

GENERAL PURPOSE STANDING COMMITTEE No. 5

Friday 16 September 2005

Examination of proposed expenditure for the portfolio area

ENVIRONMENT AND THE ARTS

The Committee met at 2.00 p.m.

MEMBERS

Mr I. Cohen (Chair)

The Hon. J. C. Burnswoods
The Hon. R. H. Colless
The Hon. G. J. Donnelly
Ms S. P. Hale

The Hon. C. J. S. Lynn
The Hon. J. G. Jenkins
The Hon. H. S. Tsang

PRESENT

The Hon. R. J. Debus, *Environment and the Arts*

Ministry for the Arts

Mr R. Wilkins, *Director-General*

Ms J. Lindsay, *Deputy Director-General*

Ms R. Cheetham, *Financial Controller*

Department of Environment and Conservation

Ms L. Corbyn, *Director General*

Dr A. Fleming, *Deputy Director General, Parks Services Division*

Mr G. Head, *Managing Director, Sydney Catchment Authority*

Mr S. Smith, *Director General, Environment Protection and Regulation Division*

Mr A. Diakos, *Executive Director, Corporate Services Division*

Botanic Gardens Trust

Dr Tim Entwisle, *Executive Director*

CHAIR: I welcome the Minister and departmental staff to this public hearing of General Purpose Standing Committee No. 5. At this meeting the Committee will examine the proposed expenditure for the portfolio areas of Arts and the Environment.

Before questions commence, some procedural matters need to be dealt with. I point out that in accordance with the Legislative Council's guidelines for the broadcast of proceedings, which is available from the clerks and the attendants, only members of the Committee and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photographs. In reporting the proceedings of this Committee you must take responsibility for what you publish or what interpretation you place on anything that is said before the Committee. There is no provision for members to refer directly to their staff while at the table. Members and their staff are advised that any messages should be delivered through the attendant on duty or the Committee clerks.

The Committee has agreed to first examine the Arts portfolio. An hour has been allocated for each one, but we expect to get through the Arts portfolio a little earlier, in which case we will go straight into the Environment and perhaps spend a little longer on the Environment. I hope that is all right with the Minister. I declare the proposed expenditure open for examination. Minister, do you wish to make a brief opening statement?

Mr BOB DEBUS: I make an apology for being several minutes late. There is activity in several of my portfolios. I should perhaps forewarn the Committee that I have been the Minister for the Arts for only a couple of weeks and would almost certainly be not as familiar with some of the detail that may be asked for as would be the case in other areas.

The Hon. RICK COLLESS: Minister, according to the disclosure of political contributions in relation to the 2003 election, the New England Regional Art Museum [NERAM] at Armidale made a donation of \$1,300 to the honourable member for Northern Tablelands, Richard Torbay. Do you believe that it is appropriate for an arts body that is partly financed from public funds via the State Government to be making political contributions to a candidate?

Mr BOB DEBUS: I do not think, of itself, such a donation offends any established principle in the relevant legislation, but it is a matter I would consider some more.

The Hon. RICK COLLESS: Do you consider it is appropriate?

Mr BOB DEBUS: It depends entirely on the circumstances.

The Hon. RICK COLLESS: Did the Minister at the time authorise NERAM to make that donation?

Mr BOB DEBUS: Certainly not that I am aware of.

The Hon. RICK COLLESS: When did the Minister become aware that that donation had been made?

Mr BOB DEBUS: Which Minister?

The Hon. RICK COLLESS: The Minister for the Arts at the time, it would have been.

Mr BOB DEBUS: That would have been the Premier.

The Hon. RICK COLLESS: I understand that.

Mr BOB DEBUS: Perhaps you might be reminded that he is no longer here and that I personally would not have the faintest idea if or when anybody had any awareness.

The Hon. RICK COLLESS: Perhaps I could ask the staff. The director general might be able to shed some light on whether the Minister was aware of that donation, and when he became aware?

Mr WILKINS: I have no idea. The first I have known of it is now.

The Hon. RICK COLLESS: Minister, will you ask the New England Regional Art Museum to request that that money be returned to the museum?

Mr BOB DEBUS: No.

The Hon. JAN BURNSWOODS: We do not even know that it was given.

The Hon. RICK COLLESS: Yes, we do. I am sorry, Jan. Here it is here in a political contributions list.

The Hon. JAN BURNSWOODS: Are you going to call me Jan Burnswoods or give me some title?

CHAIR: Can we please just go through the process of the member asking the Minister questions. I am sure he is able to deal with the situation.

The Hon. RICK COLLESS: So are you not answering that question, Minister?

Mr BOB DEBUS: I already did. I said no.

The Hon. RICK COLLESS: You will not be, okay.

Mr BOB DEBUS: We are talking about an independent organisation that receives—

The Hon. RICK COLLESS: That receives public funds.

Mr BOB DEBUS: That receives that some public funds in support of its activity.

The Hon. RICK COLLESS: Minister, will you guarantee that the New England Regional Art Museum will not use any of the State Government funding received from this budget for the purpose of making political donations?

Mr BOB DEBUS: Yes, I think I could do that. That is the question you should have asked in the first place.

The Hon. RICK COLLESS: Will the Minister act to ensure that NERAM does not make political donations in the future?

Mr BOB DEBUS: It is an independent body. I do not have the authority to do that.

The Hon. RICK COLLESS: Minister, can you confirm whether any other arts bodies in New South Wales that are funded even in part by the State Government have made donations to political candidates?

Mr BOB DEBUS: I am not aware of it.

The Hon. RICK COLLESS: In 2005-06 the budget allocation for the Ministry for the Arts is 8.5 per cent less than it was in 2004-05. Despite this, the operating expenses have increased, including those that are employee related. Why was it necessary to cut the budget for the Ministry for the Arts by 8.5 per cent from \$91 million in last year's budget to only \$83.3 million this year?

Ms LINDSAY: Could I get the precise figure again, please?

The Hon. RICK COLLESS: Sure. It was \$91 million last year, cut to \$83.3 million this year, and the reference is Budget Paper No. 3, Volume 1, page 2-93, if you want to have a look at it.

Mr BOB DEBUS: I will ask Ms Jennifer Lindsay, who is the deputy director general, to respond to that question.

Ms LINDSAY: The largest part of that reduction is due to changes to the then Sydney Opera House Venue Improvement Program [VIP], which is a capital program. A capital program is not a continuous or recurrent allocation. It comes through the Ministry for the Arts as a grant and then gets counted as our recurrent allocation, but it is actually for capital works. As a result, the capital program will vary, depending on the work program and the cash flow that you need for building works.

The Hon. RICK COLLESS: With the grants and subsidies from the Ministry slashed by 9.5 per cent from \$82.2 million to just \$74.3 million, how do you justify increases in the Ministry's operating expenses of 10.75 per cent from \$6.5 million to \$7.2 million, which is also stated on page 2-93?

Ms LINDSAY: It is largely the same answer, but when you talk about the operating expenses, we also have within the Ministry's allocation a number of maintenance expenditures related to the property portfolio that we administer. You really are comparing a lot of apples and a lot of pears, so we have the largest item, in terms of the grants reducing, being the reduction in the Opera House VIP. There were also global savings on the Cultural Grants Program, like in all other government departments, but the operating expenses side of things also reflects some property expenditure there.

The Hon. RICK COLLESS: But the operating expenses still increased by that 10.75 per cent despite that, did they not?

Ms LINDSAY: I just need to check. I think there have certainly been no increases in salaries. There have been no increases in normal office expenditures. The probable answer is related to our property portfolio changes, but I just need to check that for you.

The Hon. RICK COLLESS: You may take that on notice, if you like.

Ms LINDSAY: I do not have the precise amounts, but in terms of operating expenses, the changes are attributable to maintenance expenditure on properties.

The Hon. RICK COLLESS: With the average staffing numbers in the Ministry maintained year after year and the overall budget being cut by 8.5 per cent, how do you explain a 6.3 per cent increase in employee-related expenses, representing an increase from \$3.857 million to \$4.102 million, as set out on pages 2-96 and 2-97?

Ms LINDSAY: I think the largest factor to explain that is the actual award increases, but if I could just take a minute I will check that. It is attributable to award increases in our salaries.

The Hon. RICK COLLESS: Do you believe that it is appropriate to subsidise to cut services to the arts community by \$9.4 million while increasing the operating expenses of the bureaucracy that is supposed to be providing those services?

Mr BOB DEBUS: I think it is reasonable to point out that the only significant changes in staffing costs are salary increases that are not determined by the Ministry at all. Just to reinforce the understanding, the decrease in grants is all about the Opera House and the circumstances that have already been described.

The Hon. RICK COLLESS: My question is about employees. Does the Arts portfolio have any displaced employees at the moment?

Ms LINDSAY: We have two employees on the redeployment list within the portfolio.

The Hon. RICK COLLESS: What is the situation? How long have they been there?

Ms LINDSAY: I cannot answer that, I do not know.

Mr WILKINS: We are talking about 1,800. Of a staffing complement of 1,800 people there are two displaced.

The Hon. RICK COLLESS: Does that mean two people have registered and others who have been displaced but not registered, or have not elected to become displaced? What is the number of the unregistered employees?

Mr WILKINS: What do you mean by registered?

The Hon. RICK COLLESS: It is becoming obvious that a number of people have requested to be registered as displaced employees. There has been some confusion about where those people show up in the bureaucracy.

Mr WILKINS: I am not familiar with that concept of registration of displaced people.

The Hon. RICK COLLESS: They are not actually on the list of displaced persons; they have to elect to be on the list. Is that the case?

Mr WILKINS: I would not have thought so. I do not understand this concept; this is a novel concept for me. Presumably, as the chief executive officer I would know whether someone was displaced.

The Hon. RICK COLLESS: We might come back to that.

Mr BOB DEBUS: There is some confusion about this. Questions of this nature were asked this morning in another estimates hearing. It is clear that the Coalition is asking some standard questions but I think there is confusion about the nature of redundancy arrangements, and they need to be made straight.

The Hon. RICK COLLESS: Would you clarify it for us?

Mr BOB DEBUS: In the entire complement of those who answer to the heads of the Ministry of Arts, only two are displaced at the moment; that is to say, who do not have a job to do.

Ms LINDSAY: They are on what we call the redeployment list.

The Hon. CHARLIE LYNN: My question is in regard to the Australian Museum. The budget for the Australian Museum has been cut by 2 per cent in this budget compared to the 2004-05 budget, from \$36 million to \$35.3 million, yet the employee-related expenses seem to have increased by 4 per cent, from \$18.8 million to \$19.5 million, even though the average staffing level has been maintained at 234 employees. How do you account for that contradiction?

Mr BOB DEBUS: I would be extremely surprised if it was actually a contradiction. The explanation would be similar to the one just given in respect of the Ministry. There have been salary increases as a consequence of awards; there have been budget constraints of a global nature. I cannot at this moment be more precise than that.

The Hon. CHARLIE LYNN: Regarding acquisitions, the Australian Museum has made half the number of acquisitions this year that it made three years ago; that is 100,000, down from 272,000 in 2002-03; half the number of publications two years ago, 40, down from 71 in 2003-04; and has continued to attract fewer visitors, 290,000 in 2005-06, down from 305,000 in 2004-05 and 380,000 in 2002-03. My question is: Is the ability of the Australian Museum to maintain an appropriate level of activity and attract sustained patronage severely compromised by a reduction in operating budget compounded by a simultaneous increase in the level of percentage of employee-related expenses?

Mr BOB DEBUS: One particular matter you raised was the number of research papers. The decrease that has occurred there over a number of years simply reflects the change in the museum's strategy, through which it has put greater emphasis on producing more substantial but fewer publications and monographs. Research work that is undertaken this year is within principles established by the newly convened Science Advisory Committee, which has upon it both external members and members of staff. But we are not here talking about a fall in productivity; we are simply talking about a more disciplined way of preparing monographs.

With research monographs, if you want to just build up the numbers you split them up into a few different bits and pretend that they are about different subjects. The question is their actual quality and comprehensiveness. The visitation rate has changed. In 2004-05 it was more than in 2003-04 but less than in 2002-03. Those fluctuations are easily explained. In 2002-03 there were two fantastically successful exhibitions from China, one called Chinese Dinosaurs and the other about the ancient emperors of China. Everyone knows that if a museum can have an exhibition about dinosaurs, its numbers will go far above the average because every child in the city and beyond wants to see a dinosaur exhibition. However, they feel less enthusiastic about, for instance, an exhibition called Life Beyond the Tomb. Nevertheless, Life Beyond the Tomb was of great intellectual importance and was conducted in 2004-05. Some exhibitions get a big reputation and some get a lesser reputation. Therefore, the numbers fluctuate within the kinds of parameters that we have been describing.

On the question of acquisitions, they vary for something like the reasons I have mentioned with respect to research papers and visitor numbers for exhibitions. In particular, you can have the museum looking at items that it particularly values for a scientific purpose, but their actual cost may be somewhat at variance. And really that is what has occurred. The number of items and the dollar value have fluctuated quite a lot over the past four or five years, but last year and this year the numbers are higher than they were the year before that, and lower than they were the year before that. But it signifies nothing in particular apart from the everyday reality of the conduct of the intellectual life of the museum.

The Hon. RICK COLLESS: I turn now to public libraries. I understand that New South Wales is currently spending \$3.61 per person on public library services. Both the Victoria and Queensland governments spend \$5 per person. Do you think New South Wales public libraries are underfunded?

Mr BOB DEBUS: This is a perennial question to which there is a perennial answer, which I believe either Mr Wilkins or Ms Lindsay are more competent to present than I am.

Mr WILKINS: I would be interested to know whether the amounts you quote are contributions from State governments?

The Hon. RICK COLLESS: This year \$24.8 million has been allocated for the State's public libraries through the State Libraries Subsidy and Grants Program. Is that correct?

Mr WILKINS: Yes.

The Hon. RICK COLLESS: While this is an increase of \$2.4 million over last year, it remains at just \$3.61 per capita, well below that of all the other States.

Mr WILKINS: I have had considerable argy-bargy with the Treasury about this over a number of years. It works out that as far as library users are concerned, New South Wales library users are as well off as anybody else in Australia. The point is more a tussle between local government and the State Government as to who should be making what level of contribution, and how those shares should be arranged. From a library user's point of view, the more interesting question is the level of subsidy from governments, both local and State combined. You may say that maybe the State Government should put in more, and local government less; that may be a legitimate argument, but it is a somewhat academic dispute as far as users are concerned. New South Wales library users are no worse off than Victorian library users.

The Hon. RICK COLLESS: On a per capita basis do fewer people use libraries in New South Wales?

Mr WILKINS: No. I am saying that if you go to Victoria you will find that the State Government puts in more and local government puts in less. In New South Wales, local government puts in more and the State Government puts in less.

The Hon. RICK COLLESS: Would it be fair to say that if the State Government put in more local government would put in less?

Mr WILKINS: Yes.

The Hon. RICK COLLESS: There is a bigger burden on local government in New South Wales than there is in other States?

Mr WILKINS: You could say that. That is one way of portraying it.

Ms SYLVIA HALE: It is another example of cost shifting to local government.

The Hon. RICK COLLESS: That is right.

Mr WILKINS: No, it is historically the way things have been done.

Mr BOB DEBUS: This formula has a very long history.

The Hon. RICK COLLESS: I am sure it does.

CHAIR: Minister, I am sure you are aware that the Chauvel Cinema in Paddington may be closing in the near future. Has your department made any offer of assistance, such as a subsidy, to keep the Chauvel operating?

Mr BOB DEBUS: As you would be aware, Mr Chairman, the premises of the Chauvel, the Paddington Town Hall, are actually leased from the City of Sydney and the Australian Film Institute [AFI], which is a national organisation, traditionally funded by the Federal Government. That funding has been cut back in recent times. The way that the State Government has provided assistance to the Chauvel has been to give some money to assist with particular award screenings and that kind of thing. In fact, the State Government has never made a contribution to subsidise the commercial activities of the AFI. The prospect of the closure of the theatre is, of course, regrettable.

I myself have enjoyed more than an occasional visit there, but our understanding is that the actual audience base at the Chauvel is changing and that it does not automatically follow that it is the most efficient use of the State's limited funds in the film area to provide a subsidy to Chauvel. Certainly the New South Wales Film and Television Office will continue its rather wide range of support for the film industry. Amongst other things, it has substantially increased its funding for this year's Sydney Film Festival. The Chauvel has been supported by the Federal Government and the changes are not of the sort that can self-evidently be cured merely by the injection of a small amount of money from the State Government.

In addition to all that, as I understand it there is a strong possibility of some alternative arrangements being made that will, as it were, provide a substitute for the activity that has been conducted at and by the Chauvel, should it actually cease operation. An administrator is there at the moment so maybe things will be fixed. The answer is that after some consideration, and not without sympathy, the policy of the Government has been to avoid making a direct subsidy but to keep a careful watch on the situation, to be as helpful as it can, and to support alternative arrangements should they become appropriate. I believe that Ms Lindsay has some more information.

Ms LINDSAY: The other stakeholder in that similar activity is the Council of the City of Sydney. We have been in contact with the Council of the City of Sydney with a view to encouraging it to give a rent waiver for the cinema pending, hopefully, a longer-term solution. The Federal Government might be able to assist the Australian Film Institute undertake its activities and perhaps help, apart from commercial cinema activities, alleviate the concern of local filmmakers who are seeking a less expensive venue for film screenings of independent films. So we are happy to work with the Federal Government. We have not been approached by the Federal Government in any way nor have we gone further than to talk with our colleagues at the Federal and city level, but we are talking with them.

CHAIR: The Opera House, an iconic public arts venue, recently hosted the Forbes summit, which was controversial and resulted in the entire precinct being closed off for security reasons. Was there any cost to your arts portfolio as a result of that process? I am not including, of course, the

publicly funded police presence, but was there any cost to your portfolio by way of loss of revenue for other arts activities? Did your portfolio have to contribute in any other way?

Mr BOB DEBUS: I will again let Ms Lindsay answer that question. I believe there is a slight impact.

Ms LINDSAY: I can give a fuller answer about the impact of the conference but my understanding is that some of the commercial shops have had a rent reprieve for a matter of days, so they have had a waiver of some rentals. The opera was not affected at the box office in any way. One evening's performance was cancelled but that was because of the illness of performers. So the rehearsal activity for *Hansel and Gretel* I think it was, leading up to the days before the conference and during the conference, the performance and the box office were not affected by the opera company.

CHAIR: So there was no cancellation of events during the time that the public precinct was closed off for security reasons?

Ms LINDSAY: There was a cancellation but I was advised by the Opera House that it was due to the illness of opera performers.

CHAIR: Not due to the security arrangements?

Mr BOB DEBUS: Not due to the security arrangements.

CHAIR: You said that the only costs were lost rent to some businesses in the precinct?

Ms LINDSAY: So far as I know. I can check that out to see whether there was anything else. My understanding is that that was the major impact on the Opera House.

Mr BOB DEBUS: As a consequence they received a rent holiday.

CHAIR: Who paid for that rent holiday?

Ms LINDSAY: It is revenue foregone.

CHAIR: From which department?

Mr BOB DEBUS: From the Opera House Trust.

CHAIR: Which is your Department of Arts?

Ms LINDSAY: I am guessing, but maybe five days rental reprieve or rent holiday for them.

CHAIR: Has there been any attempt to recoup those costs from another department?

Mr BOB DEBUS: We would be compensated by the rent paid by the organisers of the conference.

CHAIR: So there was income from the organisers of the conference?

Ms LINDSAY: I cannot say; I am not sure about that.

Mr BOB DEBUS: Having made the level of explanation we have made, we will also take your question on notice and provide you with more detail.

CHAIR: Have there ever been other five-day periods when the Opera House has not functioned as a public arts entity? It seems rather unusual that there has been such little impact. I would have expected most of the venues at the Opera House to be functioning regularly on a daily or nightly basis.

Mr BOB DEBUS: I cannot pretend to expertise in this subject, but obviously the bookings for that conference—which ever one's ideological posture towards it, that conference was of some moment and some national significance. You and I might think the exact nature of that significance was somewhat different to what many others would think. Nevertheless, it cannot be denied that it was a world event and that arrangements for it were made long in advance. From time to time other events are similarly booked into the Opera House, for example, Asia-Pacific Economic Co-operation [APEC], a meeting that takes place at the Opera House precisely because of its iconic quality. These things happen with a long lead time so the arrangements, say, for operas, dramas and the various uses of performance spaces are, in turn, scheduled around them. It is not as though every performance space in the Opera House is in use every day of the year in the absence of one or two of these big meetings.

CHAIR: I appreciate that. It has been fairly well documented in the media that government departments footed the bill for the police presence that was necessary for this conference. Perhaps that will be the subject of another estimates committee. I am interested to know whether your portfolio had to foot the bill in any way for that presence or whether they paid their way sufficiently to cover those costs.

Mr BOB DEBUS: Obviously these are legitimate questions. We have given answers as clearly as we can for the present, but we will take them on notice. It is fair to say that we do not believe there was any significant impact beyond that which occurred for some commercial operators within the Opera House precinct who were, in turn, appropriately compensated. We will give you more information.

Ms SYLVIA HALE: The Council of the City of Sydney has approved a development application for an arts training facility at the Eveleigh carriage work site, the Eveleigh precinct?

Mr BOB DEBUS: Yes.

Ms SYLVIA HALE: Rumours are circulating that the Ministry of Arts does not intend to go ahead with the proposed facility but plans to sell the building. Can you clarify what plans are in place for it?

Mr BOB DEBUS: I can clarify that that is the sort of rumour that circulates on the eve of a by-election in a constituency rather near the Eveleigh workshops. It is just rubbish.

Ms SYLVIA HALE: Are you saying that there have been no discussions by the Minister or by any departmental staff as to the feasibility of selling any of the old Eveleigh carriage workshop buildings?

Mr BOB DEBUS: The construction of the new facility within the carriage workshops, or the renovation of those massive old buildings, has begun.

Mr WILKINS: I know of no such discussions. This is a mystery to me.

Ms SYLVIA HALE: Is the renovation an explanation as to why groups that have used the centre have been moved out?

Mr WILKINS: Yes.

Ms SYLVIA HALE: Did the department provide alternative venues for those groups while the renovations were taking place?

Mr BOB DEBUS: Some.

Ms LINDSAY: Some, yes.

Ms SYLVIA HALE: On what basis was it provided for some but not for others?

Ms LINDSAY: It depends on what their needs are and whether or not we can help them. Some organisations, such as the Belvoir Street Theatre, needed temporary storage space because they were resolving their own storage issues. We were able to assist on a one-off basis by giving them some fairly rudimentary, rough building space. There is one small sole proprietor business called Aerial Lab. We made representations to different agencies on their behalf but we do not have a space to give them. They are not what you would have called a not-for-profit activity. These were arts organisations of a commercial nature that we tried to assist by facilitating some discussions but we were not able to identify a space or undertake the responsibility for their long-term relocation.

Ms SYLVIA HALE: So when will groups be able to move back into the facility?

Ms LINDSAY: In 2007.

Ms SYLVIA HALE: That is 18 months away.

Mr BOB DEBUS: The City of Sydney provided development approval on 20 December 2004, some 12 months after the application was submitted and around nine months later than originally proposed. However, that delay has been compressed in the construction program and it will be completed on time.

Ms SYLVIA HALE: I take it that what you are guaranteeing is that these buildings will remain in public hands and will continue to function as an arts training centre?

Mr BOB DEBUS: The companies that will move into this centre will create, rehearse and perform work using the facilities, which include training rooms, rehearsal spaces, workshops, two theatres, offices and a cafe.

Ms SYLVIA HALE: Thank you, Minister, but my question is whether you will guarantee that these buildings will remain in public hands and continue to be used as an arts training facility?

Mr BOB DEBUS: It is like asking, "Have you stopped beating your wife yet?" I would have said to you that the claim the Government is in any way departing from its long announced proposal to keep this workshop in public hands and to house new arts facilities in them in the way that I have described has never wavered and will not waver.

Ms SYLVIA HALE: I am absolutely delighted. We are all very conscious of the ambitions of the Minister who is responsible for Redfern and Waterloo and his desire to grow his empire. I am merely concerned that these buildings remain in public hands and continue to function and fulfil a public purpose. That is the assurance I am seeking from you.

The Hon. JAN BURNSWOODS: How many more times are you going to ask the same question? The Minister has answered the question.

Mr BOB DEBUS: The Opera House will also remain in public hands.

Ms SYLVIA HALE: I refer to the Chauvel cinema. You would be aware that the Valhalla in Glebe is unlikely to continue as a cinema.

Mr BOB DEBUS: Yes.

Ms SYLVIA HALE: I am sure you would agree that the loss of both the Chauvel and the Valhalla would be a significant loss to the city's cinematic life.

Mr BOB DEBUS: I do, but it is just not realistic to expect the State Government to intervene, as it were, to subsidise the Valhalla in particular. I have enjoyed movies there for about the last 40 years and I would hate to see it go. However, it is getting less comfortable, is it not? I do not like the fact that it is going, but I would expect that its continuing existence or the creation of another commercially based institution that fulfils a similar purpose are really matters that the Government has to leave to the market. What the Government has done, as I mentioned—and this is marginally relevant—has further increased funding for the Sydney Film Festival, a legitimate role of

Government, and the ministry will give whatever facilitating assistance it can to anybody who is making any significant attempt to further perpetuate film culture.

Ms SYLVIA HALE: We have a Ministry of Arts in which the Minister says, "I will sit back and leave it to the market." In the meantime, two important elements of the city's cultural life are likely to disappear off the scene. Do you think the community has a right to expect anything more proactive or imaginative from your department?

Mr BOB DEBUS: I have already indicated in my answer to the Chairman that the Ministry is aware of arrangements of an extraordinarily creative and imaginative nature that may well be made to substitute for the work done by the Chauvel, should that become necessary. The New South Wales Film and Television Office is active in a great many ways, giving support to the film industry and to film culture. But I cannot see that it is in any way reasonable to expect that taxpayers' funds would be simply given to an organisation such as the company, partnership or whatever it is that owns the Valhalla. That must be left to the market. Several of your colleagues present will confirm that I am not passionately devoted to the market, but an enterprise such as that must work or not work; it must have an audience. If it closes I should think there would be some substitute arrangement.

Ms SYLVIA HALE: On the question of State Government assistance to public libraries, can you provide figures for the past 10 years outlining per head of population the amount of State Government subsidies to local public libraries?

Mr BOB DEBUS: I cannot guarantee absolutely that we could give information about the per capita funding, for instance. But of course we can supply information about funding over the past 10 years, which will show that several years ago the State Government increased its grant quite substantially. A quite dramatic increase occurred against the background that Mr Wilkins has already described of a tradition of library funding in New South Wales different from that which occurs in a number of other States.

The Hon. RICK COLLESS: Returning to the issue of library funding, are you aware of the claim by the President of the New South Wales Shires Association, Col Sullivan, that some regional libraries will suffer a reduction in funding as a result of the Government's council amalgamation strategy?

Mr BOB DEBUS: Have I not written a letter to Mr Sullivan recently on that matter?

Ms LINDSAY: Yes.

Mr BOB DEBUS: That letter—it could be made available to the Committee—advises Mr Sullivan that he need have no concern in that respect.

The Hon. RICK COLLESS: Thank you. Will Clarence Valley regional library on the State's North Coast lose \$33,000 in funding as a result of the amalgamation of its four former councils?

Mr BOB DEBUS: No.

The Hon. RICK COLLESS: Thank you for that commitment. Will Tamworth Regional Council lose more than \$40,000 in funding for public libraries as a result of its merger?

Mr BOB DEBUS: No.

The Hon. RICK COLLESS: Thank you for that commitment as well. Will Tamworth Regional Council receive all of the \$11,000 in basic library grants from the State Government that would have been received by each of Manilla, Parry, Barraba, Nundle and Tamworth councils had the amalgamation not taken place?

Mr BOB DEBUS: The base grants that were going to those councils will go to the amalgamated council.

The Hon. RICK COLLESS: They will go to Tamworth Regional Council?

Mr BOB DEBUS: Yes. Sometimes capital grants occur on an intermittent basis—

The Hon. RICK COLLESS: We are talking about \$11,000 in basic library grants.

Mr BOB DEBUS: I do not know whether anything was intermittently due. But the base grants will be provided in the way that we have confirmed three times previously.

The Hon. RICK COLLESS: Thank you. Are you able to tell me, then, how much money Tamworth Regional Council will receive in library grants from the State Government in this budget?

Mr BOB DEBUS: This will astonish you, Mr Colless, but I cannot.

The Hon. RICK COLLESS: That does not astonish me, Minister, but I am sure you can take the question on notice.

Mr BOB DEBUS: The former Premier directed that no council should be disadvantaged in respect of its library services as a result of amalgamation. Appropriate arrangements are being made to maintain funding levels and to reimburse those councils that have already amalgamated and that, as a result, may otherwise have received less funding. Of course, council amalgamations provide for greater efficiencies and improve the standard of library services offered to the public, particularly in smaller remote councils. That is to say, as a consequence of the Government's amalgamations, library services in the region that you have described are very likely to be improved.

The Hon. RICK COLLESS: Minister, I thank you for that commitment and I am sure that the people of regional New South Wales will be very pleased to hear that. Could you please provide a detailed list to the Committee of exactly how much each regional council in New South Wales will receive in this budget for library grants?

Ms LINDSAY: We can provide information on the grants that have been approved for libraries in New South Wales.

The Hon. RICK COLLESS: In this budget.

Ms LINDSAY: There will be some grants that may be subject to approval or consideration by the State Library.

The Hon. GREG DONNELLY: I have a question for the Minister. Given that the New South Wales Liberal and National parties have used the Australian Museum for an exhibition entitled Life Beyond the Tomb, will you give a commitment today that other political parties can also use the facility for their own exhibitions under similar circumstances?

Mr BOB DEBUS: I am new to this portfolio. I think whatever use is being made of the exhibition Life Beyond the Tomb, similar privileges would be extended to any other political party that chose to use an exhibition.

CHAIR: We will now move to examining the budget estimates of the Environment portfolio. We will start with Opposition questions.

The Hon. RICK COLLESS: Thank you. Minister, I will begin with some questions about the Sydney Catchment Authority—in particular, flooding issues in Kangaroo Valley. By how much do you intend to raise the Tallawa dam wall?

Mr BOB DEBUS: I will give you a brief answer, but the Sydney Catchment Authority is not within my budget. It is not within the departmental budget. It is a State-owned corporation of a special sort that is off-budget and is not really the subject of this Committee's deliberations. Nevertheless, in order not to appear merely evasive about this matter I can say to you that the Sydney Catchment Authority's deliberations, which will be subject to consultation with the local community in the first

instance, are not yet complete. The deliberations are precisely about the appropriate level to which the dam height should be altered.

The Hon. RICK COLLESS: If you are finding difficulty in answering questions on that, I will leave further questions. I turn now to the Manly Quarantine Station. Are you happy to answer questions on this?

Mr BOB DEBUS: I am happy to answer questions about any matter that is within my department's budget.

The Hon. RICK COLLESS: In 1997-98 the Government spent \$621,217 on the maintenance and conservation of the Manly Quarantine Station, and by 2000-01 this had dropped to \$178,275. How much money did the Government spend on maintaining the Manly Quarantine Station in 2001-02, 2002-03, 2003-04 and 2004-05?

Mr BOB DEBUS: We will take that question on notice.

The Hon. RICK COLLESS: Was more or less money spent recently than was spent in 2000-01? Has the figure been dropping?

Mr BOB DEBUS: I will ask Tony Fleming to supplement this answer, but there was a year in which there was quite a large expenditure in the last four or five, and I imagine that since then it has not been necessary to spend as much. Perhaps Mr Fleming is able to give more detail.

Dr FLEMING: I have not brought with me figures on expenditure of that particular item for those years. I can easily get those figures to you as an answer on notice.

The Hon. RICK COLLESS: What has Mawland Holdings had to say about the lack of investment in the site over the last four years?

Mr BOB DEBUS: Nothing that I am aware of.

Dr FLEMING: They have not said anything to me.

Mr BOB DEBUS: I should say, neither have they indicated that they believe that the expenditure is in some way inappropriate.

The Hon. RICK COLLESS: Have you had to renegotiate the contract with Mawland because of the deterioration of the buildings?

Dr FLEMING: We do not currently have a contract with Mawland. We are going through negotiations towards a lease. What we have is a conditional agreement to lease and we are in the final stages of negotiating a lease, so we do not currently have a contract with them.

The Hon. RICK COLLESS: How long has that process been going on for?

Dr FLEMING: That process has been going on now for a number of years, but with Mawland specifically over the last two years. The general negotiations towards a lease arrangement for the quarantine station have been occurring for a number of years. I do not have the start date—that precedes me—but I can get that if you want it.

The Hon. RICK COLLESS: What would have been the contributing factors to the delay? It seems to have taken an extraordinary long period of time to negotiate a lease?

Dr FLEMING: Well, there are a number of steps in the process, which included a commission of inquiry and, to be frank, we are going to great lengths to try to ensure that the lease arrangements that are put in place protect the conservation values. That means that there has been quite a lengthy negotiation to ensure that all those provisions are in place. There are a large number of conditions of approval that were attached to the outcome of that inquiry, and it is quite a complex process to write them into a draft lease document. The proponents themselves have to go to some

lengths to ensure that they have the financial resources to undertake the project, and we have to go to some lengths to assure ourselves that they have the financial resources. All those things are taking time.

Mr BOB DEBUS: But I would suggest that the main considerations at the present time are those of the proponent; that is to say, Mr Fleming's careful administration of this long matter has meant that we are not really aware of any outstanding issue to be settled from the Government's side.

Dr FLEMING: Can I just add that it is not a process of just standing still during that period? A community consultative committee has been established and we are working with that committee on a large number of plans that are associated with the future activity at the quarantine station. The committee is operating very productively.

The Hon. RICK COLLESS: Will you be handing some money over to Mawland to help with the restoration and conservation of the site?

Dr FLEMING: There are some site-specific issues, where it is our responsibility to undertake that work. It is also important to remember, of course, that we are not actually handing the site over to Mawland. There is confusion in some parts of the community that this is a free-holding exercise. It is not. It remains in public ownership. This is about leasing it to a third party, who can then bring money to the table to ensure the conservation of this area, so we are not actually handing it over to Mawland. What we will do is enter into a lease.

The Hon. RICK COLLESS: What is the length of the lease that is being proposed or discussed around the table at the moment?

Dr FLEMING: There is content within the draft lease agreement which is subject to commercial negotiations. I do not think it is appropriate to go through all of those details here. I will leave that judgment to the Minister.

The Hon. RICK COLLESS: Is it a long-term lease?

Mr BOB DEBUS: It is a substantial lease, but it is not a fraction as long, for instance, as the lease that the previous Government gave on Jenolan Caves House.

CHAIR: Perhaps that is a bad example.

Mr BOB DEBUS: It is a horrifying example.

The Hon. RICK COLLESS: Can you give us any idea how much money you intend to contribute to the restoration and conservation of the site?

Dr FLEMING: I would imagine that in the first year our costs would be estimated at around \$350,000, of that order.

The Hon. RICK COLLESS: Is that money coming out of the State budget, the Commonwealth budget, or a combination of both?

Dr FLEMING: No, that will come out of our budget, but, at the same time, we will start receiving revenue from the leasing arrangements, so those costs will be offset. One of the things we are doing in looking at the overall funding equation is making sure that it provides an adequate return to the Government.

The Hon. RICK COLLESS: I turn now to Yanga Station in the Riverina. Can you advise the Committee of what stage the purchase of Yanga is up to? Have contracts been exchanged or has a deposit been paid at this point in time?

Mr BOB DEBUS: Contracts have been exchanged and settlement will occur in a few weeks.

The Hon. RICK COLLESS: Can you tell the Committee how much money the Government has paid for Yanga Station?

Mr BOB DEBUS: Until after the settlement, I cannot. It is commercial in confidence until that time—a normal procedure, I should say, but I can say that it is not as much as the \$30 million or the \$30 million-plus that has often been quoted by various parts of the community.

The Hon. RICK COLLESS: So it is less than \$30 million?

Mr BOB DEBUS: Yes, but—

The Hon. RICK COLLESS: Sorry, go on?

Mr BOB DEBUS: I have indicated that the commercial-in-confidence nature of it means that I will not talk any more about that cost until after the settlement.

Dr FLEMING: Can I add one thing that I think is relevant? There is an intention, which we have previously made clear, that we will look at the cropping lands, which are part of Yanga Station and sell them back into the market, so there will be a net effect from the cost of the sale, but that will not be known until the cropping lands are on-sold.

The Hon. RICK COLLESS: Is it correct or incorrect that the Black family specifically requested sale to the National Park and Wildlife Service so that Yanga Station would remain as a single holding?

Mr BOB DEBUS: It would pay for people concerned with this question to actually look at the Black family's web site. They have celebrated the sale of their property to National Parks on the basis that you describe. They were not willing to sell the property to National Parks without any condition or without regard to any commercial consideration at all, but I think it is fair to say that Graham Black, having immense pride in his family's more than 100-year-association with that property and immense pride in the standard to which it had been kept—the conservation values that had been preserved—passionately wished that it should, if possible, become a national park. I heard a radio interview a little while ago in which people seemed unable to believe that a grazier might take such an attitude; but look on his web site.

Dr FLEMING: We made it clear from the beginning of discussions with Mr Black that our intention would be to on-sell the cropping lands and he was happy to continue with negotiations on that basis. I think the short answer to your question is "no".

Mr BOB DEBUS: The basis upon which we negotiated for the purchase of that property is, from the point of view of the Government, identical to that upon which we negotiated the purchase of dozens of other properties in western New South Wales in the vicinity of say, Gundabooka National Park near Bourke, Narran Lake, or the Paroo Darling National Park near Wilcannia, or additions to Lake Mungo on the other side of Balranald from Yanga. In most of those cases the Federal Government gave us supplementary funds. I regret the days, only a couple of years ago, when the Federal Government used to give us \$2 for every \$1 the State Government spent on properties in that part of western New South Wales, where, until very recently indeed, there was very little national park and far less national park than established national standards require.

The Hon. RICK COLLESS: When the Opposition heard of the sale, and purchase by the Government for less than \$30 million of Yanga station, it went to the budget papers to identify from where the money was going to come. Despite many attempts the Opposition was unable to find a figure of that magnitude in the budget which would indicate that the Government is about to buy a large station, such as Yanga. Where in the budget is that money identified?

Mr BOB DEBUS: All you have to do is look at those bits of the budget that talk about national park acquisition. Yanga station will be purchased through the acquisition budget that will emerge in the next budget and the one after.

The Hon. RICK COLLESS: Is it the case that the Government will pay for it this year but it will be included in next year's budget? You said it was going to be settled in the next few weeks.

Mr BOB DEBUS: It was simply negotiated finally long after the actual preparation of this year's budget.

The Hon. RICK COLLESS: From where is the money coming this financial year?

Mr BOB DEBUS: Management funding for Yanga, that is, money to deal with the management—

The Hon. RICK COLLESS: No, I am talking about capital funding, where is it coming from?

Mr BOB DEBUS: Nevertheless I am telling you that management funding was included in the 2005-06 budget, and the expenditure for capital purchase will be described in forthcoming budgets.

The Hon. RICK COLLESS: So you have spent the money but it is not in the budget?

The Hon. HENRY TSANG: It is a deferred payment.

The Hon. RICK COLLESS: No, it is not, the Minister said he was going to settle it in a couple of weeks.

Mr BOB DEBUS: I will ask Mr Diakos to explain the procedures that are being used instead of submitting myself to a mock conspiracy cross-examination by your.

Mr DIAKOS: As you would appreciate, the budget papers were actually prepared some time ago. This transaction occurred after the budget papers were published. The monies were set aside in 2004-05 for the purchase, so it is sitting—

The Hon. RICK COLLESS: In 2004-05?

Mr DIAKOS: In 2004-05.

The Hon. RICK COLLESS: Are you saying that that money is in the 2004-05 budget, and not the 2005-06 budget?

Mr DIAKOS: It was expended in 2004-05.

The Hon. RICK COLLESS: You spent the money before you bought the station?

Mr DIAKOS: The way it works is that you have a process where you go through major land acquisitions. What tends to happen, just like with private land acquisitions, the Crown Solicitor acts on our behalf. The Crown Solicitor holds a fund to reserve funds in anticipation of a potential sale, and those funds were sitting with the Crown Solicitor.

The Hon. RICK COLLESS: You are talking about the something less than \$30 million?

Mr DIAKOS: Yes.

Mr BOB DEBUS: Since you are trying to get to the point of suggesting that somehow or other there was a conspiracy to hide this money, I can assure you that every aspect of the administration of the funding and purchase of Yanga was overseen by the Crown Solicitor and the Treasury of New South Wales. The accounting will take place according to methods established with and agreed by New South Wales Treasury.

The Hon. RICK COLLESS: I am not suggesting a conspiracy. I am trying to ascertain from where the money came to purchase Yanga station.

Mr BOB DEBUS: Mr Diakos has explained that.

The Hon. RICK COLLESS: Mr Diakos has explained it in the terms that the money was in previous year's budgets, deposited with the Crown Solicitor and held in trust until such time as settlement occurred?

Mr DIAKOS: That is correct.

The Hon. RICK COLLESS: I will go back and look at those figures and identify exactly where the money was in previous years' budgets.

Mr DIAKOS: In terms of the budget papers it is not reflected.

The Hon. RICK COLLESS: I know it is not reflected; that is what is worrying me.

Mr DIAKOS: You have to go to the 2005 budget. They were prepared sometime before this transaction occurred.

The Hon. RICK COLLESS: How can that be the case if you put the money aside years ago, knowing that this transaction was going to occur?

Mr DIAKOS: No, the money was not put aside years ago. The money was put aside towards the end of the 2004-05 financial year.

The Hon. RICK COLLESS: So it was not in the 2004-05 budget originally?

Mr DIAKOS: It was not in the original 2004-05 budget. It was an after-budget event.

Mr BOB DEBUS: Surely you cannot hold the belief that the Government of New South Wales is unable to make a purchase of land for any purpose at all unless it has been written in the budget before the purchase actually took place.

The Hon. RICK COLLESS: I find it extraordinary that money is being put aside for this purchase that was not originally budgeted for in 2004-05. The money is going to be expended in 2005-06, and yet people in the Riverina are crying out for bridges, hospitals and roads and all sorts of other commitments and would dearly love to receive close to \$30 million extra for those infrastructure projects rather than have it spent on a national park.

Mr BOB DEBUS: There may be some people who are of that view.

The Hon. RICK COLLESS: There are many people.

Mr BOB DEBUS: But you cannot pretend to me that expenditures on national parks are in some way improper or, indeed, that this particular expenditure is anything more than a very small part of the total amount of the Government's expenditure throughout the vast western region of New South Wales. It is a question of priority, and your's and mine might be different, but that is all.

The Hon. RICK COLLESS: They are indeed. Several years ago the Government purchased the Norwood property?

Mr BOB DEBUS: Yes.

The Hon. RICK COLLESS: What was the valuation of Norwood at that time?

Mr BOB DEBUS: I can tell you that the purchase was conducted in the normal fashion, with the normal proprieties, which means that the State Valuation Office worked with the legal section of the National Parks and Wildlife Service to complete the transaction. It was probably one of those where the Federal Government put up some of the money, too.

The Hon. RICK COLLESS: What was the valuation that was supplied to the National Parks and Wildlife Service that was supervised by Mr Grant Kennett, who was regional manager of the State Valuation Office at that time?

Mr BOB DEBUS: I have to take that on notice.

The Hon. JON JENKINS: In other committees we have heard about how this State's preparation for terrorism, natural disasters, and other emergencies lies squarely on the backs of organisations such as the State Emergency Services, the Rural Fire Service, the Voluntary Rescue Association and a multitude of other volunteer organisations—

Mr BOB DEBUS: Amongst others, like the police.

The Hon. JON JENKINS: Yes. How much of a non-cash but nevertheless very real contribution to your budget would, say, a work force of 50,000 volunteers make? Do you have any plans, or why are there no plans, for some sort of structured and organised volunteer work force for national parks to help them manage the estate?

Mr BOB DEBUS: As you know, a great many volunteers assist the management of national parks. Indeed, the Rural Fire Service and the State Emergency Service make direct contributions in the sense that they are involved, for instance, in hazard reduction activities in national parks on a large scale. There are various conservation volunteer organisations run by the parks themselves, and others are increasingly beginning to make contractual arrangements with the parks to bring in volunteers to work. One of them is Conservation Volunteers Australia [CVA], and it is doing a particularly effective job. As you are well aware, the Four Wheel Drive Association has arrangements to work with national parks. It is true that 50,000 volunteers would be a great help, but 50,000 volunteers must be organised by somebody.

The Hon. JON JENKINS: Absolutely.

Mr BOB DEBUS: The only organisation in Australia that has 50,000 volunteers is the New South Wales Rural Fire Service, and it requires a government department to administer it. But I do not mean my answer to be particularly hostile. The more volunteers who can effectively be managed, the better I like it.

The Hon. JON JENKINS: Why not take the lead and organise it?

Mr BOB DEBUS: I will ask Mr Fleming to talk a little more about it.

Dr FLEMING: The use of volunteers is a great thing to do. We have been working increasingly with Conservation Volunteers Australia and the structured programs that we have been able to run with it have been very successful. I am aware that you are very interested in the further use of volunteers, and I think that is a good idea. I will certainly look at how we can make further use of volunteers. However, it is important to recognise that we already use volunteers a lot. At the very basis of our organisation are 19 advisory committees which involve considerable use of voluntary time to participate in those committees. Indeed, it is probably the most extensive network of committees providing fundamental support to an agency that exists in New South Wales, in addition to the advisory Council that sits and provides us with advice. That is a significant contribution by the, on average, 14 or so people on each of those committees.

As I said, the CVA programs we are running are working well. On Montague Island we not only use volunteers; we have a scientific tourism project whereby people pay to come to Montague Island in support of our work on restoration of habitat for penguins. We have volunteers working, for example, in places like Lane Cove, and the Chase Alive group as well. So I think it is a great idea. Clearly there is a legitimate issue to ensure that the volunteers are not supplanting the work of our paid work force. We have procedures and policies in place to ensure that the volunteers work co-operatively and add value to the work of the paid employment force, and I look to expand that. So I think it is a good idea to make more use of volunteers.

The Hon. JON JENKINS: Can I look forward to some plan or draft policy in the future?

Dr FLEMING: Yes, and if you have particular ideas on that I am happy to talk further with you.

The Hon. JON JENKINS: I have 30,000 people ready to go.

Dr FLEMING: Ms Corbyn has just reminded me that we have a memorandum of understanding with the Four Wheel Drive Association, as you will be aware, and we have been renegotiating that. We have developed a good working relationship with that group and we expect to conclude that in the near future. That will be a foundation for building more. Another group I should mention, because it would be remiss of me not to do so, is the Kosciuszko Huts Association, which for a very long time has been doing extremely valuable work and working closely with our staff on the heritage huts in Kosciuszko National Park.

CHAIR: Following on from the Hon. Rick Colless on the Mawland development, at what point would the Government determine that the cost benefit of the Mawland lease negotiations would not be viable?

Mr BOB DEBUS: Are you speaking of time or money?

CHAIR: Money.

Mr BOB DEBUS: The Government has concluded that the agreements presently negotiated are beneficial. So long as we are able to complete arrangements on that basis on already agreed financial and conservation protection bases, the Government will maintain its belief and position that the agreement is viable.

CHAIR: If the buildings proposed for modification as part of the proposed Mawland lease are found to include asbestos material, what additional costs would the public incur and would that have an impact on that viability?

Dr FLEMING: It will depend entirely on the actual circumstances surrounding the identification of any such substances. It is hard to put an estimate on something that is hypothetical.

CHAIR: Has that investigation been undertaken?

Dr FLEMING: Yes, various investigations have been undertaken concerning asbestos as well as any contamination on the site.

CHAIR: Has asbestos material been found on the site?

Dr FLEMING: I would need to take on notice exactly what has been found as a result of investigations and provide you with an answer.

CHAIR: Perhaps you could get back to us on that.

Dr FLEMING: I am happy to do that.

CHAIR: On the asbestos issue, the company Douglas Partners, which is employed by Fox Studios, discovered and reported in August 2004 that a large asbestos dump, being the remains of the old fibro building 36 and covering an area of 536 square metres, is present on the Fox Studios site.

Mr BOB DEBUS: It is appropriate for me to ask Mr Smith to answer that question.

Mr SMITH: I am not familiar with any detailed recent action at that site but the matter of occupational health and safety is obviously—

CHAIR: You say that you are not aware of action on the site, but are you aware of the actual asbestos on the site?

Mr SMITH: All building sites pretty much have asbestos on them. Occupational health and safety matters are not dealt with by our department; the WorkCover Authority is responsible for those issues. Where we get involved—

CHAIR: Does the Environment Protection Authority have a role if there is an asbestos dump at Fox Studios?

Ms CORBYN: Yes.

Mr SMITH: Yes, we do. There are particular roles for different government agencies. Protection of the health of workers and visitors on the site is an occupational health and safety issue. We get involved in the management of the site and disposal of any waste material that needs to be removed.

CHAIR: Would your department get involved if there was a suspicion that asbestos contamination was flowing off the site and onto neighbouring residences?

Mr SMITH: I think we have visited the Fox Studios site to investigate reports from members of the public more than 30 times. A couple of key individuals continue to raise issues with us relating to Fox Studios. So I am completely confident that our visits to those sites have resolved those issues as well as other issues to do with air pollution that are raised with us frequently. If you find asbestos buried, that is not what we consider a particularly complex or difficult issue to deal with.

CHAIR: So you are saying that there is no asbestos that is in any way exposed or relatively easily transportable from the site at this time.

Mr SMITH: All I can say is that any of those issues, when observed during our numerous inspections of the site, are always dealt with promptly, but I have not been there today so I am not sure what is there.

CHAIR: No, but you are saying that it is adequately inspected as a result of community agitation.

Mr SMITH: Yes, that is correct.

CHAIR: And to your knowledge at this point there is no exposed asbestos that is a danger to the general community surrounding that site.

Mr SMITH: That is correct.

Ms CORBYN: I should also add that we have been doing quite a bit of work with other government agencies, including WorkCover and the Department of Health, and recently we published quite good do-it-yourself guidelines for people who might be renovating their house to ensure that they have good information about how to deal with asbestos that might be in their house. We are concerned to ensure that people appropriately dispose of asbestos so that we do not end up with a legacy of people burying asbestos without realising what it was. We have put quite a bit of work into collaboratively providing information to the community so that people know what to do if they find asbestos.

CHAIR: But I think the issue here is suspect asbestos on the Fox Studios site in terms of a dump.

Ms CORBYN: As Simon said, there has been quite a bit of regular investigation and inspection by our officers.

CHAIR: I appreciate that the EPA has been carrying out regular inspections of the Fox Studios site. Could you comment, through the Minister, Ms Corbyn, about the presence of volatile chemicals, including solvents, dyes, polymers and airborne particulates as well as some industrial paint leakage?

Mr SMITH: This is probably one of the sites where we have had more investigations in an extreme effort to attempt to satisfy a small number of members of the community in relation to what is going on there. I think we have had over 34 site inspections. We try to attend when a person rings up and says that problems are arising on the site. As a result of all of those inspections, and measures put in place, we are satisfied that we have done everything feasible to find and address any of these types of issues at that site.

Ms CORBYN: When the EPA inspectors go out, they do look to check whether there are other issues. If they happen to be looking for asbestos, if they see something else they will certainly take that into account in the inspection they are doing and take any follow-up action that is appropriate.

CHAIR: Minister, I would like to ask a question about something that affects you, as it does me, that is occurring outside our office windows. I have observed regular works in the public domain in the area behind the Parliament officially known as the Phillip precinct, which has been locked off from public access each year by certain activities. Has the number of days that the area is locked off in recent years increased? Is it true that for a four-day garden show this September the public will be denied access to the whole area for more than a month?

Mr BOB DEBUS: As you are aware, Mr Chairman, for a long time the trust of the Domain has attempted to ensure there is a mix of activity in that area. Those are the sorts of activities that are of interest to a cross-section of the community and, I suppose it is fair to say, a cross-section of the Domain's more significant stakeholders. A great many of those activities are free: community rallies, Carols in the Domain, a whole series of free concerts during the summer, during the Sydney Festival and so on. There are also events that require an entry fee, and those occur on a regular basis. One has been a concert, I think called Home Bake. Others involve some sport. Then there is the event that is on now, Sydney in Bloom. The Domain, so far as this event is concerned, will be fenced for one month, from 1 to 30 September, to set up, operate and dismantle the show Sydney in Bloom, which is, of course, rather closely related to the kinds of activity that the Gardens are interested in. I think there has been little change over recent years in those kinds of arrangements.

CHAIR: Given that the precincts should afford public access, I think you would agree that for a significant period of time the public does not have access. Will the area be lost to the public for all of October as well due to maintenance work, and does this mean that the public will not have access to the area for two-thirds of spring this year?

Mr BOB DEBUS: Last year, Sydney in Bloom had 50,000 visitors, which is by no means insignificant. I am going to seek comfort in the presence of Mr Tim Entwisle, director of the Gardens, and ask him to deal with the issue that you have raised.

Dr ENTWISLE: Mr Chairman, could you repeat the question?

Mr BOB DEBUS: The difficult concerns the idea that for September part of the Phillip precinct of the Domain will be cut off from public access—

CHAIR: The whole area will be cut off to public access for a month.

Mr BOB DEBUS: And then there will be maintenance work in October.

CHAIR: It will be lost to the public for all of October as well due to maintenance work, I understand. Does this mean the public will not have access to the area for effectively two-thirds of spring this year?

Mr BOB DEBUS: I point out, nevertheless, that we are talking about a section of the Gardens and Domain area.

CHAIR: I would suggest a significant section of what is public parkland, and generally used by the public.

Dr ENTWISLE: That area will be fenced off for September. It will be available during October. It will not be fenced off for maintenance work. The only part that will be fenced off during October will be alongside the Cahill Expressway as work will be going on along the fence on that side. There would be some turf work in the rest of the area, fixing up the lawn areas for sport, which it is used for at other times of the year. Certainly, as you have probably already had explained, people can walk around the fencing. So part of that area is still available for crossing to the Art Gallery and things like that during September.

CHAIR: In terms of these commercial uses—as with the one being set up at the present time—is there a cost to your trust, or are these profitable ventures?

Dr ENTWISLE: Particular ones like Sydney in Bloom, are profitable. We have a mix of events through the year, including unfenced and fenced events, a large number of community events, like Carols in the Domain and the Symphony in the Domain. At the moment we have three events that are fenced and have a charge, and we get a commercial return from those. For the other events that are unfenced, it is cost recovery only.

Ms SYLVIA HALE: Minister, was it your department that was responsible for the cleaning up of the ADI site prior to its sale to private interests?

Mr BOB DEBUS: I think my department would have had a role in overseeing the clean-up.

Ms CORBYN: That is right. We are not responsible for the clean-up, but as a regulator we would be participating in the regulatory process. When the planned remediation program was being developed, we were working with the Commonwealth Government. There was some question as to whether we were actually a regulator or not. But, yes, we are a regulator.

Ms SYLVIA HALE: So you would be somewhat perturbed at the discovery of bullets and ammunition on the site.

The Hon. CHARLIE LYNN: Well, it was an ammunition site.

Ms SYLVIA HALE: But people are going to be living there.

Ms CORBYN: There was quite a thorough program of remediation, but it was always envisaged that there would have to be further analysis lot by lot.

Mr BOB DEBUS: It is much less disturbing than if it were found when the houses were built.

Ms CORBYN: That is right. There was quite a systematic remediation program, but it would not be unusual that we would find some things. That is why the process was designed to be thorough: to make sure there is a staged program for making sure that is done to catch any problems.

Ms SYLVIA HALE: You realise that one of the concerns of residents is that a lot of the material there has been buried underground. There are great mounds, and considerable quantities of asbestos are supposedly buried there. Also, there is concern that when workmen are going through building trenches and drains and whatever, a significant amount of further material will be discovered.

Ms CORBYN: I will get Simon to comment about this, but there was quite a rigorous grid across the whole site and a significant amount of sampling was done. It is one of the challenges that you face when you have potentially unexploded ordnance. It is not unusual, but it is an approach that we are used to dealing with, both from a regulatory and remediation perspective.

Ms SYLVIA HALE: Was it part of your game plan, as it were, to expect to find live ammunition on the site?

Mr BOB DEBUS: May I intervene to point out that the actual remediation work was done over five years before 1997 by the Commonwealth Government, which of course sold the land to a private company. I am not saying, therefore, that the State has no responsibility, but I am resisting the

idea implicit in your last question that somehow or other my department was intimately involved in what went on.

Ms SYLVIA HALE: But you did say earlier that your department was responsible for supervision, and as supervisors it was part of your plan, your expectation, that at some stage you would discover live ammunition?

Ms CORBYN: We were a regulator, although there was some question by the Commonwealth Government as to whether we had the powers to regulate. When you do a remediation program like that, you do it in staged way so you have real assurance that there are several in-depth examinations along the way. It does not mean you necessarily expect to find things, but you put in place a framework that ensures you have detailed examination at every stage.

Mr SMITH: I think the important thing is that it was a staged approach. You start off where there are former facilities and those are made safe because it is fairly straightforward to find because they are concentrated areas of depositions of hazardous material. They are excavated and removed or they are otherwise entombed so they are safe. What is then built into the precinct planning process is a more detailed examination as you move to the level of detail of planning and constructing roads and infrastructure and so forth, and everybody knows and the plans are all in place. So it is possible you would find small pieces, remnants, of waste material. It could be hazardous and the important part is that you have processes to find and deal with them.

Ms SYLVIA HALE: Are you aware that residents have photographs of pieces of broken asbestos protruding from the ground and there seem to be significant asbestos deposits across the site?

Mr SMITH: I suppose our experience has been on the ADI site that people who are unhappy about the change of land use are essentially seeking to exaggerate what risks might be present on the site for other reasons.

Ms SYLVIA HALE: But if they find exposed asbestos after the site has been cleaned up and cleared for habitation, surely they have reason to be concerned?

Mr SMITH: No. There is asbestos in probably half of the backyards of Sydney. It was the material that was in universal application.

Ms SYLVIA HALE: This is broken asbestos where you can see the broken fibres flapping in the wind.

Mr SMITH: I would say there is probably some of that in many houses in Sydney as well. The important point is that it was never claimed that the initial cleanup is some kind of complete sterilisation of the whole land use so that it was a Garden of Eden once again and no-one need be concerned.

Ms SYLVIA HALE: If subsequent compensation claims are made by people who moved to the site believing it was safe and healthy and they subsequently developed asbestos diseases, who will compensate those people?

Mr SMITH: The point is that the clean up process is not yet complete.

Mr BOB DEBUS: This is the critical point: that the process is not yet complete and no-one has said it is—at least none of these people has said it is.

Ms SYLVIA HALE: Minister, are you aware of an intensive dairying operation called Wirong in Forbes Road in Cowra?

Mr BOB DEBUS: No.

Ms SYLVIA HALE: You are not aware that neighbours of this property have been writing since 2001 to the Premier, to the Minister for Planning, to the Minister for Natural Resources and to the Minister for the Environment complaining about the operations of this intensive dairy?

Mr SMITH: Can I just comment on that? Under our main anti-pollution legislation there is a concept called the appropriate regulatory authority. This provides for an asserted schedule of the highest risk activities that are sufficiently significant that they need to be regulated by a state agency, and then other activities are generally regulated by the local council.

Ms SYLVIA HALE: These people have some difficulty, because you can stand near this property and you see the overflow pond is flowing across the neighbour's yard—this is containing faecal matter and contamination from the dairy—and Cowra Shire Council has built a culvert and pipe to direct that overflow into the Lachlan River. When people have complained to the Environment Protection Authority they are told it is not your responsibility, it is council's responsibility. So, you will sit back and allow—

Mr SMITH: No, I think the law very clearly provides which body must regulate. The law was put in place, I understand, because over many years there was confusion and buck passing between different levels of government. I believe the law in this case makes it clear that it is council's responsibility to regulate the source of the pollution.

Ms SYLVIA HALE: But when council is not only failing to act but is assisting in the disposal of this material into the Lachlan River, from an illegal activity that has not received planning approval, you say your role is merely to sit back and say it is not your responsibility?

Mr SMITH: From what you describe, it sounds to me that the council happened to construct drainage work in the course of its ordinary business, and this may add to whatever issues may be present.

Ms SYLVIA HALE: They are only about a couple of hundred metres from the Lachlan River.

Mr BOB DEBUS: You did just make a number of quasi-legal assertions there.

Ms CORBYN: If allegations of the pollution of water were provided to us, we would talk to the appropriate people to find out what is occurring. One of the things that often happens is that people, because they feel they wish to challenge what councils have done, say that there is a pollution issue.

Ms SYLVIA HALE: They have challenged the council twice in the Land and Environment Court and have won. The place is still operating without development approval, and council is not acting and, rather, is assisting this diversion.

Ms CORBYN: I think we should take that on notice.

The Hon. RICK COLLESS: Minister, could I just go back to the issue I raised with you in my last question? That was the valuation of the property Norwood. You took on notice to give to us the valuation of Norwood that was supplied by the State Valuation Office. Can you tell me what you ended up paying for the property Norwood?

Mr BOB DEBUS: Of course, I probably knew at the time but do not now recall the exact figure. I will take that as a question on notice. What I will say is—and in this respect I am confirming my previous observations that this is a property bought by using State and Commonwealth funds—it was bought according to the usual valuation processes overseen by the State Valuation Office, procedures that have long been used by both governments, and that the State Government, according to principles that I am sure you would support, pays the market value, not more and not less, when it is engaged in a transaction of this nature.

The Hon. RICK COLLESS: Does that mean that you would have paid what the valuation was?

Mr BOB DEBUS: The long-established and constantly audited procedures do not mean that you pay exactly what the State Valuation Office says is the value. You pay something within an established margin above or below it.

Dr FLEMING: The valuation is generally a range. As the Minister said, there are long-established procedures about operating in that range or to a certain percentage above that range depending on the property. It is a standard procedure that has been applied for many years.

The Hon. RICK COLLESS: I look forward to your answers on notice, and they may well precipitate some extra questions. Was a similar process gone through for Yanga Station?

Dr FLEMING: Yes, absolutely.

Mr BOB DEBUS: I do not know what leaked information you are here relying on but I assert with some precision that the National Parks and Wildlife Service and its officers in all these matters followed procedures that are well established and well audited, and I will not countenance the notion that somehow or other there has been any impropriety.

The Hon. RICK COLLESS: I am just asking questions, Minister. I am not suggesting any impropriety at all. Will you undertake to supply to the Committee the valuation and the final sale price on completion of the sale of Yanga?

Dr FLEMING: I am happy to provide that commitment. What I would say, though, is we have the intention, as I have already indicated, of on-selling part of that property. What I will not do is release information that might jeopardise the Government getting an appropriate return for that on-sale of property. I will take advice on that from the Crown Solicitor.

Mr BOB DEBUS: The Committee should understand that the purchase of Yanga Station involves, by historic standards, a large expenditure, but the cost spread over a number of years will mean that the expenditures are not all that dissimilar to those that have been going on for the purchase of National Park property in western New South Wales for a long time. It is also the case that the Yanga purchase involves the most extraordinary homestead, a homestead that could just as easily be bought by the Historic Houses Trust of New South Wales.

The Hon. RICK COLLESS: I understand. I have been in that homestead.

Mr BOB DEBUS: It will become the most substantial and most significant tourist attraction. The property then has within it three sectors, as it were. It has a large area of agricultural land, which is share cropped at the present time, it has a large area of river red gum and a large area of grassy plains beyond it. The strategy of the National Parks and Wildlife Service has always been that when the purchase is complete and the present cropping season is finished that cropping land will be sold. For that reason it can be guaranteed, first of all, that there will be agricultural activity and employment associated with it, which will satisfy concerns that might previously have been expressed by people in Balranald. Secondly, the contract price is to be set against the reduction in the final value that will occur when the agricultural land is sold off.

Dr FLEMING: Can I add one rider on what the Minister has said? We have had some representations that it would be better for us not to on sell the cropping land for two seasons. Because there has been a period of drought some of the people who might otherwise be in a position to purchase the land may need two good seasons to generate funds. It will be either one season or two seasons.

Mr BOB DEBUS: Our decision in that respect may be influenced heavily by the community consultation committee, which has already been set up to include prominent business representatives of Balranald.

The Hon. RICK COLLESS: What about the impact on the Balranald and Wakool shire on the loss of rates? Will there be any compensation for those local government bodies, given that they are going to lose around \$50,000 in rates between them?

Mr BOB DEBUS: There will not be direct compensation, but the situation is one with which we are familiar. It is one that has affected Bourke shire and Central Darling shire.

The Hon. RICK COLLESS: And the North Coast shires.

Mr BOB DEBUS: And a number of others. You do not hear those shires saying too much about the issue.

The Hon. RICK COLLESS: Yes, I do.

Mr BOB DEBUS: You do not.

The Hon. RICK COLLESS: You might not. I do.

Mr BOB DEBUS: You do not.

The Hon. RICK COLLESS: I do.

Mr BOB DEBUS: Because the National Parks and Wildlife Service goes to quite special lengths to ensure that there are other effectively compensatory activities. For instance, Central Darling shire has had substantial public works conducted in Wilcannia and other places. It has had employment of people who previously have never been employed. Local councils, like Central Darling shire, are given contracts of work for National Parks, which provided a revenue that, in the past, so far as I am aware, has been regarded as more than adequately compensating for their great loss. We have had discussions with the mayors of Wakool and Balranald along exactly these lines.

The Hon. RICK COLLESS: You mentioned the red gum forest on Yanga Station. In your opinion and in the opinion of your staff is that forest in good condition?

Mr BOB DEBUS: Yes.

The Hon. RICK COLLESS: Even though it has been logged for the last 100 years it is still in good condition?

Mr BOB DEBUS: Yes. In recent years the Black family have adopted forestry techniques—

The Hon. RICK COLLESS: I know.

Mr BOB DEBUS: —that, if not unique, are extremely rare. The Black family has cut that timber much less intensely than what is the normal practice in forests, including those owned by the Forestry Commission of New South Wales. You have never had a situation indeed, as I understand it, where there is a long-term arrangement that someone can do whatever they want. Instead, they have been careful to allow cutting at a particular time according to arrangements that they have made.

The Hon. RICK COLLESS: I am aware of that.

Mr BOB DEBUS: They have, in fact, conducted themselves in a way that is, as I say, if not unique then very unusual. They have had their own forestry supervisor who has been one of their employees, for instance, working on what is the largest single package of river red gum west of the Edward River.

The Hon. RICK COLLESS: What are your intentions with the remaining red gum forest in the Riverina?

Mr BOB DEBUS: There are no specific intentions from me. That is to say the Government still has under consideration the way it might go about making some assessment of how, in the long term, we should deal with red gum forests that are in public ownership. But there is no decision at all at the moment.

The Hon. RICK COLLESS: Is there likely to be a decision along those lines? There are a lot of very concerned people in the Riverina.

Mr BOB DEBUS: Yes, and I have done what I can to reassure people in the Riverina that whatever happens—nothing is going to happen in the immediate term—an assessment will take into account social and economic needs as much as conservation needs.

The Hon. CHARLIE LYNN: You spent \$303.981 million in 2003-04 on the National Parks and Wildlife Service. This year you are budgeting to spend \$305.446 million, which is a fall in real terms of 4.3 per cent. Yet the number of hectares of land in the National Parks Estate has grown with the Brigalow decision from 5.949 million hectares to 6.422 million hectares. This year you will effectively spend \$45.50 per hectare compared with \$51 per hectare in 2003-04. How can you justify this, given that the State of the Parks report admits that only 45 per cent of the park system has effective weed programs, only half the park system has programs to monitor pest animals, only 40 per cent of the park system has appropriate fire management objectives and only 52 per cent of European heritage items are in good condition?

Mr BOB DEBUS: That is a misrepresentation of the State of the Parks report of some considerable proportion. The State of the Parks report shows that between 85 per cent and 90 per cent of National Parks are holding the line or improving the circumstances of pest animals or weeds, and I can assure you that the most cursory examination of the existence of weeds and feral animals around New South Wales will show you that National Parks are in a vastly better condition than most other land, including most of the government land. I will not hide my resentment at a propagandist misrepresentation of the circumstance of the programs to deal with weeds and feral animals in the National Parks, or to misrepresent the Park's capacity to control fires, which is again manifestly and massively more effective than that that applies across the general landscape.

The Hon. RICK COLLESS: Minister, come on!

Mr BOB DEBUS: And reminding ourselves that while, for instance, the area of Parks has increased by around about 60 per cent in the last 10 years the expenditure on pests have increased by 1,700 per cent. Here we are dealing with a question of what is happening at the margins of the budgeting for the Parks Service, and I will let Mr Fleming and Ms Corbyn deal with those marginal questions.

Ms CORBYN: I think that you might be misinterpreting some of the budget figures because with the restructure of the department, which is the Department of Environment and Conservation, you cannot compare a previous Parks budget to the current figures. The budget figures show that we have increased the Parks budget from \$294 million to \$305 million, which is an increase of 4 per cent. Because we brought together the science and corporate services areas as we established the department it is not a comparable picture. However, we have provided the figures in the budget for the Parks and Wildlife division so that you can see those figures.

The Hon. CHARLIE LYNN: Those figures are in the State of the Parks report, are they not?

Dr FLEMING: Can I add a couple of things to what has been said? First of all, I can give you an assurance. You specifically go to the issue of pests and weeds. We expect to spend approximately \$18 million this year in that area of our work, which is similar to last year's funding level. There is no reduction in our effort in that area. Can I talk a bit about the State of the Parks report and what it does and does not say? In stating that, I think we ought to take a step back and look at the context of this report. There is no doubt that in Australia pest and weed problems are extremely significant. That is why co-operative research centres [CRCs] are being created. That is why there have been national and State inquiries. There is no doubt that all land managers in Australia face very significant issues with feral animals and weeds. It has been estimated that feral animals cost the Australian economy \$700 million a year, and weeds billions of dollars each year. So in that context I think is important.

What we have chosen to do with the State of the Parks report is look specifically at our own system because we think that is a really important part of continually improving our management.

Some people may say that exposes us. I think it shows that we are serious about improving our management and need to look at this sort of information, not hide from it. But it also shows that feral animals and weed problems, which are prolific across the State, are being handled in the New South Wales parks system. There is no doubt they are big issues for us. Just like all land managers, they are a big issue for us. But the assessment that the State of the Parks report revealed is that in 90 per cent of the parks we are either holding the line or making improvements in that area. In 50 per cent of those parks we are seeing gradual improvement in the condition of feral animals and weeds.

Mr BOB DEBUS: A lot of the parks are less than 10 years old, so that is pretty good.

Dr FLEMING: These problems are not very recent. We have had problems with feral animals and weeds within Australia and New South Wales for decades and decades, for 100 years or more. If you look at the age of the parks system, half the parks system by area is less than 25 years old and half the system by the number of parks is less than 10 years old. These problems existed at the time that many of these parks were created. They existed statewide. When you look at, for example, the distribution of foxes across the State, there is probably something like 55 million hectares of the State where foxes are a significant issue and there is probably in the parks system about 3 million hectares of land where foxes are a significant issue. That is based on assessments that rural lands protection boards and others have done.

The proportion of the State where foxes are an issue is higher than the proportion of the parks system. I do not want to resile from the fact that it is an issue. I think it is an issue. That is why we direct so much of our money towards managing these issues and that is why we have gone to the trouble of producing the State of the Parks report. What I do worry about is that people try to project the State of the Parks report as representing the problem as a whole. It is a problem for all land managers; it is a problem for Australia. That is why we are investing; that is why we are a part of the CRCs; that is why we are investing in various pieces of research to try to get on top of these problems.

That is why we have gone to the trouble of creating a bitou bush threat abatement plan to try to order our attack on that particular weed species according to priorities. It is such a big issue. The only way you start making some ground is if you write a threat abatement plan, work out your priorities and start implementing them. The State of the Parks report is encouraging in the sense that it is showing us that we are actually holding the line. It is disturbing in that it is telling us the same thing that is being told to all the land managers: that these things remain a big issue. That is why we will continue to spend what is a very large amount of money. If you look at the various inquiries that have been undertaken, our expenditure compares very favourably with other land managers, and we will continue to do that.

It is an issue not just for the conservation of those reserves. It is also an issue for landholders surrounding reserves. We do not just focus our effort on dealing with feral animals and weeds because they affect conservation. We also deal with these issues because we are part of a network of landholders. We have neighbours, and we have a responsibility to those neighbours. We take it seriously and we are going to continue to take it seriously. I know it is a very long-winded answer to your question.

Mr BOB DEBUS: I do not think so at all. I was looking at an example the other day. There is another station in the Riverina that was purchased. We will include this in the information that we provide to you about Norwood. That station is called Oolambeyan. It was once a really famous merino stud, if I am not mistaken. When it was purchased under the same program that we have discussed in several other contexts today, the National Parks and Wildlife Service did a survey of rabbits. They found 4,000 rabbit warrens; they found huge areas infested with a kind of thorn bush; they found a lot of other trouble as well. The first thing they did was to rip the rabbit warrens out, take out the thorn bush, look after this other stuff and put in fire trails. That is not unusual. The reality, as distinct from rhetoric I have heard from one or two places in recent times, is that for area after area through that part of the world the management of weeds and fire will increase exponentially when National Parks looks after it.

CHAIR: Minister, I thank you and Mr Fleming for your ongoing efforts and cutting through the misinformation that is put out about weed, fire and feral animal control. Particularly in my area it is certainly appreciated to hear your input.

Mr BOB DEBUS: Mr Chair, would you indulge me for five seconds while I give you another figure?

CHAIR: It will be in your time, but fine.

Mr BOB DEBUS: This is about fires and it tells you the difference between the rhetoric that is put out by the odd think tank, or the odd journalist or commentator who gets a column in the *Sydney Morning Herald* or the odd country newspaper.

The Hon. CHARLIE LYNN: They are on your side. You are talking about your own rag there.

Mr BOB DEBUS: Come on, Charlie. You have balanced it up recently. There have been some horrors in the *Sydney Morning Herald*. Bearing in mind that National Parks by definition has most of the highest country and the most rugged country, and therefore the most lightning-prone country, you would expect a lot more hits of lightning in national parks than you do in many other places. Going back to the fire season of 2003-04, there were 5,600 outbreaks of fire recorded in the State. We know this because the Rural Fire Service has intricate records. Of those, 263 happened in national parks. The year before, the other massive fire year, 7,700 fires were started—some little, some gigantic—in New South Wales and 433 began in national parks. On top of that something like 60 per cent of the fires that started in national parks are contained in national parks.

The Hon. RICK COLLESS: It is the 40 per cent that get away that is the problem.

Mr BOB DEBUS: To the contrary. There are 40 per cent left. One-third of them start on the national parks and get away. So you are down to around 10 to 12 per cent of the fires which get out of national parks and go away. In reality 20 per cent—or whatever is left, if I have done my maths properly—of the total fires in national parks start when a grazier lights up to get a bit of spring pick or something of that nature and their fire runs into the national parks. Twice as many fires start in the parks and go on as start in the parks and go the other way.

The Hon. RICK COLLESS: You can do anything with statistics.

Mr BOB DEBUS: These are statistics of relevance.

CHAIR: On another aspect of your purview, the Dunphy Wilderness Fund has been extremely efficient and effective in acquiring wilderness land. The fund has acquired over 50 properties protecting more than 70,000 hectares of wilderness. Noting that land acquisition is sometimes a protracted process, what provision has the department made to ensure allocated funds are not diverted from the specific program by return to consolidated revenue if not expended at the end of this financial year?

Mr BOB DEBUS: I do not believe I can give a guarantee that money that is not expended at the end of the next financial year, which is the guaranteed time for the continuation of that fund, will carry over.

Dr FLEMING: I do not know whether Arthur wants to add anything, but there are roll-over provisions that are government wide which we can utilise if an underspend occurs. We are not talking about large amounts of money here. I think the Dunphy Wilderness Fund is in the order of \$1 million.

Ms CORBYN: We will be doing two things: one is seeking to ensure that the funds are expended appropriately so that we have still got programs looking for acquisitions, and then, if there is money, we would seek to have it rolled over. That is a Treasury decision but there are provisions for us to actually ask.

Mr BOB DEBUS: I cannot give a guarantee that it would be rolled over, but I do give you a guarantee that I would ask very strongly for it.

CHAIR: Thank you, Minister. In the light of the recent vesting of the Commonwealth Government of the blue gum high forest that is critically endangered under the Environment Protection and Biodiversity Conservation Act and in the light of the high value of the ecological community that exists in the blue gum high forests and the immense local community and council support, will you commit to the purchase of the property at 100-102 Rosedale Road which forms one of the largest and best-preserved remnants of this endangered ecological community?

Mr BOB DEBUS: You may be aware, Chairman, that for some time now I have been engaged in a negotiation with the northern Sydney councils, those within which the blue gum high forest and turpentine ironbark have similar status, and there is quite good progress being made. Councils have committed to preserving the tiny remnants that exist. One council has actually been considering an environmental levy to raise the money to buy the land, but I do not know that they have agreed to it. It is the Ku-ring-gai Council, and obviously the citizens there cannot afford a levy of any sort for these kinds of purposes. But in any event, we are negotiating at the present time with the State Rail Authority.

Mr SMITH: Obviously, this is a very important piece of land. It is also a very expensive and valuable piece of land. I think that a lot of really good work that has been done in the community to raise awareness about it is starting to bear fruit because even the Federal Government has now become interested and involved. It has already been listed on the New South Wales threatened species schedule for some time but is now, as you say, on the Commonwealth's list. I think it is quite likely that we will see, as a result of various negotiations going on, that there may be an eventual securing of that land into a conservation area. Some of those negotiations are still at a fairly sensitive stage and so it is probably inappropriate to go into the detail of it. But we understand how important that is and we are seeking to contribute to that positive outcome.

CHAIR: Trail bikes are becoming an increasing problem in the Warragamba special area. Did the Sydney Catchment Authority provide additional funds to the Department of Environment and Conservation to provide for more effective control of unauthorised trail bike activities within the special area?

Ms CORBYN: The Sydney Catchment Authority does provide funds to national parks. Whether it has specifically been tagged for trail bikes, I am not aware.

Dr FLEMING: It is simplest for us to just take it on notice and give you a response.

Mr BOB DEBUS: Let us be formally correct. We have properly refused to answer some questions about the Sydney Catchment Authority before. Why do you not simply write a letter, as a general representation, and you will be given an answer?

CHAIR: Thank you, Minister. Ms Hale, do you have questions?

Ms SYLVIA HALE: Just two questions.

The Hon. JAN BURNSWOODS: Chair, can we find out the finishing time—by a point of order if you like?

The Hon. HENRY TSANG: We have other commitments.

The Hon. JAN BURNSWOODS: We started at 2.05.

CHAIR: We started at 2.10, and it is not yet 4.10.

The Hon. JAN BURNSWOODS: So you are finishing at 4.10. are you?

CHAIR: I was going to finish at—

Ms SYLVIA HALE: Take this time out of the time.

The Hon. JAN BURNSWOODS: All we are trying to find out is what time we will finish.

CHAIR: Can I say that there were times when the Minister very generously gave us long answers and requested the opportunity to get some points across. I think that was fantastic, and proper.

The Hon. JAN BURNSWOODS: Chair, we started at 2.10. We are trying to find out what time we will finish.

CHAIR: We are arguing here way beyond that. If you had let Ms Sylvia Hale ask a couple of questions we would have been finished before you started this argument.

The Hon. JAN BURNSWOODS: I am sorry, we had the time for this hearing laid down and we have made arrangements.

The Hon. HENRY TSANG: We all have other commitments.

The Hon. JAN BURNSWOODS: We started well before 2.10. As Chair, it is your responsibility to keep to time. I have asked you to set a finish time.

CHAIR: In fairness, Ms Burnswoods, I am just giving Ms Sylvia Hale a couple of minutes to finish off.

The Hon. JAN BURNSWOODS: In fairness to whom?

CHAIR: In fairness to the whole Committee.

The Hon. JAN BURNSWOODS: I am sorry, Chair, but if you want me to move dissent, or whatever you want me to do, I am prepared to do it.

CHAIR: You can do whatever you want to do. Move dissent, thank you. Move dissent quickly. You are wasting the time of the Minister and the whole Committee. Talk about a negative reaction. This has been a very co-operative committee so far!

The Hon. JAN BURNSWOODS: If I move dissent, then everyone will have to leave the room. I have no intention of moving dissent.

CHAIR: If that is the case, why threaten to do it? Might I say, Ms Burnswoods, that this Committee has almost finished. There will be two questions from a member, and the Minister has done an exemplary job in answering our questions.

The Hon. JAN BURNSWOODS: I am asking you when we will finish.

CHAIR: You are threatening dissent and then you are backing off. Make up your mind. You are quite welcome to leave the Committee. The fact is we are trying to finish this Committee as soon as possible.

The Hon. JAN BURNSWOODS: Mr Chair, I have made four attempts so far to ask you—

CHAIR: Your attempts are being overruled, unless you would like to dissent or take it to a vote, Ms Burnswoods.

The Hon. JAN BURNSWOODS: For the fifth time, will you tell me what time we are going to finish this hearing?

CHAIR: At this point, we will be lucky to finish by 4.15 because of the time you have wasted.

The Hon. JAN BURNSWOODS: For the sixth time, will you tell me the finishing time for this hearing—

CHAIR: Sixteen minutes past four, if you do not talk any more.

The Hon. JAN BURNSWOODS: —so some of us can go and tell the people we are supposed to be with.

CHAIR: Sixteen minutes past four.

Ms SYLVIA HALE: Why do you not leave now?

The Hon. JAN BURNSWOODS: Thank you.

Ms SYLVIA HALE: Owing to the lateness of the hour, perhaps you might like to take these questions on notice. How much has been allocated to the Department of Environment and Conservation, including the National Parks and Wildlife Service, for fire management each year over the past five years? How much has been allocated for this year and for next year?

Mr BOB DEBUS: I will take it on notice.

Ms SYLVIA HALE: My second question relates to the Environmental Trust. Why is the Environmental Trust funding being used, rather than funding from the Department of Mineral Resources, for cleaning up the abandoned Sunny Corner mine sites near Lithgow, which are contaminated with heavy metals including arsenic, cadmium, copper, zinc and lead?

Mr BOB DEBUS: From its beginning, the Environmental Trust has been used to clean up contamination of areas that are orphaned, that is to say, that have no owner extant. There is in fact no reason why the Department of Mineral Resources in particular should take responsibility for sites of that nature. Although the Environmental Trust cannot deal with all of them, it has established over a number of years a very flexible and useful program for dealing with contaminated sites of that nature.

Ms SYLVIA HALE: What happens to those sites that the department cannot deal with? Are they just left, or who picks up the tab for those?

Mr BOB DEBUS: There are sites for which contracts are made with original miners guaranteeing that the Department of Mineral Resources oversees the clean-up. There are sites in which, through the effective working of the extraordinarily successful Contaminated Lands Management Act, we are able to remediate through payments made by the owners, and there are sites which are orphans. They have to be dealt with on a case-by-case basis, but in many cases we find that co-operative arrangements can be made in which the Environmental Trust assists in remediation.

Ms SYLVIA HALE: You are saying that the majority of orphaned sites are remediated by the Environmental Trust?

Mr BOB DEBUS: No, I am not saying that. There are a vast variety of orphan sites, and different approaches are taken, depending upon the case.

Ms SYLVIA HALE: Thank you.

CHAIR: Thank you, Minister.

The Hon. GREG DONNELLY: Can I just make one statement? I just wish to offer my apology. In my third deliberative meeting today, I thought I would be clever with a question. It was a phrase that came in the answer to your question, Minister. I sincerely apologise to the Hon. Rick Colless and the Hon. Charlie Lynn and other Committee members, and the Chair in particular, for my silliness a bit earlier on. I apologise.

The Hon. RICK COLLESS: Your apology is accepted.

The Hon. CHARLIE LYNN: You are a good man.

Mr BOB DEBUS: Good heavens!

CHAIR: Minister, before you leave, there was a resolution in our earlier deliberative meeting where, in a spirit of compromise at a time when not all members of the Committee were here, it was decided that the Committee would like any questions taken on notice to be answered in 21 days.

Mr BOB DEBUS: Okay.

CHAIR: We would also need to determine your availability and the availability of departmental officers, should any further hearings be required.

Mr BOB DEBUS: Okay. We agree to answer any questions that are presently on notice within 21 days. I do not think I can make an absolute guarantee for any that might emerge later, although we will do our best, and my officers would be available for a later inquiry, although I would not.

CHAIR: Thank you, Minister.

The Committee proceeded to deliberate.
