department to enter into such agreements.
 - c. How much had the Department contributed to such agreements?
14. Have you acted on the recommendation of the NSW Auditor-General (Nov 2007) that the department reduce the time taken to process Aboriginal land claims, considering that 8,922 (or 57%) remained unresolved as 30 June 2007?
15. Can you provide the following information?
- a. How many Land claims have been lodged as at June 2008?
 - b. How many of these claims have been finalised?
 - c. Of the outstanding claims, how many have remained unresolved for more than 10 years?
16. Could the Minister outline what is occurring in the Aboriginal Land Claim that exists on land between the townships of Tuncurry and Hallidays Point?
17. Again under the heading Strategic Directions (Budget Paper 3 Vol 2 at 15.3) it states that certain value added services are to be provided by the Soil Conservation Service. What are some examples of such value added services and will they end up costing landholders more for the use of the Soil Conservation Service?
18. Why has there been an increase over \$11 million in gross revenue collected from leases and licences? This is nearly a 15% increase on last year's figures. Has the Department set out on a money raising exercise to increase the amount by so much (Budget paper 3 Vol 3 at 15.4).
- a. Also please explain this increase in light of the fact that the number of leases, licences and permits administered have stayed static at 73,000 (Budget Paper 3 Vol 2 at 15.7).
19. I again refer to the number of lease, licence and permit accounts administered as shown at 15.7 of Budget Paper 3 Vol 2. This figure has more than doubled since 2006/07. Please explain this phenomenon.
20. The minor ports maintenance budget figure (Budget Paper 3 Vol 2 at 15.7) has remained constant at \$2.06 million for the last four years. Why is this so?
21. It is stated in the Budget Papers (Budget Paper No 3 Vol 2 at 15.3) that "the transfer of the Western Lands Commission to the Department of Lands in late 2006/07 provides a number of ongoing synergies in effective Crown Land management and administration". Please explain those synergies.
22. At Budget Paper 3 Vol 2 at 15.8 there is a figure showing total expenses excluding losses of \$71.796 million as a revised amount for the 2007/08 budget period. The budgeted amount was \$58.630 million.
- a. What caused the increase from this budgeted figure to the revised figure of about \$12 million.

- b. What are the 'excluded losses' mentioned at this entry?
23. What caused the blow out in the expenses for the Wild Dog Destruction Board from a budgeted figure for 2007/08 of \$200,000 to \$1.570 million (Budget Paper 3 Vol 2 at 15.8).
 24.
 - a. Who sits on the Rural Communities Consultative Council?
 - b. How often do they meet?
 - c. How cost effective is the Council considering they are averaging just one and a half requests per working day? (Budget Paper Vol 2 at 15.9)
 25. In Budget Paper 3 Vol 2 at 15.10 'Expenses Excluding Losses' there was a blow out in most of the line items between the budget figure and the revised figure, amounting to about \$14.68 million. Why did the blow out occur, particularly in the "Employee related" expenses, the "other operating expenses", the "depreciation expenses" and the "other expenses" categories?
 26. At the same page under "Retained Revenue" what accounted for the increase of nearly \$8 million in the "Sale of goods and services" and the increase of \$1.5 million in grants and contributions.
 27. In Budget Paper 3 Vol 2 at 15.11 under "non current assets" it shows a 2007/08 budget figure for 'infrastructure systems' of \$15.335 million, but a revised figure of \$28.987 million. Could you please explain such a difference between the budgeted figure and the revised figure and just what does this sub heading refer to?
 28. At the same reference there is a revised figure for 'other' of \$3.1 million where there had been no budgeted amount shown. What makes up the non current asset of \$3.1 million under 'other'.
 29. Continuing to deal with the rather vague notation of 'other', at 15.13 of Budget Paper 3 Vol 2 under 'Cash flow from Operating Activities Payments' there is a budgeted figure of \$27.457 million for 'other' and a revised figure of \$37.231 million. Why is this figure classed as 'other' and what under this heading is classed as 'other'?
 30. Again it seems that Department has had a bumper year in the 'Sale of Goods and Services' with almost a \$10 million increase shown at Budget Paper 3 Vol 2 at 15.13 under receipts. How did this occur?
 31. What accounted for the \$30.2 million blow out in employee related expenses for the Land and Property Information Service last year? (Budget Paper 3 Vol 2 at 15.15).
 32. It is true to say that at Budget Paper 3 Vol 2 at 15.15, the requirement to pay the Government dividends and tax equivalents from the Land and Property Information Service pushed the LPI into a \$28.242 deficit. Will this result in increased charges for users of the LPI to recoup this cost and offset future dividends and tax equivalents.
 33. Again in relation to LPI there is another nebulous 'other' under 'Cash Flows from Operating Activities' – 'Payments' of \$60.858 million for 2007/08 and \$58.236 million 2008/09. What is that all about and how do you justify this nebulous use of the word 'other'.
 - a. Does this fit into the open and transparent philosophies of the current Premier? In fact just a bit further down under 'Cash Flow from Inventory Activities' there is another

‘other’ which shows a loss of \$14.46 million last year and a budgeted loss of \$15.993 million this financial year. Perhaps you can explain this item. (Budget Paper 3 Vol 2 at 15.17).

34. Also at Budget Paper 3 Vol 2 at 15.17 what constitutes the massive turnaround under ‘Cash Flow Reconciliation – ‘change in operating assets and liabilities’ from a projected loss in 2007/08 to a revised figure of plus \$21.442 million?
35. How many indigenous staff are employed by your Department?
- What percentage does this represent of your overall departmental staffing?
 - Have you met your benchmarks for the employment of indigenous staff levels for your Department?

Questions from Mrs Pavey

Tweed Coast Regional Crown Revenue Draft Management and Crown Land – Tweed

36. What are the projected income and expenditure of each site currently under consideration by the Minister in the Tweed Coast Regional Crown Reserve Draft Management Plan for each of the years:
- 2005-06
 - 2006-07
 - 2007-08
37. Given that the Management Plan is a draft:
- Is it correct to say that no decisions have been made as to the future of any of the sites relevant to the Tweed Coast Regional Crown Revenue Draft Management Plan? If not, please provide details of any decisions or determinations made to date.
 - Have any projects proposed for any of the sites relevant to the above Draft Management Plan been put out to tender? If so, please list these projects.
 - Are there any projects on Crown Lands in the Tweed Electorate, not affected by the Crown Reserve Draft Management Plan which have been put out to tender? If so, please provide a list of those tenders.
38. For 2007-08, what is the dollar value of funds generated from Crown Lands in the Tweed Electorate that has been retained within the Tweed Electorate?
- How are such funds managed and administered and by whom?