

**BUDGET ESTIMATES 2012-2013**

**General Purpose Standing Committee No. 5**

**PRIMARY INDUSTRIES, SMALL BUSINESS**

**Monday 8 October 2012**

**SUPPLEMENTARY QUESTIONS ON NOTICE**

**SUPPLEMENTARY QUESTIONS**

## **SUPPLEMENTARY QUESTIONS**

### **Questions from The Hon. Steve Whan, MLC**

#### **QUESTION 1**

On 4 October 2012 you stated to The Land:

"The (new) structure will free up staff to work more closely with their communities, encourage innovation and integration across the landscape and be more accountable to ratepayers."

How will this amalgamation allow for staff to be freed up to assist farmers and land owners?

#### **ANSWER**

The Government seeks to address issues arising from the present complex, expensive and duplicated delivery structure. New arrangements will streamline and consolidate core regional services, management and governance to provide a comprehensive capability that supports the community with delivery that is efficient, integrated and focused on farmers and landholders.

#### **QUESTION 2**

How will DPI and the review committee determine how many staff will be required for each office?

a. Will this decision ultimately require staffing positions to be lost?

#### **ANSWER**

New arrangements will be developed through the oversight of an independent reference panel. The new arrangements provide an opportunity to reduce duplication and will be compliant with the public sector labour expense cap.

#### **QUESTION 3**

Has DPI been requested to find savings within the current financial year 2012/13?

a. What is the percentage and amount of these savings?

b. What divisions/branches are affected by these savings?

#### **ANSWER**

Details are available in the "Transitional Arrangements" fact sheet which can be found at the Local Land Services website at:  
<http://www.dpi.nsw.gov.au/locallandservices>

#### **QUESTION 4**

Will your department make its required budget savings through making through this amalgamation process?

#### **ANSWER**

Refer to answer to Question 3. The new arrangements provide an opportunity to reduce duplication and other changes will be compliant with the public sector labour expense cap.

**QUESTION 5**

How many jobs do you expect to be taken out of regional areas due to with this announcement?

**ANSWER**

New arrangements will be developed and it is anticipated that there will be a change in the resource and function profiles. At this stage it would be inappropriate to provide advice on the detail. When the detail is available it will be provided to staff and for consideration of unions.

**QUESTION 6**

You have stated that the rates raised by the LHPA will be frozen until the amalgamation process is determined in 2014, how will LHPAs cater for increased costs for wages or will they simply have to cut services?

**ANSWER**

Business services will continue as usual during the transition process. It is expected that internal business reform, consistent with the establishment of Local Land Services, will mitigate any service implication that might arise from the immediate freeze placed on rate increases.

**QUESTION 7**

You have indicated that the CMAs are expected to find savings of \$11 million for 2013/14 Budget. Where do you expect the CMAs to find funding to help maintain current levels of services?

**ANSWER**

Savings will arise from immediate efficiencies in governance and administration such as the consolidation of 13 Catchment Management Authorities to 11 and the reduction in board membership from 7 to 5 members. Additional savings are anticipated from further internal business reform as part of the transition to new arrangements.

**QUESTION 8**

You also stated that Agriculture NSW and Biosecurity NSW has to find savings of \$9.3m and \$5.6m respectively for the 2013-14 financial year and beyond, while the Department of Primary Industries Business Services must find savings of \$4.7m for the same time period.

This is a total of \$30.6 million in savings that the DPI and Biosecurity will have to find, are you comprising services and jobs just to meet the meet the budget bottom line?

**ANSWER**

The Department of Primary Industries, like all government agencies, must operate within their means. As part of good fiscal discipline and financial accountability, the Department must contribute to State Government savings and the establishment of new arrangements provide an opportunity to reduce duplication and support the community with efficient, integrated and focused service delivery.

**QUESTION 9**

This year you said it was a bumper budget for DPI of \$1.1 billion, how will these decisions now affect next year's budget?

**ANSWER**

The 2012/13 budget for the Department of Primary Industries was \$1,081 million. From that budgetary base, and as part of good fiscal discipline and financial accountability, the Department's forward expenditures will be compliant with the public sector labour expense cap.

**QUESTION 10**

How many submissions to the Ryan Review suggested that the LHPAs, CMAs and Extension Office should be amalgamated?

**ANSWER**

The creation of Local Land Services reflects the outcomes of a number of linked review and reform processes including the 2011/12 Ryan Review of Livestock Health and Pest Authorities, subsequent community feedback and the ongoing monitoring of services of the Catchment Management Authorities and the Department of Primary Industries. Only 25% of submissions received in light of Ryan Review of the Livestock Health and Pest Authorities argued for no change to the Livestock Health and Pest Authority system.

A recent survey conducted by Agriculture NSW of farmers across the State identified that 46% believe the Department of Primary Industries current service offering overlaps with those provided by other organisations, companies and providers and that 78% would like to see better coordination between productivity and practical business advice, sustainable land and natural resource management.

**QUESTION 11**

Did the feedback from the regional meetings and submissions to the Ryan Review suggest a loss of face to face services in their areas?

**ANSWER**

After considering the public submissions received and the representations of stakeholder organisations in the context of the Ryan Report, Mr Ryan's findings or recommendations were broadly validated.

**QUESTION 12**

How do you believe the NBN will assist with support services for stock and land owners?

**ANSWER**

Too many Australians have inadequate broadband and the difficulties, delays and problems associated with the Federal Government's delivery of the National Broadband Network are widely known and publicised.

**QUESTION 13**

Will the Central Office of the LLS stay in Orange?

**ANSWER**

New arrangements will be developed through the oversight of an independent reference panel. It would be anticipated that significant Government capacity clustered in Orange will play an ongoing and important role in the development and operations of Local Land Services.

**QUESTION 14**

Why did you feel it appropriate to cut the grant to central office if these 'ear marked' changes to services do not come into effect until January 2014?

**ANSWER**

Consistent with the Ryan Review and the formation of Local Land Services, opportunities to address identified excessive operational and governance overheads should be taken without any unnecessary delay in the interests of good fiscal discipline, financial accountability and ensuring better value for NSW ratepayers.

**QUESTION 15**

How will local officials be appointed to the regional offices?

**ANSWER**

The regional boards will consist of locally elected representatives and skills-based appointees. The particulars of new arrangements will be developed through the oversight of an independent reference panel.

**QUESTION 16**

Why wasn't the review of Extension Officers publicly announced and why has there been no opportunity for farmers, industry or unions to have any input into the review?

**ANSWER**

The NSW Government has consulted widely with key rural and regional stakeholders to consider service delivery models that are regionally focused, locally managed, and have best-practice governance processes and accountability to ratepayers.

### **QUESTION 17**

In an article in “The Land” recently you talked about there being duplication in extension officers work, what examples do you have of that?

### **ANSWER**

A recent survey conducted by Agriculture NSW of farmers across the State identified that 46% believe the Department of Primary Industries current service offering overlaps with those provided by other organisations, companies and providers and that 78% would like to see better coordination between productivity and practical business advice, sustainable land and natural resource management.

Additionally, you are referred to page 7 of the Powerpoint presentation “Protected Primary Industries, Connected Catchments” of the Local Land Services website - <http://www.dpi.nsw.gov.au/locallandservices> - where the Ryan Report into LHPAs is quoted as saying:

*“...there are opportunities for greater administrative efficiency and improved services to landholders from LHPAs participating with other agencies in joint compliance and advisory functions on pest animals, animal and plant biosecurity...”*

### **QUESTION 18**

You have suggested in your criticism of the current arrangements for extension officers that a number of the services are available from private consultants. Do you intend to remove that duplication?

### **ANSWER**

The purpose and priority of new arrangements are to streamline and consolidate core regional services, management and governance to provide a comprehensive capability that supports the community with delivery that is efficient, integrated and focused on farmers and landholders.

### **QUESTION 19**

Are you happy that farmers will end up paying commercial fees for services that are currently provided by the Department?

### **ANSWER**

Refer to answer to Question 18. Each Local Land Service will develop operational management plans that will prioritise service delivery on a regional basis, reflecting regional priorities and will be independently audited to ensure accountability and delivery against priorities. Local Land Services will be funded via direct budget contributions from the NSW Government, ratepayer funds and a continuation of natural resource grant funding via the State Government and Australian Government. The Independent Pricing and Regulatory Tribunal will be asked to periodically review the appropriateness of the rating system against services delivered. The independent reference panel will work with community and stakeholder groups to identify how the organisation will best deliver valuable services to the people of rural and regional NSW.

The recent survey showed that farmers sought advice from a range of service providers including DPI and private providers. Through Local Land Services, farmers will still be able to access advice.

#### **QUESTION 20**

Do you have any concerns about private providers of advice who may take the place of Departmental extension officers pushing particular commercial products?

#### **ANSWER**

Refer to answers to Questions 18 and 19.

#### **QUESTION 21**

In a recent interview with Central Coast ABC radio one current extension officer said she did not know what was happening with her position and that she understood services would be moving online. She also indicated that on the ground services like educational presences at agricultural shows and field days could be a thing of the past - do you agree with that assessment, is that what you have planned?

#### **ANSWER**

Refer to answers to Questions 18 and 19. The new arrangements will integrate advisory services, enable strong representation by local service users, reduce administrative costs, improve management of region-specific issues, enhance transparency and accountability and deliver better outcomes for State and regional priorities.

#### **QUESTION 22**

How will centralising extension services comply with the so called decade of decentralisation?

#### **ANSWER**

Local Land Services, as the name implies, is a regionally based statutory organisation whereby local landowners and primary industry producers will be able to determine their priorities and how these services will be delivered. To suggest this is centralising is self-evidently false.

### **Cronulla Fisheries**

#### **QUESTION 23**

Why are the 10 positions mentioned in the cost benefit analysis not being filled, how is that consistent with your commitment to fill all positions?

#### **ANSWER**

The Benefit-Cost Analysis stipulates:

*“At this stage it has not been determined whether approximately 10 non fisheries positions will be transferred following the closure of the facility (including site*

*management and administrative staff). Decisions on whether to fill these positions will be based on future business needs of the Department.*

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

The commitment given was to transfer all permanent and eligible temporary positions based at Cronulla Fisheries Research Centre. That commitment will be met. Approximately ten positions with site specific duties have already indicated they will not relocate. Once Cronulla is closed, those positions will not be needed.

#### **QUESTION 24**

Are you able to indicate yet what the future of the site is at Cronulla? Given your cost benefit analysis includes no provision for future maintenance of the site, who do you expect to meet the cost?

#### **ANSWER**

An independent advisor has been engaged to consult with the community and advise Government of potential uses of the Cronulla Fisheries site. Estimates of benefits or costs for future maintenance may be known once consultation is complete and a decision made.

#### **QUESTION 25**

On what dates did you visit the Cronulla Fisheries site?

#### **ANSWER**

The Minister visited the Cronulla centre prior to the decision being made, outside of business during a weekend.

#### **QUESTION 26**

How many projects are being funded this year under the Country Towns Water Supply and Sewage Scheme?

a. How much funding has been allocated?

#### **ANSWER**

In the 2012-13 financial year, a total of 79 projects, representing both works in-progress and new works, will be funded.

a. \$64.4 million.

#### **QUESTION 27**

When will you announce the future of the Snowy Scientific Committee?

a. What long term research is being undertaken on the Snowy River?



**ANSWER**

The Government expects to be in a position to make an announcement on the future of the Snowy Scientific Committee shortly.

- a. The NSW Office of Water is currently analysing and writing up all of the available data collected as part of the Snowy Flow Response Monitoring and Modelling Program. This analysis and write up will identify the future information requirements for science and modelling in the rivers of the Snowy Mountains.

**QUESTION 28**

Have you had a report from your department on what the impact is of sacking the research staff?

**ANSWER**

One staff member of the Snowy monitoring and evaluation team accepted a redundancy, while others had come to the end of their contracts or moved on to new, higher priority roles within the NSW Office of Water. These include flow response monitoring and modelling for the water sources covered by the NSW Water Sharing Plans.

**QUESTION 29**

You publicly opposed the returning of flows to the Snowy River in Opposition, what's changed your mind?

**ANSWER**

I have never publicly opposed returning flows to the Snowy River and the honourable member is misleading the committee.

**QUESTION 30**

If Infrastructure NSW state that Water Security is so crucial why is it suggesting that the upgrade and construction of regional dams in regional NSW should be over the next 20 years? Shouldn't it be a higher priority?

**ANSWER**

The Government will now consider the findings and recommendations of the Strategy and formulate its response.

**QUESTION 31**

Can you provide the committee with a current list of research projects being undertaken by or in conjunction with DPI, the status of each project and whether it is affected by budget cuts?

- a. What are the current funding levels for these projects

**ANSWER**

The Department of Primary Industries has a portfolio of over 1000 active research and development projects covering more than 50 major science disciplines and

conducted with more than 50 partner organisations, The Department is one of the largest providers of primary industries research in Australia and continues to win significant new projects. In 2011/12 the Department won 208 new projects with a total life of project value of \$80.81 million. From July to September this year the Department has already won 84 projects with a total life of project value of \$45.55 million and is well on track to win a similar or greater level of funding this year compared to last financial year. There is no evidence of a decline in research and development project funding.

**QUESTION 32**

What engagement has DPI got with carbon farming initiatives in NSW?

**ANSWER**

NSW Department of Primary Industries recently secured more than \$10 million of funding from the federal Clean Energy Future program including industry cash contributions. The Department will implement carbon farming projects that deliver on NSW priorities and goals for the benefit of the State’s primary producers.

**Phones/iPads**

**QUESTION 33**

How many blackberries are assigned to your staff?

**ANSWER**

In 2011/12, 179 phones were assigned to the Premier's and Ministers' offices.

**QUESTION 34**

For each phone, how much was each bill in the 2011/12 financial year?

**ANSWER**

The total expenditure on mobile phones by the Premier’s office and Ministers’ offices as represented in the Department’s financial system is set out in the table below. Please note that this expenditure may include mobile phone purchase costs as the financial system does not separate the purchase costs and mobile usage charges.

	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>
<b>Premier’s Office</b>	\$103,152	\$76,457	\$68,475	\$27,570
<b>Ministers’ Offices</b>	\$475,539	\$358,396	\$120,285	\$169,655
<b>TOTAL</b>	\$578,691	\$434,854	\$188,761	\$197,226

Note. 2010-11 figures are a combination of 9 months of Keneally Government and 3 months of O’Farrell Government.

**QUESTION 35**

How many have phones have been lost in your office?

**ANSWER**

*For Premier's office and Ministers' offices, the number of phones lost was:*

	<b>2011/12</b>
<i>Premier</i>	<i>1</i>
<i>Ministers</i>	<i>5</i>
<b>Total</b>	<b>6</b>

**QUESTION 36**

What is the cost of replacing those phones?

**ANSWER**

The cost is the normal contract price and this cost is claimed through the NSW Treasury Managed Fund.

**QUESTION 37**

How many iPads does DPC assign to your Ministerial office and to whom have they been issued?

**ANSWER**

For Premier's office and Ministers' offices the number of iPads issued was as follows.

	<b>2011/12</b>
Premier	10
Ministers	43
<b>Total</b>	<b>53</b>

**QUESTION 38**

How many iPads have you purchased for your office and to whom have they been issued?

**ANSWER**

iPads are supplied by the Department of Premier and Cabinet and have not been purchased by Ministers' offices.

**QUESTION 39**

How many mobile phones does DPC assign to your Ministerial office and to whom have they been issued?

**ANSWER**

In 2011/12, 179 phones were assigned to the Premier's and Ministers' offices.

**QUESTION 40**

How many mobile phones have you purchased for your office and to whom have they been issued?

**ANSWER**

The total expenditure on mobile phones by the Premier's office and Ministers' offices as represented in the Department's financial system is set out in the table below. Please note that this expenditure may include mobile phone purchase costs as the financial system does not separate the purchase costs and mobile usage charges.

	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>
<b>Premier's Office</b>	\$103,152	\$76,457	\$68,475	\$27,570
<b>Ministers' Offices</b>	\$475,539	\$358,396	\$120,285	\$169,655
<b>TOTAL</b>	\$578,691	\$434,854	\$188,761	\$197,226

Note. 2010-11 figures are a combination of 9 months of Keneally Government and 3 months of O'Farrell Government.

**QUESTION 41**

How many mobile phones have been lost in your office?

**ANSWER**

For Premier's office and Ministers' offices, the number of phones lost was:

	<b>2011/12</b>
Premier	1
Ministers	5
<b>Total</b>	<b>6</b>

**QUESTION 42**

How many iPads have been lost in your office?

**ANSWER**

For Premier's office and Ministers' offices, the number of iPads lost or stolen was as follows.

	<b>2011/12</b>
Premier	1
Ministers	0

**QUESTION 43**

What is the cost of replacing those phones or iPads?

**ANSWER**

The cost is the normal contract price and this cost is claimed through the NSW Treasury Managed Fund.

## Media/Public Relations

### QUESTION 44

How many media or public relations advisers are employed for each of your portfolio agencies?

### ANSWER

DPI: Agriculture, Fisheries, Crown Lands, Water	14	11 / \$1.16M
Forests NSW	2	2 / \$206,000

### QUESTION 45

What is the forecast for 2012-13 for the number of media or public relations advisers to be employed and their total cost?

### ANSWER

See answer to question 44.

## Overseas trips

### QUESTION 46

Have any of your overseas trips in the past year been paid for in part or in full by using public money?

### ANSWER

Information regarding Ministerial travel is available on the relevant Minister's appropriate agency website, in accordance with Ministerial Memorandum M2009-10 "Release of Overseas Travel Information".

### QUESTION 47

If so, did any of your relatives or friends accompany you on these trips?

### ANSWER

Not applicable

## Office costs

### QUESTION 48

What is the annual remuneration package for your chief of staff?

### ANSWER

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at [http://www.dpc.nsw.gov.au/about/publications/premiers\\_and\\_ministers\\_staff\\_numbers](http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers)

**QUESTION 49**

What is the annual remuneration package for your head media advisor?

**ANSWER**

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at

[http://www.dpc.nsw.gov.au/about/publications/premiers\\_and\\_ministers\\_staff\\_numbers](http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers)

**QUESTION 50**

What is the annual remuneration package for each of your staff?

**ANSWER**

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at

[http://www.dpc.nsw.gov.au/about/publications/premiers\\_and\\_ministers\\_staff\\_numbers](http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers)

**QUESTION 51**

What is the estimated expenditure for your office budget in 2012/13?

**ANSWER**

The total budget allocation for the Premier's and Ministers' offices in 2012-13 is \$40,103,650, with \$5,744,883 allocated to the Premier's office and \$34,358,767 to the Ministers' offices.

**QUESTION 52**

Have any office renovations or fit outs been undertaken in your ministerial office since April, 2011?

**ANSWER**

Information on the assets balances for leasehold improvements are available in the Department of Premier and Cabinet Annual Report.

**QUESTION 53**

If so, could you give details of contracted costs?

**ANSWER**

Information on the assets balances for leasehold improvements are available in the Department of Premier and Cabinet Annual Report.

**QUESTION 54**

What is your Ministerial office budget for 2012/13?

**ANSWER**

The budget allocations for the Premier's office and Ministers' offices are as follows.

	2008-09	2009-10	2010-11	2011-12	2012-13
<b>Premier</b>	\$7,002,312	\$8,500,000	\$9,075,038	\$5,309,465	\$5,744,83
<b>Minister s</b>	\$39,673,56 7	\$40,334,00 0	\$40,978,96 2	\$31,516,01 7	\$34,358,76 7
<b>TOTAL</b>	\$46,675,87 9	\$48,834,00 0	\$50,054,00 0	\$36,825,48 2	\$40,103,60 5

Note. 2010-11 figures are a combination of 9 months of Keneally Government and 3 months of O'Farrell Government.

#### **QUESTION 55**

How many political advisors are in your office?

#### **ANSWER**

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at

[http://www.dpc.nsw.gov.au/about/publications/premiers\\_and\\_ministers\\_staff\\_numbers](http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers)

#### **QUESTION 56**

How many administration staff?

#### **ANSWER**

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at

[http://www.dpc.nsw.gov.au/about/publications/premiers\\_and\\_ministers\\_staff\\_numbers](http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers)

#### **QUESTION 57**

How many Department Liaison Officers are assigned to your office?

#### **ANSWER**

The assignment of DLOs to Ministerial offices is in accordance with the Department of Premier and Cabinet's Circular C2010-35 Department Liaison Officers, implemented under the former Labor Government.

#### **QUESTION 58**

How many staff in the Department are assigned to Ministerial support duties?

#### **ANSWER**

The Ministerial Liaison Office within the Department of Trade and Investment provides Parliamentary and Ministerial support duties. There are 12 FTE currently assigned to the portfolios of Primary Industries and Small Business.

#### **QUESTION 59**

Are any contractors or consultants working in your ministerial office?

a. If so, in what capacities?

**ANSWER**

Financial statements, including expenditure on consultants, are available in agency annual reports.

**QUESTION 60**

How much did your Ministerial office spend on contractors or consultants?

**ANSWER**

Financial statements, including expenditure on consultants, are available in agency annual reports.

**Cabcharge****QUESTION 61**

How much did your Ministerial office spend on taxi fares, including Cabcharge in the 2011/12 financial year?

**ANSWER**

Taxi expenditure by the Premier's office and Ministers' offices as represented in the Department's financial system is represented in the table below.

	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>
<b>Premier</b>	\$26,418	\$32,525	\$27,600	\$15,485
<b>Ministers</b>	\$133,697	\$143,251	\$32,678	\$80,609
<b>TOTAL</b>	\$160,155	\$175,776	\$60,277	\$96,094

Note. 2010-11 figures are a combination of 9 months of Keneally Government and 3 months of O'Farrell Government.

**QUESTION 62**

Are any of your portfolio agencies undergoing a restructure?

**ANSWER**

Yes

**QUESTION 63**

How many jobs are expected to be cut as a result of that restructure?

**ANSWER**

All departmental staff in the areas subject to change plans are affected by the plans. However, the majority of affected staff members are able to be redeployed or transfer to new locations. The number of voluntary redundancies will depend on the choices of individuals to transfer to new locations, staff turnover from resignations and retirements, and the contribution to the savings targets by other factors including operating expenses reductions.

The majority of change plans deliver savings to the agency as well as aligning resources and organisational structures to operational goals and achievement of



state plan or government priorities. Some change plans are in place to manage government service delivery decisions and do not deliver savings to the Department. The change plans are one of the strategies in addressing our budget allocation, for this financial year and over the forward estimates, along with procurement savings, ICT savings and other operating cost reductions.

**QUESTION 64**

How many people are expected to have their wages cut as a result of that restructure?

**ANSWER**

None.

**QUESTION 65**

How many voluntary redundancies were offered in your Departments since April 2011?

**ANSWER**

As outlined in the 2012/13 budget, the Government's 2011-12 program of voluntary redundancies remains on track to reach its target of 5,000 positions.

A labour expense cap has also been introduced as a new savings measure across the public sector with the target of a 1.2 per cent per annum reduction in labour costs growth.

Directors General will be given as much flexibility as possible to achieve the savings in the most appropriate way to meet the service requirements of their agencies. If it was solely achieved through headcount this would equate to up to 10,000 jobs over four years.

Nurses, police officers and teachers in schools have been quarantined from this measure.

**QUESTION 66**

How many voluntary redundancies were accepted from employees in your Departments since April 2011?

**ANSWER**

As outlined in the 2012/13 budget, the Government's 2011-12 program of voluntary redundancies remains on track to reach its target of 5,000 positions.

A labour expense cap has also been introduced as a new savings measure across the public sector with the target of a 1.2 per cent per annum reduction in labour costs growth.

Directors General will be given as much flexibility as possible to achieve the savings in the most appropriate way to meet the service requirements of their agencies. If it was solely achieved through headcount this would equate to up to 10,000 jobs over four years.

Nurses, police officers and teachers in schools have been quarantined from this measure.

**QUESTION 67**

How many voluntary redundancies are expected to be offered in 2012/13?

**ANSWER**

As outlined in the 2012/13 budget, the Government's 2011-12 program of voluntary redundancies remains on track to reach its target of 5,000 positions.

A labour expense cap has also been introduced as a new savings measure across the public sector with the target of a 1.2 per cent per annum reduction in labour costs growth.

Directors General will be given as much flexibility as possible to achieve the savings in the most appropriate way to meet the service requirements of their agencies. If it was solely achieved through headcount this would equate to up to 10,000 jobs over four years.

Nurses, police officers and teachers in schools have been quarantined from this measure.

**Agency costs**

**QUESTION 68**

How much did your Department(s) spend on catering in 2011/12?

**ANSWER**

The Department of Primary Industries reports as part of NSW Trade & Investment, which spent \$472,945.79, which compares to the 2010 figure cited in last year's estimates for monies put aside for catering - \$778 000.

**QUESTION 69**

How much did your Department(s) spend on stationary in 2011/12?

**ANSWER**

The Department of Primary Industries reports as part of NSW Trade & Investment, which spent \$886,654.69.

**QUESTION 70**

What is your Department's catering budget?

**ANSWER**

Based on nature and materiality, the Department does not allocate a specific budget for catering. Catering expenses are typically funded from general business unit or specific project budgets.

**QUESTION 71**

What is your Department's stationary budget?

**ANSWER**

Based on nature and materiality, the Department does not allocate a specific budget for stationary. Stationary expenses are typically funded from general business unit or specific project budgets.

**QUESTION 72**

Since April 2011 have any of the agencies in your Department(s) changed their branding?

A) If so, how much was spent on rebranding the agency?

Yes.

A) NSW Trade & Investment adopted the NSW Government waratah brand. No funds were spent by agencies within NSW Trade & Investment, other than Destination NSW, on external contractors to develop new agency brands.

**Correspondence****QUESTION 73**

How long is the average turnaround for responding to correspondence in your Department(s)?

**ANSWER**

The Department's recommended time frame for completing responses to correspondence from Ministers, Members of Parliament and members of the public is 20 working days from the Department's receipt of the correspondence.

However, it is not always possible to comply with this time frame for any number of reasons including: the nature and complexity of the matter; stakeholder consultation; or further information required from other Departments and sources.

**QUESTION 74**

How many pieces of correspondence have been outstanding for more than 60 days?

**ANSWER**

The Department's recommended time frame for completing responses to correspondence from Ministers, Members of Parliament and members of the public is 20 working days from the Department's receipt of the correspondence.

However, it is not always possible to comply with this time frame for any number of reasons including: the nature and complexity of the matter; stakeholder consultation; or further information required from other Departments and sources.

## **Paying bills on time**

### **QUESTION 75**

In 2011/12 how many invoices has your Department(s) failed to pay a supplier or contractor for more than 30 days?

### **ANSWER**

As the Premier stated in Parliament on 23 August 2012, the 30 day bill payment policy formally commenced on 1 January 2012. The first quarterly performance report is currently being finalised for release. In the first quarter almost 92 per cent of invoices were paid within 30 days, consistent with our policy and initiative. 31 small businesses have already been eligible to receive automatic interest charges on overdue accounts.

### **QUESTION 76**

As a result of late payment, how much penalty interest has been paid to contractors since 1 January 2011?

### **ANSWER**

*As the Premier stated in Parliament on 23 August 2012, the 30 day bill payment policy formally commenced on 1 January 2012. The first quarterly performance report is currently being finalised for release. In the first quarter almost 92 per cent of invoices were paid within 30 days, consistent with our policy and initiative. 31 small businesses have already been eligible to receive automatic interest charges on overdue accounts.*

### **QUESTION 77**

How many invoices have been outstanding for longer than 60 days?

### **ANSWER**

The total for NSW Trade & Investment was 418 representing 0.39% of all invoices.

## **Grants to non-government organisations**

### **QUESTION 78**

Does your department provide recurrent grant funds to non-government organisations?

- a. If yes,
  - i. What are the names of all organisations in receipt of funding?
  - ii. What is the total amount of funding received by each organisation including goods and services tax?
  - iii. On what date was the funding advanced?
  - iv. What was the purpose for each grant or funding advance?
  - v. Was any funding withheld or returned?

### **ANSWER**

- a. Yes

i-v. NSW Government agencies provide grants to local government councils and a range of non government, non-profit organisations for the purpose of providing a service to the community or undertaking a project of benefit to the community. Grants administration in NSW occurs within the legal and regulatory framework in which the NSW Government operates.

All Government Departments and authorities are required to publish details of grants made to non government organisations in their annual report. The requirements are set out in Premier's Memorandum 91-34.

#### **QUESTION 79**

If so, what were the reasons for withholding or requiring the funding to be returned?

#### **ANSWER**

See answer to question 78

#### **QUESTION 80**

What is the indexation rate applied to non-recurrent grant funds in 2011/2012?

#### **ANSWER**

Grant fund amounts are typically based on a funding submission or specific criteria and not indexed.

#### **QUESTION 81**

What are the details of any costs involved in each study, audit, taskforce or review?

#### **ANSWER**

See answer to question 89.

### **Contractors**

#### **QUESTION 82**

How many contractors has your Department(s) retained since 1 July 2012 and at what cost?

#### **ANSWER**

There have been 83 contractors retained within NSW Trade & Investment at a cost of \$2.97 million from 1<sup>st</sup> July 2012 to 30<sup>th</sup> September 2012. Contractors have been defined as employment contractors.

### **Aboriginal employment**

#### **QUESTION 83**

What is the current level of Aboriginal employment within your Department(s)?

**ANSWER**

2009, 2010 and 2011 data can be found as published in the annual Workforce Profile Snapshot Reports.

2012 data is due to be released when the State of the Public Sector Report is released, late 2012.

These reports can be found on the PSC website:

<http://www.psc.nsw.gov.au/pscinternet/informaiton.page?>

Additionally, NSW Treasury Circular 11/03 prescribes the Equal Employment Opportunity (EEO) Disclosure Requirements, requiring that NSW public sector agencies include EEO data in their annual reports.

**QUESTION 84**

How has that changed since 1 July 2011?

**ANSWER**

2009, 2010 and 2011 data can be found as published in the annual Workforce Profile Snapshot Reports.

2012 data is due to be released when the State of the Public Sector Report is released, late 2012.

These reports can be found on the PSC website:

<http://www.psc.nsw.gov.au/pscinternet/informaiton.page?>

Additionally, NSW Treasury Circular 11/03 prescribes the Equal Employment Opportunity (EEO) Disclosure Requirements, requiring that NSW public sector agencies include EEO data in their annual reports.

**Charter air flights****QUESTION 85**

Since 1 July 2011, how much has been spent on charter air flights by your Department(s)?

**ANSWER**

All official travel within Australia and overseas is in accordance with M2009-04 "Official Travel within Australia and Overseas" available at [www.dpc.nsw.gov.au](http://www.dpc.nsw.gov.au). Details regarding travel costs are published in the Department's Annual Report.

**QUESTION 86**

In relation to feasibility studies, audits, taskforces and reviews:

- a. Is your department currently undertaking any feasibility studies, audits, taskforces or reviews? If so; then;
- b. What are the terms of reference or details of each study, audit, taskforce or review?
- c. Who is conducting the study, audit, taskforce or review?
- d. Was each study, audit, taskforce or review was publically advertised seeking expression of interest or competitive tenders?

**ANSWER**

As with previous NSW Governments, the Government undertakes feasibility studies, audits, taskforces and reviews to inform government decision making. A number of feasibility studies, audits, taskforces and reviews are currently being undertaken across the Department of Primary Industries.

**QUESTION 87**

Is there a contract in place detailing terms of engagement for the study, audit, taskforce or review?

**ANSWER**

Refer to answer to Question 86. Arrangements made in relation to these matters are in accordance with Government policy and requirements

**QUESTION 88**

What is the timeline of each study, audit, taskforce or review?

**ANSWER**

See answer to Question 86.

**QUESTION 89**

What are the details of any costs involved in each study, audit, taskforce or review?

**ANSWER**

See answer to Question 87.

**Parliamentary Secretary**

**QUESTION 90**

Can you please list all travel related costs for your Parliamentary Secretary incurred in their capacity as Parliamentary Secretary since 1 July 2011

- a. kilometres travelled
- b. accommodation,
- c. air fares
- d. meals/entertaining?

**ANSWER**

Travel related costs\* for the Premier's and Ministers' Parliamentary Secretaries was as follows.

	<b>2011-12</b>
Premier's Parliamentary Secretaries	0
Ministers' Parliamentary Secretaries	\$19,609
<b>TOTAL</b>	<b>\$19,609</b>

\*Flights, accommodation and hire car expenses as detailed in travel contractor report.

- a. Information not available
- b. The total cost of accommodation for travel by Ministers' Parliamentary Secretaries during 2011/12 was \$1,925.
- c. The total cost of flights for Ministers' Parliamentary Secretaries during 2011/12 was \$17,477.
- d. Information not available

#### **QUESTION 91**

Can you please provide details of the following activities undertaken by your Parliamentary Secretary since 1 July 2011;

- a. meetings attended in their capacity as Parliamentary Secretary?
- b. functions attended in their capacity as Parliamentary Secretary?

#### **ANSWER**

Parliamentary Secretaries provide assistance to the Premier and other Ministers, including signing correspondence; receiving deputations; undertaking special tasks; officiating at functions; and relieving the Premier and Ministers of some of their duties. The duties to be performed are those allocated by the Premier, or which have the Premier's endorsement.

#### **QUESTION 92**

How often do you meet with your Parliamentary Secretary?

- a. Are these meetings documented?
- b. Who attends these meetings?

#### **ANSWER**

Parliamentary Secretaries provide assistance to the Premier and other Ministers, including signing correspondence; receiving deputations; undertaking special tasks; officiating at functions; and relieving the Premier and Ministers of some of their duties. The duties to be performed are those allocated by the Premier, or which have the Premier's endorsement.

#### **QUESTION 93**

Who provides instructions and direction to your Parliamentary Secretary, you or your Chief of Staff?

#### **ANSWER**

Parliamentary Secretaries provide assistance to the Premier and other Ministers, including signing correspondence; receiving deputations; undertaking special tasks; officiating at functions; and relieving the Premier and Ministers of some of their duties. The duties to be performed are those allocated by the Premier, or which have the Premier's endorsement.

#### **Media training**

#### **QUESTION 94**



Has the Minister been provided with Speech, Voice or Media Training since becoming Minister? If so, then;

- a. Who conducted the training?
- b. When was it conducted?
- c. Where was it conducted what were the costs of the training?
- d. Who paid for the training?

**ANSWER**

The Department of Premier and Cabinet's financial system does not show any record of speech, voice or media training for the Premier or any other Minister or Parliamentary Secretary.

**QUESTION 95**

Has the Parliamentary Secretary been provided with Speech, Voice or Media Training since becoming Parliamentary Secretary? If so, then;

- a. Who conducted the training?
- b. When was it conducted?
- c. Where was it conducted what were the costs of the training?
- d. Who paid for the training?

**ANSWER**

The Department of Premier and Cabinet's financial system does not show any record of speech, voice or media training for the Premier or any other Minister or Parliamentary Secretary.

**Pecuniary Interest**

**QUESTION 96**

Minister, in the inquiry you stated that your principal residential address was in Yass, how many other properties do you own?

- a. What is the residential address of these properties/businesses?

**ANSWER**

I refer to my pecuniary interest register.

## **Questions from The Hon. Jeremy Buckingham, MLC**

### **Local Land Services**

#### **QUESTION 1**

Will all of the current functions including statutory functions currently performed by the Catchment Management Authorities and Livestock Health and Pest Authorities be performed by the new Local Land Services?

- a. If no, what function won't be and who will perform those roles.

#### **ANSWER**

Local Land Services will deliver integrated agricultural industry advice, biosecurity and natural resource management functions, and give greater accountability, improved governance and more ownership to landholders. The precise mix of services and platforms will be resolved by the independent reference panel which will work with community and stakeholder groups to identify how the organisation will best deliver valuable services to the people of rural and regional NSW

#### **QUESTION 2**

My understanding is that there will be 11 Local Land Services offices or districts.

- a. Where will they be located?
- b. Will these services be catchment based?

#### **ANSWER**

Regional boards will manage and deliver all locally-developed and state-wide priorities, operations and programs at the regional level on a semi-autonomous basis. Structurally, the intent is to blend the landholder relationship and regional representation strengths of the LHPAs with the strong planning, governance and accountability framework of the CMAs at the regional level. Through the oversight of the independent reference panel, further consultation will be undertaken to inform decisions about a governance structure for the new Local Land Services that ensures appropriate accountability and regional administrative boundaries.

#### **QUESTION 3**

In relation to the election of the new Local Land Services boards:

- a. How many members of the board will be elected?
- b. Who will be eligible to stand for election?
- c. Who will be eligible to vote in the elections?

#### **ANSWER**

Local Land Services will be regionally-based, semi autonomous statutory organisations. The particulars of the new arrangements will be developed through the oversight of an independent reference panel.

#### **QUESTION 4**

Will the elections be conducted prior to the start date of January 2014 for the new Local Land Services?

#### **ANSWER**

Refer to answer to Question 3.

**QUESTION 5**

In relation to the non-elected board members:

- a. How many members will be non elected?
- b. Who will appoint these members?
- c. What will the tenure arrangements be for these members?

**ANSWER**

Refer to answer to Question 3.

**QUESTION 6**

How will these board members, both elected and not-elected be remunerated?

**ANSWER**

Refer to answer to Question 3.

**QUESTION 7**

The 2013 Budget shows a decline in expenditure in your portfolio including almost a 10% decline from Primary Industries and a 7.6% decline for the Catchment Management Authorities. Normally when an organisation is planning for a major restructure there is a short term increase in costs in order to implement a change in order to get longer term efficiencies and cost reductions. Noting that these new services are due to start operating in January 2014 can I ask, does the 2013 budget reflect the implementation costs associated with the Local Land Services announcement?

**ANSWER**

No, because the Local Land Services figures are taken to commence from 1<sup>st</sup> January 2014. Any costs between now and then will be met within existing budget allocations.

**QUESTION 8**

Of the \$100m in the budget to be spent on CMAs, including \$35m from the Commonwealth Caring for our Country program to help communities address natural resource management priorities, will any of this \$100m be redirected from these purposes as part of the administrative change over to the Local Land Services model?

**ANSWER**

No.

**QUESTION 9**

In the 2013 financial year, how much of the CMA funding will go towards on-ground natural resource management activities?

**ANSWER**

I am advised that the majority of funding for most CMAs is spent on on-ground NRM activities.

#### **QUESTION 10**

In the 2013 financial year, how much of the CMA funding will go towards native vegetation compliance activities?

#### **ANSWER**

The responsibility for native vegetation compliance activities under the *Native Vegetation Act 2003* resides with the Office of Environment and Heritage (OEH).

#### **QUESTION 11**

What is the anticipated direct budget contributions from the NSW Government to the new Local Land Services?

#### **ANSWER**

The 2013/14 budget has not been delivered by the NSW Government.

### **Landuse Mapping**

#### **QUESTION 12**

The budget papers for the Trade and Investment, Regional Infrastructure and Services Cluster indicate that \$1.1m will be spent on continuing to develop a land use agricultural mapping' policy to protect strategic agricultural land:

- a. How will this \$1.1m be expended? What work will be commissioned or conducted to improve mapping?
- b. How will this \$1.1m be spent on a region by region basis?

#### **ANSWER**

- a) The Department will continue to identify and map lands of importance for agricultural industries. This includes the University of Sydney pilot evaluating the important farmland maps for Central West NSW and parts of the Upper Hunter.
- b) The Department will focus on the mapping important farmland in the two priority areas of the Central West and the Southern Highlands during 2012-13.

### **Noxious Weeds**

#### **QUESTION 13**

The budget papers for the Trade and Investment, Regional Infrastructure and Services Cluster indicate that \$11m will be spent on controlling noxious weeds to improve agricultural productivity and protect the environment.

- a) How much of this will be expended in the 2012-13 financial year?
- b) How much has been allocated to on-ground activities vs administrative costs?

- c) How does this compare with on-ground expenditure in the 2011-12 financial year?
- d) How will this \$11m be allocated across the state?

**ANSWER**

a-d) Government expenditure on weed management is outlined annually in the Department's Annual Report and NSW Weed Action Program

**Hawkesbury-Nepean Catchment Management Authority**

**QUESTION 14**

The financial statement for the Hawkesbury-Nepean Catchment Management Authority indicates total expenses excluding losses for the 2012-13 financial year will more than halve compared to 2011-12. Given that expenditure is relatively stable for all other CMAs, what is the rationale for this?

**ANSWER**

In 2011-12 the Hawkesbury-Nepean CMA forecast it would expend \$7.6 million of external Commonwealth funding provided to deliver the third and final year of a "Smart Farms Australia" project under the *Water for the Future* program. As this project was successfully concluded in 2011-12, the CMA's budget for 2012-13 does not include any funding from this Commonwealth program.

**Biosecurity**

**QUESTION 15**

The Budget Papers for the Trade and Investment, Regional Infrastructure and Services Cluster indicate that \$4.8 million will be contributed by NSW to inter-jurisdictional national biosecurity arrangements to manage risks posed by pests, weeds, diseases and contaminants and to minimise their impact on the NSW economy, environment and communities. Which particular projects and initiatives will this money be assisting to fund?

**ANSWER**

This money will fund a number of inter-jurisdictional national biosecurity programs including the eradication of Red Imported Fire Ants and electric ants, the eradication of four tropical weeds in Queensland and fruit fly in Torres Straits, annual contribution to Animal Health Australia for core and special animal health programs, and annual subscription to Plant Health Australia.

**QUESTION 16**

Of the 2013 Primary Industries Budget, how much has been allocated to responding to biosecurity threats in NSW? What initiatives and projects will this money be spent on?

**ANSWER**

Funding is specifically allocated to responding to Biosecurity threats as it is not possible to predict when and how many threats will arise in any given year, such as with the Hendra virus outbreak in 2011.

**QUESTION 17**

Of the 2013 Primary Industries Budget, how much has been allocated to biosecurity planning and research? What initiatives and projects will this money be spent on?

**ANSWER**

Biosecurity NSW manages a significant research portfolio with up to half of the investment coming from partnerships and alliances. Important research projects include the development of new diagnostic technologies, integrated management plans to reduce reliance on chemicals, insecticides and antibiotics, and vaccine and probiotics to minimise the effect of plant and animal diseases.

Biosecurity NSW undertakes planning and research activities which address ongoing priorities for animal and plant diseases and invasive plants and animals. Planning and preparedness activities are important for the identification of threats and risks as well as formulating plans should the threat lead to a response.

**Questions from The Hon. Jeremy Buckingham, MLC, on behalf of Mr David Shoebridge, MLC**

**QUESTION 1**

What, if any, consultation has been undertaken by the Government (including with the Shooters and Fishers Party) regarding proposals to expand duck hunting in NSW?

**ANSWER**

Game Council NSW provides advice to the Minister for Primary Industries regarding duck hunting in NSW. The Game Council has not undertaken any external consultation on this issue, including with the Shooters and Fishers Party.

**QUESTION 2**

What scientific research has been undertaken to assess proposals to expand duck hunting in NSW?

- a. What were the results of this research?

**ANSWER**

Proposals are based upon the Scientific Panel Review of Open Seasons for Waterfowl in New South Wales.

The panel included Dr Richard Kingsford, Principal Research Scientist, National Parks & Wildlife Service (Chair); Dr Grahame Webb, Director, Wildlife Management International Pty Ltd, Northern Territory; Dr Peter Fullagar, Ecologist, Canberra.

(a) I am advised that all scientific studies available to the review indicate that hunting has no effect on waterfowl populations.

**QUESTION 3**

How many complaints of breaches by amateur hunters operating in State Forests were received in:

- a. 2012 to date?
- b. 2011?
- c. 2010?
- d. 2009?

**ANSWER**

Received by the Game Council:

- (a) 3 complaints (2 resolved to date).
- (b) 1 complaint (resolved).
- (c) Nil.
- (d) Nil.

**QUESTION 4**

Of these complaints, how many resulted in an investigation?

**ANSWER**

Refer to the answer for Question 3.

**QUESTION 5**

Of these complaints, how many resulted in a sanction of some kind?

**ANSWER**

Refer to the answer for Question 3.

**QUESTION 6**

Of these complaints, how many people had their license revoked?

**ANSWER**

Nil.

**QUESTION 7**

Does the Game Council have current plans for future programs to target children in schools with pro-hunting materials?

**ANSWER**

No.

**QUESTION 8**

When is the Game Council expected to become self funding?

**ANSWER**

The Game Council is not expected to become self-funding with the current roles and responsibilities required under the *Game and Feral Animal Control Act 2002*.

**QUESTION 9**

How much public money was spent on Game Council pro-hunting water bottles as distributed in a school in Orange?

**ANSWER**

20c per bottle; 200 bottles were distributed to a school in Orange.

**QUESTION 10**

Who approved the water bottle campaign?

**ANSWER**

Game Council NSW Communications & Marketing Manager.

**QUESTION 11**

How much did the Game Council spend on advertising in:



- a. 2012 to date?
- b. 2011?
- c. 2010?
- d. 2009?

**ANSWER**

- (a) \$50,000
- (b) \$180,000
- (c) \$230,000
- (d) \$170,000

**QUESTION 12**

How many submissions were received on the Government's proposed regulations which included provisions to allow children as young as 12 to hunt on public land unsupervised with knives and pig dogs?

- a. Of these, how many supported the proposal? How many opposed the proposal?

**ANSWER**

Overall, 251 submissions were received.

- (a) 23 submissions supported the proposal, 102 submissions opposed the proposal.

**QUESTION 13**

Are there current plans to introduce legislation to allow for additional forms of hunting for young people?

**ANSWER**

No.

**QUESTION 14**

How much public forest is now declared open for hunting under the Game and Feral Animal Control Act?

**ANSWER**

Approximately two million hectares.

**QUESTION 15**

How many inspectors are employed by the Game Council and/or the department to monitor and police amateur hunting in State Forests in NSW?

**ANSWER**

The Game Council NSW employs 4.2 FTE as inspectors and all NSW police officers are authorised inspectors under the *Game and Feral Animal Control Act 2002*.

**Questions from Mr David Shoebridge, MLC  
Forestry**

**Logging on private property**

**QUESTION 1**

What environmental assessments are required before approvals for logging for the purposes of commercial firewood can take place on private property?

**ANSWER**

This question should be referred to the Minister for the Environment who is responsible for the administration of approvals for logging on private land (excluding plantations).

**QUESTION 2**

What strategies are in place to end the logging of private land on Mount Rae for firewood, given that the proposed operations negatively impact on threatened species in the area?

**ANSWER**

This question should be referred to the Minister for the Environment who is responsible for the administration of approvals for logging on private land (excluding plantations).

**Koala High Use Areas**

**QUESTION 3**

What actions have been taken against Forests NSW for the destruction of Koala High Use Areas in Royal Camp State Forest in Compartment 15 during July-August 2012 and Compartment 16 during September 2012?

**ANSWER**

This question should be referred to the Minister for the Environment.

**QUESTION 4**

What action is being taken for breaches of the Threatened Species Licence by Forests NSW for the logging of Koala High Use Areas in Compartment 120 of Clouds Creek State Forest?

**ANSWER**

This question should be referred to the Minister for the Environment

**Complaints from the public**

**QUESTION 5**

How many complaints has the Office of Environment and Heritage received from the public for the period November 2011- October 2012 for the following regions:

- a. Central Region?

- b. Hume Region?
- c. Macquarie Region?
- d. Monaro Region?
- e. North East Region?
- f. Northern Region?
- g. Southern Region?
- h. Western Region?

**ANSWER**

This Question should be referred to the Minister for the Environment.

**QUESTION 6**

How many audits were undertaken of each region listed in the period November 2011-October 2012 as a result of these complaints?

**ANSWER**

This Question should be referred to the Minister for the Environment

**Felling of roadside trees**

**QUESTION 7**

What action has been taken over the felling by Forests NSW of more than 2km of roadside trees up to 43 metres in distance back from Styx River Forest Way on road reserve land in April 2012?

**ANSWER**

Forests NSW inspected all felled trees after concerns were raised by the Environment Protection Authority. The inspections confirmed that the removal of each dangerous tree was appropriate and essential to meet Forests NSW obligations to manage the safety of staff, contractors and the public.

**QUESTION 8**

What cost was incurred by Forests NSW for the felling of more than 2 km of roadside trees along Styx River Forest Way in April 2012?

**ANSWER**

Management of dangerous trees along roadsides during forestry roading, harvesting and recreation area maintenance operations, if required, is part of the normal cost of Forests NSW maintaining its estate. Forests NSW does not separate out the cost of dangerous tree management.

**Ellis State Forest**

**QUESTION 9**

What plans are in place to protect residents on properties close to Ellis State Forest from the increased fire risk from eucalyptus regeneration over the next twenty five years given the high cutting rate of the proposed harvest plan 63/64?

**ANSWER**

Forests NSW does not perceive an additional fire risk following regeneration of harvested areas. In fact, harvesting provides an opportunity to undertake fuel reduction burning under more controlled conditions than in an unharvested forest.

**QUESTION 10**

What plans are in place to protect koala habitat in Compartment 63 of Ellis State Forest, given the heavy cutting volumes proposed in the harvest plan 63/64?

**ANSWER**

Koalas and koala habitat are protected in accordance with the conditions of the Threatened Species Licence.

**QUESTION 11**

How does Forests NSW plan to protect large mature and senescent trees within Compartments 63 and 64 of Ellis State Forest, given the acknowledged value of these trees for threatened species such as gliders, koalas and glossy black cockatoos?

**ANSWER**

Trees ideal for habitat are retained as Hollow Bearing Trees to the extent of ten per each two hectares, as detailed in the Threatened Species Licence conditions. In addition, recruitment trees (ie trees deemed capable of becoming hollow-bearing with age) are retained that will complement retained habitat trees in future years.

**Aboriginal heritage****QUESTION 12**

How many Aboriginal Heritage Impact Permits have been granted to Forests NSW for logging operations in Bago and Maragle State Forests?

**ANSWER**

Nil.

**QUESTION 13**

What actions by the Office of Environment and Heritage have been taken over the destruction of Aboriginal Heritage in Bago and Maragle State Forests during logging operations since 2008?

**ANSWER**

This question should be referred to the Office of Environment and Heritage.

**Review of Integrated Forestry Operation Approvals**

**QUESTION 14**

What timeframe has been established for the review of the Integrated Forestry Operations Approvals?

**ANSWER**

No timeframe has been established.

**QUESTION 15**

How long a period of public consultation will be allowed for the review of the Integrated Forestry Operation Approvals?

**ANSWER**

No timeframe has been established.

**QUESTION 16**

Will the Committee conducting the review of IFOAs be seeking public comment during its deliberations, or after the Committee has made its recommendations to State Cabinet?

**ANSWER**

This is a matter for consideration by Government in acting on the recommendations of the Committee.

**Amendment of Integrated Forestry Operation Approvals for Tanja SF Koalas****QUESTION 17**

What plans are being made to permanently protect the remnant population of Bega Valley koalas in Compartment 2102 of Tanja State Forest by amending the Integrated Forestry Operations Approvals?

**ANSWER**

Forests NSW is working with the Office of Environment and Heritage and the Environment Protection Authority to develop an amended Eden IFOA prescription for Koalas following the completion of surveys in the Murrah, Mumbulla and Tanja State forests.

**Bermagui State Forest****QUESTION 18**

What proportion of the revenue from Bermagui State Forest Compartment 2001 was from:

- a. Sawlogs?
- b. Pulp logs?

**ANSWER**

- a. Sawlogs: 88 per cent
- b. Pulp logs: 12 per cent

## Honey production in state forests

### QUESTION 19

How many apiarists have been granted licences to use NSW state forests for the purpose of honey production in each of the following periods:

- a. 2008-2009?
- b. 2009-2010?
- c. 2010-2011?
- d. 2011 to date?

### ANSWER

The number of sites held by apiarists under permits issued by Forests NSW :

Total NSW

- a. 2008/09 – 27
- b. 2009/10 – 36
- c. 2010/11 – 36
- d. 2011 to date - 88

### QUESTION 20

How many apiarists have been granted licences for the purpose of honey production in Southern Region state forests in each of the following periods:

- a. 2008-2009?
- b. 2009-2010?
- c. 2010-2011?
- d. 2011 to date?

### ANSWER

The number of sites held by apiarists under permits issued by Forests NSW :

Southern Region

- a. 2008/09: 8
- b. 2009/10: 9
- c. 2010/11: 3
- d. 2011 to date: 26

### QUESTION 21

How are the interests of apiarists being managed in the light of logging operations in southern region state forests?

### ANSWER

Generally timber harvesting can work around hives or the activities of apiarists. Bee movements from apiary sites can range over a number of compartments. Thus, timber harvesting has a temporary or very small impact on apiary activity from the viewpoint of beehive productivity.

Apiarists are notified of proposed timber harvesting operations in the lead up to harvest planning and are given an estimated commencement date. Apiarists are asked to provide feedback on any permanent set down apiary sites not already shown on harvest maps and to indicate when sites are expected to be visited.

## **Corporatisation of Forests NSW**

### **QUESTION 22**

Will native timber harvest, haulage and royalty figures be publically available under the regime of independent reviews established in the Forestry Bill 2012?

### **ANSWER**

Clause 91 of the Forestry Bill provides for a review to be undertaken every three years of the Corporation's native timber harvest and haulage costs (not royalties). The report of the review is to be provided to the Independent Pricing and Regulatory Tribunal, which may make recommendations as to improvements that the Forestry Corporation might make to its management of native timber harvest and haulage to reduce costs. The reports and recommendations are to be provided to the voting shareholders of the Corporation, who are to make them publicly available.

### **QUESTION 23**

Are there plans to reduce commitments from native forests down to the estimated long-term sustainable yield before corporatising Forests NSW?

### **ANSWER**

No. Current supply commitments reflect the sustainable yield.

### **QUESTION 24**

What guarantees are there that regional jobs and skills will be retained after the corporatisation of Forests NSW?

### **ANSWER**

The nature and number of regional jobs are not expected to change as a direct result of the corporatisation of Forests NSW. Mr Shoebridge's interest in the jobs of regional forest workers is noted.

### **QUESTION 25**

How many long-term ecological research programs will be terminated as a result of cuts to the Forest Science Centre, part of the NSW Department of Primary Industries?

### **ANSWER**

No dedicated long term projects have been terminated as a result of the 2011 cuts to the Forest Science Centre.

### **QUESTION 26**

How many jobs will be cut from the Forest Science Centre?

### **ANSWER**

No further job reductions are in prospect.

**QUESTION 27**

How will the cuts to the Forest Science Centre impact on the ability of Forests NSW to add value to its planted forests; enhance its commercial services and native forests businesses, and move towards sustainability?

**ANSWER**

Changes were made in 2011 after Forests NSW undertook a benchmarking exercise with other Australasian forest agencies. Forests NSW then determined their R&D priorities to underpin a sustainable and productive forest enterprise. Forests NSW will continue to fund research that it needs, either internally or through the Department of Primary Industries or other providers.

**QUESTION 28**

How will the proposed cuts to the Forest Science Centre impact on the ability of Forests NSW to monitor, prepare for and adapt to a changing climate?

**ANSWER**

There are no proposed cuts to the Forest Research Centre.

Forests NSW will continue to fund research that it needs, either internally or through the Department of Primary Industries or other providers.

**Contractors****QUESTION 29**

Of the tenders awarded by Forests NSW to contractors in 2011 and 2012, how many tenders were awarded to operators based in Tasmania, or to operators who have worked in Tasmania within the last three years?

**ANSWER**

I am advised that there were none.

**QUESTION 30**

Have any of these operators been in receipt of federal funding to exit the forestry industry in Tasmania?

**ANSWER**

Refer to the answer for Question 29.

**Section 62 of the Forestry Regulation 2009****QUESTION 31**

Section 62 of the Forestry Regulation 2009 provides penalties for failure to comply with directions of an authorised officer. Which agency will be responsible for the enforcement of Section 62 of the Forestry Regulation 2009 and other regulations



which are used to control protests in state forests after the corporatisation of Forests NSW?

**ANSWER**

It is envisaged that the new Regulations will generally preserve the status quo and reflect the provisions of the current Forestry Regulation.

**QUESTION 32**

If Forests NSW is to be responsible for the enforcement of Section 62 of the *Forestry Regulation 2009* and other regulations which are used to control protests in state forests after the corporatisation of Forests NSW, what legal justification is used in defence of the decision to allow a state-owned Corporation law-enforcement powers of this kind?

**ANSWER**

It is reasonable and consistent with accepted practice that officers of the agency responsible for management of a Crown asset should be able to enforce legislation required to manage the asset. Clause 70 of the Forestry Bill provides for the Minister responsible for the *Forestry Act 1916* to appoint authorised officers from Forests NSW as well as other persons.

**QUESTION 33**

Are there any plans for Forests NSW to keep the fines imposed for breaches of Section 62?

**ANSWER**

Revenue obtained from fines and prosecutions will continue to be distributed according to the provisions of the *Fines Act 1996*.

**QUESTION 34**

Will protecting the biodiversity of state forests be a core principle for the proposed corporatised Forests NSW?

**ANSWER**

Forestry Bill Clause 10 Objectives and Functions of Forests NSW states:  
1(c) where its activities affect the environment, to conduct its operations in compliance with the principles of ecologically sustainable development contained in section 6 (2) of the *Protection of the Environment Administration Act 1991*.

**Haulage and royalties**

**QUESTION 35**

What is the rationale of having royalty and haulage costs set by IPART every 3 years?

**ANSWER**

As harvest and haulage costs incurred by the corporation are transferred to customers, the proposed review and benchmarking and its assessment by IPART are to ensure transparency of the flow-through of costs for the industry.

**QUESTION 36**

When is it proposed that this change will take place?

**ANSWER**

Within 3 years of the passage of the *Forestry Bill 2012*.

**QUESTION 37**

What consultation has been undertaken to support such a change?

**ANSWER**

The initiative is in response to industry representations to the Government.

**South East Fibre Exports**

**QUESTION 38**

What quantity of pine logs was supplied to South East Fibre Exports (SEFE) in:

- a. 2010?
- b. 2011?
- c. 2012 to date?

**ANSWER**

Pine logs supplied to South East Fibre Exports by Forests NSW

<b>Pine logs supplied to South East Fibre Exports by Forests NSW</b>				
<i>Period</i>	<i>Year</i>	<i>Tonnes Delivered</i>	<i>Delivered Price per tonne</i>	<i>Net revenue per tonne</i>
1-Jan to 31-Dec	2010	118,925	\$40.28	\$6.48
1-Jan to 31-Dec	2011	212,540	\$45.05	\$10.55
1-Jan to 30-Sept	2012	168,680	\$45.34	\$14.33

**QUESTION 39**

For 38a-c what price were these logs supplied at?

**ANSWER**

Refer to question 38.

**QUESTION 40**

For 38a-c what net revenue was received by Forests NSW for the supply of pine logs to SEFE in each of those years?

**ANSWER**

Refer to question 38.

**QUESTION 41**

What quantity of native forest logs from the Eden RFA Region and the Southern RFA Region was supplied to South East Fibre Exports in:

- a. 2000?
- b. 2001?
- c. 2002?
- d. 2003?
- e. 2004?
- f. 2005?
- g. 2006?
- h. 2007?
- i. 2008?
- j. 2009?
- k. 2010?
- l. 2011?
- m. 2012 to date?

**ANSWER**

Calendar Year	Eden RFA (tonnes)	Southern RFA (tonnes)
2000	344,885	74,943
2001	316,177	57,052
2002	286,771	58,189
2003	326,073	51,529
2004	313,824	59,410
2005	273,683	77,721
2006	365,595	105,919
2007	321,614	110,511
2008	262,494	87,230
2009	234,645	84,603
2010	248,214	123,686
2011	234,745	96,710
2012 to 30 Sept	167,274	68,183

**QUESTION 42**

What gross royalty revenue was obtained in each RFA Region for the sale of pulp logs to SEFE in:

- a. 2000?
- b. 2001?
- c. 2002?
- d. 2003?
- e. 2004?

- f. 2005?
- g. 2006?
- h. 2007?
- i. 2008?
- j. 2009?
- k. 2010?
- l. 2011?
- m. 2012 to date?

**ANSWER**

Calendar	Eden RFA	Southern RFA
Year	\$	\$
2000	5,873,503	544,519
2001	5,320,865	410,813
2002	4,678,148	379,681
2003	5,192,312	351,717
2004	4,974,280	405,643
2005	4,114,543	522,019
2006	5,011,538	682,173
2007	4,423,194	718,708
2008	3,870,129	636,762
2009	3,736,549	645,574
2010	3,846,812	975,975
2011	3,617,322	796,189
2012 to 30 Sept	2,680,162	551,457

**QUESTION 43**

What royalty price rises have occurred for saw logs, pulp logs and other logs in Eden and Southern RFA regions in response to the recommendations of the Auditor General's report in:

- a. 2009?
- b. 2010?
- c. 2011?
- d. 2012 to date?

**ANSWER**

Royalty or Stumpage Price movements for each log product are calculated each year and for each customer under a variety of review mechanisms contained in respective wood supply contracts. The only other increases that have been applied are not solely attributable to the recommendations of the Auditor General.

These increases applied to High Quality Sawlogs sold in both the Eden and Southern RFA Regions in accordance with the following implementation schedule:

- April 2010 – 3% Structural Stumpage Price Increase
- October 2010 – 3% Structural Stumpage Price Increase
- April 2012 – 3% Structural Stumpage Price Increase.

## **Staffing in South Coast region**

### **QUESTION 44**

What staff cuts have there been in the Forests NSW South Coast Region since 2011?

### **ANSWER**

One position.

### **QUESTION 45**

What positions have been abolished?

### **ANSWER**

One position of Silviculturist.

### **QUESTION 46**

On what basis was it determined which staff members should go?

### **ANSWER**

Based on business requirements it was determined that the position of Silviculturist was no longer required and the activities of the position could be provided by other staff or by external providers.

### **QUESTION 47**

How many staff in science-related positions are to be made redundant voluntarily or involuntarily?

### **ANSWER**

There are no plans for staff in science-related positions to be made redundant, voluntarily or involuntarily.

### **QUESTION 48**

Which ecologist positions have been cut?

### **ANSWER**

Nil.

## **Hunting in state forests**

### **QUESTION 49**

Has Forests NSW undertaken any research into the impact of hunting in state forests on the population levels of feral species in those forests (i.e. as distinct from tallies of 'game' species killed, which do not necessarily equate with impacts on population levels).

### **ANSWER**

No.

## **Road maintenance**

### **QUESTION 50**

What levies are imposed on the logging industry for the maintenance of Edrom Road and Imlay Roads on the South Coast?

### **ANSWER**

Imlay and Edrom Roads are owned and maintained by Forests NSW. Maintenance is primarily funded by a user pays levy, whereby 95% of the annual maintenance expenditure is met by forest growers, including Forests NSW, whose products are hauled over those roads. The levy takes the form of an amount per tonne for each kilometre of the roads.

### **QUESTION 51**

How much has been spent on each of these roads by Forests NSW and how much of that amount was raised via industry levies?

### **ANSWER**

In the 4 years from 2008/09 to 2011/12, a total of \$4.76 million was spent on maintenance of both roads, with 95% of that amount being derived from industry levies, including Forests NSW own share of the levies.

### **QUESTION 52**

Are there any other roads in the South Coast Region, apart from roads within State Forests, to which Forests NSW makes a contribution for maintenance?

### **ANSWER**

No.

## **Transitioning out of native forests**

### **QUESTION 53**

What plans are being made by Forests NSW to transition out of native forests given the diminishing returns from logging operations in native forests?

### **ANSWER**

Forests NSW has no plans to transition out of native forests. Rather, it is exploring options to improve the financial performance of this unit and the industry as a whole.

## **Questions from The Hon. Cate Faehrmann, MLC**

### **Ocean Trap and Line Fishery (OTLF):**

#### **QUESTION 1**

Two hammerhead shark species have now been listed as threatened species under the NSW Fisheries Management Act (Great and Scalloped Hammerheads). They are caught in the OTLF. What measures are you putting in place to ensure they will no longer be killed in this fishery?

#### **ANSWER**

I am advised that great and scalloped hammerheads are a minor component of OTLF landings. Since listing, these species have become totally protected and may no longer be taken. If accidentally caught, fishers must take immediate steps to attempt to return the fish to its natural environment with least possible injury.

#### **QUESTION 2**

Is there existing technology for fishers to reconfigure or apply to their gear to select against the hammerhead species or knowledge to avoid areas where these species are at risk of being caught? Please provide details.

#### **ANSWER**

I am advised that both species have a broad distribution and occur across the continental shelf. They are susceptible to accidental and incidental capture in a range of different commercial and recreational fisheries. However, there is no incentive for fishers to actively target either species as they are totally protected and may not be harmed, bought, sold or possessed without risking serious penalties.

#### **QUESTION 3**

What research is being done to develop measures to avoid the capture of hammerhead sharks in the OTLF?

#### **ANSWER**

I am advised that the Fisheries Research and Development Corporation Shark Futures project, which runs until June 2014, encompasses a component relating to modifying gears, and practices to minimise the mortality of non-retained sharks incidentally caught on shark gear.

#### **QUESTION 4**

Shark fishing in the OTLF is split into two components – OTLF (general) and OTLF (shark fishing permit). In a document obtained under GIPA we learnt that as at December 2011 shark fishing permits were offered but not taken up in the shark fishing permit component. Is this still the case?

#### **ANSWER**

Yes.

### **QUESTION 5**

Shark catches in the OTLF general were half of the quota for the period 1 Feb 2011 to 31 Jan 2012. Please provide catch levels thus far for this season.

### **ANSWER**

I am advised that the reported commercial catch data for the period 1 February 2012 to 16 October is approximately 25 tonnes processed (headed and gutted weight), subject to ongoing validation.

### **QUESTION 6**

Given the lack of demand for permits, the low catches and the threatened species listings, would you consider either:

- a) significantly reducing shark fishing effort in this fishery in either or both components, or
- b) bringing shark fishing to an end in this fishery in either or both of its components that target sharks, or
- c) continuing to offer permits for the shark permit fishery and the same quota for sharks in the general fishery?

### **ANSWER**

I am advised that the shark fishing effort has already significantly declined.

Catch limits in the OTLF are subject to change having regard to restrictions imposed on the fishery as part of the Commonwealth Government's declaration of a Wildlife Trade Operation and associated conditions, and annual reviews of available biological and catch data.

### **QUESTION 7**

What quotas and permits do you intend to offer to catch sharks in the OTLF next year?

### **ANSWER**

I am advised that the harvest strategy to be applied for next year is yet to be determined.

### **QUESTION 8**

In justifying the shark catch in the OTLF Duncan Gay informed Parliament (16/08/12) that there is a legitimate market for shark products not just the fins and referred to flake commonly sold in fish and chip shops across NSW.

- a) How much flake sold in NSW comes from NSW fisheries, and
- b) how much comes from elsewhere in Australia and how much is imported from overseas?

Please give figures for each of 8a and 8b.

### **ANSWER**

- a) Fisheries NSW collects catch and effort disposal data at first point of disposal only. Seafood retailers can obtain seafood from other sources.



- b) Fisheries NSW does not collect this information. Overseas importation data may be collected by the Commonwealth Government via the Australian Quarantine and Inspection Service.

### **QUESTION 9**

What is known about the ecological sustainability of the overseas fisheries from where some shark product sold as 'flake' in NSW comes from?

### **ANSWER**

Refer answer to answer 8b.

### **Grey Nurse Shark:**

### **QUESTION 1**

How do you intend to police the prohibition on line fishing at the critical habitat sites when you will be allowing boats within 200m of the critical habitat sites to carry out fishing?

### **ANSWER**

A variety of education and advisory materials will assist in encouraging community compliance with restrictions on the use of certain gear at critical habitat sites. Active enforcement operations, including fisheries officers powers to search, inspect, and seize equipment deter non-compliance.

### **QUESTION 2**

How will enforcement officers know what is going on under the boats and whether fishers are using hooks and lines or soft plastics or artificial baits?

### **ANSWER**

I am advised that fisheries officers have a range of powers which includes the ability to search and inspect vessels and fishing gear.

### **QUESTION 3**

What resources have you allocated for compliance with the new grey nurse shark regulations at Fish Rock and Green Island?

### **ANSWER**

I am advised that fisheries officers from the Hastings Fisheries Office undertake patrols of Fish Rock and Green Island and those patrols will be enhanced to focus on new grey nurse shark measures. In addition, fisheries officers from the Northern Recreational Mobile Squad and the Fisheries Patrol Vessel "Ngaarru" patrol these areas.

### **QUESTION 4**

Can you guarantee that the removal of critical habitat fishing regulations at 6 critical habitat sites, that has been done because the recreational fishing rules at these sites are also set out in marine park zoning plans, will maintain exactly the same levels of protection for grey nurse sharks in every detail?

**ANSWER**

I am advised that five of the six critical habitat sites that occur in marine parks are located in sanctuary zones which provide the highest level of protection for grey nurse sharks from fishing activities. The remaining site (Montague Island) is located in a habitat protection zone that provides a higher level of protection than the former critical habitat fishing regulations.

**QUESTION 5**

In removing the critical habitat regulations, please can you explain whether or not it will now be easier to change the regulations through changes to marine park zoning?

**ANSWER**

I am advised that amendments to marine park zoning plans will require regulation amendments. There is currently a five-year moratorium in place on changes to zoning plans until 2016. The process to amend marine park zoning includes obligations to undertake statutory consultation and exhibition processes.

**QUESTION 6**

If the critical habitat regulations had remained in place, could they have been altered by changes to marine park zoning? Or would a separate process to change the critical habitat regulations have been required?

**ANSWER**

A separate process to change the critical habitat regulations would have been required. However, the critical habitat regulations at the six sites in question have been redundant since marine park zoning plan regulations were established.

**QUESTION 7**

Did the critical habitat regulations previously send a signal to all stakeholders that these regulations are important and permanent for the protection of the shark?

**ANSWER**

No, declaring critical habitat identifies significant habitats and establishes offences for damage, but does not automatically regulate activities. This must be done through separate controls such as fisheries or marine park regulations. Declared critical habitat will continue to exist at all six sites in question, however future regulation of activities will be in accordance with marine park management arrangements rather than fisheries regulations.

**QUESTION 8**

Can you guarantee that the regulations prohibiting certain forms of fishing at critical habitat sites will not be weakened by changes to marine park zoning and how will you do that?

**ANSWER**

The NSW Government is committed to ensuring the conservation needs of the Grey Nurse Shark are met well into the future. The recent measures announced are a big step forward in meeting this objective. Critical habitat will still exist at the six sites in question and the significance of these sites to Grey Nurse Sharks will be considered during any future review of marine park management arrangements.

#### **QUESTION 9**

How many times has NSW Fisheries undertaken compliance surveillance at each of the grey nurse sharks critical habitat sites in the past 5 years? Please provide details for each of the critical habitat sites separately for each of the last 5 years.

#### **ANSWER**

There are numerous commercial and recreational fishery sectors operating in NSW offshore waters and an active compliance program across all areas of the state. However, I am advised that the Fisheries Compliance Branch does not disaggregate its compliance surveillance figures for each grey nurse shark critical habitat site.

#### **QUESTION 10**

How many times do NSW Fisheries intend to undertake compliance surveillance at Fish Rock and Green Island over the next 6 months during the compliance advisory period? And over the 6 months following that?

#### **ANSWER**

The compliance advisory period announced as part of the outcomes of the review of Grey Nurse Shark protection will operate for 12 months and fisheries officers will be conducting regular patrols in line with their Annual District Compliance plans.

### **Animal Welfare**

#### **QUESTION 1**

Do you have a policy for the minimum number of compliance visits there should be a year to a) abattoirs b) piggeries and c) factory farms?

#### **ANSWER**

a) Abattoir operations are audited by the NSW Food Authority in relation to compliance with other requirements under the Food Act 2003.

The audit frequency for abattoirs is linked to audit performance. Audit frequency increases as audit performance decreases.

Abattoirs are priority 1 facilities under the NSW Food Authority audit policy which requires abattoirs to be audited at a minimum frequency of once per year provided their audit performance consistently achieves an A rating in accordance with the audit policy.

The audit frequency for abattoirs increases to six monthly for facilities that achieve a B rating, three monthly for a C rating and monthly for a D or E rating.

Additional abattoir auditing may also be required as directed by the NSW Food Authority.

b & c) There is no policy for compliance visits to piggeries or other intensive farms.

## **QUESTION 2**

How many compliance visits were there to Wally's Piggery at Murrumbateman in the 18 years since he was last convicted for animal cruelty? When did they occur?

## **ANSWER**

I am advised that the investigation by the animal welfare enforcement agencies is ongoing. I look forward to receiving the findings.

## **QUESTION 3**

If the answer to question 2 is none or few, why was it is considered inappropriate to monitor someone operating a piggery who had previously been prosecuted for animal welfare offences?

## **ANSWER**

Enforcement priorities are determined by the POCTA enforcement agencies, the RSPCA NSW, Animal Welfare League NSW and the NSW Police. Refer also to the answer given to Question 2.

## **QUESTION 4**

Animal Liberation says that "Wally has admitted during questioning that he was tipped off on the morning of the raid by Australian Pork Limited, who sent him a link to the video so that he could have time to clear up the worst of it and to prevent any illegal slaughtering that was to occur that day. It is still unclear how APL received the link to the video in the first place, as at that point it was strictly confidential, and was not released to the public until several hours after the authorities raided the property". Have you conducted an investigation into who provided Australian Pork Limited with information on the raid and the link to the video?

## **ANSWER**

I am advised that this is subject to the investigation that is ongoing.

## **QUESTION 5**

How much funding is allocated for enforcement of POCTA in abattoirs?

## **ANSWER**

Enforcement priorities and funding are determined by the POCTA enforcement agencies, the RSPCA NSW, Animal Welfare League NSW and the NSW Police.

**QUESTION 6**

What is the funding provided to the Animal Welfare League for their statutory role in enforcing the Prevention of Cruelty of Animals Act?

**ANSWER**

\$82,500 for the last financial year.

**QUESTION 7**

What is the funding provided to the RSPCA for their statutory role in enforcing the Prevention of Cruelty to Animals Act?

**ANSWER**

\$466,400 for the last financial year.

**QUESTION 8**

When was this level of funding last reviewed to ensure it is adequacy commensurate with the scale of animal welfare problems suffered by companion and farm animals in this state?

**ANSWER**

The funding is reviewed annually.

**Marine Park Audit:****QUESTION 1**

When will the Minister respond to the Marine Park Audit?

**ANSWER**

The NSW Government is currently developing a response to the audit as required under the *Marine Parks Act 1997*, taking into account feedback received in submissions.

**QUESTION 2**

When will the Minister lift the moratorium on the establishment of new marine parks given the Audit did not make any recommendation that it remain in place?

**ANSWER**

The *Marine Parks Act 1997*, outlines that the moratorium shall be in place for a period of five years or a shorter period if an order is put in place. Before an order can be put in place the Government must respond to the audit which is currently being prepared.

**QUESTION 3**

Does the Minister remain committed to a comprehensive and representative system of marine parks in NSW waters as is in line with national and international commitments?

**ANSWER**

The first term of reference of the Audit specifically relates to NSW's obligations under national and international commitments. The NSW Government is currently preparing a response to the audit.

## **Small Business**

### **Questions from The Hon. Adam Searle, MLC**

#### **QUESTION 1**

How many mediations were conducted by the Office of Small Business in 2011-2012, between small businesses in dispute with:-

- a. other businesses;
- b. government;
- c. local Councils.

#### **ANSWER**

The Office of the NSW Small Business Commissioner registered 252 formal mediations for that period, and 1331 informal mediations. Existing systems do not allow reporting by the categories requested.

#### **QUESTION 2**

How many resulted in an agreement between the disputing parties, by the above categories?

#### **ANSWER**

The Office of the NSW Small Business Commissioner existing systems do not allow reporting by the categories requested. However, I can advise that:

- Formal Mediations  
The Office settled 85.1% of matters through formal mediation prior to having a court determine the matter.
- Informal Mediations  
The Office settled 79% of matters through informal mediation, either before mediation or at mediation.

#### **QUESTION 3**

Who conducted those mediations?

#### **ANSWER**

The mediations were conducted by staff and external mediators.

#### **QUESTION 4**

Does the Commissioner personally conduct mediations or do persons employed within the Office?

#### **ANSWER**

The Small Business Commissioner does not personally conduct formal mediations however, appropriately trained staff within the Office conduct some mediations.

#### **QUESTION 5**

Were they mediators engaged per mediation? If the last category, were they persons used as mediators in connection with what was the Retail Tenancies Unit?

**ANSWER**

Yes, if external mediators were used.

Yes, the external mediators were previously used by the Retail Tenancy Unit.

**QUESTION 6**

Have any new persons, not previously engaged to mediate in connection with the former Retail Tenancies Unit, been used as mediators in connection with the Office of Small Business Commissioner?

**ANSWER**

Yes, staff members have increased. No new external mediators have been added to the panel in the last financial year.

**QUESTION 7**

When were those persons selected?

**ANSWER**

Staff numbers have increased over the last 12 months.

**QUESTION 8**

What process was used to select those mediators?

**ANSWER**

Merit based selection.

**QUESTION 9**

What criterion was used to select those mediators?

**ANSWER**

Department position descriptions were used in accordance with the Departmental recruitment policy.

**QUESTION 10**

How many mediations will be conducted by the Office of Small Business in 2012-2013?

**ANSWER**

As many as are required by NSW small businesses, the number varies from year to year.

**QUESTION 11**



On 2 June 2011, the Minister stated that "the reality is that the vast majority of small businesses don't have the resources to spend on expensive legal battles contesting genuine grievances of unfair practices." Other than mediation, advocacy, and information provision, what specific measures are in the 2012-2013 Budget to provide practical assistance to small business operators with genuine grievances about unfair practices?

**ANSWER**

The Consultation Paper on the legislative framework for the NSW Small Business Commissioner was released in June this year and proposed a variety of tools designed to assist small businesses who are subjected to unfair market practices.

**QUESTION 12**

The Government last year promised legislation to establish the role, and any powers, of the Small Business Commissioner. In Estimates this year, the Minister stated a draft Bill has already been drafted and consulted upon. To which persons or bodies outside government has the draft Bill been shown for consultation purposes?

**ANSWER**

The NSW Government has been working hard over the past months to ensure that the right legislative framework is developed to formally establish the role and functions of the Small Business Commissioner.

A critical part of this work has been conducting extensive consultation including a six week public consultation and a series of meetings held across New South Wales and attended by over 330 interested parties, including small business operators, industry associations and government agencies.

A NSW Small Business Commissioner Legislation Steering Committee comprised of senior government representatives has informed the recommended operating framework, based on feedback from the consultation process.