

**GENERAL PURPOSE STANDING COMMITTEE NO.5**

**QUESTIONS TAKEN ON NOTICE DURING THE HEARING**  
**22 OCTOBER 2007**

**QUESTION**

**The Hon. MARIE FICARRA:** As the responsible Minister can you tell me what Green Star rating your refurbishment entailed? You are the responsible Minister for such issues.

**ANSWER:**

This question should be directed to the Premier..

**QUESTION**

**The Hon. MARIE FICARRA:** Through you, Mr Chair, Minister, have you received a briefing on the environmental impact of the New South Wales ministerial offices? Do you currently know what their ratings are?

**Mr PHILIP KOPERBERG:** No, I do not, Mr Chair. But I am happy to take it on notice.

**ANSWER:**

This question should be directed to the Premier..

## **QUESTION**

**The Hon. ROBERT BROWN:** My question to you is on the rainwater tank rebate scheme. Can you provide the Committee with some sort of an idea of the total installed capacity that has been subject to rebates under that scheme? The second part of the question is, do you have the figures or would you be able to obtain the figures to find out what additional capacity has been built that is outside the eligibility of the scheme? For example, those water storages built under the Building Sustainability Index requirement for new homes and major renovations?

**Mr PHILIP KOPERBERG:** In both cases I would be happy to provide the Committee with the details in terms of the uptake of rebates—and those rebates, of course, are up to \$1,500 now, depending on the particular plumbing configuration.

## **ANSWER:**

The aim of the rainwater tank rebate scheme is to provide incentives for households not otherwise required to install a rainwater tank. After four months of the program, the total volume of the tanks that has been supported with a rebate is 9 million litres. Approximately 98 per cent of existing residential dwellings in NSW are eligible for rainwater tank rebates under the Climate Change Fund. The small percentage of ineligible housing stock is subject to Building Sustainability Index (BASIX) requirements. Information on tank capacities installed as a result of BASIX should be sought from my colleague, the Hon Frank Sartor MP, Minister for Planning.

## **QUESTION**

**CHAIR:** In terms of the installation of rainwater tanks and suchlike, there has been quite a bit of debate in regard to the cost and efficiency of resolving the problem that way, and opposed to that, of course, is there have been people in my camp saying we need more of them. When your department assesses the amount of water potential how are they measuring it? Is it the size of the tank or are they actually making a measurement of the potential throughput? For example, you might have a 5,000-litre rainwater tank but, if properly managed, it can harvest a great deal more. Could you indicate what way that is assessed in terms of efficiency of that type of campaign?

**Mr PHILIP KOPERBERG:** As I understand it, the measuring, whilst it is not perfect it is certainly based on more than guesswork, because the recipient has to sign off that they have had the work done and plumbers then have to certify the installation. Part of that certification process, as I understand it, goes to the issue of how the tank is plumbed, what size it is, what its catchment is in terms of roof area, and what have you. So it is, in fact, possible to reasonably accurately surmise the amount of water captured and thus saved from the direct supply. As to detail, I am happy to provide it on notice.

## **ANSWER:**

Water savings from the Climate Change Fund's rainwater tank rebates are being calculated on data sourced from the installation of the tanks. Households applying for the rebate provide the Department of Environment and Climate Change with the size of the tank, the roof area connected to the tank, whether the tank is connected to a washing machine or toilet(s) and the postcode or area of the state that the tank is installed.

From this information the Department uses a rainwater tank model, developed by the Department of Planning for the Building Sustainability Index (BASIX), to estimate water savings. The program incorporates regional data on rainfall, evaporation, irrigation and soil type, and uses this data to determine both the amount of rainwater collected and the householder's expected outdoor water use. Indoor water use, where toilet and washing machine connections are made, is assumed to be equivalent to the average NSW household. This model uses daily calculations, estimating the rainwater tank water savings and the volume of overflow water.

It is important to note that the rebate is based on the size of the tank and whether the rainwater is plumbed into the toilet or washing machine, in order to promote maximum water savings.

## **QUESTION**

**The Hon. MARIE FICARRA:** I want to move on to the Parramatta River Catchment Trust. The State Government has wound up the Upper Parramatta River Catchment Trust and absorbed it into the Sydney Metropolitan Catchment Authority. The trust received funding of approximately \$380,000 per annum for services and was responsible for the flood mitigation in the upper Parramatta catchment. The four councils in the area, being Blacktown, Holroyd, Baulkham Hills and Parramatta, currently fear that the responsibility for flood mitigation will be transferred to them without any additional funding. Now they proposed an alternate funding source, a levy on waterfront properties, to the Premier and the Minister for Natural Resources in 2006, 18 months ago, but no response or even an acknowledgement has been received. My question is, what does the Government intend to do about the provision of flood mitigation services in the upper Parramatta and why has there been no response to these four councils 16 months after the original correspondence?

**Mr PHILIP KOPERBERG:** I thank the Member for her question. It would appear from the way in which the Member posed the question it may have fallen to the relevant Minister responsible for the Department of Primary Industry. In any event, I will take that the question on notice and either through the other Minister or whoever I will get a response to you.

## **ANSWER:**

Under the NSW Government's Flood Prone Land Policy, local councils have primary responsibility for managing flood risk. The Department of Environment and Climate Change provides councils with technical support through its floodplain risk management staff, and financial support through the State Floodplain Management Program, to develop and implement floodplain risk management plans in accordance with the Floodplain Development Manual.

Councils across NSW are also responsible for funding maintenance activities once flood structures and services are established. Assistance with future floodplain management activities can be sought by individual councils from the State Assisted Floodplain Management Program administered by the Department.

The Upper Parramatta River Catchment Trust was established as a temporary authority to address flooding problems arising from run-off from the catchments administered by the Councils of Parramatta, Baulkham Hills, Holroyd and Blacktown. There was a need for close collaboration between these four councils to address their individual floodplain management obligations, as actions taken by each council are capable of affecting adjoining council areas. The establishment of the Trust was an effective mechanism to establish this necessary cooperation.

The floodplain planning activities of the Trust have now concluded, and responsibility for floodplain management can return to the member councils, as it is with all other councils in NSW. A meeting is currently being arranged between the four councils

that comprise the former Trust, together with the Sydney Metropolitan Catchment Management Authority and the Department of Environment and Climate Change, to discuss remaining issues of concern arising from the closure of the Trust.

## **QUESTION**

**CHAIR:** Minister, how much new money has been allocated to resource officers to audit, assess and investigate the range of flood plain developments and harvesting activities in the State? How much additional money and staff have been allocated to the water compliance and enforcement team regarding potential environmental water theft?

**Mr PHILIP KOPERBERG:** Can I take the question on notice, please, Mr Chair?

**CHAIR:** Yes. Would you also be able to furnish information in terms of the previous budget and previous number of water compliance officers?

**Mr PHILIP KOPERBERG:** I will include that in the response.

## **ANSWER:**

Compliance is a core, recurrent function of the Department of Water and Energy. The IPART 2006 water pricing determination recognised a total of 16 compliance positions would be required to deliver appropriate water management services.

These staff work on the same range of compliance activities as previous DNR compliance officers but are now focused solely on water legislation. This includes investigating alleged illegal flood plain developments and harvesting and potential water theft.

The budget for compliance staff in 2006-2007 was \$5.2 million. Funding directed to the compliance effort in 2007-2008 remains proportional to the former DNR.

## **QUESTION**

**CHAIR:** On that, are we looking at all catchment management authorities having specific funding for indigenous programs?

**Mr PHILIP KOPERBERG:** That I will take on notice.

## **ANSWER:**

All Catchment Management Authorities in NSW have at least two identified Aboriginal positions specifically to provide community support for Aboriginal stakeholders. Recurrent budgets and external funding are identified to fund these staff positions.

The 13 Authorities are implementing specific Aboriginal activities, which are identified in their Investment Strategies approved by the NSW and Commonwealth Governments, with associated tied joint funding.

For example, the Hawkesbury-Nepean CMA supported the project 'The Stolen Generations' Memorial Pathway' at Mount Annan Botanic Gardens. The project was created by the Gandangarra Local Aboriginal Land Council Landcare Group in a partnership with Link Up NSW, the NSW Stolen Generation Committee, the Botanic Gardens Trust and the Hawkesbury-Nepean Catchment Management Authority. This project won the Gold Award at the 2007 NSW Landcare Awards.

Aboriginal engagement and involvement in the implementation of Catchment Action Plans by the Catchment Management Authorities is part of the Government's state-wide Standard for Natural Resource Management. The Natural Resources Commission audits compliance with this standard.



## **QUESTION**

**CHAIR:** I hope I am wrong but in summertime we see significant sub-linear outbreaks, particularly on the Hawkesbury Nepean in the recent past. I am wondering whether your department have any pre-emptive game plan for dealing with that? There has been quite a bit of concern raised about the chemical resolve to the matter. Does your department have any plans in terms of mechanical harvesting and using it as a compost gardening resource?

**Mr PHILIP KOPERBERG:** A deal of mechanical harvesting is certainly taking place on the Nepean already with varying degrees of success. As to the balance of the question, I will take it on notice and advise you as soon as possible, but within 21 days.

## **ANSWER:**

The management of aquatic weeds such as *salvinia* falls with the portfolio responsibilities of my colleague the Hon Ian Macdonald MLC, in his capacity as Minister for Primary Industries.

However, I can advise that in 2005 the NSW Government funded a successful trial involving the composting and use of aquatic weed from the Hawkesbury Nepean. The trial found that composting is an effective method of converting weeds extracted from waterways into a product that can be beneficially re-used to reduce erosion and act as a medium for promoting vegetation in degraded catchments.

### **QUESTION**

**The Hon. MARIE FICARRA:** I would like to ask a question about greenhouse gas emissions. How often is the average admission intensity rating adjusted in New South Wales to account for improvements in technology?

**Mr PHILIP KOPERBERG:** We will take that on notice, Mr Chair.

### **ANSWER:**

Under the NSW Greenhouse Gas Abatement Scheme, greenhouse emissions intensity is referred to as the 'NSW Pool Coefficient'. The NSW Pool Coefficient is adjusted annually.

The NSW Pool Coefficient does not account for improvements in technology if these improvements have been separately brought to account as abatement certificates under the Scheme, as this would then represent double counting of the abatement.

## **QUESTION**

**The Hon. RICK COLLESS:** I have a document here. I will not say where it came from but you could probably work it out if you are smart enough. It is from within the department. The document states, "All satellite monitoring for illegal land clearing has stopped in direct breach of the Government's election promise to increase it." The document is dated September 2007. I would ask you to check the claim that it is proceeding.

**Mr PHILIP KOPERBERG:** I will check that. By way of additional comment, I might say that in the current budget the Government has announced a further \$5 million for the development of this technology to address precisely the issues you have raised.

## **ANSWER:**

The Department of Environment and Climate Change's satellite monitoring remains in place and, in addition, the Department is significantly upgrading its capacity to utilise satellite imagery to monitor illegal land clearing. This includes \$5 million of Treasury capital funds this year on satellite-based woody vegetation extent monitoring that will greatly enhance the Department's capacity to detect clearing.

A new Vegetation Monitoring Program is being designed to provide more consistent, robust and affordable state-wide information on woody vegetation change, and will greatly streamline and expand the approach to illegal land clearing detection, investigation and enforcement.

### **QUESTION**

**The Hon. ROBERT BROWN:** Ministers, I raised an issue with the Minister for Primary Industries regarding what seemed to be environmental vandalism on the Murray River. Is one of the various departments under your purview responsible for the investigation and prosecution of any environmental damage caused in the river itself?

**Mr PHILIP KOPERBERG:** The answer is yes. We will take the specific complaint on notice.

### **ANSWER:**

The Department of Environment and Climate Change is working with the Department of Primary Industries and Corowa Shire Council to investigate this matter.

I can advise that all work near and in the Murray River has ceased while the investigation is being undertaken.

To date, the proponent has been cooperating fully with this investigation.

## **QUESTION**

**The Hon. ROBERT BROWN:** Minister, two years ago your department purchased Yanga Station. I understand originally it purchased about 80,000 hectares. It was reported at the time that the capital cost was somewhere in the range of \$30 million to \$38 million. Can you tell me how much of the original purchase has been retained at this point in time? How much has been sold, if any?

**Mr PHILIP KOPERBERG:** The purchase of the 80,000 hectare outback property Yanga by the Government in 2005 represents one of the most significant additions to the reserve system. As I alluded to earlier, as well as protecting the unique ecosystems, the establishment of the Yanga National Park and Yanga State conservation area, which we gazetted on 27 February 2007, it will assist the regional economy by providing new tourism opportunities and local jobs. The national park provides a high level of protection to the key wetland and river red gum areas. The State conservation area also ensures that opportunities associated with mineral exploration remain open. The Department of Environment and Climate Change is working closely with local communities, including business, to promote, develop and manage this major regional attraction. We want to ensure that future generations can also enjoy the spectacular beauty and amenity. As to the particular area retained, I will defer to Tony Fleming.

**DR FLEMING:** Four blocks have been sold. I will get the exact hectare figure during the course of the morning and get back to you.

**The Hon. ROBERT BROWN:** Thank you, Dr Fleming, good to see you again. Minister, in July 2005 the former Premier, the Hon. Bob Carr, said in press releases that the national park would inject about \$8 million into the local economy annually and employ up to eight staff in the first 18 months and a further 100 jobs will be created indirectly in the long term. Given that the Government has now had possession of the property for about two years, can you comment on whether any of those claims by the former Premier have been met? What is the current staffing level? Are there any measures of any flows into the economy at this stage? Bear in mind that at the time of the purchase the local shire councils, Wakool and Balranald, were concerned about loss of rates in the area—something like \$60,000 or \$70,000 a year. Could the Committee have an update on what the current situation is regarding staffing and economic flow into the community?

**Mr PHILIP KOPERBERG:** We will take that on notice.

## **ANSWER:**

The four blocks of land sold from the Yanga property amount to 6891 hectares.

The Department is working closely with the local community and businesses to promote, develop and manage this major regional attraction. This planning phase will

ensure Yanga offers a unique visitor experience, which in turn will encourage visitors and showcase the history of Yanga and the region.

There are no specific measures of economic flows at this early stage, however seven new jobs have been created at Yanga, five of which were filled by the Station's previous employees. In addition, three administrative positions and two trainee Aboriginal Field Officers positions have been created at Hay.

By the end of this year, the Department will have constructed a campground and day use area alongside the Yanga woolshed on the banks of the Murrumbidgee river. Two further campgrounds and day use areas will be open to the public by June 2008.

Since acquisition, the NSW Government has contributed to the local economy through engaging:

- shire and local contractors to upgrade 250 kilometres of fire trails;
- local contractors to construct new campgrounds and day use areas;
- local builders to upgrade the workshop;
- local contractors for spraying weeds and removing boxthorn; and
- local contract cleaners to clean the homestead on an on-going basis.

In addition, the Department supports local businesses through the purchase of plant, hardware and other supplies. The NSW Government has allocated more than \$2.2 million per year for park management costs at Yanga.

The State Conservation Area also ensures that opportunities associated with mineral exploration remain open.

### **QUESTION**

**CHAIR:** Minister, we talked about the Hotspots Program and Premier Iemma made an announcement on 9 March last year. At the same time he promised stronger on-the-ground enforcement. How many full-time staff are currently on the ground and dedicated to specifically investigating breaches under the Native Vegetation Act and where are they located?

**Mr SMITH.** ...I am happy to take on notice some specific detailed question about the numbers of staff and so forth, if that would give you some comfort.

### **ANSWER:**

The Department of Environment and Climate Change has 27 equivalent full time staff dedicated to undertaking compliance audits and investigating breaches under the Native Vegetation Act. These staff are located at regional offices in the Hunter, North Coast, Central West, North West, South, the Illawarra and metropolitan Sydney.

In addition, the equivalent of approximately 25 equivalent full-time management, legal and scientific staff are involved in working on or supporting on-ground enforcement of the Native Vegetation Act.

That means that there are a total of 52 full-time equivalent staff in the Department across the State working to support enforcement of the Native Vegetation Act.

## **QUESTION**

**The Hon. RICK COLLESS:** I turn to a specific issue regarding one of your officers by the name of Tom Grosskopf. Is it a fact that until 2005, 2006 this officer had an annual travel budget of around \$50,000 to allow him to travel between his home in Orange, his office in Wellington and Sydney, as well as a fully maintained government vehicle?

**Mr PHILIP KOPERBERG:** I understand the person was employed by the former Department of Natural Resources, but I will take that question on notice.

**The Hon. RICK COLLESS:** Is the Government meeting this officer's relocation expenses to Sydney, even though that move is at his own request?

**Mr PHILIP KOPERBERG:** I will have to take that question on notice, Mr Chair. You would not expect me to be aware of that level of detail.

## **ANSWER:**

In 2005 and 2006 Mr Grosskopf was employed by the former Department of Natural Resources. The former department's finance information shows that Mr Grosskopf's annual travel expenditure was almost half the figure quoted.

Mr Grosskopf has a salary packaged vehicle, with 50 per cent business and 50 per cent private usage.

Mr Grosskopf is entitled to reimbursement of reasonable costs of relocation, and these will be met in accordance with normal Senior Executive Service conditions.

Costs of travel for Mr Grosskopf under the new location arrangements will be lower than the previous arrangement.



### **QUESTION**

**a) The Hon. RICK COLLESS:** Can the department provides some details of the land clearing breaches per year, in particular the number of prosecutions, fines, locations and area of land cleared?

**Mr PHILIP KOPERBERG:** I will take it on notice.

### **ANSWER:**

Statistics on the land clearing breaches, prosecutions and fines are available from Annual Reports of the former Department of Natural Resources, and will be available in future Department of Environment and Climate Change Annual Reports.

Compliance activity in 2007 has been focussed on the NSW North Coast, with three prosecutions in Lismore and Kempsey areas.

## **QUESTION**

**The Hon. RICK COLLESS:** The Government had announced a fund of \$37 million to compensate farmers for loss of land clearing rights. How much of that fund has been taken up?

**Mr PHILIP KOPERBERG:** I will have to take that on notice.

**The Hon. RICK COLLESS:** I understand that the package included \$15 million for sustainable farming grants, \$12 million in exit assistance packages and \$10 million to help farmers unable to set aside offset areas for the environment in return for clearing. Can you provide us with a detailed breakdown of exactly how much of that money has been spent, whether the funding package is still available and until when?

**Mr PHILIP KOPERBERG:** Yes, we will. The member is quite correct in his apportionment—\$15 million in sustainable farming grants, \$12 million in farmer exit assistance and \$10 million for offset pools. So, we will provide details of that.

## **ANSWERS:**

The \$37 million Native Vegetation Assistance Package is funded from the Environmental Trust to help farmers who experience financial hardship as a result of the introduction of the *Native Vegetation Act 2003*. It is worth noting that landholders who are impacted by the new Code of Practice for private native forestry, which became operational on 1 August 2007, are now also eligible to be considered for assistance under the Package. So far, \$1.2 million in total has been taken up by farmers.

The Package commenced on 1 July 2006 and the funding is available until 30 June 2009.

I understand that \$1.2 million has been spent on purchasing a property near Casino under the Farmer Exit Assistance component. This component of the package is available to farmers who can demonstrate loss of commercial viability under the new legislation. I am informed that three other properties have progressed to the valuation stage under this component of the program.

Applications for funding under the Sustainable Farming Grants or the Offsets Pool are currently being considered by the relevant Catchment Management Authorities.

## **QUESTION**

**The Hon. MARIE FICARRA:** Moving on to national parks, can you tell the Committee how much revenue is currently being received from commercial activities in national parks, such as kiosk leases and accommodation hire of residential properties located in national parks?

**Mr PHILIP KOPERBERG:** Yes. There is a range, as you would expect, in other incomes to the National Parks and Wildlife Service. I am advised that from the rental cottages the income is \$160,000; consulting services are in the order of \$1.7 million; Murray-Darling Basin Commission, \$6.2 million; stock agistment, \$54,000; river management agreements, \$856,000; minor sales, including lab testing services and what have you, \$2.6 million; materials to produce goods and services, \$278,000; investment income, \$551,000; grants and contributions of \$2.489 million; and publication sales and the like, in the order of \$1.725 million. I have completely misled the Committee. I was giving you figures from the Department of Water and Energy.

**The Hon. MARIE FICARRA:** If you could just take it on notice. Revenue currently received from commercial activities, if you could provide it.

## **ANSWER:**

Approximately \$13 million was received in 2006-07 from commercial activities in national parks, including all those sources indicated in the question. This revenue is used for on-ground park management and conservation works throughout the State.

## **QUESTION**

**The Hon. MARIE FICARRA:** It would be good if you could give us the accurate figures. What does the department estimate to be the likely increase in revenue as a result of the amendments being proposed to the National Parks and Wildlife Amendment (Leasing and Licensing) Bill 2007?

**Mr PHILIP KOPERBERG:** I will take it on notice.

**The Hon. MARIE FICARRA:** And if you could provide that confirmation about the budget papers?

**Mr PHILIP KOPERBERG:** Sure.

## **ANSWER:**

The amendments proposed by the National Parks & Wildlife Amendment (Leasing & Licensing) Bill 2007 are not specifically intended to increase revenue. Rather, they are intended to remove uncertainty as to the permissibility of certain commercial activities in some reserves.

It is expected that commercial tour operators in the Worimi Conservation Lands, for instance, will be able to be licensed following the amendment. The Department estimates that this may be worth a maximum of \$250,000 per year. Revenue received must be spent on management of the Worimi lands.

It should be noted that the current commercial licences are issued by Port Stephens Council, so any change in the Department's revenue is attributable to the transfer of management responsibility from Council to the Department of Environment and Climate Change.

## **QUESTION**

**The Hon. ROBERT BROWN:** Minister, I was pleased to hear your answer that your preference is for a flood-efficient management structure. I appreciate the difficulties that you are going to have now incorporating such a wide range of departments into the 1½ to 2 portfolios. I am aware that the Minister for Primary Industries had similar problems when he did his rationalisation. In regard to the National Parks and Wildlife Service and the management of national parks, firstly, terrestrial national parks, you probably do not have the figures to hand but can you advise the Committee whether you have done any comparisons on the cost of management of terrestrial national parks on a per hectare basis in the last 10 years and, if so, has there been any increase in the cost per hectare over and above the consumer price index?

**Mr PHILIP KOPERBERG:** You are perfectly right, I do not have that sort of financial data to hand but I am happy to provide it and take the question on notice.

## **ANSWER:**

It should be noted that the structure of the National Parks and Wildlife Service has changed as a result of its integration into the Department of Environment and Climate Change, making direct comparison of annual budget figures difficult.

It is possible, however, to reach a broad estimate of these figures. In the 1993-94 budget, the then coalition government provided about \$60 million to the National Parks and Wildlife Service to manage approximately 4 million hectares, which equates to less than \$16 per hectare. In the 2006-07 budget, the Department estimates the NSW Government provided about \$230 million to manage 6.6 million hectares, which equates to about \$35 per hectare. The park system has grown by 2.6 million hectares over this period and now covers about eight per cent of the State.

The weighted average Consumer Price Index moved from 111.2 in the June 1994 quarter to 157.5 in the June 2007 quarter. Adjusted for inflation, \$16 in 1993-94 equates to about \$22.66 in 2006-07. This means there has been roughly a 54 per cent real increase in funding on a per-hectare basis over this period.

This has significantly enhanced the Department's capacity to manage land under its control, as well as fulfilling many of its off-park conservation responsibilities.

### **QUESTION**

**The Hon. ROBERT BROWN:** How many baseline biodiversity studies have been done in the Eden bioshelf region?

**Mr PHILIP KOPERBERG:** I will defer to my colleague the Hon. Verity Firth.

**The Hon. ROBERT BROWN:** The unasked question there is, in preparation for the future declaration of a marine protected area.

**Ms VERITY FIRTH:** I will take on notice the question about whether any baseline studies have been done.

### **ANSWER:**

The Marine Parks Authority released an assessment of the marine biodiversity in the Twofold Shelf Bioregion, which includes the NSW waters around Eden, in 2005.

The report is entitled 'Broadscale Biodiversity Assessment of the Batemans Shelf and Twofold Shelf Marine Bioregions' and is available on the Marine Parks Authority's web site.

## **QUESTION**

**CHAIR:** Minister, there is some concern that, with the changeover you have made, in certain circumstances former Natural Resources staff are in place and they are primarily former foresters, rather than forest ecologists, and they are being given primary responsibility for private native forestry policy and compliance in the Department of Environment and Climate Change. Could you comment on that? Also, could you assure me that the rules restraining ecological harvest plans are developed by highly qualified, independent ecologists and not by staff now working in the Department of Environment and Climate Change who were responsible for some of the failings under the current code, and how you guard against that?

**Mr PHILIP KOPERBERG:** Obviously I cannot tell you, without reference, which staff prepare which particular policy issues, but I am happy to look at it.

## **ANSWER:**

The Department of Environment and Climate Change's Private Native Forestry Section is a mixture of staff of the former Department of Natural Resources and the former Department of Environment and Conservation, and the Department is currently recruiting additional staff to the Private Native Forestry Section.

The staff come from a range of professional backgrounds including ecosystems management, ecology, forestry, soil science, botany, law, agriculture science, geology, environmental science, natural resource management and limnology. This range of professional skills ensures that the Department has a sound understanding of the nature of the industry and the environment in which it operates, and how to effectively move the industry towards operating sustainably.

All the Department's private native forestry officers have some role in compliance, from advising the community, issuing approvals, education and training, monitoring and auditing, to assisting with investigations and enforcement action. In addition, the Department has specialist compliance officers who will take carriage of investigating alleged breaches of the Private Native Forestry Code, and the Native Vegetation Act and Regulation.

Successful compliance relies on a wide range of expertise and skills and the Department draws on the full range of expertise at its disposal to ensure a high quality of service is provided to both the regulated community and the community at large.

I approved the Private Native Forestry Code of Practice under the *Native Vegetation Act 2003* because I was satisfied that environmental outcomes would be either improved or maintained under the Code. In addition, I granted biodiversity certification of the Code on the grounds that I am satisfied the Code meets the objects of the *Threatened Species Conservation Act 1995*.

The Code is a major step forward for NSW in the management of our native forests and I am proud of the Government's achievement in introducing it. This is not to say the Code cannot be improved, and once it is tested there may be some features of the Code that will need to be changed and modified, but I am confident it has set the right course for the management of our private native forests.

The concept of Ecological Harvesting Plans contained within the Code is about ecological restoration and has been practised in Europe and North America for a number of years. The aim of an Ecological Harvesting Plan is to assist the forest progress from a degraded structure towards benchmark quality Endangered Ecological Community. It also will provide the landowner some economic return for their management of an Endangered Ecological Community, which is in the public interest.

If an ecological harvesting plan is granted it would be subject to conditions that would ensure environmental outcomes are improved or maintained for that ecological endangered community. The harvesting of ecologically endangered communities, if permitted, would be tightly controlled through stringent operating, retention and restoration conditions and subject to audits carried out by the Department.

Ecological Harvesting Plans are approved by the Director General of the Department. The Department is currently developing the guidelines against which Ecological Harvesting Plans can be assessed, and will make the guidelines publicly available when they are complete.



## **QUESTION**

**CHAIR:** Thank you. I will take that opportunity. What is the total budget allocation, monitoring and enforcement of covenants over protected biobanking sites?

**Ms VERITY FIRTH:** I will take that question on notice.

## **ANSWER:**

The BioBanking scheme has not yet commenced, and therefore monitoring and enforcement programs are not yet underway.

The total budget for monitoring and compliance will be determined by the overall level of participation in the biobanking scheme. An annual fee of \$1,100 per biobank site is proposed to help cover the costs of ongoing compliance.

A draft Compliance Assurance Strategy for biobanking will soon be placed on exhibition for public comments, with submissions accepted until February 2008.

It is proposed that compliance activities use escalating levels of enforcement to ensure that conservation outcomes are achieved and to rectify any breaches of biobanking agreements.

In addition to inspections, audits and investigations, the Minister has the authority to:

- suspend or cancel credits;
- order the retirement of credits;
- order the owner to rectify a breach of a biobanking agreement; and
- in extreme cases apply to the Land and Environment Court for an order to transfer land to the Minister or another body nominated by the Minister.

The biobanking scheme will also provide public registers and an accreditation system for surveys and assessments. Except for Part 3A developments under the *Environmental Planning and Assessment Act 1979*, developers need to meet a strict 'improve or maintain test' to be allowed to participate in the scheme, and they need to get a statement from the Department to do so.

## **QUESTION**

**The Hon. MARIE FICARRA:** On equality, particularly vapour recovery stage two plans, how does the contribution of petrol and diesel from cars compare to the noxious fumes associated with lawnmowers, boats, and solid fuel stoves? What plans does the Government have for these products? Will lawn mowing be banned or will households be required to install vapour recovery equipment on their Victa's? If you are going to be consistent, this is a serious question.

**Ms VERITY FIRTH:** From my understanding we do not have any detailed data on petrol vapour emissions from lawnmowers—oh, we actually do. I will take that on notice and I will provide that to you.

## **ANSWER:**

I understand that the Commonwealth Government, in collaboration with NSW and the other states, is evaluating a range of national management approaches for the control of emissions from new petrol lawn mowers, handheld power equipment and outboard engines.

In the Sydney region, motor vehicles contribute approximately 38 per cent of annual human-generated Volatile Organic Compound emissions, solid fuel heaters approximately 7 per cent, lawn mowing approximately 4 per cent and boating approximately 2 per cent.

NSW regulates petrol volatility emissions in summer as a key means to minimise smog-forming pollution in the Sydney greater metropolitan area. In addition to motor vehicles, this regulation also limits pollution from other petrol driven devices such as lawnmowers.

The implementation of stage two vapour recovery technology, proposed for service stations in the Sydney region, involves the fitting of technology to petrol bowsers to allow the capture of vapours (including Volatile Organic Compounds). This technology will also be effective in capturing petrol vapours when refilling fuel cans used for lawn mowers, outboard motors or other petrol driven devices when they are filled at a service station.

## **QUESTION**

**CHAIR:** On the matter of threatened species protection, I wonder what the budgetary expenditure for threatened species protection for this year is, how it compares to the three previous years and why was the threatened species unit at Coffs Harbour closed down?

**Mr PHILIP KOPERBERG:** I will take the first part of your question in terms of expenditure on notice, thank you, Mr Chair.

## **ANSWER:**

The Department of Environment and Climate Change has had a consistent commitment to threatened species over the last three years and remains committed to investment in threatened species protection. The allocations have been as follows:

- 2004/05 - \$8.1 million
- 2005/06 - \$8.8 million
- 2006/07 - \$10 million
- 2007/08 - \$11 million

These figures are approximate as expenditure attributable to threatened species protection often overlaps with other related activities such as:

- staff involved in Native Vegetation protection;
- staff involved in scientific research related to threatened species;
- staff managing national parks.

The Threatened Species Unit in Coffs Harbour remains operational, however it was renamed as the Biodiversity Conservation Section.

## **QUESTION**

**The Hon. RICK COLLESS:** Minister, can you advise the Committee of the financial relationship between the Department of Water and Energy and the water corporations, the irrigation corporations, such as Murray Irrigation?

**Mr PHILIP KOPERBERG:** With the Chair's consent I will refer that to David Harriss.

**Mr HARRISS:** The irrigation corporations were privatised in 1995. So they operate under the Corporations Law. The bulk water charges—which are paid by the irrigation corporations; they are not just paid by individual water users—are determined by the Independent Pricing and Regulatory Tribunal [IPART].

**The Hon. RICK COLLESS:** Can you advise the Committee if the Government receives the dividend from those water corporations each year?

**Mr HARRISS:** I am unaware of any dividend. I might have to take that question on notice.

## **ANSWER**

The privatised Irrigation Corporations do not pay dividends to the NSW Government. State Water Corporation does pay dividends due to its status as a State Owned Corporation.

The NSW Government, through the Department of Water and Energy, provides funding to both Murrumbidgee and Murray Irrigation. These funding agreements were negotiated at the time of privatisation for a 15 year duration, and generally aim to refurbish or replace assets at the end of their service lives or upgrade structures to meet Occupational Health and Safety requirements.

## **QUESTION**

**The Hon. RICK COLLESS:** Minister, you might be interested in this too. I know of some irrigators down there who have accounts this year for fixed water charges in excess of \$100,000. They have virtually no irrigation allocation and they have no opportunity to make any money for the next couple of years, more than likely. Yet they are still faced with accounts for fixed water charges for over \$100,000. Do you think that is a reasonable situation for business people to find themselves in?

**Mr PHILIP KOPERBERG:** Deferred billing, whilst impacting on the budget cash receipts, would not result in a loss of revenue in the Department of Water and Energy over the medium term. On the other hand, the waiving of charges could reduce revenue by up to \$16 million, in fact \$19 million for the current year. What we are intending to do is to work with the irrigators to enter into arrangements that will lessen the burden on them. There are extensive drought relief packages available. The details of these I am happy to provide on notice but they are extensive. In the meantime, we will keep working with water users to try to mitigate as best we can the hardships that they are experiencing. As I said, the Government is making available a wide range of relief measures and I am happy to provide detail of those on notice.

## **ANSWER**

There are a range of drought relief packages available. The NSW Government has thus far provided some \$335 million in drought assistance measures. These include:

- Financial assistance for emergency drought works, water carting and purchase under the Country Towns Water Supply and Sewerage program. Over \$27 million was approved in 2006/07.
- Waiving of 2006/07 fixed water charges in the Lachlan Valley;
- Drought transport subsidies, which provide rebates on the transport of fodder, stock water, stock to sale/slaughter, stock to and from agistment, and domestic water;
- The Business Drought Assistance Program, which helps regional, non-farm businesses survive the drought;
- Drought household assistance, which helps with the payment of household bills;
- The special conservation loan scheme; and
- The Extraordinary Assistance Package, which provided \$20 million to southern irrigators adversely impacted by suspended water allocations.

In addition, the NSW Government provides a range of drought support services, including drought support workers, rural and financial counsellors and mental and physical health support.

## **QUESTION**

**The Hon. MARIE FICARRA:** Point of order: I am really interested in the scientific dissertation because I am a scientist but that can come second and you can give that on notice, if you like. I asked about the recommendations from a report back in 2002 from the very same university you are now recommending, congratulating and cooperating with. Can you tell me what your department has done since 2002 to put in place the recommendations that your Government commissioned back then to control blue green algae?

**Mr TANNER:** I will have to take that question on notice.

## **ANSWER**

The project referred to was an arrangement between the former Department of Land and Water Conservation and the University of NSW in 2002, whereby the University would undertake identification and toxicity testing of algae samples collected by the Department, using new genetic testing techniques that the University had developed at its laboratory. The following summer, agreement was reached with the University's Dr Nielan to transfer the new technology to the Department's (then known as Department of Infrastructure, Planning and Natural Resources) own water laboratory at Wolli Creek, so that the testing could be undertaken in-house with quicker turnaround times.

The aim of the collaborative project at Wolli Creek was to try to develop one of Dr Nielan's research techniques into a routine technique for undertaking rapid assessment of multiple environmental samples for algal toxicity. The process was not able to be developed to a stage where results were provided as rapidly as required. As explained during the committee hearing, the Sydney Catchment Authority is currently working with Dr Nielan, using his genetic testing technique on samples of the algal bloom currently present in Lake Burragorang. This testing has found that over 99% of the algal cells within the lake do not have the toxicity gene.