

GENERAL PURPOSE STANDING COMMITTEE NO. 5

Thursday 11 October 2012

Examination of proposed expenditure for the portfolio areas

ENVIRONMENT, HERITAGE

The Committee met at 9.00 a.m.

MEMBERS

The Hon. R. L. Brown (Chair)

The Hon. C. Faehrmann
The Hon. R. H. Colless
The Hon. L. Foley

The Hon. S. MacDonald
The Hon. S. Moselmane
The Hon. Dr P. R. Phelps
Mr D. Shoebridge

PRESENT

The Hon Robyn Parker, *Minister for the Environment, and Minister for Heritage*

CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

Corrections should be marked on a photocopy of the proof and forwarded to:

**Budget Estimates secretariat
Room 812
Parliament House
Macquarie Street
SYDNEY NSW 2000**

CHAIR: I declare the hearing for the inquiry into budget estimates 2012-13 open to the public. I welcome Minister Parker and accompanying officials to this hearing. Today the Committee will examine the proposed expenditures for the portfolios of Environment and Heritage. The Environment portfolio will be examined from 9 o'clock to 12 o'clock, with questions in relation to the Environment Protection Authority being asked in the first one hour. The Heritage portfolio will be examined from 12 noon to 1.00 p.m. Before we commence, I will make some comments about procedural matters. In accordance with the Legislative Council's guidelines for the broadcast of proceedings, only Committee members 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 the Committee, members of the media must take responsibility for what they publish or what interpretation they place on anything that is said before the Committee.

The guidelines for the broadcast of proceedings are available at the side table. Any messages from advisers or members' staff seated in the public gallery should be delivered through the Chamber and support staff, or the Committee clerks. Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to the advisers seated at the table behind you. Transcripts of this hearing will be available on the web from tomorrow morning. Minister, the House has resolved that answers to questions on notice must be provided within 21 days. I remind everyone, that is, Committee personnel, witnesses and people in the public gallery, to turn off their mobile phones as they interfere with recording equipment. All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence. Minister, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament. I will ask all witnesses, each in turn, to state their full name, job title and agency; and then I will ask them to either swear an oath or make an affirmation.

BARRY DESMOND BUFFIER, Chair, Environment Protection Authority,

OWEN ALLAN WALKER, Acting Director of Finance, Office of Environment and Heritage, and

MELINDA JANE MURRAY, Acting Director, Conservation Programs, Parks and Wildlife Group, Office of Environment and Heritage, sworn and examined:

MARK GIFFORD, Chief Environment Regulator, Environment Protection Authority,

JILLIAN SALLY BARNES, Chief Executive, Office of Environment and Heritage,

THOMAS ANDREW GROSSKOPF, Acting Deputy Chief Executive, Policy and Programs, Office of Environment and Heritage,

CARL EDWARD SOLOMON, Acting Deputy Chief Executive, Office of Environment and Heritage,

KIMBER CHISHOLM ELLIS, Director and Chief Executive, Centennial Park and Moore Park Trust, and

CAMERON JAMES KERR, Director and Chief Executive Officer, Taronga Conservation Society, Office of Environment and Heritage, affirmed and examined:

CHAIR: I declare the proposed expenditure for the portfolios of Environment and Heritage open for examination.

The Hon. CATE FAEHRMANN: Minister, I have been sent some photographs of vegetation clearing that has taken place on a property called Strathdoon at Croppa Creek in the Gwydir catchment. The photographs that were taken last week clearly show recent clearing of what looks to be Brigalow endangered ecological community. Are you aware of that?

Ms ROBYN PARKER: This is an Office of Environment and Heritage question about native vegetation.

The Hon. CATE FAEHRMANN: The stop-work orders as well?

Ms ROBYN PARKER: We have the Environment Protection Authority [EPA] and Office of Environment and Heritage [OEH]. I know people get confused, but this is an Office of Environment and Heritage issue; it is about native vegetation.

The Hon. CATE FAEHRMANN: Including the issuing of stop-work orders?

Ms ROBYN PARKER: This is an Office of Environment and Heritage issue.

CHAIR: We will now move to Government members for questions on the Environment Protection Authority.

The Hon. SCOT MacDONALD: Minister, EPA—

The Hon. LUKE FOLEY: What does it stand for?

Ms ROBYN PARKER: It stands for a lot more than it used to under your Government.

CHAIR: Order!

The Hon. SCOT MacDONALD: How is the Government cracking down on wood smoke?

Ms ROBYN PARKER: I know that the Government members on this Committee live outside Sydney. Wood smoke is an issue not only for Sydney residents but for those living outside Sydney as well. The reduction of wood smoke emissions is a key priority for the Government and for the Environment Protection Authority. Smoke from wood heaters and open fireplaces is a major cause of air pollution in New South Wales. It accounts

for up to 50 per cent of particle pollution in the Sydney metropolitan region, and up to 85 per cent in some regional areas, during the cooler months. It can also be a significant health concern for people with respiratory illnesses or in children and old people with existing medical conditions, including asthma. It is of particular concern where there is dense population and of course the health costs are significant, with wood smoke emissions across urban, regional and rural areas of New South Wales estimated at around \$8.1 billion over the next 20 years.

In response to community and local government concerns about wood smoke, the Government has developed a strategy to identify neutral-add measures to improve the existing wood smoke control framework and assist local councils in managing wood smoke. In September last year I approved a wood smoke control consultation strategy. We conducted a survey of all New South Wales local government authorities. That information came back to me in January and it showed local government support for additional actions. We also had an economic analysis on the range of regulatory and non-regulatory approaches to managing wood smoke. That was publicly released in December 2011. The next stage of the consultation strategy is to seek broader input from community, industry and government stakeholders and collaborate with local councils to develop wood smoke controls to address their specific needs. That consultation will be informed by a discussion paper that has been developed using feedback from the local government survey and economic assessment report.

The wood smoke discussion paper, which I am releasing today, outlines a new framework with six different options available for councils to manage wood smoke in their local government area. The range of options could start with just allowing the installation of low-emission, high-efficiency wood heaters in new homes. It could range to requiring the removal of open fireplaces by owners before the sale of a property, requiring the removal of older or high-emission wood heaters by an owner prior to a property being sold, not permitting the installation of open fireplaces in a designated area, not permitting the installation of wood heaters in a designated area, and not permitting any new installations of solid fuel heaters such as wood heaters and open fireplaces within their local government boundaries. Those are a range of options and councils could choose one or all or talk to their communities about what they think is appropriate.

In line with the Government's commitment to local decisions for local communities, councils can choose which option or options suit them best as each local government area has different factors which determine how much of a problem wood smoke is, such as housing density, weather conditions and the number of wood heaters already in use. It is important that all councils consider these options because New South Wales is likely to face continued and increasing problems from wood smoke, with the number of wood heaters installed predicted to increase as the population grows. Today I am also announcing that funding will be made available to help councils fund wood smoke reduction initiatives, with over \$1 million to be made available to councils over a three-year period.

The \$1 million Wood Smoke Reduction program will assist councils to implement wood smoke control initiatives so that they can provide the community with information about wood smoke issues to achieve a reduction in wood smoke emissions and encourage local residents to operate wood heaters better. The New South Wales Government is inviting interested councils to apply for funding of up to \$60,000 to implement local wood smoke reduction programs for next winter. I am very pleased to have announced this important initiative. It is another step towards improving the general air quality both in Sydney and in regional New South Wales.

The Hon. RICK COLLESS: Minister, I am sure that you were a little bit bemused that there were no questions about the Orica incident at Kooragang Island last year from either The Greens or Labor. What is the Environment Protection Authority doing to better manage environmental incidents and emergencies following the release of chromium by Orica at Kooragang Island in August 2011?

Ms ROBYN PARKER: It is interesting that there are no questions on the Environment Protection Authority. The Government is very proud that we have taken the Environment Protection Authority and made it its own separate statutory authority, re-established the requirements on industry and certainly the requirements on industry to communicate better. The Government is very proud of the results. The Government has acted swiftly and decisively in response to the Orica incident in accordance with the recommendations of the review of that incident by Brendan O'Reilly and established the Environment Protection Authority as a modern and independent environmental regulator on 29 February 2012. With that we created six new positions in the Hunter, the Illawarra and Sydney to enhance the Environment Protection Authority's regional capacity to manage incidents and emergencies. The Government also created the new positions of Director of Hazardous

Incidents and Environmental Health, and Manager of Hazardous Incidents to drive improvements within the Environment Protection Authority.

These new resources have enhanced the Environment Protection Authority capacity to manage pollution incidents and strengthened relationships with key emergency response agencies. The Environment Protection Authority has initiated a range of new measures to improve pollution incident management, including initiating legislative changes to improve the response of industry to pollution incidents and ensure that notifications to the Environment Protection Authority and the community are timely. We have commenced the development of an incident management system that is consistent with systems used by other emergency response agencies such as Fire and Rescue NSW. We have established a dedicated specialist team to support Environment Protection Authority responses to serious pollution incidents, developing new formal operating procedures and enhancing staff training. We have revised the early alert system to ensure that the Environment Protection Authority executive and my office receive rapid notification of serious pollution incidents.

The Government has completed an audit of program facilities that pose a high risk of environmental harm. Committee members might recall that one of the first actions I undertook after the Orica incident was to issue an audit of 42 hazardous sites. That audit has taken place to identify non-compliances. We have implemented a new workflow management system that integrates with incident notification, investigation and management. This is all about improved incident management. We have also strengthened the incident planning and preparedness. The EPA has undertaken a number of new actions to improve its planning and preparedness for pollution incidents. It strengthens its relationships with key agencies involved with incident response to ensure a high level of interagency coordination and communication during incidents.

These were all lessons that the Orica incident identified for us—the way in which various agencies needed to work, to understand who the lead agency was and to work together and communicate appropriately. Interestingly, this has been tested, and there was indeed a whole test of the Orica site recently to go through all of these processes and see if it was working—one year on—just to see how all of this fits into place. Certainly when there have been other incidents industry has responded quickly, the authorities have responded quickly and the EPA certainly has responded quickly. We have had a number of tests of these sorts of protocols over the last year—and certainly they needed to be fixed, there was no doubt about that.

Some of the things that we have also done is increase the EPA involvement in emergency exercises—I mentioned the one recently at Orica on Kooragang Island—and increase the EPA participation in district emergency management committees. The EPA is leading a multiagency emergency management exercise to simulate the important process of returning the community and the environment to normal functioning after a pollution incident—not only responding to the incident but getting everything back on the right footing afterwards. Also, we have enhanced the EPA involvement in State-level emergency management. What have we done at Orica on Kooragang Island? We have required Orica to carry out a comprehensive independent environmental audit of its facility. Prosecutions have commenced against Orica for four pollution incidents, including the chromium-6 incident, which will be heard in the Land and Environment Court in December this year. We have amended the environment protection licence for the Kooragang Island facility with 12 legally binding pollution reduction programs at a cost of over \$20 million to Orica, and we have established the Newcastle Community Consultative Committee on the Environment to ensure the community is better informed and has a voice to raise concerns.

Recently the EPA board had its first regional meeting and came up to Newcastle. We met with industry. The consultative committee was a committee that I established. After the Orica incident I had a consultation with industry and with community, I established a community consultative committee, and they communicate through the EPA to me and they are the voice of the community. Industry was delighted to meet the new board, to meet the staff of the EPA, and we had a really good discussion about the new requirements on industry. It was refreshing to see how they interacted. The community group came along—they have regular meetings and I get lots of feedback from that. Excitingly, Orica has now put its own air quality monitoring system in place. That was a commitment they made. There is an open day coming up and the community will be coming along. I think Orica and other industries understand much more now how responsive they need to be, how quickly they need to act, how quickly they need to respond, how they have to have processes in place, that the EPA is watching them and has requirements of them, and about their place in the community—understanding that they live and work in a community and those who work in their industry are part of that community.

The Kooragang Island incident and industry in large hubs such as Kooragang Island in Newcastle and areas in the Illawarra are examples where industry needs to understand their responsibilities in the community but also to understand that this is a stronger EPA and there are stronger requirements and that we will come down hard on them if they do not. I know that many members of this Committee were part of the inquiry into the incidents relating to Orica. We certainly responded, I think, before the findings of that inquiry. But all Committee members would understand this area more than most, and I am sure you would have to agree that with the conditions in place now with the EPA and an independent chair and a chief regulator in Barry Buffier and Mark Gifford that they are doing a fantastic job, and industry certainly understands that. In 12 months we have achieved a great deal and I am very proud of those results. It is an indication of just how well it is going. There will always be potential for incidents, but it is how we manage it, how we communicate with the community and how we continue to interact with the community and with industry.

The Hon. RICK COLLESS: You have explained very succinctly how Orica has been held to account. Can I ask you generally what the EPA has been doing to hold the industry in a more generic sense to account?

Ms ROBYN PARKER: We have requirements on industry now with our new strengthened EPA and it is a different regulatory landscape from the one we had in the past. Industry has to report immediately rather than what had been the case, that is, as soon as practicable. I do not think anybody accepted that that was reasonable but that was certainly in place through the last Government. It is important that industry understands that the regulatory framework that we found coming into Government was in a state of disrepair. Industry felt there was a lack of transparency and, therefore, there was a way in which they could be lax in terms of their communication and accountability to the community. We saw very quickly how the system needed to change, and as Minister I acted very quickly to make sure that change occurred. Working with the Premier, we very quickly acted and responded. The new system that is in place puts greater accountability on industry. The EPA-licensed facilities employ over 150,000 workers. We want industry to grow and we want it to be the economic driver of our State. However, it is important that they act in a responsible way; they must be aware of the impact they have on the communities in which they operate.

We are asking industry to step up, and we have strengthened the EPA to make sure that they do. This leadership has had an important and immediate impact on improving the environmental regulation and changing industry behaviour and industry self-reporting. As I said, we have had a number of cases where industry has self-reported and self-reported immediately. In fact, their immediate reporting has doubled. Licensed facilities must also develop, test and be ready to implement a pollution incident response management plan. The community has greater access and input into what happens in their local environment; we have a new EPA website that has been expanded; there is an expanded public register; there is a new requirement for industry to publish up-to-date information on their websites; and that is only the beginning. I mentioned Orica's air quality monitoring. That will be on a website so that information is available to the public. It is important information that the public needs to know—that is the transparency of this Government.

The EPA uses other tools to respond to non-compliance and pollution incidents and other environmental issues in ways that are proportionate to the seriousness of the issue and the harm posed to the environment and human health. During 2011-12 that included 18 clean-up notices, 14 prevention notices, 1,705 site inspections—the statistics are pretty significant—and 1,663 penalty notices. The Environment Protection Authority completed 56 prosecutions, which resulted in fines of \$971,000 and other financial penalties of \$292,000, that is, 53 since the Environment Protection Authority commenced in February 2012 with \$776,650 in penalties. The Environment Protection Authority also has initiated 398 pollution reduction programs with a total estimated value of \$364.9 million. Since the 29 February establishment, that is \$108.8 million. The Environment Protection Authority will continue that important work and it will provide the people of New South Wales with certainty and accountability, and make sure that notification, communication, monitoring and any future pollution incidents are managed transparently, efficiently and systematically.

The Hon. SCOT MacDONALD: I agree it is bizarre that there is little interest in the Environment Protection Authority from Labor and The Greens. Can you tell us what the Environment Protection Authority is doing to increase recycling across New South Wales?

Ms ROBYN PARKER: That is a very good question. Everybody, I hope, is very much engaged in recycling. Recycling is certainly something that we hope is increased and the Government considers increasing recycling as an important commitment. That is reflected in NSW 2021. The Environment Protection Authority is involved in a number of issues to increase recycling in New South Wales and is in partnership with communities and businesses to address recycling. These partnerships are absolutely critical to increasing recycling. We also

work in partnership with 96 rural and regional councils to support regional networks for effective waste management. That program tackles waste management challenges associated with distance and remote townships.

I know Mr Colless will be interested in that, as well as Mr MacDonald and Mr Phelps. Remote townships and lower populations have issues relating to distance and recycling capacity, so partnering with councils in domestic waste and recycling contracts, and sharing infrastructure, is important. That enables recycling services to be efficiently delivered to households in remote areas and it supports regional contracts for collection of organic waste, scrap metals and other materials. The Environment Protection Authority has developed the Love Food Hate Waste program, providing tips and tools for households and businesses to reduce food waste. That program raises awareness about the environmental and financial impacts of food waste and aims to reduce the amount of good food being sent to landfill. That really is a significant initiative because New South Wales households spend about \$1,036 a year on food that is wasted—unless they have teenage or young adult sons like me and nothing gets wasted.

The Hon. Dr PETER PHELPS: Or chickens.

Ms ROBYN PARKER: Maybe chickens. I think my kids could inhale a fridge. The Environment Protection Authority has established more than 130 strategic partnerships with New South Wales councils, community organisations, businesses and other government agencies under the Love Food Hate Waste program. New projects under this program include a Love Food Hate Waste Smartphone application, a film competition and supermarket information sessions. I have seen some of those recently. We all buy vegetables or other things thinking they are going to be used and then find that they are not, so it is about encouraging better use of food and purchasing appropriately. A number of councils have engaged in that. It is important for people to look at the bottom line of their household budget as well as not wasting food and having it end up as landfill. The Love Food Hate Waste program also supports small and medium businesses in the hospitality and retail sectors to avoid food waste and encourages the donation of surplus edible food to charities. A number of charities are partnered with this program where food is taken to charitable organisations. Many members would be familiar with some of those initiatives.

A Bin Trim program also has been developed to assist small and medium businesses to reduce their waste and increase recycling. Bin Trim is a simple electronic tool and supporting education program that assists businesses to measure their waste and it gives tailored information to reduce, reuse and recycle. There is also a business recycling online directory, which was launched by the New South Wales Government in collaboration with Planet Ark and Pitney Bowes. This directory offers the opportunity for recycling businesses to register their services on site free of charge. The directory makes recycling easy for over 670,000 small to medium-sized businesses in New South Wales to find recycling and drop-off facilities. What have we done in the recycling industry?

The Environment Protection Authority received funding from the Australian Packaging Covenant to undertake two projects aimed at increasing the recovery of glass and expanded polystyrene from the waste stream, and that funding has been matched by the Environment Protection Authority. I launched one of those last week in my local electorate of Maitland with a charitable organisation called Mai-Wel that provides great community outcomes. It is a disability provider. We launched the polystyrene recycling unit. Polystyrene, of course, fills up landfill incredibly. This machine is only about the size of an old chest freezer, if people can remember what they were like, and the polystyrene goes in and comes out compressed. It is then able to be completely recycled and it takes up a lot less space. Mai-Wel also provides jobs for people in its service. There are many really good outcomes from these sorts of programs.

Those who have applied for the polystyrene recycling equipment have received, in total, \$830,000 and they will recycle 1,183 tonnes of polystyrene annually through the program. In addition to those sorts of initiatives, we are supporting the development of markets for recycled organics across New South Wales and delivering a training program for operators of waste and recycling facilities to improve environmental management, work health and safety, and increase the quality and quantity of materials recycled. You can see that the Government and the Environment Protection Authority are working on a number of outstanding programs and initiatives aimed at reducing waste by increasing recycling and therefore are keeping waste out of landfill across New South Wales. It is an ongoing priority for the Government and something on which it continues to work.

We are working on a number of other things with recycling, such as the fridge buyback program. You can have your second fridge taken away and you will get \$35 for it. It will be more or less completely recycled and you will gain about \$250 in that you pay less for your power bill. If you have a fridge that you are not using you will save money on that fridge and it will be recycled. The take-up of that program has been incredibly good. It is a great service and it has been embraced in my local community. I could talk at length about a number of other recycling initiatives—it is an exciting space to be in. A number of businesses that are part of our energy efficiency programs are networking to determine what other recycling programs they can engage in. Some of them are talking to each other about how to use offcuts or whatever from their businesses. It is an exciting space.

CHAIR: Minister, the engineers need five or 10 minutes to get the microphones and recording systems working properly so that Hansard staff are assisted in their work. If you wish to dismiss the Environment Protection Authority staff from the table, you may do so, but I would ask that you not call the Office of Environment and Heritage staff to the table until such time as the engineers finish their work. We will then proceed to examine that portfolio. Ms Samios will be coming at 12 o'clock, so if members have questions in relation to Heritage, I ask them to save those questions until the last hour.

(Short adjournment)

CHAIR: I understand Ms Samios will be here from 12.00 p.m. until 1.00 p.m., if members wish to ask questions on Heritage. A full three hours will be available for questions on the entire Office of Environment and Heritage portfolio, other than the Environment Protection Authority [EPA]. Any questions on the Environment Protection Authority will have to go to questions on notice. We will commence with questions from the Opposition.

The Hon. LUKE FOLEY: Parramatta Park is home to a World Heritage site, is it not?

Ms ROBYN PARKER: Yes, it is. A number of facilities that I have under my portfolio are World Heritage listed. I am very delighted to be both the Minister for the Environment and the Minister for Heritage. It is a great opportunity to showcase our great environment and our heritage. You know, including Lord Howe Island, parts of Parramatta Park are heritage listed. Of course I have the wonderful buildings within the Historic Houses Trust. We have some great heritage with our botanic gardens. I have responsibility for Centennial Park and Moore Park. It is an opportunity for me in both roles to be able to couple those things together and work towards recognising our fantastic heritage—both the built heritage and our environmental heritage—and the stories we have to tell. Do not forget as well that we have our Aboriginal cultural heritage. They are intertwined. In terms of Sydney, we have a number of facilities under heritage listing or on the heritage list. I am delighted as well that we are going to be getting the World Parks Congress in 2014. We were able to achieve that. It is held only every 10 years.

The Hon. LUKE FOLEY: Minister, I asked you about Parramatta Park.

Ms ROBYN PARKER: Yes, and I mentioned Parramatta Park.

The Hon. LUKE FOLEY: Can we come back to that? It is not the World Parks Congress. Parramatta Park is governed by the Parramatta Park Trust Act 2001 for which you are responsible, not as the Minister for Heritage but as the Minister for the Environment. Is that correct?

Ms ROBYN PARKER: And I am delighted as the Minister for the Environment and as the Minister for Heritage to be able to say when we have the World Parks Congress we will be able to showcase our parks.

The Hon. LUKE FOLEY: Minister, I did not ask you about the World Parks Congress. I asked you about Parramatta Park. The Parramatta Park Trust Act 2001 is the governing instrument. You are responsible for that Act, are you not?

Ms ROBYN PARKER: Absolutely. As part of the World Parks Congress I am going to be able to showcase Parramatta Park.

The Hon. LUKE FOLEY: Minister, the World Parks Congress has as much to do with Parramatta Park as a brush-tailed phascogale has to do with an estimates hearing today. Why on earth have you left Parramatta Park without both a chief executive officer [CEO] and a board of trustees? Will you tell us that?

Ms ROBYN PARKER: I am delighted with Parramatta Park in terms of what it offers. Do not forget that this is the heritage of Australia. It is not just Parramatta's heritage; it is Australia's heritage, Australia's story. And, when the World Park Congress is on, we are going to be able to showcase the botanic gardens, the zoo, Parramatta Park and a number of our other parks and gardens around Sydney. That is what the amazing achievement is—we have this congress and we can showcase Parramatta Park as well as those other facilities.

The Hon. LUKE FOLEY: How can you showcase it without either a board or a chief executive officer? It is leaderless, is it not, because you have not filled any of the positions responsible for managing and operating that World Heritage precinct?

Ms ROBYN PARKER: Parramatta Park has great potential. Certainly not only—

The Hon. LUKE FOLEY: Then why do you not appoint someone to run it?

Ms ROBYN PARKER: Certainly it has great potential in terms of what it has to offer. Certainly that potential needs to be developed. It is a very exciting space. So I have got the opportunity now, with all of these parks under one portfolio, to be able to showcase those parks, to develop them. So in terms of Parramatta Park, the opportunities are enormous in terms of the historical and heritage value and in terms of the environment that it offers. About 85 hectares in the middle—

The Hon. LUKE FOLEY: Who is running it? Who is running Parramatta Park, Minister?

Ms ROBYN PARKER: I am the Minister responsible for Parramatta Park and—

The Hon. LUKE FOLEY: Who is the director? There isn't one, is there?

Ms ROBYN PARKER: So what I—

The Hon. LUKE FOLEY: Who are the trustees? There is one out of seven, is there not?

The Hon. RICK COLLESS: Point of order: Mr Chair, the Minister is attempting to answer the questions.

The Hon. LUKE FOLEY: No. She is sitting there like a stunned mullet.

The Hon. RICK COLLESS: The Leader of the Opposition, the Hon. Luke Foley, is continually interjecting while she is attempting to answer her questions. I ask you to direct him to allow the Minister to answer her questions.

CHAIR: I uphold the point of order. Minister, do you best to try to answer the specific questions. I ask all members not to badger a witness. Once a question has been asked, allow the witness to answer the question to the best of his or her abilities. I ask as well that we try to get some substantive answers on the record.

Ms ROBYN PARKER: Certainly. I have just set the scene on the potential with Parramatta Park. There are a number of vacancies with the trustees.

The Hon. LUKE FOLEY: How many?

Ms ROBYN PARKER: What I have done is use a search company to assist me to find the right sort of people for Parramatta Park, the right skill set. I have been interviewing people for Parramatta Park.

The Hon. LUKE FOLEY: For the past 19 months, Minister?

Ms ROBYN PARKER: I plan to take those appointments to Cabinet very shortly. Using a search company, we have the best people coming forward. The criteria that we have looked at, the criteria that is important to me, is that they must be passionate and understand Parramatta Park, its context and its place in Parramatta. I have been delighted with those people who have come forward.

The Hon. LUKE FOLEY: Then why have you appointed no-one in 19 months?

Ms ROBYN PARKER: I will be taking them to Cabinet shortly. In terms of arrangements with Parramatta Park, it has given us an opportunity to look at what we might do with governance arrangements. We have had expressions of interest. They have been advertised. I will be going to Cabinet shortly with those appointments. In relation to the Chair position with Mr Tom Uren, he advised that he would stand down. His term expired on 3 October. We have had an evaluation of candidates, as I have said, and I have interim governing arrangements in place. The trust's role is to conserve and improve Parramatta Park.

The Hon. LUKE FOLEY: But you do not have a trust, Minister, do you?

Ms ROBYN PARKER: So we are appointing those positions. I will be going to Cabinet shortly. And the interim arrangements I have in place are about having someone managing the site. It has given us an opportunity to maybe look at what we will do with Western Sydney Parklands and Parramatta Park working together. Since I have been Minister, I have been able to get those parks working together—the botanic gardens working with the zoo, and Parramatta Park now working with the Western Sydney Parklands. So I have put interim arrangements in place with Parramatta Park.

The Hon. LUKE FOLEY: Are there interim trustees?

Ms ROBYN PARKER: The interim arrangements are that there is a trustee currently in place. The interim arrangements—

The Hon. LUKE FOLEY: One out of seven. Does he meet with himself, does he?

Ms ROBYN PARKER: The interim arrangements in place—

The Hon. LUKE FOLEY: How do you have a governing board of one person, Minister? Explain that to us.

Ms ROBYN PARKER: The interim arrangements in place include appointing Suellen Fitzgerald, who is the Director of Western Sydney Parklands Trust. She has the responsibility for managing both parks at the moment, Western Sydney Parklands and Parramatta Park. So we have those interim governance arrangements.

The Hon. LUKE FOLEY: On what date did you appoint her to act in the role?

Ms ROBYN PARKER: Suellen Fitzgerald is the Director of Western Sydney Parklands Trust. She has been asked by me to take on the delegations of Director of Parramatta Park Trust—

The Hon. LUKE FOLEY: When did you ask her to do that?

Ms ROBYN PARKER: —for an interim period and investigate options to combine the administration of both agencies. That is a plan that I think I might take up to look at getting both agencies working well together.

The Hon. LUKE FOLEY: So you have a secret plan to abolish the Parramatta Park Trust and have it swallowed up? Is that it, Minister?

Ms ROBYN PARKER: The aim of the initiative will be to allow a bigger combined team to provide better recreation, environment and heritage services for the communities of both parks.

The Hon. LUKE FOLEY: Have you consulted with the Parramatta community about this, Minister?

The Hon. SCOT MacDONALD: Point of order: I am interested in the Minister's answers. However, I am having trouble hearing them because of the interruptions.

The Hon. AMANDA FAZIO: To the point of order: The Minister has been asked specific questions. She refuses to answer them, evades them or is ashamed of the information she is being asked to provide. Mr Chairman, I ask you to direct the Minister to answer the questions she is being asked rather than simply parroting prepared information that her bureaucrats have given her.

CHAIR: I am unable to direct the Minister to answer a question. The Minister is able to answer the question to the best of her ability. However, I ask all members to ask one question at a time and to allow the Minister sufficient time answer. If the question is not answered it can be asked again.

Ms ROBYN PARKER: I am actively engaged in this process. Parramatta Park is very important to me. I am actively engaged in getting the right trustees and that is why I have used a search company. That is also why I have appointed Suellen Fitzgerald to manage both parks. She took responsibility for the park on an interim basis on 29 September. She has the financial delegation and that instrument gives the director of Western Sydney Parklands the authority to subdelegate to the manager of Western Sydney Parklands. At the same time, Mr John Landau and Sue Clunie, as signatories to the Parramatta Park Trust bank accounts, approved the addition of the director of Western Sydney Parklands as a—

The Hon. LUKE FOLEY: They are no longer trustees, are they?

Ms ROBYN PARKER: Mr Landau is a trustee. At the time this was done—

The Hon. LUKE FOLEY: But he is no longer a trustee.

Ms ROBYN PARKER: The director of the Western Sydney Parklands Trust arranged to meet with the remaining trustee, Tom O'Hanlon, on a monthly basis.

The Hon. LUKE FOLEY: So one remaining trustee constitutes corporate governance under the Parramatta Park Trust Act, does it? You said that you are actively engaged. You have had 19 months in which to deal with this, but you have allowed all but one position on a seven-member trust to fall vacant. After 10 years of service you told the CEO the day before his contract ended that he was finished and you call that active engagement.

The Hon. SCOT MacDONALD: Point of order: Is this a statement or a question?

The Hon. LUKE FOLEY: It is a question.

The Hon. SCOT MacDONALD: You are taking a long time to get to it.

CHAIR: Order! A point of order has been taken.

The Hon. SCOT MacDONALD: Is it a statement or a question?

The Hon. LUKE FOLEY: If you listened you might learn. It is a question.

The Hon. SCOT MacDONALD: We do not have all day.

The Hon. AMANDA FAZIO: To the point of order: It is obvious that Government members are running interference in an attempt to protect a lame duck Minister who cannot answer questions. Mr Chairman, I ask you to direct Government members to stop wasting Opposition question time.

CHAIR: There is no point of order. However, I remind all members that they should not badger or make statements. Members should ask questions.

The Hon. LUKE FOLEY: Is it not true that in 19 months as Minister for the Environment responsible for the Parramatta Park Trust Act you have failed to appoint a single trustee and have let its membership decline to one member when it should be seven, refused to respond to the former director's request about whether you wanted him to continue in the job and told him in the last 36 hours of his contract after 10 years of service that he was no longer required? That is the case, is it not?

Ms ROBYN PARKER: I do not take those actions with the staff. I have undertaken an extensive search to find the right people to be trustees. We have had fantastic applicants. I am delighted with them and I will be taking the issue to Cabinet shortly. It is not my responsibility as Minister to deal with staff. My responsibility is to ensure that we have the right—

The Hon. LUKE FOLEY: It is the trust's responsibility under the Act, is it not? You have allowed the trust to fall over: there is only one trustee left.

Ms ROBYN PARKER: Sally Barnes will be able to provide information about staff.

The Hon. LUKE FOLEY: Do not flick it to the CEO. You are the Minister with legislative responsibility for the Parramatta Park Trust. I am asking you whether it is a fact that in 19 months you have allowed to the trust to decline to one member when it should have seven members, failed to appoint anyone and gave the CEO his marching orders in the last 36 hours of his contract after 10 years of service and having delivered world heritage listing.

Ms ROBYN PARKER: I could hear the question; you did not need to shout. The question was about the director. I am asking the chief executive officer of the Office of Environment and Heritage, Sally Barnes, to respond about the actions in relation to the CEO of the Parramatta Park Trust. That was the subject of your question and it is therefore appropriate for the chief executive officer of the Office of Environment and Heritage to respond.

The Hon. LUKE FOLEY: Ms Barnes, does the CEO, the director of the Parramatta Park Trust, report to you or is it true that at law he or she reports to the trust, which reports to the Minister? That is the case, is it not?

Ms BARNES: A number of the directors have two reporting lines. In a strategic sense, they definitely report to the trusts and they work to them on strategic directions. From an administrative perspective, under the Public Service Management Act and public service arrangements they need an administrative public service home. From an administrative perspective—that is, as it relates to appointments, performance agreements and so on—they report to me.

The Hon. LUKE FOLEY: That is the cluster arrangement.

Ms BARNES: That is correct. I have arrangements with the various chairs of the trusts that we will set work plans and performance agreements for the CEOs together. Employment is my responsibility.

The Hon. LUKE FOLEY: But, it is the case, is it not, that at law, under the Act, the director of the Parramatta Park Trust reports to the trust and the trust reports to the Minister? That is the legislative status, is it not?

Ms BARNES: With regard to their strategic directions that is true. However, the directors do not report to the Minister about their employment arrangements; they report to me.

The Hon. LUKE FOLEY: I refer to the former director, Mr Levins. Is it correct that he served two five-year contracts as director?

Ms BARNES: That is my understanding.

The Hon. LUKE FOLEY: His second five-year contract expired on 29 September—that is last Saturday week, the day the Swans won in the grand final. Is that correct?

Ms BARNES: It is. I am not sure whether Mr Levins would like me to discuss his personal arrangements or his employment arrangements in public. They are confidential: they are between the chief executive officer and the individual. If he is happy for me to talk about those arrangements I would be happy to do so. However, I am not sure whether he would like me to discuss everything that happened in the lead-up to the decision not to reappoint him.

The Hon. LUKE FOLEY: I am interested in the absence of a director—a position established by law in the Parramatta Park Trust Act. I am interested in that vacancy. Is it not the case that Mr Levins was advised on the evening of 27 September—less than 48 hours before the expiration of his contract—that his services would no longer be required?

Ms BARNES: I can go into more detail about discussions that happened six months earlier. However, that was a confidential discussion between me and Mr Levins about what may happen in the next six months. I would be uncomfortable doing that without his approval.

The Hon. LUKE FOLEY: Minister, why was no director appointed if you decided that Mr Levins' services would no longer be required after 29 September 2012? Why did you not act to fill the director's position substantively?

Ms ROBYN PARKER: It has been explained that staffing is Ms Barnes' responsibility as the chief executive officer of the Office of Environment and Heritage. She has been running through some of those arrangements. They are the responsibility of the chief executive officer of the Office of Environment and Heritage.

The Hon. LUKE FOLEY: Ms Barnes, was Ms Fitzgerald told on 28 September that she would be given an interim role at the Parramatta Park Trust in addition to her substantive role at Western Sydney Parklands?

Ms BARNES: I was aware that we needed to ensure the governance arrangements were in place in terms of a CEO for the Parramatta Park Trust after Mr Levins' contract came to an end. I put in place arrangements with Ms Fitzgerald.

The Hon. LUKE FOLEY: When?

Ms BARNES: When that needed to happen. When the changeover happened.

The Hon. LUKE FOLEY: On 28 September?

Ms BARNES: Yes. We put in place arrangements to have delegations—

The Hon. LUKE FOLEY: But not before; you waited until the last day of Mr Levins' contract before putting an acting arrangement in place. In other words, there was no transition between a 10-year serving director who you decided would be finished and a person with a pretty big job running the Western Sydney Parklands. There was no transition, was there?

Ms BARNES: There was a handover and there has been a transition since then. The delegations were put in place so that there was no gap between Mr Levins finishing his contract and the new arrangements.

The Hon. LUKE FOLEY: Minister, do you have a secret plan to abolish the Parramatta Park Trust and have it swallowed up into another organisation?

Ms ROBYN PARKER: I think I have already explained to you that we engaged a search company to find the absolute best people with the best skills set for Parramatta Park. I am absolutely delighted with the people who have come forward. I will be going to Cabinet very shortly with those recommendations. The people who have come forward through that search are passionate about Parramatta and share my passion for the future of Parramatta Park—remembering the heritage potential there, and understanding that parts of that park are a world heritage site. The potential of that park and what it offers to western Sydney are enormous. I found some fantastic people through that search.

The Hon. LUKE FOLEY: No wonder: you have been looking for 19 months.

Ms ROBYN PARKER: I will be going to Cabinet with those—

The Hon. LUKE FOLEY: You have conducted a worldwide search, have you?

Ms ROBYN PARKER: Certainly some advertising was undertaken—

The Hon. LUKE FOLEY: Why did you not fill the positions before they expired so the trust will operate in accordance with the legislation?

The Hon. RICK COLLESS: Point of order: Mr Chairman, you have already asked that questioners allow the Minister to answer. I suggest you might enforce that request to allow the Minister to answer the questions she is being asked.

The Hon. AMANDA FAZIO: To the point of order: This is obviously a case of the Government members on this Committee trying to protect the Minister because she does not know her portfolio well. Can you direct them to stop wasting our time by raising these spurious points of order?

The Hon. RICK COLLESS: Further to the point of order: We have been extremely generous in not calling points of order on the Hon. Luke Foley. He continues to interrupt the Minister at every opportunity, and I think it is only right that he should allow the Minister to properly answer her questions.

The Hon. AMANDA FAZIO: If she answered the questions he would not have to ask them again. If the Minister stopped evading things we would not have this problem.

CHAIR: Order! There is no point of order. The Minister seems quite capable of handling herself. The member's time for questioning has expired so I will move on.

The Hon. CATE FAEHRMANN: In the report by Professor Mary O'Kane she made four recommendations. Were any of those recommendations to remove sea level rise benchmarks and to remove section 149 requirements?

Ms ROBYN PARKER: We asked Mary O'Kane, the Chief Scientist, to provide some information to us about the coastal erosion and sea level rise. We asked her to look at those issues. She certainly reported back on what her views in relation to sea level rise were.

The Hon. CATE FAEHRMANN: Yes, I will have other questions about the report, but were any of her recommendations—it is almost a simple yes or no answer—to remove sea level rise benchmarks or to remove the section 149 requirements in relation to sea level rise?

Ms ROBYN PARKER: Certainly she was part of the discussion about telling us that more and more science was available; that the scientific information available is a movable feast on sea level rise. It is changing all the time. There is no dispute that the sea level is rising. Part of her report was to say that there are differences in relation to scientific evidence about how quickly the sea level is rising and the impact on different parts of the State, the coastline, and really making sure that—

The Hon. CATE FAEHRMANN: But she did not recommend removing the benchmarks, did she?

Ms ROBYN PARKER: Well—

The Hon. CATE FAEHRMANN: Yes or no, Minister? I have the four recommendations in front of me. I can read them out if you like. None of those recommendations was to remove the sea level rise benchmarks or to remove the requirement in section 149—just a yes or no answer, please.

Ms ROBYN PARKER: This is part of our whole coastal assessment, so her report was part of the information that went together with our coastal panel. We met with—

The Hon. CATE FAEHRMANN: I am aware of that, and there were no recommendations that suggested that those benchmarks be removed. You did just talk about the science, though, which I would like to ask a question about. You said sea levels will continue to rise. Have you any signs before you that suggest that sea levels will rise less than the upper levels predicted by the IPCC?

Ms ROBYN PARKER: Just to go back to Mary O'Kane, we asked her—

The Hon. CATE FAEHRMANN: I am still on Mary O'Kane.

Ms ROBYN PARKER: We asked her to report on the science. We did not ask her to report on planning issues.

The Hon. CATE FAEHRMANN: And I would like to stick with the science, please. That is what I am asking you.

Ms ROBYN PARKER: Just to finish on that, sea level rise and her scientific analysis are different from planning information. We were not asking her about planning information; we were asking her about the science.

The Hon. CATE FAEHRMANN: During your second reading speech, in relation to the science, you said that the science is still being debated?

Ms ROBYN PARKER: Certainly.

The Hon. CATE FAEHRMANN: You talked about Professor Lambeck, that he discusses the uncertainty surrounding sea level rise. Do you stand by those statements?

Ms ROBYN PARKER: What I stand by is what Mary O'Kane informed us, and that is that more and more information is available. There are different viewpoints on sea level rise. Therefore, what we want to do—

The Hon. CATE FAEHRMANN: If you stand by what Mary O'Kane informed you, you would stand by her letter, her summary of the report, which says—and do you stand by the statement of Mary O'Kane's—"The way the science has been used to determine benchmarks is adequate given the current levels of knowledge." Not uncertain, not being debated but adequate. I have not heard you say, or seen anywhere in your second reading speech, that the science is adequate. That is what Mary O'Kane is saying, is she not?

Ms ROBYN PARKER: What we are saying is that the science is changing all the time, that the information is changing all the time. We want to make sure that councils have the most up-to-date information so that we resource councils in a way that they have information that is relevant and current. What she was talking about was the way in which sea level rise benchmarks were assessed, the way in which the science about sea level rise has been reviewed. But we are saying that councils need that information about resources pertinent to their local area, and that is—

The Hon. CATE FAEHRMANN: Minister, where in the report did she suggest to remove the benchmarks? She suggested in the report that the science to determine the benchmarks is adequate. Where did she suggest in her report to remove the benchmarks for councils?

Ms ROBYN PARKER: She is talking about the scientific process to achieve the benchmarks. As I said, we asked her about the scientific evidence, not what we should do in a planning sense. Section 149 certificates are a planning mechanism. The process we have undertaken with this is that we have a taskforce—

The Hon. CATE FAEHRMANN: I am not asking you about the process, with respect; I am asking you about the science. If I can continue with the science, in your second reading speech you mentioned works by Professor Kurt Lambeck and also works by Dr John Church from the CSIRO and Josh Willis. You said that these findings are supported by the work of CSIRO, and the findings of Mary O'Kane are also supported by Lambeck. Could you give a summary of the works of Lambeck and Church and Willis in relation to sea level rise?

Ms ROBYN PARKER: I will take that on notice and provide that to you. I do not have that right at my fingertips now. We will take that on notice and give that to you.

The Hon. CATE FAEHRMANN: I would like your opinion, then, on information I have before me, which is a report from the Australian National University—

The Hon. Dr PETER PHELPS: Point of order: Is it in order to ask for an opinion about something? I would contend it is not.

CHAIR: No, it is not. I uphold the point of order. Perhaps the Hon. Cate Faehrmann could ask the Minister that question in a different fashion that does not require her opinion.

The Hon. CATE FAEHRMANN: I have before me information from research by Kurt Lambeck and Andrea Dutton that says sea levels may rise much higher than previously thought; information before me from John Church and Josh Willis saying that current understanding of ice sheet processes is incomplete, however, and larger rises in sea level cannot be categorically excluded, and sea levels will continue to rise beyond 2100. Why did you inform Parliament that the science behind sea level rise is still being debated? Do you believe that science behind sea level rise is still being debated, because these scientists have never said that?

Ms ROBYN PARKER: I certainly believe it, and that is what Mary O'Kane is telling us. There are debates on the rate at which the sea level is rising in different places; there is no debate that sea level is rising. The discussion from various scientists is that the debate is about different rates in different areas. We are saying that the scientific evidence is varied from a whole range of people. We want to provide councils with as much in resources and the right information as we possibly can. That is what this legislation is about. The legislation currently is in the lower House; it has not got to the Legislative Council yet. We are saying, "Let's give councils the best information." Even more knowledge is being collected every day on this and that is my interpretation of what Mary O'Kane as the chief scientist was advising us saying.

The Hon. CATE FAEHRMANN: One recommendation was to provide more plain English information to support section 149 advice and explain science.

Ms ROBYN PARKER: Absolutely. So we are saying to councils that we understand that they need to make some decisions about their planning mechanisms.

The Hon. CATE FAEHRMANN: That means to include sea level rising in section 149 advice, does it not?

Ms ROBYN PARKER: What that means is that they can provide advice in whatever terms are appropriate for their area. If we provide them with resources they can then use that planning mechanism just as they might with flood to say, "This is what we expect might happen in this area" et cetera.

The Hon. CATE FAEHRMANN: As environment Minister, when did you last give a speech on the science of climate change?

Ms ROBYN PARKER: We are talking all the time about climate change and our approach to climate change. That is an enormous issue with coastal erosion and sea level rise, but we also are talking about climate change and what we might do for the general householder and business. That is about energy efficiency. It is about being smarter about your energy usage. It is about saying how we can best make less impact on the environment as a community, business and household. I am constantly talking about energy efficiency.

The Hon. CATE FAEHRMANN: In relation to the climate change science—

Ms ROBYN PARKER: I am constantly talking about those issues.

The Hon. RICK COLLESS: Let her finish.

The Hon. CATE FAEHRMANN: I will not let her finish if she goes completely off track answering my question, with respect, Mr Colless. Minister, do you expect the science to reveal that sea level rise is not happening and that councils and property purchasers need not be made aware of it?

Ms ROBYN PARKER: I do not have any expectation about the science. That is for the scientists to make.

The Hon. Dr PETER PHELPS: Just Tim Flannery and his waterside house.

CHAIR: Order!

Ms ROBYN PARKER: It is for the scientists to make those assessments. I do not second-guess their expertise. We want to provide that expertise and information to councils and to the community to assist them, and that is what it is all about.

The Hon. CATE FAEHRMANN: Do you agree that scientists are telling us that sea level rise is tracking at the higher end of projections and that, in fact, the scientists you mentioned in your second reading speech have said that sea levels could rise up to nine metres?

The Hon. Dr Peter Phelps: "Up to 90 per cent off sale".

The Hon. CATE FAEHRMANN: In your second reading speech you quoted Professor Kurt Lambeck as supporting Mary O'Kane. Do you support the scientists saying that sea levels will rise, and are rising, at the upper end of projections?

Ms ROBYN PARKER: I am saying that—

The Hon. CATE FAEHRMANN: Do you support the scientists' statements?

Ms ROBYN PARKER: I am saying that there is a broad range of scientific information available. We are making sure, and we want to make sure, that all of that information resourcing is available to councils, to individuals, to householders—

The Hon. CATE FAEHRMANN: Could you please tell me what is that broad range?

Ms ROBYN PARKER: It is changing all the time.

The Hon. Dr PETER PHELPS: How about the fact the IPCC in the last three reports has given the rate—

CHAIR: Order! Members will allow the witness to answer the question. I remind Government members that interjections are disorderly at all times.

The Hon. CATE FAEHRMANN: It is not surprising he is getting worked up on climate change, but I am directing the questions to the Minister.

The Hon. Dr PETER PHELPS: Have you heard of the IPCC?

Ms ROBYN PARKER: Thank you. We are saying that we think it is important to give councils resources and available information. It is changing all the time. We want to make sure that they have that information, and that households and businesses have that information. It is a broad range. One of the things we might do—

The Hon. CATE FAEHRMANN: How are you providing information to households about the science behind climate change?

Ms ROBYN PARKER: One of the things we might do in relation to that is that we might establish a centre, and Mary O'Kane said this is the second part. This is only the first part of coastal changes. The second part might incorporate an advice centre or facility that offers that expertise and advice to councils and has hydrologists, engineers and scientists that can provide that. That is one of the recommendations. I think that has a lot of merit. Our task force is cross-jurisdictional. This is about this Government that works together. We have Planning, Local Government, Environment and Heritage, and the Minister for Crown Lands all working together on a task force. We have an expert panel advising that. Mary O'Kane is part of that advice. The next tranche of changes perhaps is to look at how we can provide a resource for councils to go to.

The Hon. CATE FAEHRMANN: In your second reading speech on the Coastal Protection Amendment Bill you said:

It is not a denial that sea level rise exists. It does exist and has existed for thousands of years—sea levels have changed and continue to change.

Do you believe that human-induced climate change has impacted on sea level rise over the last number of years and will continue into the future as a result of human-induced global warming?

Ms ROBYN PARKER: Certainly what we have seen with sea level rise, as that statement said, is that it has moved up and down over a thousand years, and that was part of Mary O'Kane's report. She has a graph in that report that shows over a thousand years—

The Hon. CATE FAEHRMANN: Minister, are you trying to avoid my question, which is, do you believe that sea level rises will continue—

The Hon. Dr PETER PHELPS: Point of order: The question is prefaced with the words "Do you believe". Therefore, the question is seeking an opinion. These hearings are not to elicit the Minister's belief. Estimates hearings are for statements of fact.

CHAIR: I have ruled previously on asking the Minister for an opinion. There is some doubt as to whether that question is legitimate. My understanding of the standing orders is that perhaps the member should ask questions that the Minister is capable of answering without offering an opinion or belief.

The Hon. AMANDA FAZIO: To the point of order: If we asked the Minister a question she was capable of answering we would not ask any questions because she is incapable of answering anything. She just reads out the speeches that her bureaucrats have prepared for her.

CHAIR: Order! There is no point of order.

Ms ROBYN PARKER: I am not reading anything at the moment.

CHAIR: The Minister may proceed to answer the question.

The Hon. CATE FAEHRMANN: Have you been providing advice to the department to continue planning for anthropogenic global warming regarding sea level rise and other aspects?

Ms ROBYN PARKER: We certainly are working on adaptation. There is a whole range of funding mechanisms through our portfolio that look at adaptations. Our coastal councils have to continue working on adaptation programs. We have funding for them.

The Hon. CATE FAEHRMANN: Adaptation to?

Ms ROBYN PARKER: To environmental impacts, flooding, sea level rise, coastal erosion.

The Hon. CATE FAEHRMANN: Are you finding it difficult to say the words "climate change" Minister?

Ms ROBYN PARKER: I do not have any difficulty talking about climate change at all, and I have talked to you about a number of programs we have in place. Councils just have to get coastal—

The Hon. CATE FAEHRMANN: How are you advising your department that climate change is happening? What advice are you providing to the department? What advice are you receiving on climate change?

Ms ROBYN PARKER: Was the question what advice am I providing or what advice am my receiving?

The Hon. CATE FAEHRMANN: What advice are you receiving?

Ms ROBYN PARKER: I do not advise the department on climate change.

The Hon. CATE FAEHRMANN: I am sure you do not, and that is a good thing. What advice are you receiving?

Ms ROBYN PARKER: We have a number of programs in place, as you know, for funding for adaptation to climate change.

The Hon. CATE FAEHRMANN: I mean on climate change science?

Ms ROBYN PARKER: Sorry?

The Hon. CATE FAEHRMANN: What advice are you receiving personally as environment Minister from your department on the science behind climate change?

Ms ROBYN PARKER: We have just been talking about Mary O'Kane's report. We asked Mary O'Kane to give that report, that advice, to us. That is something we asked for, that I asked for.

The Hon. CATE FAEHRMANN: What advice on climate change did Mary O'Kane give you?

Ms ROBYN PARKER: She specifically gave us advice on sea level rise, her view of the science and the process that was involved in sea level rise. We are working constantly on climate change issues. Councils still have to prepare coastal management plans. They still have to do the same sorts of things. We have funding programs in place for flooding, the estuary management, and for a whole raft of issues.

The Hon. CATE FAEHRMANN: Not much left for climate change though?

Ms ROBYN PARKER: The other thing we have done is have a look at the duplication of what is happening federally and what is happening in the Office of Environment and Heritage. We are looking at what programs we are offering so that there is—

The Hon. CATE FAEHRMANN: You are talking about a price on carbon?

Ms ROBYN PARKER: We are talking about what the Federal Government is doing in terms of its programs and how we can fit into those programs.

The Hon. CATE FAEHRMANN: Do you mean a price on carbon?

Ms ROBYN PARKER: Since they have initiated their carbon tax we have looked at the programs they have established around that and we have looked at what we are offering in the Office of Environment and Heritage and how that works. I am on the Council of Australian Governments committee that is working with other States in relation to climate change and working with the Federal Government to make sure we do not duplicate programs.

The Hon. CATE FAEHRMANN: Have you managed risks within your department if you are dropping these climate programs now because of duplication at the Federal level? Have you had conversations within your department about what it would mean for your effort in tackling climate change if Tony Abbott became Prime Minister and the carbon price was no longer?

Ms ROBYN PARKER: We are working on what is currently in place and making sure—

The Hon. CATE FAEHRMANN: You are not doing any modelling?

Ms ROBYN PARKER: We have climate change scientists and studies going on in a whole range of regions in terms of climate. We are working on biodiversity and a range of issues in terms of climate. Even the native vegetation inquiries we have been doing look at the climate change effects on farming. It is across the portfolio in relation to climate change.

The Hon. CATE FAEHRMANN: In relation to your second reading speech on the Coastal Protection Amendment Bill, when you suggested that the science was being debated—just one last question on this—where did you get the information that the science was being debated?

Ms ROBYN PARKER: Do you not read papers, do you not listen—

The Hon. CATE FAEHRMANN: I am asking where you got the information that the science is being debated?

Ms ROBYN PARKER: Absolutely the science is being debated.

The Hon. CATE FAEHRMANN: The science is being debated?

Ms ROBYN PARKER: Of course, you have talked about a whole range of reports, a whole range of scientific—

The Hon. Dr PETER PHELPS: The Intergovernmental Panel on Climate Change says it.

Ms ROBYN PARKER: It does not mean we do not believe in climate change or sea level rise. The debate is about the rate of sea level rise, the independent assessment of where it varies from place to place—

The Hon. CATE FAEHRMANN: No, the science is certain. The debate is not around the science.

The Hon. SCOT MacDONALD: That is your opinion.

The Hon. CATE FAEHRMANN: No, it is not; it is Mary O'Kane's opinion.

(Short adjournment)

The Hon. LUKE FOLEY: Minister, you were not invited to the meeting in the Premier's office that took place on the evening of 29 May where the leadership of the Government and the Shooters and Fishers Party agreed to open up our national parks estate to amateur hunters, were you?

Ms ROBYN PARKER: Certainly the discussion about shooting in national parks is not a new issue. The Chair, I know, had discussions with the previous Government in terms of shooting in national parks and I think he thought he had an agreement at that time about shooting in national parks. That is not a new issue. The legislation in relation to this is the Game and Feral Animal Control Amendment Bill.

The Hon. LUKE FOLEY: I did not ask you what the legislation was, Minister. Is it not the case that you were not invited to the 29 May evening meeting where a deal was done to open our national park estate to hunters?

Ms ROBYN PARKER: I was involved in discussing with staff of the Office of Environment and Heritage.

The Hon. LUKE FOLEY: You were not in the meeting, were you?

Ms ROBYN PARKER: I am not sure—

The Hon. LUKE FOLEY: Why can't you just say no?

Ms ROBYN PARKER: —what meeting you are referring to.

The Hon. LUKE FOLEY: You do not know? I will tell you: the meeting where the deal was done between the leadership of the Government and the Fishers and Shooters; that meeting, the infamous meeting. You were not there because you were not invited, were you?

CHAIR: Point of order: It is the Shooters and Fishers Party.

The Hon. Dr PETER PHELPS: Point of order: Mr Foley is clearly badgering the Minister. He persists in shouting at her when he can get the question across just as effectively if he used a moderate tone with the Minister.

The Hon. LUKE FOLEY: I am in trouble when the Hon. Dr Peter Phelps lectures me on a moderate tone.

CHAIR: There is no point of order. I remind members at all times that the microphones are capable of doing the job and members should moderate the volume of their voices.

Ms ROBYN PARKER: In terms of the arrangement about the opportunities for licensed shooters to be part of the shooting in national parks program, I was certainly involved in discussions on the evening that you

might be talking about. I was talking with my staff and the Office of Environment and Heritage about how this might work in other places, getting their advice on where it worked in other places—

The Hon. LUKE FOLEY: Once again I ask you: You were not in the meeting where a quarter of the Cabinet met with the leadership of the Shooters and Fishers Party and struck a deal? You were not present at that meeting, were you?

Ms ROBYN PARKER: No, not present at that meeting, but present at Cabinet when this was a Cabinet decision.

The Hon. LUKE FOLEY: When did that occur?

Ms ROBYN PARKER: I am part of the Cabinet; it was a Cabinet decision.

The Hon. LUKE FOLEY: When?

Ms ROBYN PARKER: Sorry?

The Hon. LUKE FOLEY: When did the Cabinet make a decision on that?

Ms ROBYN PARKER: I will have to check the date and come back to you on the date of the Cabinet meeting. It was part of—

The Hon. LUKE FOLEY: It was after the deal had been done and the press release issued by the Premier and Deputy Premier, was it not?

Ms ROBYN PARKER: It was a Cabinet decision and I—

The Hon. LUKE FOLEY: After a public announcement had been made.

The Hon. Dr PETER PHELPS: Point of order: The Minister has indicated that she needs to consult her diary as to when the Cabinet meeting took place. The Hon. Luke Foley is now trying to create a timeline, when the Minister says she needs to go back and confirm the accuracy of when the issue went to Cabinet.

CHAIR: There is no point of order. The Minister has indicated she will provide an answer on notice.

Ms ROBYN PARKER: Certainly, I can tell you when the decision was made at Cabinet.

The Hon. LUKE FOLEY: Minister, will national parks, State conservation areas and other parts of the reserve estate that are opened to amateur hunters be closed when amateur hunters enter them for the purpose of shooting?

Ms ROBYN PARKER: What we are currently doing in this program is working. The legislation was the Game and Feral Animal Amendment Control Bill under Minister Hodgkinson's portfolio. My responsibility in terms of this program is to decide and to declare and to give public notice of the declaration in terms of the parks, having regard to public safety as the paramount issue and having regard to the rights of other users. There will be a plan of management to make sure that any recommendation—

The Hon. LUKE FOLEY: Will that involve closing the parks and reserves?

Ms ROBYN PARKER: That declaration will be made public.

The Hon. LUKE FOLEY: Will you close the parks, yes or no?

Ms ROBYN PARKER: In terms of these parks, it will be worked out on a case-by-case basis. There is currently negotiation and discussion in place as to how this might work. We have talked to other jurisdictions and other States on how it works in their parks. We have had discussions with South Australia and Victoria.

The Hon. LUKE FOLEY: I am not interested in other States; I am interested in our State. Will parks be closed? It is a threshold issue.

The Hon. SCOT MacDONALD: Point of order: The Minister is answering the question and keeps being interrupted. I would like to hear the answer.

The Hon. LUKE FOLEY: She is avoiding it. So would I—if only she would give one. I ask for the seventh time: Will parks be closed or not?

The Hon. SCOT MacDONALD: The Minister is answering the question.

CHAIR: There is no point of order but I remind members not to interrupt witnesses when they are answering questions.

Ms ROBYN PARKER: I was trying to explain the process that is being undertaken. That is an operational issue in relation to how it is going to be rolled out. There are discussions taking place—

The Hon. LUKE FOLEY: Who is in those discussions?

Ms ROBYN PARKER: —with the Game Council and officers from the Office of Environment and Heritage about how this might work, taking best practice advice into consideration where this works in other States.

The Hon. LUKE FOLEY: You are talking to the Game Council and you are talking to Office of Environment and Heritage staff, is that correct?

Ms ROBYN PARKER: There is already shooting in place in parks and there is a mechanism—

The Hon. LUKE FOLEY: Indeed there is and, at the moment, when professionals go in the parks are closed when a cull occurs. I have asked you seven times will parks be closed when amateurs go in with guns and you refuse to tell us.

Ms ROBYN PARKER: What I am telling you is the process and what is happening is being discussed and worked out. Carl Solomon might be able to give you more information.

The Hon. LUKE FOLEY: I am asking you, Minister. Who are you talking to? You have told us you are talking to the Game Council and Office of Environment and Heritage staff. Are you talking to national parks users or their representatives?

Ms ROBYN PARKER: That is an operational matter and Office of Environment and Heritage staff are negotiating and discussing that with the relevant people. Carl Solomon is going to give you more information.

The Hon. LUKE FOLEY: Mr O'Farrell's press release, Mr O'Farrell's statements in the House and your statements in the House tell us that you are in charge of how this will work. Are you talking to national parks users as well as the Game Council and Office of Environment and Heritage staff? Are you?

Ms ROBYN PARKER: I am trying to tell you that the operational aspects of this are being worked out at the moment.

The Hon. LUKE FOLEY: You are not involved in those discussions?

Ms ROBYN PARKER: This is an operational matter that is being worked out at the moment. Carl Solomon can give you the operational information you are asking for—

The Hon. LUKE FOLEY: With respect, Minister, I am not interested in questioning Mr Solomon. I am questioning you on the basis of your strong statements about the "strict supervision"—your words—that you will put into place.

Ms ROBYN PARKER: Mr—

The Hon. LUKE FOLEY: Who is the Chief Executive Officer [CEO] of the National Parks Association?

Ms ROBYN PARKER: What I am telling you—

The Hon. LUKE FOLEY: Who is the Chief Executive Officer of the National Parks Association?

Ms ROBYN PARKER: Kevin—

The Hon. LUKE FOLEY: You do not know?

Ms ROBYN PARKER: Yes, I do.

The Hon. LUKE FOLEY: Ms Murray has just had to tell you. You have not gotten any better, have you?

The Hon. SCOT MacDONALD: Point of order—

The Hon. LUKE FOLEY: You did not know the name of the Orica boss last year.

CHAIR: A point of order has been taken.

The Hon. LUKE FOLEY: You do not know the name of the CEO of the National Parks Association and your officials have to tell you.

The Hon. Dr PETER PHELPS: Point of order—

CHAIR: Order!

The Hon. LUKE FOLEY: You have not got any better, have you, Minister?

CHAIR: I call all members to order.

The Hon. LUKE FOLEY: I asked the Minister who is the Chief Executive Officer of the National Parks Association? Her official answered for her.

CHAIR: Order! If the Leader of the Opposition has a question, he should ask it and allow the Minister to answer it. I remind all members that interjections are disorderly at all times.

The Hon. LUKE FOLEY: Minister, how can we have any trust that you will impose strict supervision when you cannot even name the Chief Executive Officer of the National Parks Association?

Ms ROBYN PARKER: With respect, you interrupted me when I had only said his first name. His name is—

The Hon. LUKE FOLEY: No, Ms Murray had to tell you, just like Mr Sullivan had to give you the name of the Orica boss. You are just hopeless, Minister.

The Hon. Dr PETER PHELPS: Point of order: That is the third time that I have had to pull up Mr Foley for badgering the witness. Would you please ask him to cease and desist?

CHAIR: Members do not pull up members. I ask all members to cease interjecting. If you want to take a point of order I will rule on it. I ask all members to conduct themselves with decorum, ask a question, wait for the answer and then ask another question. Minister, please answer the question if you are able.

Ms ROBYN PARKER: Kevin Evans is part of a group that sits in a round table environment discussion on a quarterly basis. He is the chief executive officer of the parks association. We have constant discussion at least on a quarterly basis. I have spoken with him about this program—

The Hon. LUKE FOLEY: It is a pity you could not remember his name, Minister.

Ms ROBYN PARKER: If you interrupt someone halfway through telling a name I guess you will only get the Christian name. Certainly Kevin Evans and I have had discussions about this program. I have had discussions with rangers, other States and a number of our staff with the unions. The way in which this will be rolled out is an operational issue. I have offered the person who is part of that program here today to talk to you about how the operational issues might roll out and then the declaration will be made by me as Minister. You do not really want to hear that, otherwise you would let him give you that information.

The Hon. LUKE FOLEY: We will get to Mr Solomon in a minute. You, as Minister, made very strong statements in the House. On 30 May you advised the House, "Licensed professionals will go in with Office of Environment and Heritage staff under strict supervision." Will Office of Environment and Heritage staff accompany amateur hunters when they go shooting in our National Park Estate? Yes or no.

Ms ROBYN PARKER: That is part of the operational issues that are being worked out by the department at the moment. While they are being worked out and the discussions are happening—

The Hon. LUKE FOLEY: Are you not involved?

Ms ROBYN PARKER: That is an operational matter—

The Hon. LUKE FOLEY: An operational matter so it is of no interest to you, is that right?

Ms ROBYN PARKER: No, it comes back to me in terms of the declaration. We have offered to give you the operational discussions that are going on but you do not seem to want to hear what is happening.

The Hon. LUKE FOLEY: Mr Solomon, will Office of Environment and Heritage staff accompany amateur hunters when they go shooting in our National Park Estate?

Mr SOLOMON: I am actually going to refer this question to Ms Murray.

The Hon. LUKE FOLEY: That is a let-down. The Minister has been building you up for the past 10 minutes, Mr Solomon. Ms Murray, at least you know the name of the Chief Executive Officer of the National Parks Association. Ms Murray, will Office of Environment and Heritage staff accompany amateur hunters when they go shooting in our National Park Estate?

Ms MURRAY: National Parks is working on developing the program at this moment. We want the right controls for the right parks. That will vary, given the range and context of the existing national parks. The list of 79 parks announced by the Premier includes areas that have visitation levels that are higher than some other parks and that will be considered as part of developing the program. We are currently preparing a risk assessment that will look at ensuring we have the right controls for the right parks, and safety is paramount in the development of the program.

The Hon. LUKE FOLEY: Do I take it from your answer that in some parks amateur shooters will be accompanied by Office of Environment and Heritage staff and in other parks they will not be?

Ms MURRAY: That is a matter that is being considered and developed as part of the risk assessment that will form advice provided to the Minister when she is making declarations in relation to those parks.

The Hon. LUKE FOLEY: Is your role, and the role of other officials in the Office of Environment and Heritage, to provide advice to the Minister?

Ms MURRAY: We are involved in a range of roles as part of developing the program. This includes dealing with stakeholders. We are also developing a risk assessment, a range of communication strategies to park users as part of the program and, as emphasised before, safety for all park users, including neighbours as well, is paramount in developing the program.

The Hon. LUKE FOLEY: A minute ago Ms Murray spoke of the advice she will provide to the Minister. Is it the case that ultimately the level and detail of the supervision will be a matter for the Minister to sign off on? Is that correct?

Ms MURRAY: The Minister will be making declarations about the program. There will be a range of operational arrangements that will apply to the program in the different parks where it may apply.

The Hon. LUKE FOLEY: Will parks be closed when amateur hunters enter for the purpose of shooting, as is the case now when professional shooters enter for a feral cull at the moment?

Ms MURRAY: The legislation refers to exclusion zones that can apply as part of the program. They will be considered when we are making recommendations and providing advice to the Minister.

The Hon. LUKE FOLEY: What does that mean? Is it up in the air?

Ms MURRAY: No, the legislation refers to a range of exclusion zones and licensing may apply to parts of parks or holders of parks that are considered as part of the program. There will be a park-by-park consideration to ensure we have the right controls in the right parks. As I have said before, safety is paramount in the development of the program.

The Hon. LUKE FOLEY: At the moment when the Office of Environment and Heritage or the National Parks and Wildlife Service brings in professionals to engage in a cull either on the ground or from the air in helicopters, a park is shut. There is advertising in the local media about the close and a lot of signage around the entrance to the parks. Is that correct?

Ms MURRAY: I will refer that question to Ms Barnes to explain how pest control programs operate.

Ms BARNES: As the head of National Parks for four years before this job, it is nice to go back to my old stamping ground in detail. In relation to current feral animal control programs we have a range of protocols in place, including around exclusion. So it is not the case that we would close the whole park for a potential shooting program. We would similarly look at the park, look at the risks associated with those shooting programs, do an analysis around visitation and potential exclusion zones and then look at how we might communicate that to the public. We are looking at similar principles, on a case-by-case basis, depending on a range of factors including visitation, the season of the year linked to visitation, weather conditions, neighbours and a whole range of things.

The Hon. LUKE FOLEY: On 24 April the Minister issued a media release that stated, "The Minister reiterated an assurance that hunting would not be allowed in New South Wales national parks". Five weeks later the leadership of the Government did a deal at a meeting to which you were not invited. Minister, is it the case that the Shooters and Fishers Party has all the influence over how our National Park Estate will operate and you, in fact, have none?

Ms ROBYN PARKER: This was a Cabinet decision in terms of the outcome. What is not new, as I said, is that the Shooters and Fishers Party have had this as part of its agenda, including an agreement it thought it had with the previous Government.

The Hon. LUKE FOLEY: What is new is that previous environment Ministers stopped them in their tracks, whereas you are not even invited to the meeting that signs off on it. Is that correct?

Ms ROBYN PARKER: What is not new is that this Government came into office with a \$5.2 billion deficit, a \$5.2 billion GST revenue fall.

The Hon. LUKE FOLEY: What on earth does that have to do with hunting in national parks?

Ms ROBYN PARKER: What is new is that this Government needs to, and will make sure that it governs within its means. That means that a range of legislation that you have an opportunity to support needs to happen so that we can then say—

The Hon. LUKE FOLEY: Now we get to the bottom of it. It was just a dirty deal, was it not? It was just a dirty deal and you had no say over it, did you?

Ms ROBYN PARKER: This was a Cabinet decision. I am a member of Cabinet and I support Cabinet decisions.

The Hon. LUKE FOLEY: You cannot tell us when Cabinet met, you were not invited to the meeting on 29 May when the deal was done, a press release was issued by the Premier and Deputy Premier on the 30 May and there was no Cabinet meeting on the morning of 30 May. You had no say in the decision, did you?

Ms ROBYN PARKER: This was a Cabinet decision, and I was part of Cabinet. I have said that over and over again. I know that you just want to shout, but it was a decision of Cabinet and I am part of Cabinet.

The Hon. LUKE FOLEY: Are you going to allow logging in national parks, Minister?

Ms ROBYN PARKER: We are here to—

The Hon. LUKE FOLEY: Yes or no. Are you going to allow logging in national parks?

Ms ROBYN PARKER: This is—

The Hon. LUKE FOLEY: This is your chance to rule it out, Minister. I invite you to do so.

Ms ROBYN PARKER: You are asking ridiculous questions. We are here, with all of our team, to answer sensible questions.

The Hon. LUKE FOLEY: Well, why won't you say no, you won't allow logging in national parks? I invite you to do so, Minister.

Ms ROBYN PARKER: You have been down there yourself to see the ecological thinning trial. I know that you are part of the committee that went down and took part in and had a look at ecological thinning in the river red gums. Some people might call that logging. I do not call that logging; I call that ecological thinning for the purposes of growth. You went and had a look at it, did you not? I think you did as part of that committee, and I am sure you and the rest of the committee were passionately interested in it.

The Hon. LUKE FOLEY: Yes. And your representatives on the committee, Minister, argue for large parts of the national park estate to be handed back to the timber industry.

The Hon. SCOT MacDONALD: Point of order—

The Hon. LUKE FOLEY: Will you rule that out, Minister?

CHAIR: A point of order has been taken.

The Hon. SCOT MacDONALD: That is before the committee, and the member is making suppositions that he has no right to make.

CHAIR: There is no point of order. The member's time for questioning has concluded for this section.

The Hon. LUKE FOLEY: It is called estimates, you boofhead.

CHAIR: I will now move to questions from the Hon. Cate Faehrmann.

The Hon. SCOT MacDONALD: Point of order: I would like that comment withdrawn.

CHAIR: I did not hear what the member said.

The Hon. SCOT MacDONALD: "Boofhead".

CHAIR: Unfortunately I did not hear it, so I will not ask the member to withdraw it.

The Hon. SCOT MacDONALD: It is strictly from children, to me.

CHAIR: We will move to the Hon. Cate Faehrmann. You are eating into her time.

The Hon. CATE FAEHRMANN: Minister, what has been the outcome of an investigation into alleged illegal clearing by Ron Greentree at Boolcarrol in Wee Waa?

Ms ROBYN PARKER: Whereabouts?

The Hon. CATE FAEHRMANN: A station called Boolcarrol, and Ron Greentree.

Ms ROBYN PARKER: I will have to take that on notice. I do not have that information with me right now.

The Hon. CATE FAEHRMANN: Do any of your officers around the table know who Ron Greentree is?

Ms BARNES: Indeed. But we will take it on notice. I do not have information about that particular investigation with me.

The Hon. CATE FAEHRMANN: I have evidence that Ron Greentree has been taken to court in the past for land clearing and been prosecuted for illegal clearing of land. I have before me information that he has again allegedly cleared hundreds of hectares of that land.

Ms BARNES: Do you have the name of the property?

The Hon. CATE FAEHRMANN: Boolcarrol.

Ms BARNES: No, I do not have information on that. I know there was an investigation previously, and I think some action has been taken by the Commonwealth. But I am not sure, and I would like to have all the information before me before I answer the question.

The Hon. CATE FAEHRMANN: Which officer around the table is responsible for dealing with illegal clearing in this State?

Ms BARNES: Tom Grosskopf looks after native vegetation. I have details on some compliance activities and investigation, but I do not have information on Mr Greentree.

The Hon. CATE FAEHRMANN: Another instance of alleged illegal clearing that has come across my desk—and I get a number of them—is that 600 hectares of vegetation is being cleared illegally on a property called Beefwood, Moree. Minister, have you heard of that property?

Ms ROBYN PARKER: The way in which this occurs is that the Office of Environment and Heritage takes responsibility for investigating illegal clearing or allegations of clearing. So that is an operational issue; that is not an issue for me. But I will ask Sally Barnes or Tom Grosskopf whether they have information about that.

Ms BARNES: Has that been reported to the Office of Environment and Heritage?

The Hon. CATE FAEHRMANN: Yes, it has.

Ms BARNES: When was it reported?

The Hon. CATE FAEHRMANN: I am not sure of the exact date on which it was reported, but it has been reported.

Ms BARNES: I will have to take that on notice as well.

The Hon. CATE FAEHRMANN: Are you aware of a Dutch company called Kurstjens, which owns Beefwood and a number of other properties in New South Wales?

Ms BARNES: I am aware that we have a number of investigations underway at the moment. Because they are investigations, I cannot go into details. But I can tell you what we do when we are given details of

alleged clearing. One of the first things we need to do is find out whether it is legal or illegal clearing, and we work with the catchment management authorities and check with them regarding property vegetation plans and whether the clearing was in their property vegetation plan. We also go on site and we talk to people around the area. Because it is an investigation, a lot of those matters are still in that investigative stage, so I would rather not go into details if they are investigations. I can provide to you—

The Hon. CATE FAEHRMANN: Are you able to provide a copy of the property vegetation plan for Boolcarrol?

Ms BARNES: Catchment management authorities look after the property vegetation plans, so you would have to ask them.

The Hon. CATE FAEHRMANN: Are you aware of the Dutch company that I referred to before, the company called Kurstjens?

Ms BARNES: Not personally. But there is a lot of work happening at the moment to follow up any allegations of illegal clearing.

The Hon. CATE FAEHRMANN: Mr Grosskopf, are you aware of that company?

Mr GROSSKOPF: I am not aware of that company.

The Hon. CATE FAEHRMANN: My understanding is that it is a Dutch company, which owns the property Beefwood. On the website of this company, kurstjens.com, it says, "Why invest in Australian farms?" And one of the reasons it gives is that Australian farms have relatively few environmental constraints against the farmer. It is my understanding that this company is buying up properties with the intention of clearing them. We have heard that potentially illegal clearing of 600 hectares of vegetation has gone on at Beefwood. Could you take the question on notice, if you do not know about that?

Ms BARNES: I will.

The Hon. CATE FAEHRMANN: And provide us with information on what the department is doing with that.

Ms BARNES: Can I just comment that if they are putting on their website that there are no controls in New South Wales around native vegetation, that is an interesting marketing ploy, because there are very good controls around native vegetation clearing and farm management; and at the moment there are a number of active investigations, and there have been a number of prosecutions in the last 12 months around the same thing. So it is a very interesting marketing tool, but one that I would say is not correct. It is one that my officers would find offensive in that they spend a lot of their time working to ensure farmers have clear information so that they know what their obligations are. They work to make sure that, if farmers do not know, they try to give them advice. And then, if there are a few people who choose not to follow the rules, they are dealt with appropriately.

The Hon. CATE FAEHRMANN: Will you look into the website of this company, and perhaps contact the company to seek clarification?

Ms BARNES: I am not sure whether I have any legislative capacity to make any change in the—

The Hon. CATE FAEHRMANN: Should you inform them about the environmental laws in this State?

Ms BARNES: I am more than happy to have a look and refer them to the environmental laws, absolutely.

The Hon. CATE FAEHRMANN: I have another instance of potential illegal clearing that has taken place. I have been sent photographs of it. It appears to be in a Brigalow endangered ecological community. Apparently there are records of koalas on this site as well. This is a property called Strathdoon, which is at Croppa Creek in the Gwydir catchment. You seem to have some information on that.

Ms BARNES: I do have information about Strathdoon and activities around—

The Hon. CATE FAEHRMANN: These pictures were taken last week.

Ms BARNES: We were advised by an individual that he thought there was some illegal clearing happening. I met with my staff earlier this week. At that stage we did not have any clear information about the coordinates to determine exactly where that was, and we were going back to the individual to get some more details. As you say, it "appears"; we need to make sure that it is not just "appears", that it is illegal. We need to go through a process of procedural fairness and natural justice, which looks at whether that clearing was legal under a property vegetation plan? If not, then we need to do some investigation. We have been getting some information from concerned locals around the Gwydir area, so in fact an aeroplane was put into the air a few weeks ago. We have some photographs of that area.

If in fact it does appear that we need to investigate, we will do so.

The Hon. CATE FAEHRMANN: Did the Office of Environment and Heritage issue a stop-work order in February 2012 for clearing on this same property?

Ms ROBYN PARKER: That is an operational issue.

Ms BARNES: We keep the Minister abreast of progress. The Minister is very clear that these are operational matters—

The Hon. CATE FAEHRMANN: Did the Office of Environment and Heritage issue a stop-work order on the same property in February?

Ms BARNES: We did. That stop-work order was appealed in the court. We made the judgement at that time that because the stop-work order was nearly at its completion, and rather than waste public money going through a court system dealing with an appeal, we would not do that. But we are still investigating that matter.

The Hon. CATE FAEHRMANN: The stop-work order was withdrawn in February?

Ms BARNES: It was appealed in May.

The Hon. CATE FAEHRMANN: Is the stop-work order still in place?

Ms BARNES: No, but that does not mean our work stops in terms of investigation nor does our—

The Hon. CATE FAEHRMANN: It does not seem the clearing has stopped either, does it?

Ms BARNES: We are talking about "alleged" clearing at the moment.

The Hon. CATE FAEHRMANN: Yes, it is alleged clearing but I have photographs in front of me that were taken last week of recent clearing.

Ms BARNES: As you said, it appears to be. We need to do a proper investigation. We need to go through our procedures to make sure, as I said, there is procedural fairness—

The Hon. CATE FAEHRMANN: With respect, how long does that process take? We know that there was alleged clearing, enough to go through the courts at some level, a stop-work order was put in place by your department and then withdrawn. It is now October and for all intents and purposes it appears that that property owner is still clearing what appears to be endangered ecological community that could be koala habitat.

Ms BARNES: What I can tell you is that the initial investigation is nearly completed and I would be hopeful to make a decision on any regulatory action before Christmas.

The Hon. CATE FAEHRMANN: Minister, this is a question for you in terms of policy. Is there a problem when property owners are allegedly clearing endangered ecological communities on their properties and the department takes potentially four months to put a stop to it?

Ms ROBYN PARKER: I think it is important that the department is allowed to undertake the requirements they need. I do not interfere with its operational mechanisms to make sure that what is going on from their perspective is right. It is a departmental call in terms of investigation and taking further action. It is important that I do not get involved in directing the department on its operational initiatives.

The Hon. CATE FAEHRMANN: If this property owner has cleared hundreds of hectares illegally what should happen to that person?

Ms ROBYN PARKER: That is a matter for the courts to decide. Once there is an allegation that is proven it is for the courts to determine. There are penalties in place and we are actually—

The Hon. CATE FAEHRMANN: What type of message as a government do you believe should be sent to people who clear hundreds of hectares of endangered ecological communities in the far west of this State?

Ms ROBYN PARKER: The message is very clear: It is unacceptable. There are penalties in place and it is up to the courts to determine. It is up to the Office of Environment and Heritage to investigate and the courts to determine the application of those penalties. I do not second-guess the courts' outcome. Certainly part of those mechanisms, in terms of penalties et cetera, will be remediation. If a case is proven then there is a range of compliance and we are looking at that with our native vegetation reforms. But I can tell you the track record in terms of prosecutions under the native vegetation legislation recently. Since we have come to government there have been two prosecutions under that legislation; five convictions secured; court penalties of \$604,500; 17 directions issued in terms of remediation of 910 hectares of land in response to harm caused by illegal clearing of native vegetation; a remediation direction revoked for a property with advanced achievements in terms of remediation goals, so they had achieved remediation; and 12 penalty notices have been issued, which carry fines ranging between \$1,100 and \$5,500. Apart from that, a range of advisory letters—235 advisory warning letters—have been issued.

Ms BARNES: Can I go back to the photographs you have with you today? As I have said, we have a clear procedure in place to make sure the right steps are taken to see whether the action is legal or illegal. If it appears to be illegal clearing we have the powers to issue a stop-work order but obviously we need to make sure what is actually happening on the ground, and there are people working on that at the moment.

The Hon. CATE FAEHRMANN: We know that hundreds of hectares were cleared earlier this year. We do know that.

Ms BARNES: There is an investigation going into that, and it has stopped. These new instances that you have brought to my attention, which were brought to our office's attention at the end of last week, are also in the process of being investigated.

The Hon. CATE FAEHRMANN: Of the same landholder?

Ms BARNES: Yes.

The Hon. CATE FAEHRMANN: Who cleared hundreds of hectares and other than a stop-work order being withdrawn—

Ms BARNES: That current investigation is still underway and, as I said, I hope to be able to finalise that one way or the other before Christmas. There is still information being gathered around that particular case.

The Hon. CATE FAEHRMANN: Minister, is your department sending a message to landowners in this State that the department is not as tough on illegal vegetation clearing as it used to be?

Ms ROBYN PARKER: Absolutely not. In fact, I have just run through a range of prosecutions. In terms of the number of staff who coordinate vegetation compliance, we have 19 staff. We have regional operations in place and training for investigators. We have got the right sort of monitoring in place. We are looking at ways in which we can review, and we are reviewing the regulations in terms of the Native Vegetation Act. That review is not about increasing opportunities for broadscale clearing by any stretch of the imagination; it is a review about native vegetation. We have the lowest clearing rate of native vegetation on record for the period. I think it is the opposite.

The Hon. CATE FAEHRMANN: In relation to feral animal control in national parks, will there be any changes to existing programs for feral animal control in national parks as a result of shooting in national parks—for example, decreased use of pesticides or reductions in any baiting programs?

Ms ROBYN PARKER: Those are again operational issues in terms of pest control. We have record numbers of feral animals. This is an opportunity to enhance our program in terms of feral animal eradication, making sure we have extra people on the ground with the right safety protocols in place to assist the program that already exists to ensure—

The Hon. CATE FAEHRMANN: Will there be any reductions in existing feral animal control programs within your department such as decreased use of pesticides or reductions in baiting programs or any other types of programs you are currently doing in national parks as a result of allowing amateur hunters into national parks?

Ms ROBYN PARKER: We have a range of pest management processes in place—

The Hon. CATE FAEHRMANN: I know that.

Ms ROBYN PARKER: —and this is an enhancement and in addition to those pest management processes in place. That means if we have more people on the ground then we will be able—

The Hon. CATE FAEHRMANN: Minister, with respect, I think you are avoiding my question. I understand your programs currently. Will there be any reductions in the current feral animal control programs that are taking place within national parks—for example, decreased use of pesticides and reductions in baiting programs?

Ms ROBYN PARKER: We have a whole range of programs.

The Hon. CATE FAEHRMANN: Minister, I know the programs.

Ms ROBYN PARKER: There is trapping. There is a whole range of programs. There are no plans—

The Hon. CATE FAEHRMANN: Are those programs remaining as funded? Are the efforts and resources going into those programs continuing as a result of allowing amateur hunters into national parks?

Ms ROBYN PARKER: The regional pest strategies go across tenure and cover a range of strategies—

The Hon. CATE FAEHRMANN: Minister, you are avoiding my question, with respect.

Ms ROBYN PARKER: You are not giving me a chance to answer.

The Hon. SCOT MacDONALD: Point of order: I have sat here patiently while the Minister has been asked the same question three or four times. Every time she tries to answer she gets interrupted and everyone talks over the top of her.

The Hon. CATE FAEHRMANN: To the point of order: This is budget estimates. We are after specific answers to questions. When Ministers do not answer it is our prerogative to continue asking the same question until we get the answer that we are after.

CHAIR: Order! Or until I rule that the question is out of order. I do not uphold the point of order. I have allowed a lot of latitude in members asking the Minister questions and I have repeatedly suggested to members that they allow the Minister to answer the question. If the Minister does not answer the question reasonably then feel free to ask the question again. Minister, would you like to proceed with answering that question?

Ms ROBYN PARKER: Yes, sure. In relation to the pest and weed management programs we have \$34 million, which is about 15 per cent of the parks' resourcing. We have an allocation of \$14 million in new funding for 2011-12 to 2014-15 to improve poor park management activities, which includes pest management.

There is also an internal allocation of money to assist with the development of the program with licensed shooting. So we are very transparent in our actions relating to pest management strategies.

The Hon. CATE FAEHRMANN: What is the figure for the internal allocation to manage shooting in national parks to which you just referred?

Ms ROBYN PARKER: There is an internal allocation of \$100,000 in 2012-13 to assist with the program. It covers the operating expenses of some staff, some staff costs, in developing the program guidelines.

The Hon. SCOT MacDONALD: What is the New South Wales Government doing to help families, businesses and community groups save on energy bills, including the carbon tax impost?

Ms ROBYN PARKER: In the area of energy efficiency we are building on a range of programs, some of which started in our term of government and some of which started in the term of the former Government. They are programs of initiatives that I am happy to build on and improve. That is particularly important when we consider the impact of the cost of electricity and the impact of the cost of the carbon tax on the bottom line—on households' and businesses' electricity bills. So it is even more imperative that we get these initiatives right. Energy efficiency is a key priority of this Government and it is one way in which we can assist families and businesses and take the pressure off rising costs.

We have put together a range of practical initiatives to help businesses and community groups and hundreds of thousands of households achieve energy efficiency. They are part of, and are supported by, our 2021 goals. Our objective is to achieve 16,000 gigawatt hours of annual savings by 2020, placing downward pressure on the cost of living and driving economic growth in regional New South Wales. Through these programs more than 40 per cent of households are helped by this Government to save on their energy bills. These programs are funded by the Climate Change Fund, and New South Wales energy and water customers will save more than \$194.5 million on their bills over the next year. Every dollar that the Government invests through the Climate Change Fund in water and energy efficiency saves about \$4.50 in bills for the New South Wales community and is able to be invested elsewhere.

One of these programs assists lower income households who are struggling to meet the cost of their energy use. The Home Power Savings Program provides free home advice. People can get a kit that helps them to understand what their energy costs might be. Part of the kit involves a number of practical measures, such as meters, that will help people to reduce their energy costs. We estimate that that will save households about \$200 a year on their power bills, which is significant, in particular, for low-income families. So far it has helped 115,000 households across New South Wales and it is a saving of \$7.4 million in energy bills. It is a significant program. Apart from that other households can borrow energy-saving kits from the library, take them home, run them around their house, work out their energy use and look at ways of reducing it. I have met a number of people from low-income households who have used the energy savings program and who have told us that it really makes a difference.

We also are helping 370 medium and large businesses through the Energy Saver Program which works with them to reduce their annual energy bills and produce savings of about \$12.6 million. The Office of Environment and Heritage provides those companies with an energy efficiency audit and the return on investment is significant. Technical advice is provided about what can be done. I have seen examples of these audits. I refer in particular to a winery located near to where I live in Pokolbin which had an audit undertaken of its refrigeration bills. From that small investment it is saving about \$100,000 a year on its electricity bills, which is an enormous saving. In the area of climate change that represents less demand on the grid, less demand on our energy and is better for our environment.

These are great outcomes for some of those businesses. I meet representatives all the time from a diverse range of businesses that form part of our Energy Saver Program. Aged care facilities have engaged in these programs and have reduced their lighting costs in their provision of services. Terrific outcomes have been achieved for a range of businesses across New South Wales. Small investments in these programs pay for themselves very quickly. The small business energy efficiency program has helped more than 17,000 small businesses to save \$10.8 million on their energy bills. It is about giving them energy assessments and matched funding to help to install energy-saving equipment, which has really transformed small businesses. No doubt Coalition members would be interested to know that we have engaged with 630 dairy farms. A dairy farm that is located next door to me has saved more than \$500,000 a year on its energy usage, which is fantastic for small business.

One of the other programs we have implemented is the Energy Savings Scheme—an incentive that results in tradeable energy savings certificates. Households and businesses can benefit from energy savings as a result of improving their energy efficiency, which puts downward pressure on electricity bills. We estimate that that program will save industry about \$1 billion, which will result in \$1 billion in additional investment and savings of about 2.6 million megawatt hours. We also are helping the property sector; we are helping businesses to ensure that their buildings are sustainable. We have a neighbours scheme and an environmental upgrade agreement with councils, businesses and finance providers to give building owners improved access to capital so that they can undertake retrofitting of existing buildings and pass on those costs to any tenants in those buildings.

New South Wales leads the neighbours initiative and that has been supported by the property sector. The Hon. Cate Faehrmann asked me when I have talked about climate change. This is about practical initiatives in terms of climate change and I am out and about all the time, talking to businesses, promoting the neighbours scheme, promoting ways in which they can be involved in our Green Star programs and making sure they are getting the best return. We practise what we preach, so the Government is managing its own energy bills. We are committed to managing what we do, investing in energy efficiency and reducing our bills, therefore avoiding wasteful expenditure. Recently, the New South Wales Government has undertaken a number of initiatives through schools and the health sector, making sure that it reduces its energy bill.

The Government currently spends more than \$200 million a year in electricity costs. The price is increasing—we know that the carbon tax is part of that increase—and over 10 years it will more than double to \$420 million, so we are taking practical steps. That means retrofitting. For example, there has been a range of retrofitting of heritage buildings—our fire stations, ambulance stations, some of our schools—and great returns in terms of what that retrofitting delivers. We are doing what we can across New South Wales in terms of helping people to reduce their energy output and therefore reduce their bottom-line costs. It is better for their hip pocket and it is better for the environment.

The Hon. RICK COLLESS: About this time of year there is a big risk of bushfires throughout New South Wales. What is being done within your portfolio area to reduce the risk of bushfires?

Ms ROBYN PARKER: In terms of bushfire management, we have a great story to tell regarding improvement in hazard reduction, for example. Last week I saw it firsthand. On Sunday I went to the Gosford command centre of the Rural Fire Service and the National Parks and Wildlife Service, working together on fires around Pretty Beach and Lobster Beach. I saw aerial photos of a scientific program of hazard reduction worked out over a number of years. I saw on a map where hazard reduction, scientifically worked out, had been undertaken and I saw where the fire had stopped almost dead in its tracks because of that hazard reduction. I saw the tangible results of good hazard reduction.

Hazard reduction, and the ability to do it, is affected by weather. Obviously that has an impact. It is a challenge for us all, and it is going to be an enormous challenge this year in terms of managing fire. It is paramount that we manage fire for the protection of human life and of our property. In terms of our natural environment, this really overrides everything. The National Parks and Wildlife Service, being one of the State's largest land management agencies, works closely with the other recognised New South Wales bushfire fighting authorities—that is, the Rural Fire Service, Fire and Rescue NSW and Forests NSW—and I have seen that work, hand in glove, time and time again. The National Parks and Wildlife Service is responsible for managing bushfires and preventing and minimising the spread of wildfires in or from our parks and reserves. We think there is going to be an increased risk of bushfires because of changing weather patterns. We are committed to increasing the number and area of strategic hazard reductions and we have an enhanced bushfire management program.

Government funding is over and above the program already operating, so we have enhanced the program by putting in an extra \$62 million over five years for bushfire hazard reduction—that is, an extra 92 trained firefighters. We are continuing to work on ways in which we can reduce the fuel build-up and target strategically important areas. In the five years to June 2012 the National Parks and Wildlife Service carried out more than 950 hazard reduction burn operations totalling over 300,000 hectares. The average area treated was about 60,000 hectares, an increase of more than 51 per cent in relation to the previous five years.

Since we came to government, the National Parks and Wildlife Service has completed 204 burns, treating a total of 47,206 hectares. That is below what was scheduled. You can schedule an aim in terms of hazard reduction—aim to get to a certain amount—but it is dependent on your ability to carry out that aim due

to weather conditions. The burns in 2011-12 were affected by weather conditions. There was above average rainfall, which affected many of the scheduled burns. The results represent more burning in National Parks and Wildlife Service managed lands in 2011-12 than all other land tenures combined. The story that the National Parks and Wildlife Service has to tell is a terrific one—that is, more burning on national parks managed land than any other land tenures combined. That means there is a commitment from our Government to provide safe and strategic hazard reduction burning, despite inclement weather.

We are aiming to exceed the target this year and there are more than 600 burns scheduled for 2012-13. So far this financial year—and this is quite significant—there have been 86 hazard reduction burns, more than 23,000 hectares of parks and reserves. Firefighters are working hard, in partnership with the Rural Fire Service, to make sure we get good results. Part of that is making sure it is scientifically managed and making sure that it is worked on a rotational basis. I have been very impressed when I have seen the science involved, when I have seen how they undertake that managed approach, and seen it on the ground, as I said, at Gosford. The staff are highly trained. A lot of time is taken in planning, making sure they take into account weather conditions, but the weather can change, as we know currently, so they are restricted a little by that.

Another thing we have established is an independent hazard reduction audit panel, which reviews hazard reduction programs across New South Wales. It will provide recommendations to the Minister for Police and Emergency Services in terms of potential enhancements that can be made. The National Parks and Wildlife Service contributes to that panel and to the information. There are discussion papers and public meetings to provide communities with an opportunity to engage in that, so I look forward to working with my colleagues in terms of the final recommendations and providing some responses on that.

The Hon. SCOT MacDONALD: I would like to know a little more about tourism visitation. We heard a bit about it during our committee tour, but could you elaborate on what the Government is doing to boost tourist numbers across national parks?

Ms ROBYN PARKER: Absolutely. Part of our plan and our objective is to double tourism expenditure by 2020. It is a goal that our national parks have. It is an important goal and it is about drawing people to regional New South Wales and enticing them to stay longer. I know that your committee has been out and about to see some of that on the ground and see the results.

I look forward to hearing feedback from the committee on its report in relation to ways in which we can improve. I am impressed with the work that is happening in terms of tourism, the way in which we are engaging and the way in which we can improve visitations, opportunities for people to get out in our parks, and wildlife options. It is quite broad ranging. Our parks attract over 34 million domestic visits a year and some 3 million international tourists. It is a significant number of visits to our parks. With our parks covering more than 9 per cent of the State there are some spectacular landscapes and some wonderful opportunities for nature-based experiences. That is a commitment from our Government: we are working hard with stakeholders and we have some exciting partnerships occurring.

There are initiatives such as opportunities for mountain biking. We have a mountain biking strategy underway in a number of parks. We are looking at places—for example, Kosciuszko—where we can offer mountain biking and different options in the summer months. We will have new tracks open by the end of this financial year in the Murray Valley regional and national parks. We are looking at a diversity of access, such as, mountain biking and horseriding. We have partnerships being offered in terms of ecotourism opportunities, such as the Light to Light walk at Ben Boyd National Park. We have a tender out for an opportunity to provide ecotourism. People can walk and camp in the traditional way, or they can stop and have an ecotourism opportunity in terms of accommodation.

As well, we have a great interactive website where you can book accommodation in a national park. The website is interactive and it is being enhanced. We are putting a lot of funding into improving the website. For example, we have Wild About Whales and we have apps. Interestingly, I presented a range of those initiatives when I went to Korea recently, even to Google. They were impressed with what we are doing with our apps and the way in which we are interacting in a diversity of ways to provide more tourism opportunities in our national parks.

CHAIR: I interrupt proceedings to ask Ms Samios to attend at the front table. After Ms Samios is sworn, we will move into the final session for the Office of Environment and Heritage.

PETULA SAMIOS, Director, Heritage Branch, Office of Environment and Heritage, sworn and examined:

CHAIR: Members are reminded that the Office of Environment and Heritage questions can continue and Heritage questions can be put to the Minister now that Ms Samios is at the table.

The Hon. LUKE FOLEY: Minister and Ms Barnes, could I take you back to the Croppa Creek land-clearing issue that the Hon. Cate Faehrmann was asking about earlier. Is it not the case that the bulldozers were out again last week at the property about which the Hon. Cate Faehrmann was asking?

Ms BARNES: As I think I said in the answer to Ms Faehrmann, certainly we received reports last week from someone who thought there was some illegal clearing going on. Whether or not that was part of a property vegetation plan or whether it was legal or illegal clearing is what we need to look into. That is the process we are going through now. The person who gave us the information at that stage did not have very good information about exactly where, so we have gone back to find that information. I understand we have people going in the field to have a look. As I say, we need to first ascertain if it is legal or illegal.

The Hon. LUKE FOLEY: There have been at least four letters to you, Minister, regarding land clearing at the Strathdoon property at Croppa Creek near Tamworth, have there not?

The Hon. RICK COLLESS: Near Tamworth? It is a long way from Tamworth. Do you know where Croppa Creek is?

The Hon. LUKE FOLEY: Minister or Ms Barnes, can you assist us?

Ms ROBYN PARKER: Sorry, I will just be a moment.

Ms BARNES: I just make the guarantee that when we get reports of clearing we have a process which looks at those reports. We look into them first of all to see whether they are routine agricultural activities and whether they are legal or illegal. Sometimes people see clearing and they do not know whether it is legal or illegal. I cannot comment on this case because we are still looking at that matter in relation to the particular clearing to see whether it happened, where it happened, under what conditions and under what approvals. Until I have that information it would not be appropriate to say anymore about it for a number of reasons.

The Hon. LUKE FOLEY: Can I ask more generally then has there been any instruction, either formal or informal, to officers of your department not to prosecute for breaches of the Native Vegetation Act?

Ms BARNES: No-one has asked me to reduce the environmental standards that are in place in New South Wales. What people have asked me is what the requirements are. It is a sensible question in order to make sure we are putting our resources in the right places, to make sure we have the processes in place, to make sure there is procedural fairness, and to make sure we are communicating better up-front. At the end of the day, what I want to see is people doing the right thing. We are going through a process to see whether we have simple information out there and whether it is credible. The review of the regulations relating to native vegetation has definitely pointed us in the direction that there seems to be a lot of information that is not clear to people. In relation to some of the things that people can or cannot do, there is not clarity around that. We have a program looking at where the best efforts are to make sure in the long run we maintain our vegetation.

The Hon. LUKE FOLEY: Ms Barnes, have you or your officers investigated and reported on previous complaints earlier in the year about land clearing at Croppa Creek?

Ms BARNES: Yes. I have had a briefing on matters up there. Some of those matters are at a stage where it is better not to talk in detail in that they are finalising an investigation.

The Hon. LUKE FOLEY: We are talking about koala habitat, are we not?

Ms BARNES: I understand there is some koala habitat, potentially, in there.

The Hon. LUKE FOLEY: I will move to Heritage. Minister, are you aware that last week the New South Wales Heritage Council voted to allow Parramatta City Council to demolish part of the 1830s convict-built Lennox Bridge to provide for two cycleways?

Ms ROBYN PARKER: I am aware it was part of their agenda item and I am aware that they agreed that they would have no objections. The Heritage Council agreed that they would have no objections based on the heritage assessment.

The Hon. LUKE FOLEY: Is it the case that currently there are two vacant positions on the Heritage Council—for a historian and for a National Trust representative. Is that correct?

Ms ROBYN PARKER: I have appointed a historian. I am not sure if he has been informed. Cabinet has approved a historian for the Heritage Council and I am not sure whether he has actually got the letter yet.

The Hon. LUKE FOLEY: He was not there last week?

Ms ROBYN PARKER: I am sorry?

The Hon. LUKE FOLEY: He was not at the meeting I am referring to, was he?

Ms ROBYN PARKER: No, he was not there last week. The Heritage Council made that decision last week and he was not there. The National Trust had to give us some recommendations. It is their recommendation. Petula Samios was there. She might be able to give you some more information.

Ms SAMIOS: The matter came up before the Heritage Council. It was submitted by Parramatta City Council as an integrated development application. The council had all the information provided to it and it had copies of the submissions made to the council because it was an advertised development. The sandstone blocks that would be removed would be retained and stored and they could be reinstated. Parramatta City Council would also be undertaking a number of conservation works. There would be some visual impact, but the Heritage Council was satisfied that the benefit of easier pedestrian access along Parramatta River was balanced against the small changes that were accommodated within the bridge structure. The council was very aware of the heritage and history of the bridge, but it decided on balance to give approval to the integrated development application with conditions.

The Hon. LUKE FOLEY: Is it true that the submission to the council recommended refusal but that the council instead chose to approve it? Is that a fair statement?

Ms SAMIOS: Yes, that is a fair statement. The submission did recommend refusal. However, the Heritage Council, like all councils or determining authorities, can make its own decision. That is what it is appointed to do.

The Hon. LUKE FOLEY: Minister, would you be prepared to provide the Committee with the minutes of last week's Heritage Council meeting?

Ms ROBYN PARKER: Yes. They are placed on the website.

Ms SAMIOS: They are placed on the website about a month after the meeting.

Ms ROBYN PARKER: We will provide that information within 21 days, but you can see the minutes on the website.

The Hon. LUKE FOLEY: Would the Historic Houses Trust not be better placed in the Arts portfolio rather than the Heritage portfolio?

Ms ROBYN PARKER: I referred to the synergies we can now get with our historic offerings. We now have under one portfolio the Historic Houses Trust, the Royal Botanic Gardens and Domain Trust, the Centennial Park and Moore Park Trust, the Taronga Zoological Park Trust and the Parramatta Park Trust. We have some great synergies with them. I am the Minister for Heritage and the Minister for the Environment. The Historic Houses Trust does not simply offer the built environment; it has a range of other offerings including, for example, Rouse Hill House and farm and the Beulah biobank site. There is a range of things other than the built environment.

The Hon. LUKE FOLEY: Essentially we are talking about a number of museums and other properties. There is a considerable creative aspect to what the Historic Houses Trust and its properties offer. There is also a significant exhibition aspect, books are published and displays are mounted. Would it not be more appropriate to benchmark the Historic Houses Trust against the Powerhouse Museum and the Art Gallery NSW under the Arts portfolio rather than against those entities with which it is currently benchmarked under the Heritage portfolio? What is your view of that?

Ms ROBYN PARKER: I mentioned the tourism opportunities. I now have the chair of the Historic Houses Trust working with the chair of the Royal Botanic Gardens and Domain Trust and the chair of the Taronga Zoological Park Trust. They are all working together in that same space. The offering of the Historic Houses Trust is much broader. We have children's education programs. I would be delighted to take the member to see the Connected Classroom program at the Museum of Sydney. Of course, some great school education programs are operated from Hyde Park Barracks. We have some great educational opportunities. We are not talking simply about house museums or museums as such; we are working with our tourism opportunities. We have a number of heritage buildings in our national parks. They are all under the one portfolio and the one Minister in the Premier's cluster. It makes a great deal of sense to have them together.

The Hon. LUKE FOLEY: It is an open debate. I hold the Neville Wran view that it would be best placed with the arts and cultural organisations. Is it true that there has been a significant number of redundancies at Historic Houses Trust properties over the past couple of years, including from many of the senior curatorial positions?

Ms ROBYN PARKER: All agencies are making efficiency gains. Ms Barnes, the chief executive officer of the Office of Environment and Heritage, can explain some of the savings.

Ms BARNES: We were talking about the arrangements for the chief executive officers of other trusts. The chief executive officer reports to me from an employment perspective and to the trustees on the strategic direction. As the Minister said, the trustees have been working with the chief executive officer on the existing staffing arrangements from both a budget savings perspective and also in relation to the skills needed for the future management of the Historic Houses Trust, and they have identified some skills gaps. There has been a mixture of restructuring strategies to realign skills and services and to achieve budget savings. That has involved voluntary redundancies in consultation with the staff and the unions. There has been a change in skill sets. Additional people with different skills have been appointed and that has meant there have been changes. I will take the question on notice, but my understanding is that in the main the changes have been made on a voluntary basis.

The Hon. LUKE FOLEY: I will put some questions on notice about the Historic Houses Trust.

Ms BARNES: As the Minister said, if you would like to have a look at what is happening we can organise that.

The Hon. LUKE FOLEY: Thank you.

The Hon. AMANDA FAZIO: I refer to the Windsor Bridge replacement. As you are aware, the Heritage Council of New South Wales stated in a letter to Roads and Maritime Services dated 9 September 2011 that the project is likely to have a long-term, irrevocable and negative impact on Windsor as a whole and on Thompson Square in particular. In fact, in its options report even Roads and Maritime Services states that option No. 1 performs poorly in respect of impacts on heritage and the character of Thompson Square and surrounding heritage buildings. Did the Premier, the Minister for Planning and Infrastructure, the Minister for Roads and Ports or their staff consult you or your staff in any way before the project was declared State significant—which, of course, removes any requirement for Roads and Maritime Services to obtain Heritage Act approval?

Ms ROBYN PARKER: They did not talk to me about making it State significant.

The Hon. AMANDA FAZIO: Given that they did not, and given that it is one of the most—

Ms ROBYN PARKER: I am not entirely sure when it was declared State significant.

The Hon. AMANDA FAZIO: Given that this is one of the most intact early colonial town squares and undoubtedly a site of significant heritage value, why were you not consulted—you are the Minister for Heritage?

Ms ROBYN PARKER: The lead Minister is the Minister for Roads and Ports, the Hon. Duncan Gay. He announced the proposal on 4 August 2011. The Heritage Council has an advisory role only. It was consulted by Roads and Maritime Services and it has indicated its support for retention and reinstatement of the heritage values of Thompson Square. Roads and Maritime Services has advised that the heritage values will be protected by adjustment of the height and angle of entry to Thompson Square to ensure that the road is lower than the historic buildings facing the square. The Thompson Square precinct will also be enhanced and restored to make it more like its original shape.

The Hon. AMANDA FAZIO: Have you personally made any representations to the Hon. Duncan Gay about this project?

Ms ROBYN PARKER: I have had a look at the site. The Hon. Duncan Gay is the lead Minister.

The Hon. AMANDA FAZIO: Have you met with members of the local community who are concerned about these proposals?

Ms ROBYN PARKER: I have not met with local community members. I have looked at the bridge and the approaches with local members.

The Hon. AMANDA FAZIO: Why have you not met with local community members?

Ms ROBYN PARKER: I do not know whether I have been invited to do so.

But I reiterate, the Heritage Council advice only on that. The lead Minister is the Hon. Duncan Gay. So you need to talk to the Hon. Duncan Gay about these issues.

The Hon. AMANDA FAZIO: So you are quite happy that the Minister for Roads and Ports—who is on record in the Legislative Council when you were a member as making light of and laughing about the heritage values of some of the wooden bridges in New South Wales—will decide what is going to happen with Thompson Square, which, as I said, is one of the best preserved Georgian precincts in the whole of New South Wales, if not the country? You are happy with that happening?

Mr DAVID SHOEBRIDGE: The oldest town square in Australia.

The Hon. LUKE FOLEY: The Hon. Duncan Gay would knock over the pyramids of Egypt if he had a say in it.

The Hon. SCOT MacDONALD: Point of order: Are we going to have a conversation?

CHAIR: Order! For the purposes of the Hansard record, I note that Mr David Shoebridge has joined the Committee as a contributing member. The Minister will proceed.

Ms ROBYN PARKER: Certainly. Just to run you through how the approval works, so you can understand—

The Hon. AMANDA FAZIO: No, Minister, I did not ask you to run me through the approval process. I asked if you are happy to leave this very important heritage matter in the hands of the Minister for Roads and Ports.

The Hon. Dr PETER PHELPS: Point of order: The member asked whether the Minister was happy. That is an expression of an opinion by the Minister. If members wish to seek facts they should ask questions that seek to adduce facts rather than opinions.

CHAIR: Thank you. In line with my previous rulings—perhaps as uninformed as they are—I uphold the point of order. The member is entitled to ask questions and the Minister should try to answer the questions to the best of her ability.

The Hon. AMANDA FAZIO: In that case I will rephrase the question, given that one of your climate sceptic friends has raised issues with it. Do you believe it is appropriate that the Minister for Heritage is cut out of the decision in respect of this very important heritage precinct?

Ms ROBYN PARKER: The legislative process in place with this is the same legislative process that was in place when you were in government. The approval for the Windsor Bridge project—

The Hon. AMANDA FAZIO: Minister, the difference is that you raised the issue of what happened when we were in government. When we were in government we had heritage Ministers who cared about the heritage and who would intervene in matters like this.

Ms ROBYN PARKER: You did not have a heritage Minister when you were in government.

The Hon. AMANDA FAZIO: Why have you not taken the initiative to intervene in this important matter?

Ms ROBYN PARKER: Just to answer your question, one, you did not have a heritage Minister but, two, approvals are sought under State significant infrastructure provisions for the Environmental Planning and Assessment Act. Those provisions suspend—

The Hon. AMANDA FAZIO: Minister, I did not ask—

Ms ROBYN PARKER: I am just giving you—

The Hon. AMANDA FAZIO: I did not ask you about the approval process. I was asking you about your involvement, if any, in the decision-making process on Thompson Square. It is getting to the point where I am beginning to think there is no point in having a heritage Minister if that Minister is not prepared to get involved in issues like this. I want to turn to another issue—

Ms ROBYN PARKER: I will just—

The Hon. AMANDA FAZIO: No, Minister, I want to turn to another issue, which is equally important to people in New South Wales who are concerned about heritage and that is the new planning system, the green paper and the new planning system for New South Wales, July 2012. Are you aware—and I would just like a simple answer—that under the proposals in this paper no consultation would be required with Heritage in respect of areas that now are the subject of development control plans—areas such as the Griffin Conservation Area at Castlecrag? Are you aware of that?

Ms ROBYN PARKER: The green paper is not a white paper, it is a green paper, it is up for discussion. We are happy to contribute to that—

The Hon. AMANDA FAZIO: Have you read the green paper, because I was asking you whether you are aware that in the green paper there is no proposal to retain development control plans, which provide protection to vital heritage areas? Are you aware of that, yes or no?

Ms ROBYN PARKER: As part of the Government and as part of this process—

The Hon. AMANDA FAZIO: So you do not know?

Ms ROBYN PARKER: —we are able to contribute to the green paper. It is a discussion paper. Certainly that contribution will take place. It is a discussion paper. There are submissions and consultations right around New South Wales, all of us working together.

The Hon. AMANDA FAZIO: I asked you a simple question. In relation to development control plans that conserve areas like the Griffin Conservation Area at Castlecrag, a very important area—all the buildings in that area were designed by Walter Burley Griffin—are you aware that this proposal that is out for public discussion would put an end to development control plans?

Ms ROBYN PARKER: No, this is a discussion paper. You need to be very clear about what the conditions are currently. Currently—

The Hon. AMANDA FAZIO: Minister, I did not ask you about it currently, I asked are you where you are aware of the proposal in the green paper, yes or no? Have you read the green paper?

Mr DAVID SHOEBRIDGE: Point of order: The Minister should be allowed to answer the question.

Ms ROBYN PARKER: It would be a good thing if I am allowed to.

CHAIR: I have previously asked all members to allow the Minister the opportunity to answer questions, give her a reasonable time to answer the question and then ask another question.

The Hon. AMANDA FAZIO: To the point of order: The Minister is now answering a question I did not ask and I am not interested in getting information from her. I asked a question. If she will not answer I will then pass over to my colleague the Hon. Shaoquett Moselmane who has some other questions that the Minister may try to avoid.

Ms ROBYN PARKER: Was that to the point of order?

CHAIR: That was to the point of order, and I uphold the point of order.

Ms ROBYN PARKER: I am not entirely sure what is happening, but I am happy to answer the question and I continue to do so. What you need to be aware of is that the Heritage Council does not have any role in development—

The Hon. AMANDA FAZIO: Minister—

CHAIR: I have ruled on the point of order. The Minister is able to finalise her answer.

The Hon. AMANDA FAZIO: I do not want to hear any more of this from the Minister, because she is not answering my question.

Ms ROBYN PARKER: I was just trying to finish my answer.

The Hon. AMANDA FAZIO: I am passing over to my colleague the Hon. Shaoquett Moselmane.

The Hon. SHAOQUETT MOSELMANE: State Plan goal 26 is "Fostering Opportunity and Partnership with Aboriginal People." My question to you is, under the State Plan you are responsible for goal 26, which is supporting Aboriginal culture, country and identity, including increasing the number of culturally significant objects and places protected. How many new culturally significant objects and places have you protected since you have been a Minister?

Ms ROBYN PARKER: Eighty-six Aboriginal cultural significant objects and places have been protected through Aboriginal place declarations, and seven Aboriginal sites have been added to the State's Heritage Register.

The Hon. SHAOQUETT MOSELMANE: How many fines or penalties have you issued for desecrating such objects and Aboriginal places? I can help you with that if you cannot find the answer.

Ms ROBYN PARKER: Well why did you ask the question? Since we have had repatriation events, 115 events, we have had 16 repatriation projects. I have mentioned the Aboriginal place declarations and the Aboriginal heritage impact permits. There have been 66 issued. That is the statutory instrument that the Office of Environment and Heritage uses to manage harm or potential harm.

The Hon. SHAOQUETT MOSELMANE: Yesterday in the hearing on Aboriginal Affairs, a bureaucrat revealed that only three significant places have been protected, three former children's homes. Is this the sum total?

Ms ROBYN PARKER: No. We can take it on notice and give you the full information, but I just ran through it a few a moment ago. There are 86 Aboriginal cultural heritage significant—

The Hon. SHAOQUETT MOSELMANE: I accept that. I will move to the next question, given my time. Aboriginal groups have told us of mining companies that have knowingly destroyed sites such as grinding grooves in the greater Hunter region. We are also aware that people are being allowed to be registered with the Office of Environment and Heritage to do culture and heritage conservation work in the Hunter region who have no traditional ties with or knowledge of the area they are consulting for. There are now more than 60 registered Aboriginal people consulting on culture and heritage issues in the Hunter region. How is it that they are being registered?

Ms ROBYN PARKER: Currently, we have a program in place to review the Aboriginal cultural heritage regulation, because it is not working. We are committed to bringing the Act into line with contemporary views. So we have an Aboriginal cultural and heritage working party that is working on that.

The Hon. SHAOQUETT MOSELMANE: Have you attended any of those meetings?

Ms ROBYN PARKER: I have been working with the Chair and with the advisory council on that, and with staff from the Office of Environment and Heritage, absolutely.

The Hon. CATE FAEHRMANN: Following on from my earlier questions when our time expired, would you inform the Committee what changes will be made to existing programs for feral animal control in national parks?

Ms ROBYN PARKER: I am not sure what you mean by "what changes will be made"? In relation to what?

The Hon. CATE FAEHRMANN: Earlier I was asking you whether there were going to be any changes to existing programs, such as decreased use of pesticides and reduction in baiting programs in national parks for feral animal control as a result of amateur hunters being allowed into national parks.

Ms ROBYN PARKER: I will get Sally Barnes to answer that. That is an operational issue.

Ms BARNES: From the operational point of view, I think National Parks has one of the most transparent processes in place around its actions to control pests and weeds on the ground. Each region has a pest strategy. We are just finalising the pest strategy for the next five years. That involved a review of the last strategy, workshops in local areas and discussion with a range of neighbours and stakeholders about what the priorities might be in those areas. We are at the point of finalising those plans now that we know we will be doing additional shooting in parks with licensed shooters. That will mean we will be able to enhance those programs. We will be using those pest management strategies as the basis to plan some of those programs, to look at where in the 79 parks shooting would be most effective. They will be on the website. It is quite clear what our programs are. Those plans include trapping, baiting and shooting and will include work with the people who work with us after the commencement of the legislation.

The Hon. CATE FAEHRMANN: Ms Barnes, the National Parks and Wildlife Service was considering a trial of cyanide as a more humane measure to control feral deer. What is the status of that program?

CHAIR: Humane?

Ms BARNES: I think you are referring to some trials underway in Kosciuszko National Park. With the particularly sensitive areas in that alpine park we have to do additional and specialised work to manage the impact of hoofed animals—horses, deer and cattle. There has been an increase of deer in those areas. Just as we have been working on programs to reduce horses humanely, we have been looking at what might be possible to reduce deer humanely as well. That has involved research and looking at different techniques. I have to add goats to those hard-hoofed animals as well. So far we have been looking at how we might entice them into an area. That work is interesting. We think we have a way of enticing them in. We have not started to do any work on what happens when you entice them into some of those areas. We have had to look at making sure we do not get other animals caught in those areas—non-target animals such as kangaroos—and we are working with a range of stakeholders. The next stage is where to from there in what is appropriate and humane.

The Hon. CATE FAEHRMANN: Is the cyanide trial continuing or has it been put on hold?

Ms BARNES: We are going through the process of the cyanide trial asking all the questions around what is the most appropriate humane method.

The Hon. CATE FAEHRMANN: Minister, on 18 July 2012 an article in the *Sydney Morning Herald* under the heading "Parks will go unstaffed as environment jobs slashed" referred to an internal document circulated among employees that said that the agency had committed to cutting costs in kangaroo harvesting programs, reducing wilderness and wild river assessments, deregulating wildlife licensing where appropriate, scaling back soil and salinity research and "reducing effort in our biodiversity programs." I submitted a question on notice to your department seeking detail regarding those cuts. I received a one-line response that said, "Savings will be achieved by adopting a variety of measures." Do you think "Savings will be achieved by adopting a variety of measures" is an appropriate response to a question on notice asking for specific detail regarding budget cuts?

Ms ROBYN PARKER: That is right. Do you want me to run through the variety of measures?

Mr DAVID SHOEBRIDGE: I think that is the idea.

The Hon. AMANDA FAZIO: That might have been a good idea.

The Hon. CATE FAEHRMANN: Is this the type of response we will now be expecting to receive as a result of budget cuts in your department?

Ms ROBYN PARKER: I do not see the correlation. That was an answer to your question.

The Hon. CATE FAEHRMANN: My question specifically asked for detail of the cuts outlined in an internal document: cuts to kangaroo harvesting programs, reduction in wilderness and wild river assessments, and reducing your effort to biodiversity programs. Would you be able to provide this Committee with exact information about the cuts in each of those areas I just mentioned? The detail of the cuts has been circulated internally and, obviously, the *Sydney Morning Herald* has a copy of that document.

Ms ROBYN PARKER: I am not sure what document the *Sydney Morning Herald* has; I know what it said it had. Certainly we are determined to live within our means. We are determined to manage. As the Premier said, we have maxed out the credit card, therefore, we have to make sure we live within our means. We have inherited debt. We have a drop in GST revenue and we have initiated a number of savings measures. The way those savings measures are implemented is up to the heads of various departments. In July we sent out a press release that talked about the way in which we wanted to implement that. Sally Barnes can give you some more information. By and large, what we did was look at how the Office of Environment and Heritage [OEH] was operating. There were some restructures because the Environment Protection Authority [EPA] has been taken out; it is its own statutory authority. We then looked at the delivery method. If 60 per cent of your delivery is back of house and 40 per cent is out in regional areas and people want to be out in regional areas, as our Government does, then you reverse that. The way that is achieved and the way savings measures are achieved is up to individual CEOs, and Sally Barnes is able to give you some more information on that.

The Hon. CATE FAEHRMANN: Minister, what cuts are being made in your department—I am sure you would not disagree that you are making a political decision—to reduce your effort in biodiversity programs?

Ms ROBYN PARKER: The savings in fact are about making sure we have the right staff in the right place. We have regional staff out there, but Mr Solomon can give you more information.

The Hon. CATE FAEHRMANN: You are making cuts to regional staff as well, are you not?

Ms ROBYN PARKER: We are putting in place a different structure. This is an operational matter. I will get Carl Solomon to give you more information on that.

The Hon. CATE FAEHRMANN: It is your decision to cut staff, Minister, and I am asking—

Ms ROBYN PARKER: No, no. I just explained that it was our decision regarding budget savings. The implementation of that for every department is up to the department how that is delivered and each part of the portfolio for that delivery. Mr Solomon will give you some information on that.

Mr SOLOMON: There are a number of strategies for savings being applied right across the department, but they are focused on the efficiency and effectiveness of our programs. For example, if we take some of the programs, such as wilderness and wild river assessments, we have brought together people into the same area. The same with our discovery program. We are looking at delivering more effective programs to the people of New South Wales.

The Hon. CATE FAEHRMANN: What do you mean when you say bringing people into the same area for wilderness and wild river assessments? What are the specifics? What do you mean by bringing people into the same area?

Mr SOLOMON: As part of the restructure, we have been moving into a regional delivery model, as part of that process.

The Hon. CATE FAEHRMANN: Bringing people together to reduce wilderness and wild river assessments means how many jobs were cut?

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

The Hon. CATE FAEHRMANN: How many jobs were cut in "reducing effort in our biodiversity programs"?

Mr SOLOMON: That is a question more appropriate for Sally to answer.

Ms BARNES: As the Minister said, we are doing a restructure and realignment. The history of the Office of Environment and Heritage was that for a number of years there have been, if you like, acquisitions and mergers from different places at different times.

When the Environment Protection Authority was established as a separate authority it became clear that existing Office of Environment and Heritage structure was very lumpy and was not geared to servicing government priorities around regional service delivery. What we have been involved in is a re-engineering of that structure. What that meant is biodiversity programs, people who were in different parts of the organisation, have now come together under a regional structure. We are now at a stage where we have all the biodiversity people together, we can see the combined effort on biodiversity and we can start to see where it is appropriate to make reductions. We are looking at senior manager positions. We have reports done by the previous Government and work has been done recently that shows our span of control for managers is too small and not cost effective. With this restructure we will be looking at reducing senior management positions and seeing if we have duplication in programs.

Some of the reports we have say we have programs that are fairly similar operating under different bids. To give you an example, I was speaking to people in the sustainability programs area: One group came from Resource New South Wales which was in 2003-04, one group came from the Greenhouse Office, I am not sure which year that came in, and one group came from the Department of Energy. They were still operating as three different streams with three different managers and now is the time to say: How do they go together? How do they integrate? How do we make savings and manage the positions and do some rationalisation of programs? They were telling me they are dealing with the same customers and tripping over each other. That does not mean that anyone has done anything wrong in the past, it means that no-one has had time to integrate the programs. We are going to do that now and get better efficiencies and savings. There is a range of programs like that.

Mr DAVID SHOEBRIDGE: Minister, is your Government still committed to delivering a stand-alone Aboriginal Heritage Act?

Ms ROBYN PARKER: Absolutely. I think that is the outcome we will have. We have engaged in a long consultation program that is coming to an end and I expect a report coming to me very shortly on the outcomes of those recommendations. Then we will make recommendations to Cabinet about how that might work.

Mr DAVID SHOEBRIDGE: Do you expect a stand-alone Act to be produced in this term of Parliament?

Ms ROBYN PARKER: I have not got the report yet.

Mr DAVID SHOEBRIDGE: It is one of your goals as Minister?

Ms ROBYN PARKER: It is one of my goals as Minister, absolutely. I think I said that last time. I do not know what the recommendations coming from the working group will be. It is one of my goals. I think it is an appropriate goal. I do not know whether that is one of their recommendations.

Mr DAVID SHOEBRIDGE: Have you participated in that working group yourself?

Ms ROBYN PARKER: I help set up the committee. I have spoken with the Chair and talked to the staff from Aboriginal culture and heritage program about the progress, how things are going and talked to some members of that group. This is about their consultation; it is not about ministerial intervention.

Mr DAVID SHOEBRIDGE: When do you expect that consultation process to conclude?

Ms ROBYN PARKER: My understanding is that their report is close to being given to me. That will give me an opportunity to present some recommendations to Cabinet following that.

Mr DAVID SHOEBRIDGE: Will you be making that report public, Minister?

Ms ROBYN PARKER: I think it is probably okay to make it public. I have not discussed that with the Chair. I do not see why not. We are a transparent Government.

Mr DAVID SHOEBRIDGE: When you make it public do you expect to receive any public submissions on the report?

Ms ROBYN PARKER: The group has not decided yet. As you are probably aware, we had a broad range of consultations and presentations, and independent of Government we have established a working party to work through that. There is a Government interagency group as well that is working with the working party. They will be presenting a report. Then we will have some additional consultation. It is about that time that we then make a recommendation to Cabinet.

Mr DAVID SHOEBRIDGE: I was asking about that additional consultation you said you will be having. Do I understand that your present intention is to make the report public and then to consider further submissions?

Ms ROBYN PARKER: They will give me the report shortly and I am trying to work out the exact time line to see if I can give you more accurate information in terms of the time line. I am expecting it shortly. Given the way in which this has occurred so far is that we have had extensive consultation, we have a report that will make recommendations. I will make that public and make a recommendation to Cabinet and we will see where we go from there.

Mr DAVID SHOEBRIDGE: In terms of the report you say "shortly". Are you expecting it by the end of this month, the end of next month? Does anyone in the department know a time frame in which it is expected?

Ms ROBYN PARKER: My last discussion with the Chair and staff was that it is within weeks. That is my expectation.

Mr DAVID SHOEBRIDGE: Do you know or does someone in the department know how much money has been allocated in the last budget year to improve the information contained in the Aboriginal Heritage Information Management System [AHIMS]?

Mr WALKER: We will take that on notice.

Mr DAVID SHOEBRIDGE: When you do that could you look at the budget for managing and operating the Aboriginal Heritage Information Management System for the last financial year and for this financial year as well?

Ms ROBYN PARKER: Yes.

Mr DAVID SHOEBRIDGE: Perhaps you could consider any revenue received from the Aboriginal Heritage Information Management System for searches that have been conducted?

Ms ROBYN PARKER: Yes.

Mr DAVID SHOEBRIDGE: Do you know how many alleged breaches relating to Aboriginal heritage and the Aboriginal heritage protections in the National Parks and Wildlife Service were reported to the Office of Environment and Heritage in the past 12 months?

Ms ROBYN PARKER: Not off the top of my head. Can I take that on notice?

Mr DAVID SHOEBRIDGE: What is the process that the department has when it gets a report of an alleged breach?

Ms ROBYN PARKER: It is investigated.

Mr DAVID SHOEBRIDGE: Investigated by whom and how many officers do you have to do the investigations?

Ms BARNES: In the current conservation regulation division, which will fold on 22 October into our regional services area, we have officers who are involved in the regulation of both native vegetation and Aboriginal cultural heritage, and they have set procedures in place and they will follow up any reports and do an investigation.

Mr DAVID SHOEBRIDGE: How many officers?

Ms BARNES: I will have to get back to you on that.

Mr DAVID SHOEBRIDGE: How many officers will be allocated to the regions, following your restructure, to undertake that?

Ms BARNES: Part of that is an iterative process in that we have set up the regional delivery structure. The next step is for the person who heads that up to finalise the structure in that area, but there will be a significant effort in that area and I am not expecting a decline in those regulatory activities.

Mr DAVID SHOEBRIDGE: You do not know. On the current modelling there may be no-one in regions to do the compliance?

Ms BARNES: I am not expecting a decline because it is a major priority for us. We need to work through the final structure.

Mr DAVID SHOEBRIDGE: Do you know how many incidents of alleged unauthorised harm to Aboriginal heritage that your department has been made aware of in the past 12 months?

Ms BARNES: We can get those figures.

Mr DAVID SHOEBRIDGE: Including also for the 2011-12 financial year? Do you know how many incidents have been actively investigated?

Ms BARNES: Yes. We record how many we investigate so I will get that to you on notice.

Mr DAVID SHOEBRIDGE: And what proportion is actually investigated?

Ms BARNES: Yes.

Mr DAVID SHOEBRIDGE: Do you know what occurs if suspected harmed Aboriginal heritage is not investigated, what has been done with the complaint?

Ms BARNES: Every complaint is looked at, triaged and actioned. Some of them are around further investigative work, some of them are around talking to local communities, working through local solutions and I can get you those figures on notice.

Mr DAVID SHOEBRIDGE: Do you know how many incidents related to breaches of due diligence regarding the code or regulations that were reported to the department?

Ms BARNES: I will get you those figures as well.

Mr DAVID SHOEBRIDGE: For the same periods?

Ms BARNES: Yes.

Mr DAVID SHOEBRIDGE: What is the current budget for the Office of Environment and Heritage for responding to threats to or examples of possible unlawful destruction of Aboriginal heritage?

Ms BARNES: I can give you the breakdown of the budget for the conservation and compliance area but officers there work on a variety of regulatory matters. To give you an accurate number for just Aboriginal cultural heritage would be difficult. I can give you an estimate in coming back to you.

Mr DAVID SHOEBRIDGE: How many officers have the particular skills to deal with Aboriginal heritage, if any?

Ms BARNES: From a regulatory perspective?

Mr DAVID SHOEBRIDGE: Yes, regulatory and compliance.

Ms BARNES: I will get back to you on that. We have people who do Aboriginal programs. It is a bit like biodiversity, and you are trying to not get to the destruction stage. We are trying to work with communities to better protect their heritage through Aboriginal places, through development controls and planning and then follow that up, if we need regulatory action, if the right procedures have not been put in place.

Mr DAVID SHOEBRIDGE: What is the procedure of the department for determining whether a prosecution will be brought by way of a Provisional Improvement Notice [PIN], a fine notice, or prosecution taken in a court?

Ms BARNES: We have procedures in place that look at the severity. We assess the impact. We look at whether it was deliberate or accidental and there are judgement calls around that. Then there is the cost to the taxpayer and the likelihood of that prosecution succeeding. There is a range of factors.

Mr DAVID SHOEBRIDGE: How many prosecutions has your department undertaken in relation to the destruction of Aboriginal heritage as a result of forestry practises in the past five years?

Ms BARNES: I will have to get back to you on that.

Mr DAVID SHOEBRIDGE: Was a single formal prosecution brought in the court for the destruction of Aboriginal heritage as a result of forestry practises in the past two years?

Ms BARNES: I do not know the answer to that off the top of my head.

Mr DAVID SHOEBRIDGE: How many Aboriginal heritage impact permits were issued by your department in the past 12 months?

Ms BARNES: That I know. Total applications received were 103, total permits issued were 98 and the permit variations were 33.

Mr DAVID SHOEBRIDGE: How many were refused?

Ms BARNES: I will have to get back to you on that.

Mr DAVID SHOEBRIDGE: On those figures is it close to a 100 per cent approval rate for the destruction of Aboriginal heritage?

Ms BARNES: I cannot say that until I know how many were refused.

Mr DAVID SHOEBRIDGE: It is your department. What is your experience? How long have you been with the Office of Environment and Heritage?

Ms BARNES: I have been the chief executive officer for five months. I will have to get those figures for you for last year about how many were refused. I do know that departmental officers are very committed to protecting Aboriginal cultural heritage. There is new legislation that we are operating under and the changes to the National Parks and Wildlife Act strengthen our ability to bring forward prosecution. We are looking at that where we can.

Mr DAVID SHOEBRIDGE: How many prosecutions have you brought with those new strengthened powers?

Ms BARNES: None yet.

Mr DAVID SHOEBRIDGE: When you provide further information on the Aboriginal Heritage Information Management System would you advise each year during the past five years how many were issued internally to other government departments? Would you also break it down into local councils, corporations, mining corporations and other?

Ms BARNES: Yes, we keep those records.

Mr DAVID SHOEBRIDGE: Minister, is it a fair summary that the current so-called Aboriginal heritage protection laws actually allow for the managed destruction of Aboriginal heritage rather than the managed protection of Aboriginal heritage?

Ms ROBYN PARKER: All laws are aimed to do the opposite to that.

Mr DAVID SHOEBRIDGE: But I am talking about these laws. When you have close to 100 per cent approval rates for the destruction of Aboriginal heritage—

Ms ROBYN PARKER: No, that is not what was said.

Mr DAVID SHOEBRIDGE: It was 98 out of 103.

Ms BARNES: I will get you the information about how many were refused.

Mr DAVID SHOEBRIDGE: How many were approved?

Ms BARNES: By the time they come to us there are a lot of agreements around how you actually protect it.

Mr DAVID SHOEBRIDGE: It is a simple question: how many were approved? There were 98 approved, a little more than 100 received. It is close to a 100 per cent approval rate for the destruction of heritage.

Ms BARNES: This does not give a reflection on what has been done to protect; it is just by that stage—I will get you the figures.

Ms ROBYN PARKER: Much as I know the questions will be stimulating and the answers even more stimulating, and I am sure I will not get interrupted, I am happy to take an early mark if the Committee would like and not take government questions.

Mr DAVID SHOEBRIDGE: I do not have a vote, but if I did I would vote for that.

CHAIR: It is a question for Government members because it is their question time.

The Hon. RICK COLLESS: We will put our questions on notice.

The Hon. Dr PETER PHELPS: I would like to make a short statement. I would like to congratulate Katherine O'Regan who is leaving as the Minister's chief of staff. I congratulate her on her election as Deputy Mayor and wish her well in the future.

Mr David Shoebridge: Point of order: This is no place for individual members to make statements like that.

CHAIR: I uphold the point of order.

(The witnesses withdrew.)

The Committee proceeded to deliberate.
