



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

BUDGET ESTIMATES 2020-2021 Supplementary Questions

Portfolio Committee No. 4 - Industry

AGRICULTURE AND WESTERN NEW SOUTH WALES

Hearing: Wednesday 3 March 2021

Answers due by: 29 March 2021

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AGRICULTURE AND WESTERN NEW SOUTH WALES

Questions from the Hon Emma Hurst MLC

Puppy Farming

1. Is there any provision in the Prevention of Cruelty to Animals Act (POCTA) or the Companion Animals Act which would prevent a person from opening an intensive dog breeding facility with 400 female breeder dogs in NSW?

a) Would such a facility be considered legal, as long as it obtained planning approval?

ANSWER:

1. No. However, any person in charge of an animal must comply with POCTA and the Regulation and any business in the course of which a dog or cat is bred for fee or reward must comply with the Animal Welfare Code of Practice – Breeding Dogs and Cats. A person or business must also ensure that any activity occurs within the relevant local planning controls.

a) Yes, as long as the owner complied with POCTA.

2. Are there any limits on the number of litters a female breeding dog can have in NSW?

ANSWER:

2. No. Under the Animal Welfare Code of Practice – Breeding Dogs and Cats, a breeding female dog must not be intentionally mated during their first oestrus cycle and must not have more than two litters in any two-year period, unless with the written approval of a veterinary practitioner.

3. You have stated publicly that the RSPCA puppy farm taskforce has attended 84 breeding establishments since it commenced. How many of these establishments have been inspected by RSPCA NSW for the first time as part of this operation?

ANSWER:

3. RSPCA NSW inspected 105 breeding establishments for the period 1 August 2020 to 31 January 2021. The NSW Government understands that the majority of these establishments were inspected by RSPCA NSW for the first time.

4. Under section 31AA of POCTA, the Minister “may, by order in writing, recognise any interstate prohibition order made against a person, for the purposes of its enforcement in New South Wales.”

a) How many of these orders have been made over the past 5 years?

b) Are these orders available to the public?

ANSWER:

4.

a) There have been no interstate prohibition orders recognised under s31AA of POCTA in the last 5 years.

b) There have been no orders made in the past 5 years.

5. Under section 54(3) of the *Domestic Animals Act 1994* (Vic), a Council must refuse to register a domestic animal business if the Council is satisfied that the relevant person has, at any time within 10 years preceding the date of the application, been convicted of certain animal cruelty offences.
- Would a person subject to such this type of restriction in Victoria be subject to any restrictions or limitations in setting up a dog or cat breeding business in NSW?
 - If not, are there plans to introduce restrictions for individuals found guilty of animal cruelty offences in other states on operating dog or cat breeding businesses in NSW?

ANSWER:

- 5.
- If a person living interstate is given a prohibition order, then under section 31AA of POCTA, the Minister may, by order in writing, recognise the interstate prohibition order made for the purposes of its enforcement in New South Wales.
 - The application of interstate orders will be considered as part of the current process underway to reform animal welfare laws in NSW.

Shark Management

6. During the hearing, while discussing shark management, Mr Scott Hansen referred to grants made available for “individual researchers” working in the “personal protection space”. Could you please advise:
- The total dollar amount of these grants; and
 - Details of the research projects that were funded by these grants

ANSWER:

- 6.
- \$371,443.
 - The behavioural response of White Sharks to commercially-available personal shark deterrents. Flinders University, Grant Value: \$50,040
This study provided a detailed assessment of the efficiency and effect of several commercially available shark repellents by field testing them on White Sharks in South Australia. The sharks’ behavioural responses were documented to determine the extent to which the deterrent might deter a shark from biting someone wearing one of these devices.

Developing a rapid method to assess personal electrical and magnet-based shark deterrent devices. Macquarie University, Grant Value: \$49,849

This project developed a quick and cost effective way to assess the effectiveness of personal electronic shark deterrents to enable people to identify those devices likely to deter sharks and those which won’t, based on fundamental physical principles and basic shark neurobiology. It complements the Flinders University project conducted in South Australia.

“Sharkeye” – Real-Time Smart App Alerting through Aerial Surveillance. University of Wollongong, Grant Value: \$42,000

This project demonstrated an innovative tool for real-time personal shark detection by integrating aerial blimp-based reconnaissance, smart image recognition, and wireless wearable technology. The system provided beach-goers with immediate information via smart apps, empowering lifesavers and beachgoers to prevent dangerous encounters with wildlife before it happens.

Shark Safe - The wearable shark alert system. Step Three, Grant Value: \$24,800

This project [developed a waterproof wearable prototype](#) that communicates between a VR4G listening station and the wearer on the water.

Testing the ability of various wetsuit material to minimise injuries from shark interactions. Flinders University, Grant Value: \$92,569

This study compared standard wetsuit neoprene of varying thicknesses to six different lightweight fabrics that were incorporated on top or on either side of neoprene material or bonded in between multiple layers of neoprene to determine their effectiveness. This study found that the materials increased the resistance to shark bites which may reduce injuries from shark interactions.

Shark Smart Alert and Advice System. Byron Shire Council, Grant Value: \$52,185

This study developed a shark alert device prototype shark alert device prototype to enable real-time information from SharkSmart app to be displayed by a warning light which is visible by water users.

Bio-inspired camouflage to prevent shark attacks on surfers. Macquarie University. \$60,000

This project will develop a new shark deterrent technology to protect surfers and paddlers. The project will build on our recent discovery that White Sharks do not attack counter-illuminated (light emitting) seal-shaped decoys, and use new information about shark vision to understand why this 'camouflage' is so successful.

Animal Welfare Action Plan

7. Will a consultation copy of the new proposed animal welfare legislation be made available to the public before it is introduced in NSW Parliament?

ANSWER:

7. The NSW Government will undertake public consultation on proposals for the new animal welfare laws prior to the introduction of a Bill this year.

8. The latest Animal Welfare Action Plan consultation paper indicated that the NSW Government was considering expanding the definition of animal to include cephalopods and crustaceans. Has a decision been made about whether these animals will be included in the new animal welfare legislation?

ANSWER:

8. The NSW Government will be consulting on proposals for the new animal welfare laws this year.

Duck Shooting

9. Based on the most recent Native Game Bird Management Program report, the number of rice growers had dropped dramatically since 2014 to just 96. In this same period, the number of Native Game Bird Management licensed properties has grown dramatically to 1317. Can you please explain the discrepancy in these figures?

ANSWER:

9. A single Native Game Bird Management (Owner/Occupier) Licence may have unlimited properties attached to it. In 2018-19, there were 82 active owner/occupier licences and 145 active licensed properties. The cumulative total of licensed properties between 2014 and 2019 is 1,317.

10. In the same period, the number of NSW Game Hunting Licence holders has increased to over 3030. Why are more licenses to shoot ducks being issued while rice grower numbers decline?

ANSWER:

10. The cumulative figure (2014 – 2019) of licensed and endorsed native game bird hunters (3,030), reflects that licences may be issued for multi-year terms (up to five years) that span multiple rice growing seasons.

11. What is the definition of an “active” game hunter?

ANSWER:

11. An ‘active’ game bird hunter refers to an individual holding a NSW General or Restricted Game Hunting Licence that is endorsed for the Native Game Bird Management Program, who has submitted a native game bird harvest return for the relevant growing period.

12. A total of 1,554 birds were killed across NSW during the 2018-19 harvest period. How are these numbers of deaths calculated, and is there any verification of these numbers by DPI?

ANSWER:

12. Licensed hunters who are endorsed for the Native Game Bird Management Program must submit a return within 14 days of completing their hunt that records the number and species type of native game bird harvested for each property they attend. This is a mandatory condition of their endorsed licence and breaches may result in penalties. A combination of field and desktop intelligence gathering is used to monitor active hunter returns and identify and subsequently investigate any patterns of non-compliance identified.

13. On the DPI website, it states that “The DPI Game Licensing Unit undertakes regular compliance monitoring and enforcement operations” of duck hunters- can you please explain what these operations are?

ANSWER:

13. Monitoring and enforcement operations targeting licensed hunters endorsed for native game bird hunting include a variety of field and desktop-based operations and investigations. Field compliance includes actively checking licence holders (hunters and landholders) on properties in the rice growing regions. Desktop-based investigations review reports of potential non-

compliance, illegal hunting, social media and intelligence sourced from other agencies and stakeholders as well spatial and data analytics for licensed properties.

14. Please provide statistics on compliance and enforcement action taken against duck hunters over the past five years.

ANSWER:

14. Compliance statistics have been produced since 2016-17 and are in the following table.

Compliance statistic	2016-17	2017-18	2018-19	2019-20#	2020-21
No. of targeted game bird operations in the NSW Riverina	3	3	5	1	10
No. of game bird operations in the Murray Valley region	3	3	3	1	4
No. of game bird operations in the Murrumbidgee region	0	1	1	-	7
No. of game bird operations in the Colemabally region	0	1	1	-	-
No. of properties inspected	80	85	60	1	340
No. of authorised properties	80	85	60	1	-
No. of unauthorised properties	0	0	0	0	-
No. of licensed hunters checked	52	33	13	0	59
No. of licensed hunters 100% compliant	14	23	13	-	54
No. of licensed hunters non-compliant with Hunter Diary (no diary)	4	10	0	0	0
No. of licensed hunters non-compliant with checking property quota and recording in their Hunter Diary	21	8	0	0	0
No. Verbal warnings issued	21	11	0	0	5
No. Infringements issued	2	9	0	0	0
Hunter compliance rate	27%	75%	100%	-	91.5%

#NB statistics from the 19-20 financial year were unusually low. This was influenced by COVID related constraints; however, the largest impact was due to the climatic conditions that meant there was extremely low levels of rice planted. The extremely low levels of rice meant extremely low hunter participation in the NGBM program.

15. Are landholders required to attempt non-lethal methods to manage ducks (for example, using lights and sirens to deter birds) before they engage shooters to attend their property?

- a) If so, what checks are undertaken to ensure genuine attempts have been made to utilise non-lethal methods?

ANSWER:

15. Yes. Landholders are encouraged to use a combination of non-lethal control options as well as licensed hunters (if required) to effectively manage native game bird impacts on their agricultural crops.

- a) There are no formal checks undertaken, however the Rice Growers Association encourages rice growers to use non-lethal methods of native game bird control in the first instance.

16. When will the report on the 2019-20 season be published on the DPI website?

ANSWER:

16. The 2019-20 report will be published by the end of June 2021.

Exhibited Animals

17. Are there limits on the total number of animals an exhibitor can have at any one time - if so, what is that limit?

ANSWER:

17. No, authority holders must ensure they provide appropriate housing, husbandry, and nutritional requirements to ensure they protect the welfare of animals and the public. All exhibitors must comply with the *Exhibited Animals Protections Act 1986*.

18. Please provide a list of all individuals and/or businesses who have had their exhibited animals authority either suspended, cancelled or disqualified in the past 3 years.

ANSWER:

18. Crocodile Encounters - Cancelled.

19. Please advise the number of authorities under the Exhibited Animals Protection Act that have been suspended and/or cancelled in the past 3 years

ANSWER:

19. Three authorities voluntarily cancelled between 2019-21. The fourth authority was Crocodile Encounters.

20. Please advise the number of persons who have been disqualified from holding an authority under the Exhibited Animals Protection Act in the past 3 years.

ANSWER:

20. Nil.

Questions from the Hon Mark Banasiak MLC

Coopers Is Road

21. Are you aware of the public concern (on the south coast) regarding access to fishing waters involving Coopers Is road?

ANSWER:

21. DPI has been liaising with Eurobodalla Shire Council (as the land manager) regarding recreational fishing access to this site. Coopers Island Road is a public road that provides access to the Tuross Recreational Fishing Haven and a privately owned farm. Members of the public can legally fish or launch kayaks from the causeway. Members of the public are not entitled to use private land without the permission of the landholder. Eurobodalla Council maintains the road, causeway and the bridge.

22. Why did NSW Fisheries advise Crown Lands to resolve this issue by itself to prevent this from escalation to where it is today involving all the Counsellors, press reports and a frustrated community?

ANSWER:

22. There has been ongoing correspondence between NSW DPI and Council regarding the concerns of local fishers and related fishing access. DPI also undertook a site visit to the location in 2019. The privately owned land is now being used by the new landholder, where some of it was previously available for recreational fishers, where they often parked their cars.

Talmalmo Road

23. Has your department since my letter last year outlining the access issue at Talmalmo road sought a meeting with crown lands, the owner, and SWAA to address this issue?

ANSWER:

23. NSW DPI has been in regular and ongoing discussions with Crown Lands and the South West Anglers Association regarding Talmalmo Road.

24. Has the land swap proposal been discussed with crown lands?

ANSWER:

24. Yes

Access concerns

25. As you would know the culture of recreational fishing in the western regions of NSW is largely based on camping along the riverbanks.
Has your office received concerns regarding the reduction in fishing and camping access in TSRs and National Parks.

ANSWER:

25. NSW DPI regularly receives representations from the community regarding recreational fishing access whilst also proactively identifying access issues that arise. NSW DPI considers these issues in consultation with the relevant land managers and stakeholders with a view to maintaining or enhancing recreational fishing access.

NSW DPI Fisheries also have a program to identify, improve and communicate the existence of access to our inland waters. This includes the development of a specific website which provides this information to members of the public. The website is available at <https://www.dpi.nsw.gov.au/fishing/recreational/resources/angler-access>.

26. If so, what representations have you made to the Minister responsible for National Parks about reduction or restriction of recreational access.

ANSWER:

26. The Minister for Energy and Environment refers Plans of Management for National Parks to the Minister for Agriculture and Western NSW for concurrence in accordance with Section 80 of the *National Parks and Wildlife Act 1974* (NPW Act). This occurs for any Plans that apply to a National Park with submerged land. Additionally, NSW DPI provides comments on draft Plans of Management for National Parks as part of this process and reviews proposals for the acquisition of lands by NPWS. These processes provide opportunities to maintain or enhance recreational fishing access in National Parks.

A Recreational fishing in NSW National Parks Strategy was also previously collaboratively developed between NPWS and DPI to guide and inform recreational fishing access in NSW national parks. The Strategy contains directions and objectives associated with recreational fishing, improved planning and collaboration with key stakeholders while ensuring the unique values of national parks remain protected and valued. The Strategy can be accessed via the following link -

<https://www.dpi.nsw.gov.au/fishing/recreational/resources/eco-huts>.

27. As you would know the sale of Crown or paper roads is occurring at an alarming rate and many of those roads lead to our waterways and this is creating a permanent loss of access to waterways not only for today's recreational fishers but for future generations. How are you intending to deal with these losses and guarantee more access for future generations?

ANSWER:

27. NSW DPI receives and assesses all proposals for Crown Road disposal. NSW DPI assesses whether the waters provide any access to fishable waters, whether the access is practicable and whether there are alternative suitable access points nearby. Where it is considered that the road does provide recreational angling access amenity then NSW DPI may formally object to the disposal of that road to Crown Lands. NSW DPI identifies, promotes and enhances existing access points to increase fisher amenity and provide longer term security for these access points. This is linked to the program referred to above in the answer to question 25.

Dollar for dollar restocking

28. How many applications have been made for the Trust Funded Dollar for Dollar Stocking program in the last 2 years?

ANSWER:

28. A total of 153 applications were received for the 2019/20 and 2020/21 stocking seasons (52 in 2019/20 and 101 in 2020/21).

29. How does this compare to joint stocking programs from 5 and 10 years ago?

ANSWER:

29. 191 applications were received for each of the 2016/17 and 2011/12 stocking seasons. Fewer applications on average were received during 2019/20 due to the effects of the drought with many catchments not in suitable condition for stocking.

30. Are you aware that clubs who participate are asked to pay for all the stocking up front and claim back the money from DPI?

ANSWER:

30. Yes - this is because stocking plans often change for a range of reasons and this arrangement ensures better governance and accountability.

31. Do think this burden on smaller cash strapped clubs would explain the low uptake in joint restocking programs?

ANSWER:

31. Uptake for the program continues to be strong however during 2019/20 was lower than average, due to the drought and low flow conditions experienced in many catchments across inland NSW.

Thermal control curtains

32. Regarding the second failure in a few years of the thermal control curtain at Burrendong? What is the plan for could you explain what measures are being undertaken across the state to alleviate the impacts of cold water on our native fish?

ANSWER:

32. DPI Fisheries continues support modelling into the impact of cold water on native fish populations through a project with the Arthur Rylah Institute work with Griffith University on a Computational Fluid Dynamics model to predict the changes in temperature profiles within storages under a range of different mitigation measures. In addition, the Ministerial Taskforce on Fish Passage has been recently been instructed to broaden its terms of reference to include issues of cold water pollution. This will allow expert advice from multiple agencies and stakeholder groups to guide the response to cold water issues in NSW rivers.

33. How many juvenile Murray Cod died due to this failure?

ANSWER:

33. There is no available data on individual mortalities, however given the curtain failed to deploy at the beginning of the irrigation season, there was no rapid change in temperature recorded downstream of Burrendong storage that could cause thermal shock to juvenile fish. Real time monitoring by DPI scientists in the field reported successful Murray Cod recruitment in three of

the four sampling zones downstream of Burrendong in response to the environmental water delivery.

Screens for streams

34. Are you aware that \$148,000.00 was allocated by the Freshwater Trust Fund to host a “Screens for Streams” Forum.

Who put forward this application?

ANSWER:

34. Yes, NSW DPI submitted an application for funding from the Recreational Fishing Trusts, in response to concerns raised by recreational fishers.

35. Was the decision resolved unanimously?

ANSWER:

35. The funding application was supported by the Recreational Fishing Freshwater Trust Expenditure Committee and the Recreational Fishing NSW Advisory Council.

36. How was using recreational fishers funds to contribute to resolving a problem that they had no part in creating justified?

ANSWER:

36. In 2019, the Recreational Fishing NSW Advisory Council (Council) proposed a planning workshop/forum be held with Water NSW, DPI, relevant water management experts, key industry stakeholders and recreational fishing stakeholders (via RFNSW members). The aim of the forum is to better understand the range of legislative and operational barriers to the widespread adoption of fish screening technology. A funding application was subsequently submitted to the Recreational Fishing Freshwater Trust Expenditure Committee for consideration.

37. What other user groups or parties contributed to this forum and what were their individual contributions in dollars?

ANSWER:

37. The forum has not been held yet and is scheduled for later in 2021.

Recreational fishing trust projects

38. Can you provide an updated list of every Recreational Fishing Licence Fresh and Saltwater Trust Funded project DPI is involved in at this point in time?

ANSWER:

38. Details of completed and active projects that have received funding from the Recreational Fishing Trusts are provided on the DPI website

at <https://www.dpi.nsw.gov.au/fishing/recreational/recreational-fishing-fee/licence-fees-at-work>

39. For each project can you list the following details against each project;
- a) The current DPI staffers / contractors in that role?
 - b) How long have they been in this role?
 - c) Their qualifications as part of that role?
 - d) Is this a full time equivalent role?
 - e) If it is a part time equivalent role, how much time has been allocated to this role?
 - f) Who was in that role previously?
 - g) If it is a long term role (2 years plus), how long has that person been involved in that project?

ANSWER:

39. Departmental officers are engaged to work on projects, based on their knowledge, expertise and capabilities. DPI Fisheries staff record time to funded projects using timesheets to ensure the appropriate amount is charged to each project.

40. Can you advise how many projects / roles DPI has currently applied for under the Trust Funds prior to the October 30 2020 closing date (including grants it administers and tenders it administers) that if successful would come into operation in July 2021?

ANSWER:

40. 42

41. What is their total value?

ANSWER:

41. The total value of DPI applications was \$14,538,324 for projects in 2021/22. [AMI]

42. Can you advise if these have projects / roles DPI has applied for were advertised internally or externally?

ANSWER:

42. A call for applications for funding from the Recreational Fishing Trusts was widely advertised on 24 September 2020. NSW DPI subsequently submitted a number of applications for funding.

43. Can you advise how someone can apply for a Trust Funded Role such as a Recreational Fishing Trust Executive Officer?

ANSWER:

43. As required by the *Government Sector Employment Act 2013*, all employment decisions relating to roles in the public service are based on an assessment of the capabilities, experience and knowledge of the person to determine the person best suited to the requirements of the role and the needs of the relevant public service agency.

44. Can you advise how you as Minister guarantee that the Trust Funds are used to employ the best people for the jobs to deliver the best outcomes for recreational fishing in NSW?

ANSWER:

44. DPI Fisheries staff engaged in administering the successful DPI applications/projects are employees of the Department of Regional NSW recruited and engaged in accordance with the requirements of the *Government Sector Employment Act 2013*.

As required by the *Government Sector Employment Act 2013*, all employment decisions relating to roles in the public service are based on an assessment of the capabilities, experience and knowledge of the person seeking employment against the pre-established standards for the role to determine the person best suited to the requirements of the role and the needs of the relevant public service agency.

45. When did Mr. James Harnwell start working with DPI and what were his qualifications?

ANSWER:

45. It is not appropriate to release personal information about individual staff members.

46. Can you advise what DPI roles Mr. James Harnwell currently holds and has held previously and the dates/ periods he held them?

ANSWER:

46. Mr James Harnwell is a Senior Fisheries Manager in the Fisheries and Aquaculture Management Unit of DPI Fisheries.

47. Can you advise of all the funding streams (Trust Fund, Consolidated Revenue, DPI Funds, Project Funds, inter-agency funds) that have been used to pay Mr. Harnwell since he has been employed by DPI?

ANSWER:

47. Department of Regional NSW staff are paid from Departmental appropriations from consolidated revenue. Departmental staff are not remunerated by the Recreational Fishing Trust. Project funding is provided for operational and staffing costs associated with the management and delivery of projects. DPI Fisheries staff record time to the funded projects via a timesheet charging arrangement.

All funding the Department receives from Recreational Fishing Trusts is in accordance with the Recreational Fishing Trusts funding guidelines published on the NSW DPI's website ([Recreational Fishing Trusts funding guidelines \(nsw.gov.au\)](http://www.dpi.nsw.gov.au/recreational-fishing-trusts-funding-guidelines)). The Recreational Fishing Freshwater Trust Expenditure Committee (RFFTEC) and the Recreational Fishing Saltwater Trust Expenditure Committee (RFSTEC) assist the Recreational Fishing NSW Advisory Council (RFNSW) in setting Trust expenditure priorities, by providing expertise on regional fishing issues.

48. Can you advise what Mr. Harnwell is currently working and how he is being paid?

ANSWER:

48. Mr Harnwell is engaged consistent with the arrangements outlined in the response to question 47.

49. Mr. Bryan van der Walt is the current Recreational Fishing Trust Executive Officer, can you please provide the project summary, project objectives and methodology descriptions that formed part of his most recent application to the Trust Funds?

ANSWER:

49. The Recreational Fishing Trust Executive Officer provides administrative support to manage the Recreational Fishing Trusts. The Recreational Fishing Trust Executive Officer plays no part in the decision-making processes of the Recreational Fishing Freshwater Trust Expenditure Committee, the Recreational Fishing Saltwater Trust Expenditure Committee or the Recreational Fishing NSW Advisory Council.

50. Can you advise if this is a full time role and if this is the only remuneration Mr. van der Walt receives from the NSW Government as part of his salary?

ANSWER:

50. This is a full time role. Mr van der Walt is paid consistent with the arrangements outlined in the response to question 47.

51. If there are other forms of remuneration for Mr. van der Walt apart from his full time role as Recreational Fishing Trust Executive Officer, what are these, how are these remunerated and how much remuneration is involved per role?

ANSWER:

51. Refer to response provided to question 47.

Department of Regional NSW staff are paid from Departmental appropriations from consolidated revenue. Departmental staff are not remunerated by the Recreational Fishing Trust funding. Project funding is provided for operational and staffing costs associated with the management and delivery of projects. DPI Fisheries staff record time to the funded projects via timesheet charging arrangement.

Expenditure of Recreational Fishing Trust funds on approved projects is audited annually by the NSW Auditor-General, and the results are published in the Department's Annual Report.

52. Can you advise what roles Mr. Bryan van der Walt currently holds and has held previously and the dates he held them including temporary relief roles and for example work on advisory councils, working groups, acting roles within the Department?

ANSWER:

52. Mr Bryan van der Walt is Program Leader Recreational Fishing in the Fisheries and Aquaculture Management Unit of DPI Fisheries.

53. If Mr. van der Walt has received other streams of remuneration can you advise of all the funding streams (Trust Fund, Consolidated Revenue, DPI Funds, Project Funds, inter-agency funds) that have been used to pay Mr. van der Walt in the past 10 years?

ANSWER:

53. Refer to the response provided to question 47. Department of Regional NSW staff are paid from Departmental appropriations from consolidated revenue. Departmental staff are not remunerated by the Recreational Fishing Trust funding. Project funding is provided for operational and staffing costs associated with the management and delivery of projects. DPI Fisheries staff record time to the funded projects via a timesheet charging arrangement.

Expenditure of Recreational Fishing Trust funds on approved projects is audited annually by the NSW Auditor-General, and the results are published in the Department's Annual Report.

54. Can you advise what Mr. van der Walt is currently working and how he is being paid?

ANSWER:

54. Mr van der Walt is engaged in accordance with the process outlined in the answer to question 47.

55. Can you advise of all the external contractors DPI Fisheries has paid to do promotional (videos, logos, social media posts, stories, sponsorship, Gone Fishing Day) work on behalf of recreational anglers in NSW over the past five years?

ANSWER:

55. DPI Fisheries has used various suppliers and contractors in the past five years to supply content for, or participate in, DPI education and advisory programs. DPI Fisheries has not used external contractors to undertake promotional work on behalf of recreational anglers in NSW.

Expenditure of Recreational Fishing Trust funds on approved projects is audited annually by the NSW Auditor-General, and the results are published in the Department's Annual Report.

56. When did Mr. Chris Cleaver start working with DPI and what were his qualifications?

ANSWER:

56. It is not appropriate to release personal information about individual staff members.

57. Can you advise what roles Mr. Chris Cleaver currently holds and has held previously and the dates he held them?

ANSWER:

57. Mr Chris Cleaver is a Fisheries Manager in the Fisheries and Aquaculture Management Unit of DPI Fisheries.

58. Can you advise of all the funding streams (Trust Fund, Consolidated Revenue, DPI Funds, Project Funds, inter-agency funds) that have been used to pay Mr. Cleaver?

ANSWER:

58. Refer to the response provided to question 47. Department of Regional NSW staff are paid from Departmental appropriations from consolidated revenue. Departmental staff are not remunerated by the Recreational Fishing Trust funding. Project funding is provided for operational and staffing costs associated with the management and delivery of projects. DPI Fisheries staff record time to the funded projects via a timesheet charging arrangement.

Expenditure of Recreational Fishing Trust funds on approved projects is audited annually by the NSW Auditor-General, and the results are published in the Department's Annual Report.

59. Can you advise what Mr. Cleaver is currently working and how he is being paid?

ANSWER:

59. Mr Cleaver is engaged in accordance with the process outlined in the answer to question 47.

60. Can you please list the names of the DPI employees who have been funded in various roles paid for by the Trust Funds (Full or Part Time) for more 5 years and their roles?

ANSWER:

60. Refer to the answer for Question 47. Department of Regional NSW staff are paid from Departmental appropriations from consolidated revenue. Departmental staff are not remunerated by the Recreational Fishing Trust funding. Project funding is provided for operational and staffing costs associated with the management and delivery of projects. DPI Fisheries staff record time to the funded projects via timesheet charging arrangement.

Expenditure of Recreational Fishing Trust funds on approved projects is audited annually by the NSW Auditor-General, and the results are published in the Department's Annual Report.

61. Can you please list the names of the DPI employees who have been funded in various roles paid for by the Trust Funds (Full or Part Time) for more than 10 years and their roles?

ANSWER:

61. Refer to the answer for Question 47. Department of Regional NSW staff are paid from Departmental appropriations from consolidated revenue. Departmental staff are not remunerated by the Recreational Fishing Trust funding. Project funding is provided for operational and staffing costs associated with the management and delivery of projects. DPI Fisheries staff record time to the funded projects via timesheet charging arrangement.

Expenditure of Recreational Fishing Trust funds on approved projects is audited annually by the NSW Auditor-General, and the results are published in the Department's Annual Report.

62. Can you please list the names of the DPI employees who have been funded in various roles paid for by the Trust Funds (Full or Part Time) for more than 15 years and their roles?

ANSWER:

62. Refer to the answer for Question 47. Department of Regional NSW staff are paid from Departmental appropriations from consolidated revenue. Departmental staff are not remunerated by the Recreational Fishing Trust funding. Project funding is provided for operational and staffing costs associated with the management and delivery of projects. DPI Fisheries staff record time to the funded projects via timesheet charging arrangement.

Expenditure of Recreational Fishing Trust funds on approved projects is audited annually by the NSW Auditor-General, and the results are published in the Department's Annual Report.

63. Can you advise of the numbers of people who held a fishing licence in NSW in the years 2005, 2010, 2015 and 2020?

ANSWER:

63. Recreational fishing fee records are available for financial year periods. The number of fishers that paid the recreational fishing fee is as follows:

- 2005/2006: 504,701
- 2010/2011: 506,304
- 2015/2016: 512,260
- 2020/2021 (as of 28/02/2021): 352,522

64. Can you advise of how many full and part time equivalents DPI staff had jobs paid for by the Trust Funds in the years 2005, 2010, 2015 and 2020?

ANSWER:

64. Department of Regional NSW staff are paid from Departmental appropriations from consolidated revenue. Departmental staff are not remunerated by the Recreational Fishing Trust funding. Project funding is provided for operational and staffing costs associated with the management and delivery of projects. DPI Fisheries staff record time to the funded projects via timesheet charging arrangement.

Expenditure of Recreational Fishing Trust funds on approved projects is audited annually by the NSW Auditor-General, and the results are published in the Department's Annual Report.

Rock Fishing Safety Act 2016

65. Can you advise how many fines have been paid into the Recreational Fishing Saltwater Trust under Section 9 of the Act?

ANSWER:

65. To date, all fine revenue from penalty notices issued by NSW DPI Fisheries Officers under the *Rock Fishing Safety Act 2016* has been transferred by DPI as required by the provisions of the *Rock Fishing Safety Act 2016*. This totals \$3,300 as of 19 February 2021.

66. Can you advise how all this money will be spent?

ANSWER:

66. NSW DPI continues to promote rock fishing safety in NSW through various activities, some of which have been partly funded using funds from the Recreational Fishing Trust. For example, DPI has previously run rock fishing safety workshops in partnership with other organisations and more workshops are planned for 2021. DPI also continues to promote fishing safety in its Saltwater Fishing Guide and at community events attended by DPI education officers and Fishcare Volunteers. Rock fishing safety brochures, which include information for people from culturally and linguistically diverse communities, are also mailed to licence holders across the State when they receive their plastic recreational fishing licences. Some of these activities have been partly funded using funds from the Recreational Fishing Trust (Trust).

Additionally, Trust funding has been provided to the angel rings program (run by the Australian Sport Fishing Association - NSW Branch) and the Recreational Fishing Alliance to run a rock fishing safety officer program, as well as various other rock fishing related projects.

Cockles

67. Can you advise what Harvest Strategy or any harvest/ sustainability advice that you used to reduce the bag limits on cockles in Oct 2020?

ANSWER:

67. The stock status of the Estuary Cockle is classed as 'undefined'. It is considered that populations of Cockles are susceptible to local depletion where excessive harvesting is occurring.

Resource sharing

68. Are you aware that the Commonwealth is consulting with recreational and commercial fishers about a resource sharing framework?

ANSWER:

68. Public consultation on the draft Commonwealth fisheries resource sharing framework occurred during 2020.

69. If yes, then what will be the impact on NSW fisheries and what is the NSW government's position?

ANSWER:

69. The Commonwealth fisheries resource sharing framework is a policy framework, and NSW will work through any issues with the Commonwealth on a case-by-case basis. Resource sharing between jurisdictions for species under Commonwealth jurisdiction is a complex matter and varies greatly depending on the nature of the shared stocks and the management arrangements that apply in the different jurisdictions.

70. If no, then given the potential impact on NSW fisheries surely this is dereliction of duty and when will you consult NSW fishers to get an agreed position that protects their future?

ANSWER:

70. Please see answers to questions 68 and 69.

71. What fish species and what fisheries would NSW propose to surrender to the Commonwealth under their proposed new resource sharing framework arrangements?

ANSWER:

71. The Commonwealth Fisheries Resource Sharing Framework sets out the principles and the approach the Commonwealth proposes to use to share Commonwealth fisheries resources between jurisdictions and fishing sectors, where they have the jurisdictional responsibility to do so.

72. Are you aware that the proposed changes to resource sharing of fisheries between the Commonwealth and the states will require changes to the Offshore Constitutional Settlement (OCS) or a Memorandum of Understanding (MOU)?

ANSWER:

72. Any proposed changes to resource sharing arrangements between the Commonwealth and States may not require changes to Offshore Constitutional Settlements. The Offshore Constitutional Settlements deal with jurisdictional arrangements rather than resource sharing.

The Commonwealth Fisheries Resource Sharing Framework states *“Under the OCS, the Commonwealth does not manage commercial fishing in state and territory waters, recreational fishing or customary Indigenous fishing. The framework is not binding on state and territory governments. It will not affect management and resource sharing arrangements of state and territory fisheries that do not involve the Commonwealth or Commonwealth-managed stocks”*.

73. Does NSW propose to change the OCS or agree to an MOU?

ANSWER:

73. Any proposals to change the current OCS or associated MOU will not be done without going through a consultation process.

74. Why have you not consulted stakeholders regarding this?

ANSWER:

74. Refer to response at question 73

Stock Assessments

75. Are you aware that on the 2nd of November 2020 a letter was sent to commercial and charter fisherman outlining the consultation process for scientific fish stock assessment reports?

ANSWER:

75. DPI Fisheries has been sharing draft stock assessment reports via virtual meetings with the commercial and charter-boat businesses that contribute catch and effort data used to undertake stock assessment. The letter referred to in the question was sent to all commercial and charter boat businesses explaining the new engagement and consultation process with those fishers that have provided data. The intention of engaging these fishers in the stock assessment processes is to improve transparency, to gain insights into the data that has been provided and to ensure the interpretation of the data they have provided is accurate.

76. If yes, can you advise when and to whom in the recreational sector it was sent to?

ANSWER:

76. This letter was sent to the Chair of the Recreational Fishing NSW Advisory Council

77. If no, then given the potential impact on NSW recreational fisheries do you consider this dereliction of duty and when will you consult NSW recreational fishers to get an agreed position that protects their future?

ANSWER:

77. The consultation process articulated in the letter was to seek feedback from fishers providing data to obtain insights from fishers about the data they have provided and that is being used in fish stock assessment processes. This process was not a consultation to discuss management of fisheries.

To seek expert feedback about the recreational data used in stock assessments, the recently completed Recreational Fishing Survey was presented or is planned to be presented to the following:

- Recreational Fishing NSW Advisory Council (RFNSW) – out-of-session videoconference (Zoom) presentation 04/02/2021
- Recreational Fishing NSW Advisory Council (RFNSW) – at face-to-face meeting 25/02/2021 (Newcastle)
- Charter Fishing NSW Working Group (CFNSW) – at scheduled face-to-face meeting 23/03/2021 (Sydney)
- Recreational Fishing Saltwater Trust Expenditure Committee (RFSTEC) – at scheduled face-to-face meeting 30/03/2021 (Sydney)
- Recreational Fishing Freshwater Trust Expenditure Committee (RFFTEC) – at scheduled face-to-face meeting 31/03/2021 (Sydney) the Recreational Fishing NSW Advisory Council

Batemans Bay Marine Park

78. Were you aware that Dr Natalie Moltschaniwskyj held a meeting in Narooma on 22 October 2020 with Batemans Bay MP Advisory Committee representatives and have you been briefed and if not why?

ANSWER:

78. I am advised that Dr Moltschaniwskyj was invited to meet with members of the local community that had expressed concerns about urchin barrens, some of whom were members of the Batemans Marine Park Advisory Committee.

79. What was discussed at this meeting and are there publicly available minutes?

ANSWER:

79. Dr Moltshaniwskyj was invited to share with the group what knowledge DPI has about the urchin barrens on the NSW south coast. This was an informal meeting and no minutes were taken.

80. Who was invited to this meeting?

ANSWER:

80. Dr Natalie Moltshaniwskyj (DPI Fisheries), Dr Heath Folpp (DPI Fisheries), Norm Lenehan (DPI Fisheries), Stephen Bunney (Batemans Marine Park Advisory Committee (BMPAC) - Commercial Fishing member), Wally Stewart (BMPAC – Aboriginal culture member), Georgia Poyner (BMPAC – Spear fishing member), Chris Theodore (Sea Urchin and Turban Shell Fishery) and Bill Barker (Nature Coast Marine Group).

81. From the invitation list, who attended?

ANSWER:

81. All those listed above.

82. It has been reported that certain members of the BBMP advisory council were excluded by the DPI representative at this meeting, why did this exclusion occur?

ANSWER:

82. The meeting involved members of the local community that had expressed an interest and concern to DPI over a number of years about sea urchin barrens. This included current and former members of the Batemans Marine Park Advisory Committee (Committee), as well as others not involved in the Committee.

83. Were any objections raised by the participants at this meetings as why Dr Natalie Moltshaniwskyj excluded other members of the BBMP Advisory Council ?

ANSWER:

83. Dr Moltshaniwskyj was not involved in any decisions about who should be invited to attend the meeting.

Norm Lenehan, Manager of Batemans Marine Park, convened the meeting with members of the local community that had expressed concerns to DPI about urchin barrens.

84. In what official capacity was Dr Natalie Moltshaniwskyj attending this meeting with regards to the ongoing role of the BBMP Advisory Council?

ANSWER:

84. Dr Moltshaniwskyj was invited to attend the meeting in her capacity as Director of Fisheries Research, DPI

85. Are you confident that the independence of the BBMP advisory council has not been compromised by holding such selective meetings?

ANSWER:

85. Yes.

86. Are you aware that during the recent meeting in Narooma 22nd October, Dr Moltschaniwskyj stated NSW DPI Fisheries are making their decisions regarding kelp / urchin barrens entirely on the Glasby & Gibson paper.

ANSWER:

86. Dr Moltschaniwskyj presented a meta-analysis of all relevant data held by DPI and data that is publicly available, to examine the spatial and temporal changes in the distribution of urchin barrens on the south coast of NSW over the last 50 years. The Glasby & Gibson paper was one source of data, alongside multiple sources of data including: helicopter aerial surveys, snorkel and diver surveys, towed video, baited remote underwater video, and autonomous underwater video.

At no time in the meeting was any discussion undertaken about decisions regarding kelp / urchin barrens, as this was not the purpose of the meeting.

87. It was reported that those attending the meeting strongly objected to this, stating a government position cannot be decided upon using one research paper alone and that many in the scientific community described the paper as being given incentives for tidy results. Will you confirm that NSW DPI fisheries will not be making decisions on narrow and questionable research?

ANSWER:

87. DPI will continue to draw on all relevant research and evidence to inform decision-making.

88. If you won't confirm the above, can you advise is this selective use of evidence the new way you will be making evidence based decisions in NSW Marine Parks?

ANSWER:

88. DPI will continue to draw on all relevant legislation, policy, scientific evidence and community feedback (where sought) in making decisions.

Marine Parks

89. Can you advise of all the meetings DPI staff have held with any members of all the NSW Marine Park advisory committees in the past 12 months outside of the recognised and minuted meetings that are published and if not why?

ANSWER:

89.

Cape Byron Marine Park Advisory Committee (CBMPAC)

Meeting: 4 March 2021

DPI Staff: Sarah Fairfull, Rodney James, Peter Gallagher, Nicole Strehling, Andrew Page, Karen Ellis, Mim Knollys

CBMPAC Members: Serge Killingbeck, Daniel Bucher (Chair), Bill Silvester, John Gallagher, Alice Livingston, Basil Cameron.

Topics discussed: Welcome and Acknowledgement of Country, Apologies, Actions from previous meeting, Adoption of minutes from previous meeting, presentation on preliminary draft management plan, research summaries and responses to questions from meeting 5, call for

nominations to fill vacant positions, Marine Estate Management Act review update, other business, next meeting date.

Meeting: 15 December 2020

DPI Staff: Sarah Fairfull, Heath Folpp, Rodney James, Nicole Strehling, Andrew Page, Mim Knollys

CBMPAC Members: Mr John Gallagher, Cr Keith Williams, Dr Daniel Bucher (Chair), Mr Bill Silvester, Mr Peter Watts

Topics discussed: Welcome and Acknowledgement of Country, apologies, actions from meeting 4, adoption of minutes from meeting 4, membership vacancies, update on changes to DPI Fisheries divisional structure, update on draft management plan for the park, research update, consultation on the draft Harvest Strategy Policy and Guidelines, other business, next meeting date.

Solitary Islands Marine Park Advisory Committee (SIMPAC)

Meeting: 5 March 2021

DPI Staff: Sarah Fairfull, Peter Gallagher, Rodney James, Mim Knollys, Nicole Strehling, Jane Gordois

SIMPAC: Tricia Beatty, Sally Whitelaw, Duan March, Neil Manson, Stephen Sawtell (Chair), Michael Featherstone, Nicola Fraser, Karen Dallas

Topics discussed: Welcome and Acknowledgement of Country, Apologies, Actions from meeting 5, Adoption of minutes from meeting 5, presentation on preliminary draft management plan, research summaries and responses to questions from meeting 5, Recycled Water Access and Licensing Charge and Recycled Water Consumption Charge, DPIE Water Coastal Harvestable Rights Review, call for nominations to fill vacant positions, Marine Estate Management Act review update, other business, next meeting date.

Meeting: 10 December 2020

DPI Staff: Sarah Fairfull, Peter Gallagher, Rodney James, Mim Knollys, Heath Folpp, Nicole Strehling, Jane Gordois, Anthony Harding

SIMPAC Members: Ms Tricia Beatty, Ms Sally Whitelaw, Mr Ian Shaw, Mr Stephen Sawtell (Chair), Prof. Stephen Smith, Mr Mike Davey, Neil Manson, Mrs Karen Dallas, Ms Nicola Fraser

Topics discussed: Welcome and Acknowledgement of Country, apologies, actions from meeting 4, adoption of minutes from meeting 4, membership vacancies, update on changes to DPI Fisheries divisional structure, update on draft management plan for the park, research update, consultation on the draft Harvest Strategy Policy and Guidelines, Coffs Harbour Water Sharing Plan/Review, the review of Council's recycled water charges, next meeting date.

Port Stephens Great Lakes Marine Park (PSGLMPAC)

Meeting: 25 February 2021

DPI Staff: Sarah Fairfull, Rodney James, Peter Gallagher, Nicole Strehling, Mim Knollys, Luke Erskine

PSGLMPAC Members: John Nell (Chair), Lorraine Lilley, Robert Gauta, Iain Watt, Chris Fulton, James McArthur, Paul Lennon, Allan Freihaut, Margo Smith, Greg Finn, Kathleen Cheers, Karen Hutchinson, Chris Taylor, Daniel Aldrich, Jamie Culver, Frank Future

Topics discussed: Welcome and Acknowledgement of Country, Apologies, Actions from previous meeting 5, Adoption of minutes from previous meeting 5, presentation on preliminary draft management plan, research summaries and responses to questions from meeting 5, call for

nominations to fill vacant positions, Marine Estate Management Act review update, other business, next meeting date.

Meeting: 8 December 2020 DPI Staff: Sarah Fairfull, Rodney James, Heath Folpp, Peter Gallagher, Nicole Strehling, Mim Knollys, Luke Erskine, Natalie Moltschaniwskyj, Sally Hopkins
PSGLMPAC Members: John Nell (Chair), Lorraine Lilley, Robert Gauta, Iain Watt, James McArthur, Paul Lennon, Allan Freihaut, Margo Smith, Marisha Ewart, Chris Taylor, Jamie Culver, Frank Future

Topics discussed: Welcome and Acknowledgement of Country, apologies, actions from meeting 4, adoption of minutes from meeting 4, membership vacancies, update on changes to DPI Fisheries divisional structure, update on draft management plan for the park, research update, consultation on the draft Harvest Strategy Policy and Guidelines, other business, next meeting date.

Jervis Bay Marine Park Advisory Committee (JBMPAC)

Meeting: 2 March 2021

DPI Staff: Sam Davis, Nicole Strehling, Rodney James, Peter Gallagher, Mim Knollys
JBMPAC Members: Mr Robert Chewying, Mr Phil Zaccagnini, Cr Amanda Findley, Dr Sue Feary, Dr Patricia Hutchings, Mr Brian Betts, Mr Greg Reid, Mr Oliver Wady, Mr Matthew Rountree, Captain Warren Bairstow, Mr Colin Trinder

Observer: Commander Kerry Rohrsheim (HMAS Cresswell)

Other attendees: Natalie Godward & Michael Read, NSW Ports Authority

Topics discussed: Welcome and Acknowledgement of Country, Apologies, Actions from meeting 5, Adoption of minutes from meeting 5, Presentation on preliminary draft management plan, research summaries and responses to questions from meeting 5, call for nominations to fill vacant positions, Native title considerations, proposed cruise ship visitation and new anchorages in Jervis Bay, other business, Artificial Reef Program – proposed site, Marine Estate Management Act Review update, next meeting date.

Meeting: 8 December 2020

DPI Staff: Sarah Fairfull, Rodney James, Nicole Strehling, Matt Dasey, Sam Davis, Alana Chenery, Heath Folpp

Guest/observer: Deon Voyer – RMS (for part of the meeting)

JBMPAC Members: Mr Robert Chewying, Mr Phil Zaccagnini, Cr Amanda Findley (Chair), Dr Sue Feary, Dr Patricia Hutchings, Mr Brian Betts, Mr Greg Reid, Mr Scott Sheehan, Mr Luke Scott, Mr Colin Trinder

Topics discussed: Welcome and Acknowledgement of Country, apologies, actions from meeting 4, adoption of minutes from meeting 4, membership vacancies, update on changes to DPI Fisheries divisional structure, update on draft management plan for the park, research update, consultation on the draft Harvest Strategy Policy and Guidelines, jet ski impact on wildlife, RMS - request to install temporary special marks, swim with marine mammals permits, other business, next meeting date.

Meeting: Elders as Mentors, Initiative 4 Marine Estate Management Strategy (MEMS) project – Jervis Bay - field trip 3 March 2021

DPI staff: Nathan Knott, Mark Fackerell, Marty Hing, Matt Rees, Matt Dasey, Ian Kerr, Kylie Jacky

MPAC member: Robert Chewying, Aboriginal culture standing member

Topic discussed: Cultural fishing rights of Aboriginal people inside and outside of Marine Parks, related to Native Title claims.

Meeting: Cultural Fishing Camp, Mystery Bay, Initiative 4 MEMS Project

DPI staff: Nathan Knott, Matt Rees, Ian Osterloh, Ian Kerr

MPAC member: Robert Chewying, Aboriginal culture standing member

Topic discussed: Cultural fishing activities in marine parks

Meeting: Co-authoring research paper on infauna of Jervis Bay

DPI staff: Nathan Knott

MPAC member: Dr Patricia Hutchings, Marine Science standing member

Topic discussed: Compiling CSIRO legacy data for polychaetes in preparation for publishing

Meeting: 29 January 2021

DPI staff: Sam Davis, Marty Hing

MPAC member: Dr Sue Feary, marine conservation standing member

Topic discussed: The historical context of rules listed in the regulations that are unique and specific to Jervis Bay Marine Park

Batemans Marine Park Advisory Committee (BMPAC)

Date: 24 July 2020

Meeting: sea urchin working group

DPI staff: Norm Lenehan

MPAC member: Stephen Bunney (commercial fishing standing member), Georgia Poyner (Spear fishing standing member), Wally Stewart (Aboriginal culture standing member), Jane Elek (Alternate member for marine conservation)

Topic discussed: Urchin barrens

Date: 4 August 2020

Meeting: 4 August 2020 – via ZOOM immediately following Batemans Marine Park Advisory Committee meeting

DPI staff: Norm Lenehan; Julie Cooney

MPAC member: Harry Watson-Smith (Alternate member for maritime industry)

Topic discussed: clarification of the role of alternates; process of appointment to committee; views on how meetings are managed.

Date: 21 October 2020

Meeting: Recreational boating representative – Batemans Bay Marina

DPI staff: Norm Lenehan

MPAC member: Daimon Martin (standing member for recreational boating)

Topic discussed: Clarification of his role on the committee, discuss how recreational boating uses the marine park, identify how recreational boating can contribute to marine park objectives.

Date: 22 October 2020

Meeting: sea urchin working group

DPI staff: Dr Natalie Moltschaniwskyj, Dr Heath Folpp, Norm Lenehan

MPAC member: Stephen Bunney (standing member for commercial fishing), Georgia Poyner (standing member for spear fishing), Wally Stewart (standing member for Aboriginal culture)

Topic discussed: Historic overview of DPI Fisheries research projects investigating urchin barrens.

Date: 28 October 2020

Meeting: Sea Country science camps
DPI staff: Norm Lenehan, Kylie Jacky, Ian Kerr, Dr Nathan Knott
MPAC member: Wally Stewart (standing member for Aboriginal culture)
Topic discussed: Planning for Sea Country camps

Date: 11 November 2020

Meeting: Sea Country science camps
DPI staff: Norm Lenehan, Kylie Jacky, Ian Kerr, Dr Nathan Knott
MPAC member: Wally Stewart (standing member for Aboriginal culture)
Topic discussed: Planning for Sea Country camps

Date: 18 November 2020

Meeting: Standing member for recreational boating
DPI staff: Norm Lenehan
MPAC member: Daimon Martin (standing member for recreational boating)
Topic discussed: Recreational boating contribution to marine park objectives. Advice on communication.

Meeting: 8 December 2020

DPI Staff: Sarah Fairfull, Heath Folpp, Rodney James, Nicole Strehling, Norm Lenehan, Julie Cooney
BMPAC Members: Stephen Bunney, Ross Constable, Philip Creagh, Norm Ingersole, Fiona McCuaig, Adam Martin, Daimon Martin, Pat McGinlay, Harry Watson-Smith
Topics discussed: Welcome and Acknowledgement of Country, apologies, actions from meeting 4, adoption of minutes from meeting 4, Chair appointment update, membership update, update on changes to DPI Fisheries divisional structure, update on draft management plan for the park, research update, consultation on the draft Harvest Strategy Policy and Guidelines, presentation by Fiona McCuaig related to opening 6 sanctuary zones (SZ) for recreational fishing, next meeting date.

Date: 4 February 2021

Meeting: Handover of role to newly appointed Chair
DPI staff: Norm Lenehan
MPAC member: Fiona McCuaig (Chair)
Topic discussed: Role of Chair, meeting protocols, distribution of agendas/minutes and business papers.

Date: 8 February 2021

Meeting: Swim with seal permit holders
DPI staff: Norm Lenehan
MPAC member: Norm Ingersole (standing member for tourism), Francoise van Zyl (alternative member for tourism)
Topic discussed: Conditions of marine park permits; compliance.

Date: 9 February 2021

Meeting: Short film production
DPI staff: Norm Lenehan
MPAC member: Wally Stewart (standing member for Aboriginal culture)
Topic discussed: Wally was interviewed and filmed to record his contribution and knowledge he can share for the marine park.

Date: 11 February 2021

Meeting: Swim with seal permit holders

DPI staff: Peter Gallagher; Norm Lenehan and Sham Eichmann.

MPAC member: Norm Ingersole (Tourism), Françoise van Zyl (Alt. Tourism)

Topic discussed: Conditions of marine park permits; compliance with permit; concerns with increasing number of operators.

Meeting: 26 February 2021

DPI Staff: Sarah Fairfull, Peter Gallagher, Rodney James, Mim Knollys, Nicole Strehling,

BMPAC: Stephen Bunney, Wally Stewart, Jack Tait, Ross Constable, Philip Creagh, Norm

Ingersole, Fiona McCuaig (Chair), Adam Martin, Pat McGinlay, Georgia Poyner, Harry Watson-

Smith, Nick Yee

Topics discussed: Welcome and Acknowledgement of Country, Apologies, Actions from meeting 5 (including a motion regarding the amnesty on limited recreational fishing in six sanctuary zones within the park), Adoption of minutes from meeting 5, presentation on preliminary draft management plan, research summaries and responses to questions from meeting 5, call for nominations to fill vacant positions, Marine Estate Management Act review update, marine park permit system, concerns raised by an alternative member relating to their appointment, next meeting date.

Date: 1 March 2021

Event/meeting: Elders as Mentors

DPI staff: Peter Gallagher; Kylie Jacky; Kellie Clarke; Norm Lenehan; Ian Kerr and Dan Morgan.

MPAC member: Wally Stewart (Aboriginal culture)

Topic discussed: Native Title; injustices relating to access to cultural resources; effort by DPI to communicate with Traditional Owners; impact of Native Title claim.

Lord Howe Island Marine Park Advisory Committee:

Date: 20 August 2020

Event/meeting: Out of session meeting (all members invited)

DPI staff: Justin Gilligan and Sallyann Gudge

MPAC member: Ian Hutton, Cindy Shick, Ed Rouke, Brian Busted

Topic discussed: Committee to discuss and prepare a response to the 5-year statutory review of the *Marine Estate Management Act 2014*

90. Can you advise who attended these meetings and what was discussed and if not why?

ANSWER:

90. See response to question above.

91. How much money is being used to pay for the current marine park reviews and if not why?

ANSWER:

91. For the 2020/21 financial year (up until end of February 2021) = \$379,641

92. How much money is being used for research in each NSW marine parks for the past 2 years?

ANSWER

92.

2020 Financial Year - \$705,763

2021 Financial Year - \$385,165 (up until end of February 2021)

Local Land services Aerial Pest Control

93. What is the total number of hours flying time by Local Land Services to undertake vertebrate pest control in 2018, 2019, 2020 and 2021 (to 1 March)?

ANSWER:

93.

Year	Aerial Hrs
2018	582.9
2019	652.1
2020	669.1
2021	20.6

94. For the calendar years 2018, 2019, 2020 and 2021 (to 1 March) what was the total cost for aerial shooting undertaken by Local Land Services?

ANSWER:

94.

2018	\$681,310
2019	\$854,220
2020	\$867,972
2021	\$27,965

95. For the calendar years 2018, 2019, 2020 and 2021 (to 1 March):
- What was the cost per hour for operating the helicopters?
 - What was the total fuel cost?
 - What was the total labour cost?
 - What were the total travel and accommodation costs?
 - What was the total cost of ammunition?

ANSWER:

95.

2018

- \$1,100/hr.
- Included (wet hire).
- Labour costs for LLS staff associated with aerial shoots is considered business as usual (BAU) and is as per LLS Award.
- Travel and accommodation costs associated with pest control programs are categorised as operational expenses and are not itemised.
- \$40,120.

2019

- \$1,150/hr.

- b) Included (wet hire).
- c) Labour costs for LLS staff associated with aerial shoots is considered BAU and is as per the LLS Award.
- d) Travel and accommodation costs associated with pest control programs are categorised as operational expenses and are not itemised.
- e) \$62,464.

2020

- a) \$1,200/hr.
- b) Included (wet hire).
- c) Labour costs for LLS staff associated with aerial shoots is considered BAU and is per the LLS Award.
- d) Travel and accommodation costs associated with pest control programs are categorised as operational expenses and are not itemised.
- e) \$49,240.

2021

- a) \$1,250/hr.
- b) Included (wet hire).
- c) Labour costs for LLS staff associated with aerial shoots is considered BAU and is per the LLS Award.
- d) Travel and accommodation costs associated with pest control programs are categorised as operational expenses and are not itemised.
- e) \$2,215.

96. What were the vertebrate species targeted?

ANSWER:

96.
Feral pigs, goats, dogs, foxes, deer, cats and donkeys.

97. How many animals of each targeted species were shot in calendar years 2018, 2019, 2020 and 2021 (to 1 March)?

- a) What became of the animals that were shot – were they utilised or disposed of in any way?

ANSWER:

97.

Year	Pigs	Goats	Dogs	Foxes	Deer	Cats	Donkey
2018	15759	1704	11	241	8265	65	0
2019	7920	395	3	145	5428	19	319
2020	5773	350	6	67	2982	5	50
2021	429	93	0	4	28	0	0

a) Animals confirmed dead and left in-situ.

98. Were any other pest species targeted?

a) How many of those species were shot in calendar years 2018, 2019, 2020 and 2021 (to 1 March)?

ANSWER:

98. No.

99. Has a review of aerial pest control ever been undertaken to assess whether private contractors may offer better efficiencies and cost savings than Local Land Services?

ANSWER:

99. LLS currently utilises private contractor pilots and aircraft in aerial shooting operations. LLS is currently reviewing the role of private contractor shooters in NSW Government aerial shooting programs.

100. Has a review of ground based pest control on public land, looking at effectiveness, costs and efficiencies, ever been undertaken?

a) Is a report available?

b) Does Local Land Services tender out pest control on public land to private contractors?

c) If so, where are the tender notices published?

ANSWER:

100. The 2016 NRC Pest Animal Review canvassed the role of ground shooting in vertebrate pest management. This report does not focus on the costs of ground-based pest control but on the effectiveness of primary control techniques.

a) Yes

b) Yes

c) Tender notices are published as per the NSW State government procurement policy dependent on the specific variables of each tender.

101. What firearms are used by Local Land Services for aerial pest control?

a) How many Category D firearms does Local Land Services own?

b) What are the makes, models and calibres of Category D firearms used by Local Land Services?

c) In what year were the Category D firearms used by Local Land Services purchased?

d) In what year were the Category D firearms used by Local Land Services manufactured?

ANSWER:

101. LLS utilises FN Herstel SCAR-17H and the Benelli M-4 Shotgun for aerial shooting operations, which are technically categorised a Prohibited Firearm by the NSW Firearms Registry.

- a) LLS has 28 FN Herstel SCAR-17H and 12 Benelli M-4 Shotguns used specifically for Aerial Shooting operations.
- b) FN Herstel is .308 calibre and Benelli M-4 is a 12 gauge.
- c) FN Herstel SCAR-17H were purchased in 2017 and the Benelli M-4 Shotguns were purchased 2020-2021.
- d) 2017-2020.

Aerial Pest Control Consent Form

102. I refer the Minister to the attached Local Land Services 'Aerial Shoot Consent Form' distributed by Central Tablelands Local Land Services at Bathurst.

- a) How many feral cats were shot from a helicopter by Local Land Services in in 2018, 2019, 2020 and 2021 (to 1 March)?
- b) How many foxes were shot from a helicopter by Local Land Services in in 2018, 2019, 2020 and 2021 (to 1 March)?
- c) How many wild dogs were shot from a helicopter by Local Land Services in in 2018, 2019, 2020 and 2021 (to 1 March)?

ANSWER:

102. It should be noted that these species are less frequently encountered during aerial operations due to their size and patterns of behaviour e.g. they do not exhibit herding behaviour such as herbivorous target pests (e.g. deer, pigs and goats). Consent from the landholder is sought to target these less frequently encountered pest species in the circumstance that the opportunity arises during the aerial shooting operation to target them. These species are not primary target species for aerial programs and are considered opportunistic.

a) Cats Aerially Shot

2018 – 65

2019 – 19

2020 – 5

2021 – 0

b) Foxes Aerially Shot

2018- 241

2019 – 145

2020 – 67

2021 – 4

c) Wild Dogs Aerially Shot

2018 - 11

2019 – 3

2020 – 6

2021- 0

Local Lands Services - Secondary Employment

103. How many Local Land Services employees had approval to undertake secondary employment as Vertebrate Pest Animal Controllers in 2018, 2019, 2020 and 2021 (to 1 March)?

ANSWER:

103.

2018 – nil record centrally.

2019 – 1 recorded centrally.

2020 – 2 recorded centrally (noting one referenced commencement of the secondary employment in 2018).

2021 – nil recorded centrally to date.

104. How many Local Lands Services employees, who are holders of a Vertebrate Pest Animal Control licence, submitted a conflict of interest declaration in 2018, 2019, 2020 and 2021 (to 1 March)?

ANSWER:

104.

2018 – 8 recorded centrally.

2019 – 1 recorded centrally.

2020 – 10 recorded centrally.

2021 – nil recorded centrally to date.

Attachment for Question 102



Consent/Approval to carry out aerial pest control

Please tick appropriate box:

I give permission for the Central Tablelands Local Land Services to carry out aerial control of pest animals on land below occupied /or owned by me between the dates of 18 /1 / 2021 - 30 /06 / 2021. I will notify neighbouring properties of the intended shooting dates at least three days prior.

Feral deer, feral pigs, foxes, feral cats and wild dogs will be specifically targeted.

Please tick box if you consent other animals to be controlled:

Feral Goats

I do not give permission to the Central Tablelands Local Land Services to carry out Aerial control of pest animals on my land.

Property Name Holding Number (if known) #

UHF No.

Phone

Mobile

Email

Signed: (Owner/ Manager/Occupier)

Print name:

Date:

Please return completed form to:

Dean Taylor

Central Tablelands Local Land Services, 66 Corporation Ave (PO Box 20) Bathurst NSW 2795

dean.taylor@lls.nsw.gov.au

M: 0437 466 250

Enquiries to: Dean Taylor, Biosecurity Officer, Mobile: 0437 466 250

Breeding Code of Practice

Currently there is a great deal of confusion and anger with the enforcement of the Breeding Code of Practice 2009 on non-business pet dog breeders.

105. a) Minister do you think it is right that the RSPCA do not view hobbyist breeders as being different to commercial breeders and accordingly having the right to enter a non-business property without evidence of a crime or animal cruelty?
- b) Minister do you support ensuring the definition of an animal trade is clearly redefined within the Act to separate animal businesses from non-animal businesses?

ANSWER:

105.

- a) Inspectors may enter land (not including a dwelling) used for a business in the course of which dogs or cats are bred for fee or reward to examine animals and check compliance with the Act, Regulation and Code.
- b) The Government's future position on changes to the definition of an animal trade will be dependent on the outcomes of consultation undertaken through the Animal Welfare Action Plan process.

Questions from Ms Abigail Boyd MLC

Animal rescue and rehoming grants

106. The Victorian Government currently allocates the following through their Animal Welfare Fund Grants Program:
- o \$1 million for animal shelters and foster carers to purchase equipment or upgrade or expand their services
 - o \$2 million for not-for profit and community vet clinics to maintain and expand their services, and allow new low cost clinics to be set up in areas of need around Victoria.

Does NSW have any plans to implement a similar program which allocates grants for volunteer animal rescue and rehoming organisations to support rescue and rehoming of various animal species?

ANSWER:

106. The NSW Government has provided multiple funding packages to animal welfare charities in NSW, who provide vital animal care infrastructure for the animals in our State.

Lethal Animal Control

107. What is the total expended amount of public money across NSW over the last three years for lethal control programs?

ANSWER:

107. Lethal pest animal control programs are implemented in NSW by a range of local, state and commonwealth agencies. The total cost of implementing all local, state and commonwealth control programs is not available to NSW Department of Primary Industries.

108. What is the anticipated and proposed budget for legal control programs for the next three year period?

ANSWER:

108. Lethal pest animal control programs are implemented in NSW by a range of local, state and commonwealth agencies. The total cost of implementing all local, state and commonwealth control programs is not available to NSW Department of Primary Industries.

109. Has the NSW State Government proposed or budgeted public money towards non-lethal programs including evidenced-based research and development into contraceptive programs or “co-existence” in line with overseas countries and public expectations?

ANSWER:

109. No.

African Swine Fever Virus

110. In the event of an outbreak of African Swine Fever Virus in NSW, have you and/or the Department approved specific culling and/or depopulation methods? If yes, what are these methods?

ANSWER:

110. The depopulation methods are currently defined in the Commonwealth AUSVETPLAN as approved techniques in an emergency response to African Swine Fever.

111. How will the infected and diseased animal carcasses be disposed of?

ANSWER:

111. NSW DPI and the Environmental Protection Agency are currently developing a disposal plan for an African Swine Fever event.

112. What is the estimated cost associated with an outbreak of African Swine Fever Virus in NSW?

ANSWER:

112. An ACIL Allen report, commissioned by Pork Australia, estimated an economic impact across Australia of between \$667 million and \$877 million for a low spread scenario (single point outbreak with 30 small and medium commercial holdings) and between \$1,548 million and \$2,033 million for a high spread scenario (direct or indirect costs).

NSW made up an average of 17% of the national pig farm gate value over the three financial years until 2018-19 with an average annual value of \$206.3 million at the farm gate. NSW also averaged 19% of national pig herd numbers over the same time period. NSW also benefits from a number of pig processing facilities, including large scale export accredited facilities, employing a large number of staff which would also be indirectly impacted by any outbreak of ASF within the state.

<http://australianpork.com.au/wp-content/uploads/2019/11/African-Swine-Fever-Final-Report-140819.pdf>

113. Has the Department and/or Treasury provisioned an amount of money in the event of an outbreak?

ANSWER:

113. No.

Questions from the Hon Mark Buttigieg MLC (on behalf of the Opposition)

Baaka Cultural Centre, Wilcannia

114. Of the \$3.5 million dollars announced in 2019 for the Baaka Cultural Centre in Wilcannia how much has been spent on the centre to date?

ANSWER:

114. As at 10 March 2021, \$795,934.

115. How many local jobs have been created through the construction of the centre?

ANSWER:

115. Two in preliminary works with more expected through the main construction phase.

116. Has the material for construction been sourced locally?

a) If not, where is it from?

ANSWER:

116a. Construction material is yet to be sourced.

117. Has the Minister been to visit the Baaka Cultural Centre in Wilcannia?

ANSWER:

No.

118. When was the last time the Minister went to Wilcannia?

ANSWER:

October 2019.

119. Does the Minister have plans to visit Wilcannia in the next 6 months?

ANSWER:

119. Travel plans for the next 6 months are yet to be determined.

Mental Health in Western NSW

120. Has the Minister made any written representations about mental health funding for Western NSW since March 2019?

- a) If yes, how many representations in 2019?
- b) 2020?
- c) 2021?

ANSWER:

120. All representations received relating to Mental Health have been referred to the Minister for Mental Health.

121. Has the Minister had any meetings to discuss mental health service provision in Western NSW?

- a) If yes, how many meetings in 2019?
- b) 2020?
- c) 2021?

ANSWER:

121. See Answer to Question 120.

122. Is the Minister aware if funding for the Community Living Supports Program run by the Far West Local Health District will be extended past 2021?

- a) Has the Minister made any representations about this program in his capacity as Minister for Western NSW?

ANSWER:

122. All representations received relating to the Community Living Supports Program have been referred to the Minister for Health.

123. Has the Minister attended any briefings about mental health services in Western NSW?
- a) If yes, when?

ANSWER:

123. This is a matter for the Minister for Mental Health

Better public transport for isolated communities

124. Has the Minister made any written representations about public transport funding for Western NSW since March 2019?
- a) If yes, how many representations in 2019?
 - b) 2020?
 - c) 2021?

ANSWER:

124. All representations received relating to public transport have been referred to the Minister for Transport.

125. Does the Minister receive correspondence about insufficient public transport in Western NSW from constituents living in Western NSW?

ANSWER:

125. No, this is a matter for the Minister for Regional Transport.

Monaro Grasslands

126. Have any changes been made to either the legal or working definitions for protected grasslands in the Monaro?
- a) If yes, what are those changes?
 - b) What is the effect of those changes for landholders?

ANSWER:

126a–b. There have been no changes to the definition of the EPBC Act listed Natural Temperate Grassland nor any subsequent changes to the EPBC Act.

127. The Craik review of interactions between the EPBC Act and agriculture recommended a pilot of a non-statutory approach to regional planning be undertaken in the Monaro region. In hearings, you have made reference to a pilot program in the Monaro.
- a) What is this pilot program? Please outline in specific detail what is being trialled and what work is being done.
 - b) Has the pilot commenced?
 - i) If yes, when?
 - c) Has it concluded?
 - d) How much did this pilot cost?
 - e) Who funded it?
 - f) Who proposed this pilot program?

ANSWER:

- a) The Monaro Grasslands Pilot was work undertaken by Local Land Services, Office and Environment and Heritage (now EES), the Biodiversity Conservation Trust and the Commonwealth Department of Environment and Energy to test the regulatory settings in native grasslands and pastures.
- b) Yes. June 2018.
- c) No.
- d) \$107, 000 with in-kind contributions from LLS, OEH (now EES), BCT and Cth Department of Environment and Energy.
- e) Local Land Services.
- f) The pilot program was a commitment made by the NSW Government as part of the Land Management and Biodiversity Conservation Reforms.

128. In hearings of the federal senate inquiry into faunal extinctions, chair of the EPBC agriculture review, Wendy Craik, told the committee the NSW government had offered 11 staff members at no cost to the Commonwealth for this pilot program (see transcript page 48 <https://www.environment.gov.au/system/files/mo190049.pdf>).
- Who in the NSW government made this offer?
 - Was it a department or a Minister? Please specify which Minister.
 - In what agency do these staff members work and was this work on the pilot program ultimately undertaken?
 - What did this cost the state government?
 - What were the outcomes of the pilot program?

ANSWER:

128.

- LLS does not have a record of this offer being made to Dr Craik.
- See above.
- The Monaro Grasslands Pilot involved staff from LLS, the Office of Environment and Heritage (now EES) and the Biodiversity Conservation Trust. Yes.
- \$107, 000 with in-kind contributions from LLS, OEH (now EES) and BCT.
- The Australian Government, after consultation with LLS and Monaro landholders, identified that the existing assessment process was unclear for landholders and that they needed to simplify the process to improve compliance outcomes.

Employees

129. Minister, for each department, agency, State-owned corporation or other body, and for each division of those bodies, if any, in your portfolio:
- What is the gender pay gap, both generally and across those employees in SEB or SEB-equivalent bands?
 - What is the highest remuneration for female employees– both generally and for SEB/SEB-equivalent employees?
 - What is the lowest pay received by female employees – both generally and for SEB/SEB-equivalent employees?
 - What is the average remuneration received by female employees – both generally and for SEB/SEB-equivalent employees?
 - What is the highest remuneration for male employees– both generally and for SEB/SEB-equivalent employees?
 - What is the lowest pay received by male employees – both generally and for SEB/SEB-equivalent employees?
 - What is the average remuneration received by male employees – both generally and for SEB/SEB-equivalent employees?
 - How many female and how many male SEB or SEB-equivalent employees are there?

- i) What is the highest number of direct reports to female SEB or SEB-equivalent employees?
- j) What is the lowest number of direct reports to female SEB or SEB-equivalent employees?
- k) What is the average number of direct reports to female SEB or SEB-equivalent employees?
- l) What is the highest number of direct reports to male SEB or SEB-equivalent employees?
- m) What is the lowest number of direct reports to male SEB or SEB-equivalent employees?
- n) What is the average number of direct reports to male SEB or SEB-equivalent employees?
- o) What is the highest number of staff managed by female SEB or SEB-equivalent employees?
- p) What is the lowest number of number of staff managed by female SEB or SEB-equivalent employees?
- q) What is the average number of number of staff managed by female SEB or SEB-equivalent employees?
- r) What is the highest number of staff managed by male SEB or SEB-equivalent employees?
- s) What is the lowest number of number of staff managed by male SEB or SEB-equivalent employees?
- t) What is the average number of number of staff managed by male SEB or SEB-equivalent employees?
- u) In providing answers to questions (a) to (t), please provide the information for each SEB band or band equivalent.
- v) What steps are you taking to eliminate the gender pay gap?
- w) What timeframe have you set to eliminate the gender pay gap?

ANSWER:

- All information provided is taken as a snapshot in time at 28 February 2021.
- The organisational structure is dynamic and changes based on business needs covering team structures and sizes.
- References to Senior Executives figures are based on substantive roles only. Senior Executive remuneration figures are only provided where the employee cannot be uniquely identified. The Secretary's remuneration is publicly available and published.
- All figures exclude casuals, contingent workers, secondment out, board members and non-payroll staff.
- In line with PSC's approach for diversity reporting, only males and female genders have been included in the figures.
- Salary is shown as N/A where there is only one staff member for that group as this would reveal the details of that individual's remuneration.

(a) Award staff are on classification grades where they are graded against their function and role. Staff performing the same duties will be on the same classification grades being paid the same remuneration. Senior Executives roles are evaluated through an approved methodology (Mercer/CED, OCD or Hay) to determine the work value points of the role. No two senior executive roles are the same.

(b) The highest remuneration for females in the Award category of Clerk 11/12: top of range is \$148,134 p.a.

DRNSW Group	SE Band	Remuneration
Local Land Services	Band 1	\$ 240,597
	Band 2	N/A
Primary Industries	Band 1	\$ 259,506
	Band 2	\$ 298,376

(c) (i) The lowest pay for females across general employees is below. The below salaries are for Trainees under the Age-based Crown Employees (Public Service Training Wage) Award.

DRNSW Group	Remuneration
Local Land Services	\$ 33,897
Primary Industries	\$ 18,919

(c) (ii) The lowest remuneration for females across Senior Executives:

DRNSW Group	SE Band	Remuneration
Local Land Services	Band 1	\$ 194,449
	Band 2	N/A
Primary Industries	Band 1	\$ 194,451
	Band 2	\$ 277,024

(d) (i) The average pay for females across all general employees:

DRNSW Group	Remuneration
Local Land Services	\$ 96,946
Primary Industries	\$ 99,802

(d) (ii) The average remuneration for females across Senior Executives:

DRNSW Group	SE Band	Remuneration
Local Land Services	Band 1	\$ 217,468
	Band 2	N/A
Primary Industries	Band 1	\$ 222,021
	Band 2	\$ 284,141

(e) The highest remuneration for males across the different groups for Senior Executives:

DRNSW Group	SE Band	Remuneration
Local Land Services	Band 1	\$ 259,396
	Band 2	N/A
Primary Industries	Band 1	\$ 274,686
	Band 2	\$ 345,107

(f) (i) The lowest pay for males across general employees is below. The below salaries are for Trainees under the Age-based Crown Employees (Public Service Training Wage) Award.

DRNSW Group	Remuneration
Local Land Services	\$ 30,584
Primary Industries	\$ 18,919

(f) (ii) The lowest remuneration for males across Senior Executives:

DRNSW Group	SE Band	Remuneration
Local Land Services	Band 1	\$ 207,223
	Band 2	N/A
Primary Industries	Band 1	\$ 195,586
	Band 2	\$ 292,771

(g) (i) The average pay for males across all general employees:

DRNSW Group	Remuneration
Local Land Services	\$ 100,397
Primary Industries	\$ 106,877

(g) (ii) The average remuneration for males across Senior Executives:

DRNSW Group	SE Band	Remuneration
Local Land Services	Band 1	\$ 229,410
	Band 2	N/A
Primary Industries	Band 1	\$ 230,977
	Band 2	\$ 314,605

(h) The number of male and female employees in Senior Executive bands are:

DRNSW Group	SEB Band	Female	Male
Local Land Services	Band 1	6	10
	Band 2	1	1
	Band 3	-	1
Primary Industries	Band 1	18	30
	Band 2	3	6
	Band 3	-	1
GRAND TOTAL		28	49

(i) The highest number of direct reports to female SEBs:

DRNSW Group	SEB Band	Direct Reports
Local Land Services	Band 1	22
	Band 2	3
	Band 3	N/A
Primary Industries	Band 1	20
	Band 2	11
	Band 3	N/A

(j) The lowest number of direct reports to female SEBs:

DRNSW Group	SEB Band	Direct Reports
Local Land Services	Band 1	3
	Band 2	3
	Band 3	N/A
Primary Industries	Band 1	1
	Band 2	8
	Band 3	N/A
	Band 3	N/A

(k) The average number of direct reports to female SEBs:

DRNSW Group	SEB Band	Direct Reports
Local Land Services	Band 1	9
	Band 2	1
	Band 3	N/A
Primary Industries	Band 1	6
	Band 2	9
	Band 3	N/A

(l) The highest number of direct reports to male SEBs:

DRNSW Group	SEB Band	Direct Reports
Local Land Services	Band 1	17
	Band 2	13
	Band 3	6
Primary Industries	Band 1	18
	Band 2	14
	Band 3	8

(m) The lowest number of direct reports to male SEBs:

DRNSW Group	SEB Band	Direct Reports
Local Land Services	Band 1	3
	Band 2	13
	Band 3	6
Primary Industries	Band 1	1
	Band 2	8
	Band 3	8

(n) The average number of direct reports to male SEBs:

DRNSW Group	SEB Band	Direct Reports
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Local Land Services	Band 1	8
	Band 2	13
	Band 3	6
Primary Industries	Band 1	6
	Band 2	11
	Band 3	8

(o) The highest number of staff managed by female SEBs:

DRNSW Group	SEB Band	Number of Staff
Local Land Services	Band 1	77
	Band 2	15
	Band 3	N/A
Primary Industries	Band 1	214
	Band 2	496
	Band 3	N/A

(p) The lowest number of staff managed by female SEBs:

DRNSW Group	SEB Band	Number of Staff
Local Land Services	Band 1	20
	Band 2	15
	Band 3	N/A
Primary Industries	Band 1	2
	Band 2	45
	Band 3	N/A

(q) The average number of staff managed by female SEBs:

DRNSW Group	SEB Band	Number of Staff
Local Land Services	Band 1	52
	Band 2	15
	Band 3	N/A
Primary Industries	Band 1	46
	Band 2	262
	Band 3	N/A

(r) The highest number of staff managed by male SEBs:

DRNSW Group	SEB Band	Number of Staff
Local Land Services	Band 1	158
	Band 2	812
	Band 3	1074
Primary Industries	Band 1	168
	Band 2	539
	Band 3	1951

(s) The lowest number of staff managed by male SEBs:

DRNSW Group	SEB Band	Number of Staff
Local Land Services	Band 1	36
	Band 2	812
	Band 3	1074
Primary Industries	Band 1	4
	Band 2	148
	Band 3	1951

(t) The average number of staff managed by male SEBs:

DRNSW Group	SEB Band	Number of Staff
Local Land Services	Band 1	82
	Band 2	812
	Band 3	1,074
Primary Industries	Band 1	50
	Band 2	373
	Band 3	1,951

(u) N/A

(v) Award staff are on classification grades assessed and determined against function and role. Staff performing the same duties will be on the same classification grades and paid the same remuneration. Senior Executives roles are evaluated through an approved methodology (Mercer/CED, OCD or Hay) to determine the work value points of the role. No two senior executive roles are the same. The department is committed to the Premier's Priority 14: Diversity targets which sets a target of 50% of senior leadership roles are held by women by 2025.

(w) The department has an action plan to meet the Premier's Priority 14: Diversity targets which sets a target of 50% of senior leadership roles are held by women by 2025.

130. Cluster Secretary- for each department, agency, State-owned corporation or other body, and for each division of those bodies, if any, in your Cluster:

- a) What is the gender pay gap, both generally and across those employees in SEB or SEB-equivalent bands?
- b) What is the highest remuneration for female employees– both generally and for SEB/SEB-equivalent employees?
- c) What is the lowest pay received by female employees – both generally and for SEB/SEB-equivalent employees?

- d) What is the average remuneration received by female employees – both generally and for SEB/SEB-equivalent employees?
- e) What is the highest remuneration for male employees– both generally and for SEB/SEB-equivalent employees?
- f) What is the lowest pay received by male employees – both generally and for SEB/SEB-equivalent employees?
- g) What is the average remuneration received by male employees – both generally and for SEB/SEB-equivalent employees?
- h) How many female and how many male SEB or SEB-equivalent employees are there?
- i) What is the highest number of direct reports to female SEB or SEB-equivalent employees?
- j) What is the lowest number of direct reports to female SEB or SEB-equivalent employees?
- k) What is the average number of direct reports to female SEB or SEB-equivalent employees?
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- n) What is the average number of direct reports to male SEB or SEB-equivalent employees?
- o) What is the highest number of staff managed by female SEB or SEB-equivalent employees?
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- q) What is the average number of number of staff managed by female SEB or SEB-equivalent employees?
- r) What is the highest number of staff managed by male SEB or SEB-equivalent employees?
- s) What is the lowest number of number of staff managed by male SEB or SEB-equivalent employees?
- t) What is the average number of number of staff managed by male SEB or SEB-equivalent employees?
- u) In providing answers to questions (a) to (t), please provide the information for each SEB band or band equivalent.
- v) What steps are you taking to eliminate the gender pay gap?
- w) What timeframe have you set to eliminate the gender pay gap?

ANSWER:

130.

Notes:

- All information provided is taken as a snapshot in time at 28 February 2021. Data for Forestry Corporation of NSW is provided at 13 March 2021.
- The organisational structure is dynamic and changes based on business needs covering team structures and sizes.
- References to Senior Executives figures are based on substantive roles only. Senior Executive remuneration figures are only provided where the employee can not be uniquely identified. The Secretary's remuneration is publicly available and published. Forestry Corporation has included acting arrangements in its Senior Executive staff pool.

- All figures exclude casuals, contingent workers, secondment out, board members and non-payroll staff.
- In line with PSC's approach for diversity reporting, only males and female genders have been included in the figures
- Salary is shown as N/A where there is only one staff member for that group as this would reveal the details of that individuals remuneration.

(a) Award staff are on classification grades where they are graded against their function and role. Staff performing the same duties will be on the same classification grades being paid the same remuneration. Senior Executives roles are evaluated through an approved methodology (Mercer/CED, OCD or Hay) to determine the work value points of the role. No two senior executive roles are the same.

(b) The highest remuneration for females in the Award category of Clerk 11/12: top of range is \$148,134pa.

DRNSW Group	SE Band	Remuneration
Corporate	Band 1	\$ 258,454
	Band 2	N/A
Local Land Services	Band 1	\$ 240,597
	Band 2	N/A
Mining Exploration and Geoscience	Band 1	\$ 231,573
	Band 2	N/A
Office of the Cross Border Commissioner	Band 1	N/A
	Band 2	N/A
Office of the Secretary	Band 1	N/A
	Band 2	N/A
Primary Industries	Band 1	\$ 259,506
	Band 2	\$ 298,376
Public Works Advisory & Regional Development	Band 1	\$ 248,400
	Band 2	N/A
Regional Growth NSW Development Corp	Band 1	N/A
	Band 2	N/A
Strategy Delivery and Performance	Band 1	\$ 240,000
	Band 2	N/A
Forestry Corporation of NSW	Band 1	N/A
	Band 2	N/A

(c) (i) The lowest pay for females across general employees

Note: some of the below salaries are for Trainees under the Age-based Crown Employees (Public Service Training Wage) Award and for Forestry Corporation include part-time staff working less than 38 hours per week..

DRNSW Group	Remuneration
Corporate	\$ 70,636

Local Land Services	\$ 33,897
Mining Exploration and Geoscience	\$ 68,749
Office of the Cross Border Commissioner	\$ 118,863
Office of the Secretary	\$ 72,635
Primary Industries	\$ 18,919
Public Works Advisory & Regional Development	\$ 64,973
Regional Growth NSW Development Corp	\$ 74,827
Strategy Delivery and Performance	\$ 70,636
Forestry Corporation of NSW	\$36,015

(c) (ii) The lowest remuneration for females across Senior Executives

DRNSW Group	SE Band	Remuneration
Corporate	Band 1	\$ 213,702
	Band 2	N/A
Local Land Services	Band 1	\$ 194,449
	Band 2	N/A
Mining Exploration and Geoscience	Band 1	\$ 208,499
	Band 2	N/A
Office of the Cross Border Commissioner	Band 1	N/A
	Band 2	N/A
Office of the Secretary	Band 1	N/A
	Band 2	N/A
Primary Industries	Band 1	\$ 194,451
	Band 2	\$ 277,024
Public Works Advisory & Regional Development	Band 1	\$ 208,517
	Band 2	N/A
Regional Growth NSW Development Corp	Band 1	N/A
	Band 2	N/A
Strategy Delivery and Performance	Band 1	\$ 200,930
	Band 2	N/A
Forestry Corporation of NSW	Band 1	N/A
	Band 2	N/A

(d) (i) The average pay for females across all general employees:

DRNSW Group	Remuneration
Corporate	\$ 127,595
Local Land Services	\$ 96,946
Mining Exploration and Geoscience	\$ 115,282
Office of the Cross Border Commissioner	\$ 151,951
Office of the Secretary	\$ 123,314
Primary Industries	\$ 99,802

Public Works Advisory & Regional Development	\$ 107,066
Regional Growth NSW Development Corp	\$ 121,135
Strategy Delivery and Performance	\$ 112,419
Forestry Corporation of NSW	\$98,555

(d) (ii) The average remuneration for females across Senior Executives:

DRNSW Group	SE Band	Remuneration
Corporate	Band 1	\$ 228,261
	Band 2	N/A
Local Land Services	Band 1	\$ 217,468
	Band 2	N/A
Mining Exploration and Geoscience	Band 1	\$ 216,228
	Band 2	N/A
Office of the Cross Border Commissioner	Band 1	N/A
	Band 2	N/A
Office of the Secretary	Band 1	N/A
	Band 2	N/A
Primary Industries	Band 1	\$ 222,021
	Band 2	\$ 284,141
Public Works Advisory & Regional Development	Band 1	\$ 227,015
	Band 2	N/A
Regional Growth NSW Development Corp	Band 1	N/A
	Band 2	N/A
Strategy Delivery and Performance	Band 1	\$ 220,679
	Band 2	N/A
Forestry Corporation of NSW	Band 1	N/A
	Band 2	N/A

(e) The highest remuneration for males across the different groups for Senior Executives:

DRNSW Group	SE Band	Remuneration
Corporate	Band 1	\$ 237,192
	Band 2	N/A
Local Land Services	Band 1	\$ 259,396
	Band 2	N/A
Mining Exploration and Geoscience	Band 1	\$ 225,491
	Band 2	N/A
Office of the Cross Border Commissioner	Band 1	N/A
	Band 2	N/A
Office of the Secretary	Band 1	N/A
	Band 2	N/A
Primary Industries	Band 1	\$ 274,686

	Band 2	\$ 345,107
Public Works Advisory & Regional Development	Band 1	\$ 259,506
	Band 2	N/A
Regional Growth NSW Development Corp	Band 1	N/A
	Band 2	N/A
Strategy Delivery and Performance	Band 1	\$ 254,627
	Band 2	\$ 317,750
Forestry Corporation of NSW	Band 1	N/A
	Band 2	\$282,845
	Band 3	N/A

(f) (i) The lowest pay for males across general employees:

Note: the below salaries are for Trainees under the Age-based Crown Employees (Public Service Training Wage) Award and for Forestry Corporation include part-time staff working less than 38 hours per week.

DRNSW Group	Remuneration
Corporate	\$ 85,744
Local Land Services	\$ 30,584
Mining Exploration and Geoscience	\$ 57,776
Office of the Cross Border Commissioner	N/A
Office of the Secretary	\$ 72,625
Primary Industries	\$ 18,919
Public Works Advisory & Regional Development	\$ 50,819
Regional Growth NSW Development Corp	\$ 114,201
Strategy Delivery and Performance	\$ 64,973
Forestry Corporation of NSW	\$12,395

(f) (ii) The lowest remuneration for males across Senior Executives:

DRNSW Group	SE Band	Remuneration
Corporate	Band 1	\$ 213,702
	Band 2	N/A
Local Land Services	Band 1	\$ 207,223
	Band 2	N/A
Mining Exploration and Geoscience	Band 1	\$ 208,519
	Band 2	N/A
Office of the Cross Border Commissioner	Band 1	N/A
	Band 2	N/A
Office of the Secretary	Band 1	N/A
	Band 2	N/A
Primary Industries	Band 1	\$ 195,586
	Band 2	\$ 292,771

Public Works Advisory & Regional Development	Band 1	\$ 203,251
	Band 2	N/A
Regional Growth NSW Development Corp	Band 1	N/A
	Band 2	N/A
Strategy Delivery and Performance	Band 1	\$ 221,105
	Band 2	\$ 295,366
Forestry Corporation of NSW	Band 1	N/A
	Band 2	N/A

(g) (i) The average pay for males across all general employees:

DRNSW Group	Remuneration
Corporate	\$ 150,046
Local Land Services	\$ 100,397
Mining Exploration and Geoscience	\$ 123,797
Office of the Cross Border Commissioner	N/A
Office of the Secretary	\$ 155,149
Primary Industries	\$ 106,877
Public Works Advisory & Regional Development	\$ 119,624
Regional Growth NSW Development Corp	\$ 235,940
Strategy Delivery and Performance	\$ 163,065
Forestry Corporation of NSW	\$100,234

(g) (ii) The average remuneration for males across Senior Executives:

DRNSW Group	SE Band	Remuneration
Corporate	Band 1	\$ 225,871
	Band 2	N/A
Local Land Services	Band 1	\$ 229,410
	Band 2	N/A
Mining Exploration and Geoscience	Band 1	\$ 216,033
	Band 2	N/A
Office of the Cross Border Commissioner	Band 1	N/A
	Band 2	N/A
Office of the Secretary	Band 1	N/A
	Band 2	N/A
Primary Industries	Band 1	\$ 230,977
	Band 2	\$ 314,605
Public Works Advisory & Regional Development	Band 1	\$ 232,433
	Band 2	N/A
Regional Growth NSW Development Corp	Band 1	N/A
	Band 2	N/A
Strategy Delivery and Performance	Band 1	\$ 241,898

	Band 2	\$ 305,372
Forestry Corporation of NSW	Band 1	N/A
	Band 2	\$269,961

(h) The number of male and female employees in Senior Executive bands are:

DRNSW Group	SEB Band	Female	Male
Corporate	Band 1	6	6
	Band 2	1	2
	Band 3		1
Local Land Services	Band 1	6	10
	Band 2	1	1
	Band 3		1
Mining Exploration and Geoscience	Band 1	5	6
	Band 2		2
	Band 3	1	
Office of the Cross Border Commissioner	Band 1	1	
	Band 2		1
Office of the Secretary	Band 1	2	2
	Band 2	1	
	Band 4		1
Primary Industries	Band 1	18	30
	Band 2	3	6
	Band 3		1
Public Works Advisory & Regional Development	Band 1	5	16
	Band 2	1	2
	Band 3		1
Regional Growth NSW Development Corp	Band 1		2
	Band 2		1
	Band 3		1
Strategy Delivery and Performance	Band 1	3	6
	Band 2		3
Forestry Corporation of NSW	Band 1	1	1
	Band 2		3
	Band 3		1
	Band 4 and above		
DRNSW Total	Band 1	47	79
	Band 2	7	21
	Band 3	1	6
	Band 4		1
GRAND TOTAL		54	102

(i) The highest number of direct reports to female SEBs

DRNSW Group	SEB Band	Direct Reports
Corporate	Band 1	12
	Band 2	5
	Band 3	N/A
Local Land Services	Band 1	22
	Band 2	3
	Band 3	N/A
Mining Exploration and Geoscience	Band 1	8
	Band 2	N/A
	Band 3	8
Office of the Cross Border Comm	Band 1	1
	Band 2	N/A
Office of the Secretary	Band 1	5
	Band 2	7
	Band 4	N/A
Primary Industries	Band 1	20
	Band 2	11
	Band 3	N/A
Public Works Advisory & Regional Development	Band 1	7
	Band 2	11
	Band 3	N/A
Regional Growth NSW Development Corp	Band 1	N/A
	Band 2	N/A
	Band 3	N/A
Strategy Delivery and Performance	Band 1	11
	Band 2	N/A
	Band 3	9
Forestry Corporation of NSW	Band 1	5

(j) The lowest number of direct reports to female SEBs

DRNSW Group	SEB Band	Direct Reports
Corporate	Band 1	3
	Band 2	5
	Band 3	N/A
Local Land Services	Band 1	3
	Band 2	1
	Band 3	N/A
Mining Exploration and Geoscience	Band 1	5
	Band 2	N/A
	Band 3	8
Office of the Cross Border Comm	Band 1	1

	Band 2	N/A
Office of the Secretary	Band 1	4
	Band 2	7
	Band 4	N/A
Primary Industries	Band 1	1
	Band 2	8
	Band 3	N/A
Public Works Advisory & Regional Development	Band 1	3
	Band 2	11
	Band 3	N/A
Regional Growth NSW Development Corp	Band 1	N/A
	Band 2	N/A
	Band 3	N/A
Strategy Delivery and Performance	Band 1	1
	Band 2	N/A
	Band 3	9
Forestry Corporation of NSW	Band 1	5

(k) The average number of direct reports to female SEBs

DRNSW Group	SEB Band	Direct Reports
Corporate	Band 1	7
	Band 2	5
	Band 3	N/A
Local Land Services	Band 1	9
	Band 2	1
	Band 3	N/A
Mining Exploration and Geoscience	Band 1	6
	Band 2	N/A
	Band 3	8
Office of the Cross Border Comm	Band 1	1
	Band 2	N/A
Office of the Secretary	Band 1	5
	Band 2	7
	Band 4	N/A
Primary Industries	Band 1	6
	Band 2	9
	Band 3	N/A
Public Works Advisory & Regional Development	Band 1	5
	Band 2	11
	Band 3	N/A
Regional Growth NSW Development Corp	Band 1	N/A
	Band 2	N/A

	Band 3	N/A
Strategy Delivery and Performance	Band 1	6
	Band 2	N/A
	Band 3	9
Forestry Corporation of NSW	Band 1	5

(l) The highest number of direct reports to male SEBs

DRNSW Group	SEB Band	Direct Reports
Corporate	Band 1	10
	Band 2	7
	Band 3	6
Local Land Services	Band 1	17
	Band 2	13
	Band 3	6
Mining Exploration and Geoscience	Band 1	10
	Band 2	7
	Band 3	N/A
Office of the Cross Border Comm	Band 1	N/A
	Band 2	2
Office of the Secretary	Band 1	4
	Band 2	N/A
	Band 4	10
Primary Industries	Band 1	18
	Band 2	14
	Band 3	8
Public Works Advisory & Regional Development	Band 1	19
	Band 2	14
	Band 3	4
Regional Growth NSW Development Corp	Band 1	2
	Band 2	8
	Band 3	2
Strategy Delivery and Performance	Band 1	14
	Band 2	7
	Band 3	N/A
Forestry Corporation of NSW	Band 1	2
Forestry Corporation of NSW	Band 2	7
	Band 3	5

(m) The lowest number of direct reports to male SEBs

DRNSW Group	SEB Band	Direct Reports
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Corporate	Band 1	3
	Band 2	4
	Band 3	6
Local Land Services	Band 1	3
	Band 2	13
	Band 3	6
Mining Exploration and Geoscience	Band 1	2
	Band 2	5
	Band 3	N/A
Office of the Cross Border Comm	Band 1	N/A
	Band 2	2
Office of the Secretary	Band 1	4
	Band 2	N/A
	Band 4	10
Primary Industries	Band 1	1
	Band 2	8
	Band 3	8
Public Works Advisory & Regional Development	Band 1	1
	Band 2	10
	Band 3	4
Regional Growth NSW Development Corp	Band 1	2
	Band 2	8
	Band 3	2
Strategy Delivery and Performance	Band 1	1
	Band 2	5
	Band 3	N/A
Forestry Corporation of NSW	Band 1	25
	Band 2	5
	Band 3	

(n) The average number of direct reports to male SEBs

DRNSW Group	SEB Band	Direct Reports
Corporate	Band 1	6
	Band 2	6
	Band 3	6
Local Land Services	Band 1	8
	Band 2	13
	Band 3	6
Mining Exploration and Geoscience	Band 1	7
	Band 2	6
	Band 3	N/A
Office of the Cross Border Comm	Band 1	N/A

	Band 2	2
Office of the Secretary	Band 1	4
	Band 2	N/A
	Band 4	10
Primary Industries	Band 1	6
	Band 2	11
	Band 3	8
Public Works Advisory & Regional Development	Band 1	7
	Band 2	12
	Band 3	4
Regional Growth NSW Development Corp	Band 1	2
	Band 2	8
	Band 3	2
Strategy Delivery and Performance	Band 1	7
	Band 2	6
	Band 3	N/A
Forestry Corporation of NSW	Band 1	2
	Band 2	6
	Band 3	5

(o) The highest number of staff managed by female SEBs

DRNSW Group	SEB Band	Number of Staff
Corporate	Band 1	12
	Band 2	56
	Band 3	N/A
Local Land Services	Band 1	77
	Band 2	1
	Band 3	N/A
Mining Exploration and Geoscience	Band 1	26
	Band 2	N/A
	Band 3	208
Office of the Cross Border Comm	Band 1	1
	Band 2	N/A
Office of the Secretary	Band 1	20
	Band 2	53
	Band 4	N/A
Primary Industries	Band 1	214
	Band 2	496
	Band 3	N/A
Public Works Advisory & Regional Development	Band 1	68
	Band 2	115
	Band 3	N/A

Regional Growth NSW Development Corp	Band 1	N/A
	Band 2	N/A
	Band 3	N/A
Strategy Delivery and Performance	Band 1	34
	Band 2	N/A
	Band 3	245
Forestry Corporation of NSW	Band 1	10

(p) The lowest number of staff managed by female SEBs

DRNSW Group	SEB Band	Number of Staff
Corporate	Band 1	5
	Band 2	56
	Band 3	N/A
Local Land Services	Band 1	20
	Band 2	1
	Band 3	N/A
Mining Exploration and Geoscience	Band 1	9
	Band 2	N/A
	Band 3	208
Office of the Cross Border Comm	Band 1	1
	Band 2	N/A
Office of the Secretary	Band 1	14
	Band 2	53
	Band 4	N/A
Primary Industries	Band 1	2
	Band 2	45
	Band 3	N/A
Public Works Advisory & Regional Development	Band 1	7
	Band 2	115
	Band 3	N/A
Regional Growth NSW Development Corp	Band 1	N/A
	Band 2	N/A
	Band 3	N/A
Strategy Delivery and Performance	Band 1	2
	Band 2	N/A
	Band 3	245
Forestry Corporation of NSW	Band 1	10

(q) The average number of staff managed by female SEBs

DRNSW Group	SEB Band	Number of Staff
Corporate	Band 1	9

	Band 2	56
	Band 3	N/A
Local Land Services	Band 1	52
	Band 2	1
	Band 3	N/A
Mining Exploration and Geoscience	Band 1	18
	Band 2	N/A
	Band 3	208
Office of the Cross Border Comm	Band 1	1
	Band 2	N/A
Office of the Secretary	Band 1	17
	Band 2	53
	Band 4	N/A
Primary Industries	Band 1	46
	Band 2	262
	Band 3	N/A
Public Works Advisory & Regional Development	Band 1	24
	Band 2	115
	Band 3	N/A
Regional Growth NSW Development Corp	Band 1	N/A
	Band 2	N/A
	Band 3	N/A
Strategy Delivery and Performance	Band 1	16
	Band 2	N/A
	Band 3	245
Forestry Corporation of NSW	Band 1	10

(r) The highest number of staff managed by male SEBs

DRNSW Group	SEB Band	Number of Staff
Corporate	Band 1	31
	Band 2	58
	Band 3	142
Local Land Services	Band 1	158
	Band 2	812
	Band 3	1074
Mining Exploration and Geoscience	Band 1	40
	Band 2	70
	Band 3	N/A
Office of the Cross Border Comm	Band 1	N/A
	Band 2	3
Office of the Secretary	Band 1	12
	Band 2	N/A

	Band 4	4252
Primary Industries	Band 1	168
	Band 2	539
	Band 3	1951
Public Works Advisory & Regional Development	Band 1	57
	Band 2	267
	Band 3	553
Regional Growth NSW Development Corp	Band 1	2
	Band 2	11
	Band 3	13
Strategy Delivery and Performance	Band 1	62
	Band 2	204
	Band 3	N/A
Forestry Corporation of NSW	Band 1	33
	Band 2	535
	Band 3	206

(s) The lowest number of staff managed by male SEBs

DRNSW Group	SEB Band	Number of Staff
Corporate	Band 1	6
	Band 2	21
	Band 3	142
Local Land Services	Band 1	36
	Band 2	812
	Band 3	1074
Mining Exploration and Geoscience	Band 1	2
	Band 2	33
	Band 3	N/A
Office of the Cross Border Comm	Band 1	N/A
	Band 2	3
Office of the Secretary	Band 1	12
	Band 2	N/A
	Band 4	3879
Primary Industries	Band 1	4
	Band 2	148
	Band 3	1951
Public Works Advisory & Regional Development	Band 1	1
	Band 2	61
	Band 3	180
Regional Growth NSW Development Corp	Band 1	2
	Band 2	11
	Band 3	13

Strategy Delivery and Performance	Band 1	1
	Band 2	9
	Band 3	N/A
Forestry Corporation of NSW	Band 1	33
	Band 2	40
	Band 3	206

(t) The average number of staff managed by male SEBs

DRNSW Group	SEB Band	Number of Staff
Corporate	Band 1	11
	Band 2	40
	Band 3	142
Local Land Services	Band 1	82
	Band 2	812
	Band 3	1,074
Mining Exploration and Geoscience	Band 1	19
	Band 2	52
	Band 3	N/A
Office of the Cross Border Comm	Band 1	N/A
	Band 2	3
Office of the Secretary	Band 1	12
	Band 2	N/A
	Band 4	3,879
Primary Industries	Band 1	50
	Band 2	373
	Band 3	1,951
Public Works Advisory & Regional Development	Band 1	20
	Band 2	164
	Band 3	180
Regional Growth NSW Development Corp	Band 1	2
	Band 2	11
	Band 3	13
Strategy Delivery and Performance	Band 1	24
	Band 2	97
	Band 3	N/A
Forestry Corporation of NSW	Band 1	33
	Band 2	272
	Band 3	206

(u) N/A

(v) Award staff are on classification grades assessed and determined against function and role. Staff performing the same duties will be on the same classification grades and paid the same remuneration. Senior Executives roles are evaluated through an approved methodology

(Mercer/CED, OCD or Hay) to determine the work value points of the role. No two senior executive roles are the same. The department is committed to the Premiers Priority 14: Diversity targets which specifically sets a target of 50% of senior leadership roles are held by women by 2025.

(w) The department has an action plan to meet the Premiers Priority 14: Diversity targets which specifically sets a target of 50% of senior leadership roles are held by women by 2025.

Agriculture Commissioner

131. When the former Minister for Agriculture announced the Agriculture Commissioner Election commitment he said “we will get onto it straight away”. Why did it take 18 months for the Government to appoint an Agriculture Commissioner?

ANSWER:

131. The Commissioner was appointed through a comprehensive, merit based selection process.

132. Mr Quinlivan’s contract commenced on 1 August 2020 and expires on 30 July 2022. Why has he only been appointed for 2 years?

- a) Is there a clause in his contract that allows for an extension?
- b) What support and assistance will be available to primary producers after 30 July 2022?

ANSWER:

132.

- a) The Commissioner’s contract can be extended.
- b) Primary producers will continue to receive support through the Ag Commissioner as well as DPI and LLS.

133. The Government’s 2019 \$2 million election commitment that was submitted to the Parliamentary Budget Office said “The Agriculture Commissioner will be empowered through legislative and regulatory means to implement and enforce the 2015 Right to Farm Policy’. Has the Commissioner been given these powers?

- a) If not, why not?

ANSWER:

133. The Commissioner has no legislative powers and does not need them to exercise his current functions. Legislative powers can be considered if the functions of the role change and specific powers are required.

134. The cost of the Agriculture Commissioner in the Government’s pre-election commitment advised that it would be \$2 million over 4 years capped at \$500,000 each year. In information obtained in a GIPA shows the Agriculture Commissioners fees as;

- a) \$2,000 per day for the first 100 days of work then \$1,000 per day thereafter for a maximum of 50 days (total of maximum 150 days’ work) per year. Max total = \$250,000 per year. And also the Agriculture Commissioner contract is based off the Dairy Advocate contract –

(Dairy Advocate is paid \$800 per day). Why is the Agriculture Commissioner only able to work 150 days per year?

- b) What assistance is available to primary producers for the remaining 215 days?
- c) How many days a week does the Agriculture Commissioner work?
- d) Are they set days?
- e) How many days has he worked to date?

ANSWER:

134.

- a) The Commissioner's current roles and responsibilities can be delivered within 150 days.
- b) Current assistance for primary producers is via DPI and LLS
- c) The Commissioner has no set days
- d) The Commissioner has no set days
- e) As at 15 March 2021 the Commissioner has worked 60 days.

135. What are the types of issues that the Agriculture Commissioner is currently or have previously dealt with?

ANSWER:

135. The Commissioner is focussed on the development of an Agricultural Land Use Planning Strategy (ALUP Strategy) to address three key issues:

- Long term availability of productive land
- Reducing land use conflict and supporting dispute resolution
- Support the growth of agriculture and regional economies

136. A number of key stakeholders have had difficulties accessing the Agriculture Commissioner and documents under a GIPA request showed that emails were sent by several DPI staff seeking the process of how stakeholder can contact the Agriculture. Why isn't the Agriculture Commissioner contactable by phone?

ANSWER:

136. The contact details for the Commissioner are on the DPI website.

137. Previously, Members of Parliament have been able to pick up the phone and contact commissioners for example the Small Business Commissioner? Why can't Members of Parliament contact the Agriculture Commissioner?

ANSWER:

137. The contact details for the Commissioner are on the DPI website.

138. On 7 August 2020 DPI's Director of Insights and Industry Analysis Darren Budworth emailed Brooke Noorbergen, Principal Policy Officer, Strategy and Policy and advised that 'we will not have \$2 million for the Ag Commissioner'. Does the Department have the \$2 million that was promised available for the Ag Commissioner role? If not, why not?

ANSWER:

138. The Commissioner has the necessary budget and departmental support to fulfill his functions and responsibilities.

139. How much has been allocated for the Agriculture Commissioner role?

ANSWER:

139. The Commissioner has the necessary budget and departmental support to fulfill his functions and responsibilities.

140. Mr Budworth's email also said 'The Ag Commissioner funding is approximately \$550,000pa, which cover his employment/contract costs, the salary and wage of 7/8 (Kate Gibson) plus approx. \$100,000 in operational costs for him'. If the approximate annual funding is \$550,000 - Ag Commissioner's wage is capped at \$250,000, operational costs are \$100,000, and a 7/8 of a DPI employee's wage. What other costs are involved to bring the cost to \$550,000?

ANSWER:

140. The residual consists of typical other costs related to such appointments including travel, technical consultancies and staff.

141. Will the Agricultural Commissioner's role be extended to deal with the interaction of linear infrastructure (power grid lines/ inland rail/ gas pipeline) and CSG? If it does already, what outcomes have been achieved?

ANSWER:

141. The Commissioner's current responsibilities involve the development of an Agricultural Land Use Planning Strategy. The role can be amended to include other functions and responsibilities if required.

142. What representations have been made to the Minister about the Hunter Gas Pipeline and its route through farming or other rural and regional properties?

a) What is the Government doing to ensure that their concerns are heard?

ANSWER:

142a. Any representations received relating to the Hunter Gas Pipeline have been referred to the responsible Minister.

143. Has the Agriculture Commissioner consulted or met with the Office of Small Business Commissioner on Competition issues?

a) If so, when did these consultations or meetings take place and how many occasions (Please provide the dates and locations)?

ANSWER:

143. The Agriculture Commissioner consults widely across government, including the Office of the Small Business Commissioner, on issues that impact agriculture.

144. Has the Agriculture Commissioner met with the Dairy Commissioner?

- a) If so, when and on how many occasions?
- b) Please provide the dates and locations

ANSWER:

144. Yes.

a) 2 formally organised meetings.

b) 13 August – Phone Meeting Dairy Advocate

20 August 2020 - Dairy Advisory Panel Meeting (including Dairy Advocate)

Other informal conversations have also taken place at various dates.

145. How many meetings has the Agriculture Commissioner had with the Minister for Agriculture since commencing the role?

ANSWER:

145. 2 formally organised meetings on 3 August 2020 and 22 September 2020, plus several other informal phone conversations as needed (approximately one per month).

146. How many meetings has the Agriculture Commissioner had with the Parliamentary Secretary for Agriculture since commencing the role?

ANSWER:

146. The NSW Agriculture Commissioner has not met with the Parliamentary Secretary.

147. How many meetings has the Agriculture Commissioner had with the Department of Primary Industries since commencing?

ANSWER:

147. The Commissioner is supported by staff in DPI and reports to the Director General. The Commissioner meets weekly with the support staff to discuss the work.

148. Has the Agriculture Commissioner met with any other NSW State Government Ministers since commencing?

- a) If so, who has he met with and how many times?

ANSWER:

148. The NSW Agriculture Commissioner has not met with any other NSW State Government Ministers since commencing. He has met with key staff from other NSW Government Departments, including:

- Office of Deputy Premier
- NSW Environment Protection Authority
- Department of Regional NSW
- Local Land Services

- Planning staff from Department of Planning, Industry & Environment
- Mining, Exploration & Geoscience
- Natural Resource Access Regulator

149. NSW Farmers is still pushing for a legislated Agriculture Commission to be an independent champion for the sector. A properly constructed Agriculture Commission has a critical role in enabling this growth. They believe a proper Ag Commission could address systemic issues and barriers by identifying specific obstacles and influencing meaningful change. How can the Agriculture Commissioner be expected to do this when he is a part time contractor reporting to the Department of Primary Industries who can't be contacted by Members of Parliament?

ANSWER:

149. The Commissioner is focused on the development of an Agricultural Land Use Planning Strategy.

The Commissioner has no legislative powers and does not need them to exercise his current functions. Legislative powers can be considered if the functions of the role change and specific powers are required.

The Agriculture Commissioner can be contacted via his contact details listed on the DPI website.

Dairy & Fresh Milk Advocate and Sustainability Inquiry

150. A recommendation from Mr Zandstra and his panel was to “develop a targeted set of materials for dairy farmers to be able to just pick and lift everything that they need to do and how they need to go about doing it”.

- a) Has this been developed?
 - i. If so, is it publicly available?
 - ii. If so, where?
 - iii. Have materials been sent to dairy farmers?
 - iv. If so, how many dairy farmers have received them?
 - v. How were they distributed to dairy farmers?

ANSWER:

150. The NSW Government is currently considering all recommendations made by the Fresh Milk and Dairy Advocate.

151. Please provide a copy of the role description for the NSW Fresh Milk and Dairy Advocate?

ANSWER:

151. The Dairy Advocate contract (INT19/170262) lists the following deliverables in Schedule A - Services: Gather industry input and feedback on the delivery of key NSW Government initiatives to support the dairy industry, including:

- Establishing a NSW DPI dairy business advisory unit
- A campaign to encourage consumption of local fresh milk
- Investment in research and development
- Extension support services

- The NSW Cattle Underpass Scheme Collaborate with and support the NSW Agriculture

Commissioner and ACCC Dairy Specialist to bring processors, retailers and farmers together to discuss the issues affecting the industry, and explore possible solutions. Act as the chair of the NSW dairy industry advisory panel, to develop a NSW dairy industry action plan with recommendations for industry and government. Support implementation of the mandatory dairy code and evaluate its effectiveness. Gather information regarding dairy related matters and their impacts on NSW

152. How many times has the Dairy Advocate and Agricultural Commissioner met?
- a) Please list the dates of each meeting held?
 - b) Where were the meetings held?
 - c) How many meetings were held in person?
 - d) How many were held via video link or telephone?

ANSWER:

152. The Dairy Advocate spoke with the Agriculture Commissioner on the 11th and 14th of August 2020. The Agriculture Commissioner met with the Dairy Industry Advisory Panel (at the invitation of the Dairy Advocate) on 20th August 2020. The Dairy Advocate spoke again with the Agriculture Commissioner on 18th February 2021.

Cutting Energy Costs for NSW Farmers

153. The Victorian Government has just extended its Agriculture Energy Investment Plan, which has provided almost 800 free on-farm energy assessments to farmers (valued at \$7 million and over 450 grants totalling \$22 million awarded), why hasn't the NSW Government undertaken a similar program of grants?

ANSWER:

153. The NSW Government has previously funded on-farm energy audit programs. DPI is currently running an on-farm energy pilot program (\$1.3m for 7 pilots across 10 sites to demonstrate innovative technologies and practices to improve on-farm energy efficiency), and a range of education and extension projects related to the use of energy in agriculture.

Agricultural Labour and Seasonal Workforce Shortages

154. According to the National Lost Crop Register as at the beginning of last month, NSW's berry and cherry farmers had lost crops value totally nearly \$8 million (\$7,817,030) due to lack of workers. Considering that NSW is the highest cost state for hotel quarantine, why has NSW not reduced the cost of quarantine for essential horticultural and ag workers?

ANSWER:

154. NSW is continuing to investigate options to make the costs of quarantine as cost effective for industry as possible without compromising the health of others.

155. The \$3,000 cost is a particular disincentive for farms in the Seasonal Worker Scheme as the workers coming in on this visa can only stay for a maximum of 9 months, has there been any consideration to discounting the quarantine costs for this group of workers, subject to certain health requirements?

ANSWER:

155. NSW is continuing to investigate options to make the costs of quarantine as cost effective for industry as possible without compromising the health of others.

156. Other states have implemented a range of assistance programs including on-farm quarantine, room sharing or direct subsidies to assist reducing the cost for industry. With the inaction in NSW, this has drawn away the pool of available workers from NSW. When will the Government provide some assistance to our struggling farmers in this area?

ANSWER:

156. NSW is continuing to investigate options to make the costs of quarantine as cost effective for industry as possible without compromising the health of others.

157. Queensland has undertaken a number of intakes through on farm quarantine already, when will the NSW Government undertake a trial of on-farm quarantine?

ANSWER:

157. As per the transcript, NSW has investigated this option and does not consider it practical, safe or cost effective at this time.

158. Even if inflows of international workers started to flow again, this would only deliver part of the solution to significant labour shortages due to visa processing times and the limitation on numbers under the arrivals cap, so the attraction of domestic workforce remains a priority, how many domestic workers have taken up the call to help out farmers?

- a) How is the NSW government helping to get information out to young people who might be interested in having a gap year in the country?

ANSWER:

158. The Help Harvest NSW website was established to assist people find seasonal employment opportunities with farm producers and agribusinesses. The NSW Government also provided a free summer skills short course program in 2020-2021. This program was aimed at young people (NSW Year 12 school leavers) seeking a gap year or training before going to university or college. It was advertised widely through multiple forms of media. This program was administered by the Department of Education and participation data is held by them.

159. The Pacific Labour Scheme is estimated to only provide about 40,000 workers if it reaches its maximum, yet pre COVID we would have expected 200,000 working holiday maker visa holders in Australia. The numbers have declined, and we have had about 1,000 backpackers leaving Australia every week, why hasn't the NSW Government introduced a better quarantine scheme for agriculture workers?

ANSWER:

159. All international arrivals must quarantine in government approved hotels in accordance with public health orders.

160. In Budget estimates, the Minister advised that there was a draft agriculture workers code to deal with the movement of workers across state borders. Please provide a copy of the document.

- a) When the NSW closed the border with Victoria, why didn't the Government implement the draft code for assisting agricultural workers to move across the border quickly?

ANSWER:

160a. Following National Cabinet's decision on 21 August 2020 to develop a national Agricultural Workers Code, NSW lead drafting of the Code. It was supported by 8 jurisdictions on 4 September 2020 and adopted by NSW under an amended Public Health Order on 20 September 2020. NSW DPI undertook a proactive approach to securing border crossings for critical agriculture labour and provided timely and current border crossing information for all states and territories through its DPI COVID-19 advice website. This included border permit information and templates to assist the movement of agricultural workers across borders.

161. Queensland has a program where farms can be pre-approved for on-farm quarantine. They have to be approved employers through the Commonwealth scheme, loan the workers mobile phones, have dedicated accommodation facilities to be separated and identified from locals and other farm workers while they serve their quarantine. This is run by the Department of Agriculture and Fisheries who have someone from the Office of Industrial Relations, Police and Health. I think they are up to their 4th quarantine, although one (Solomon Islands) had to have been changed at the last minute so that they had to go into hotel quarantine due to health advice. Why hasn't the NSW Government introduced such a scheme in NSW?

ANSWER:

161. As per the transcript, NSW has investigated this option and does not consider it practical, safe or cost effective at this time.

162. The Queensland Government is not just relying on the international and Commonwealth schemes, they have a \$1,500 state funded scheme, where if domestic workers stay somewhere for two weeks they get \$500, in addition to another \$1,000 if they stay another 8 weeks. Why won't the NSW government provide that level of incentive to NSW farmers?

ANSWER:

162. NSW is continuing to investigate options to make the costs of quarantine as cost effective for industry as possible without compromising the health of others.

Proposed Land Tax

163. Minister, were you taken by surprise by the Treasurer's announcements around Land Tax and Stamp Duty reform in the budget?

ANSWER:

163. I will not disclose discussions that occur within Cabinet.

164. Why did the Treasurer fail to negotiate with the NSW Nationals on this important issue which is of vital importance to farmers?

ANSWER:

164. A tax reform consultation paper is currently subject to public consultation.

165. Under the Nationals and Liberals in Government, farmers have had to contemplate a whole raft of rising fixed costs, including the replacement of stamp duty and an increase in council rates as part of the harmonisation process after your government's botched mergers. When will the Nationals start taking these fights up to Cabinet and stand up for farmers?

ANSWER:

165. A tax reform consultation paper is currently subject to public consultation.

166. According to the Rural Bank's annual report, the value of Australian farmland increases by 7.5% per annum over a 20 year period meaning that at the 10 year point the farmer will have paid more in land tax than they would have paid in stamp duty on the property in question. How is this fair to farmers, when farming land is more likely to stay in the one pair of hands for generations?

ANSWER:

166. A tax reform consultation paper is currently subject to public consultation.

167. Do you agree that land in farming is a primary asset, and there wouldn't be a lot of other small to medium enterprises where they have to pay tax on their prime asset?

ANSWER:

167. A tax reform consultation paper is currently subject to public consultation.

168. Won't this measure will increase the price but not the value of agricultural land and put additional pressure on farmers to sustain a positive cash flow in their farming businesses?

ANSWER:

168. A tax reform consultation paper is currently subject to public consultation.

169. Isn't this going to be an intergenerational kick for farmers with some trying to reduce the upfront cost of stamp duty, but taking them into a system where after ten years they are going to be paying much more?

ANSWER:

169. A tax reform consultation paper is currently subject to public consultation.

170. Were you embarrassed when the Deputy Premier told Parliament that farmers wouldn't be hurt by the Treasurer's tax plan, but then the next day had to admit that they would be affected?

ANSWER:

170. A tax reform consultation paper is currently subject to public consultation.

171. Doesn't this mean that being in coalition with the farmers means nothing for the nationals if your leader doesn't even know what is going on within the Government on such a major piece of economic reform?

ANSWER:

171. A tax reform consultation paper is currently subject to public consultation.

172. Isn't this an example of the Nationals being rolled by the Liberals again?

- a) On budget day, the Deputy Premier said that farmers wouldn't be paying any kind of land tax, then the next day he welcomed it?

ANSWER:

172a. A tax reform consultation paper is currently subject to public consultation.

173. How is it fair that farmers, who have been struggling with trying to find workers, are yet again going to have the long arm of this government reaching into their pockets to shore up their crumbling revenue base?

ANSWER:

173. A tax reform consultation paper is currently subject to public consultation.

174. The Treasurer and the Deputy Premier have talked about this being an "option" for land owners. Will that continue to be an option once the legislation is introduced?

ANSWER:

174. A tax reform consultation paper is currently subject to public consultation.

175. Will the rate be capped at 0.3% or will it rise?

ANSWER:

175. A tax reform consultation paper is currently subject to public consultation.

176. What do you say about concerns that while the argument for the introduction is to stimulate turnover in the residential sector – the farming sector in the main looks for longer term ownership – so if it is a perpetual tax will the long-term owner end up with a greater liability?

ANSWER:

176. A tax reform consultation paper is currently subject to public consultation.

Prevention of Cruelty to Animals (POCTA)

177. Given the Government's Animal Welfare Plan is three years behind schedule, and the Prevention of Cruelty to Animals Act (1979) is more than forty years old, how much longer will the community have to wait in order to have modern, fit for purpose legislation, regulations and codes around animal welfare in this state?

ANSWER:

177. The NSW Government is currently reforming animal welfare laws

178. The second reading speech on the recent POCTA Amendment Bill to increase penalties for animal welfare breaches, highlighted the urgency of increasing penalties in the context of the age of the POCTA Act and to take into consideration the change in community expectations, when will the legislative definitions about what constitutes animal cruelty be updated to reflect community expectations?

ANSWER:

178. The NSW Government is currently reforming its animal welfare laws. The Government remains committed to thoroughly consulting with the community throughout this process to ensure that the new laws reflect community expectations.

179. The Minister for Agriculture chaired the Select Committee into Companion Animal Breeding legislation back in 2015, so six years later, why has the Government still been unable to finalise these reforms started by the former Minister for Primary Industries?

ANSWER:

179. NSW DPI and the NSW Office of Local Government are improving companion animal breeding practices and promoting responsible pet ownership in a number of ways.

In 2018 the NSW Government introduced changes to improve companion animal breeding practices and promote responsible pet ownership. As of 1 July 2019, people advertising kittens, cats, puppies or dogs for sale or to give away in NSW must include an identification number in advertisements. The Government has also launched an improved NSW Pet Registry to enhance digital pet registration.

The NSW Government is currently reforming its animal welfare laws.

180. Other jurisdictions have a clear delineation of what constitutes a commercial breeder and what is a hobby breeder, however there has been substantial feedback from hobby breeders saying they have been unfairly targeted by the Government as part of the Government's so-called crack down on puppy farms. Will the Government provide a definition of hobby breeders in the new legislation?

ANSWER:

180. The NSW Government is currently reforming its animal welfare laws

181. Why didn't the Government change the legislation in accordance with the animal welfare plan prior to implementing a crackdown on puppy farmers?

ANSWER:

181. The NSW Government is currently reforming its animal welfare laws

In response to reports of increased puppy factory activity during the COVID-19 pandemic, in October 2020, the Government partnered with the RSPCA NSW to set up a dedicated taskforce to crack down on Puppy factories.

182. Does the Minister think that people who are following international best practice vaccination schedules should be penalised for being in breach of a code, because potentially that is what we are told can happen at the moment due to the legislation?

ANSWER:

182. A veterinary practitioner may provide written approval to vary the vaccination requirements in the Animal Welfare Code of Practice – Breeding dogs and cats.

183. We have had reports that breeders of small dogs such as Chihuahuas have received warnings because they don't have a 1.8 metre fence in place. When they have queried that they have been told it was for biosecurity, but farms don't have 1.8 metre fences. Is this going to be part of the Government's new legislation under the Animal Welfare Plan?

- a) Will farms have to install 1.8 metre fences?

ANSWER:

183a. The requirement for a 1.8 metre high fence depends on the circumstances of the breeding establishment. People who have socially compatible groups of dogs housed in a backyard or house can do so without any minimum prescribed height to their fences, but the fencing must prevent escape of the animals. The required fence height for dogs housed in pens is 180cm. This could be either the perimeter fence or individual dog pens within.

New interim disqualification orders in the Prevention of Cruelty to Animals

184. Minister in the recent bill, you put in place a mechanism whereby a Court may make an interim disqualification order to prevent a person from acquiring additional animals, but you have specifically excluded existing animals from that requirement. Can you please say why you have made that particular exemption, as on the face of it, if a court is satisfied that an individual is likely to commit animal cruelty again to the extent that they would ban them from acquiring more animals during the proceedings, then it seems odd, that it cannot order their removal from that individual's care at the same time?

ANSWER:

184. There are existing powers in the *Prevention of Cruelty to Animals Act 1979* that allow for enforcement agencies to seize animals if they are in distress or an offence against the Act or the regulations is being, has been or is about to be committed in respect of the animal.

Agricultural Land Use Planning Strategy

185. There has been a lot of discussion in recent times about land use strategies for agricultural land, and biodiversity conservation frameworks etc. As the managers of a substantial portion of Australia's land mass, farmers are key stakeholders in the environmental legislation and policy. NSW Farmers has long advocated for reform of the land management and biodiversity conservation framework to establish farmer-led schemes for stewardship and fair compensation for the public good delivered by farmers through environmental management of their land. Will the Government include such a scheme in their agricultural land use planning strategy?

ANSWER:

185. The Agricultural Land Use Planning Strategy is focused on the consideration of agriculture in the NSW Planning Framework. This will ensure the outcomes are targeted and actionable, and can be delivered in a short period of time. While the Strategy will not deal with this issue there

are a number of emerging markets such as carbon and biodiversity offset markets which are achieving this outcome. Additionally the proposed agritourism changes DPI have been collaborating on will enable farmers to promote their farm stewardship through the cultivation of on farm sales and tours.

186. At the moment DPI is looking into an Agricultural Land Use Planning Strategy, the Minister for Local Government is looking at rate harmonisation, the Treasurer is looking at introducing a land tax on farm land for the first time ever, and farmers from the Hunter to the Queensland border are dealing with the installation of the Hunter Gas Pipeline, the installation of energy infrastructure. How are you making sure that primary industries are effectively represented in all of these portfolios?

ANSWER:

186. The Agricultural Land Use Planning Strategy is being developed in close consultation with industry and councils. Rate harmonisation and land taxes are not within the scope of the planning framework.

Right to Farm Policy Review

187. Farmers had until 28 February 2021 to provide feedback to the DPI on a recent review of the state's Right to Farm Policy from 2015 by the Agriculture Commissioner to help guide the development of an Agricultural Land Use Planning (ALUP) Strategy. How many completed Survey Monkey surveys were received? How many submissions to the review of the Right to Farm Policy have been received?

ANSWER:

187. The public had until 12 March 2021 to make a submission on the Agricultural Land Use Planning Policy Options Paper. In total 52 written submissions were received. They were also able to complete a survey that dealt with each of the three issues identified in the options paper. There were 83 participants on survey 1, 36 participants on survey 2 and 27 participants on survey 3.

188. How many people attended each of the webinars that were held in early February regarding the review of the 2015 Right to Farm Policy and the planning of the Agriculture Land Use Planning (ALUP) Strategy?

ANSWER:

188.

Webinar 1 – 61 attendees

Webinar 2 – 73 attendees

Webinar 3 – 57 attendees

Biosecurity Risk Management & Response to 2019 Audit Report

189. Does the Department of Primary Industries have formal agreements with state partner agencies to deliver effective biosecurity compliance activities and emergency responses?
- a) If so, which agencies?
 - b) NSW Health,
 - c) NSW Environment Protection Authority,

- d) Local Land Services and
- e) Local Control Authorities
 - i. If so, in what way?
 - ii. If not, why not?

ANSWER:

189 a-e. A formal agreement is in place with Local Land Services to deliver biosecurity, animal welfare, animal biosecurity, plant biosecurity, invasive pests and animals, emergency management, communications and engagement, agricultural services, forestry services and fishery activities.

Partnership agreements are currently being developed with:

- NSW Health
- NSW Environmental Protection Authority and
- NSW Department of Planning, Industry and Environment, Environment, Energy and Science Group.

There is no formal agreement in place with Local Control Authorities as this relationship is managed under other governance arrangements including the NSW State Weeds Committee and the NSW Weeds Action Program.

190. Who coordinates these agreements?

ANSWER:

190. NSW Department of Primary Industries.

191. Does the Department of Primary Industries apply cost benefit analyses and formal post-action reviews after any biosecurity event?

- a) If so, are these reported?
- b) Are these reports disseminated?
- c) If so, to whom, and in what format?

ANSWER

191. Yes, DPI reviews biosecurity events through the Emergency Management Lessons Management Framework and has recently developed a Cost Benefit Analysis Framework.

These reports are considered internally and with relevant NSW State agencies, where appropriate.

192. Does the Department collect and share data with key state partners to allow them to better target their biosecurity compliance activities?

- a) If so, what data is collected?
- b) How is it stored?
- c) How is it shared?
- d) To whom is it shared?

ANSWER:

192. DPI collects and shares data with key state partners where appropriate and is developing a Biosecurity Case Management system which will integrate data from other state partners, such as Local Control Authorities and other jurisdictions, where relevant, once fully implemented.

- a) The data collected differs between biosecurity events, depending on the nature of the event.
- b) It is stored on a range of DPI systems.
- c) It is shared as appropriate, which may be via email or at meetings.
- d) It is shared with other State agencies, as appropriate.

193. Have any of the practices relating to questions two, three and four above changed since 18 June 2019?

- a) If so, why?
- b) If so, in what way?
- c) If not, why not?
- d) Is DPI responsible for biosecurity or not?

ANSWER:

193. There have been several changes in the management of biosecurity emergency management and compliance activities since 18 June 2019.

- a) These changes have been made to ensure best practice methods are being used.
- b) Changes have been made in a variety of ways, often to take advantage of new processes, systems and technology available.
- c) n/a
- d) NSW Department of Primary Industries is responsible for the administration and performance of the *NSW Biosecurity Act 2015* (the Act).

194. Over the last year, we have had two detections of khapra beetle in overseas goods consignments, the continuing spread of African swine fever and the detection of the Fall armyworm in Northern NSW in September, as well as Serpentine Leaf miner. Have you increased funding for Local Land Services to enable them to assist farmers in combatting these biosecurity risks? If so, what is the quantum that the funding has increased by?

ANSWER:

194. On 17 November 2020 I announced a \$60m budget boost to biosecurity, including \$43.5m to DPI to deliver a weed and pest blitz, and \$17m in FY2020-21 to Local Land Services to address the pest weed and animal welfare issues arising from the 2019-20 bushfires. DPI and LLS will deliver a comprehensive range of large-scale control programs to tackle endemic pests, weeds and diseases.

195. What has LLS been doing to assist farmers in preparedness, and how much extra resourcing has this taken, particularly with the cancellation of many of the Country Shows around the state?

ANSWER:

195. As part of its usual business, LLS provides farm biosecurity advice to farmers through workshops, resources and one-on-one interactions. Face to face service delivery was affected in 2020 by COVID restrictions. Since the audit report was published in June 2019, LLS has delivered biosecurity advice and resources to nearly 18,000 customers as part of drought services and workshops.

There was an increase in one-on-one staff to customer interactions, evidenced by a 22% increase in Animal Biosecurity diagnostic events in 2020 (3,197) compared to 2019 (2,620). The primary resource requirement for these activities was staff time. Extra resources were not required as existing resources were redirected.

196. The intergovernmental agreement on Biosecurity sets out obligations for the Commonwealth and the state, and I am wondering whether or not you have raised your concerns about whether the Commonwealth is meeting its obligations, particularly with the Onshore Biosecurity Container Levy being abandoned this year?

ANSWER:

196. Yes. NSW is working with the Commonwealth to mitigate these risks.

197. When will the Minister for Primary Industries reconstitute the NSW Biosecurity Advisory Committee that has not met since 2018 and all members' terms have expired?
- a) If not, why not?

ANSWER:

197. The NSW Biosecurity Advisory Committee expired on 30 June 2018, having successfully fulfilled its functions. There are several alternative governance arrangements in place for the management of biosecurity risk related issues including the NSW State Weeds Committee, and other national arrangements including the National Biosecurity Committee, Animal Health Australia, Plant Health Australia.

198. Can the Minister for Primary Industries confirm when the second NSW State of Biosecurity Report will be prepared?

ANSWER:

198. The second State of Biosecurity Report is currently being prepared and will be available at the end of 2021.

199. Who will be given responsibility for preparing the second NSW State of Biosecurity Report?

ANSWER:

199. NSW Department of Primary Industries.

Travelling Stock Reserves available for grazing permits

200. How does the Government coordinate the leasing of travelling stock reserves (TSRs)?

ANSWER:

200. In 2020, LLS introduced standardised Management Agreement Permits across the state so that there is a consistent, more transparent process for how we grant long-term access to TSRs.

201. Is the leasing organised by each of the 11 Local Land Services individually or is there an agency which has oversight of all TSR's?

ANSWER:

201. Each of the 10 Local Land Services Regions (Greater Sydney doesn't have any TSRs) organises their Management Agreement Permit applications using a standardised state-wide process. The TSR Portfolio Lead, TSR Business Partner and TSR Statewide Advisory Group have oversight of the standardised approach.

202. In NSW there are 323 TSRs covering approximately 8,464 hectares of land area. Of these, 206 TSRs are rated to carry stock. How many hectares of land area does this cover?

ANSWER:

202. In North Coast LLS, there are 386 TSRs covering 8,464 hectares of land area. Of these, 246 TSRs are rated to carry stock equating to 5,047 hectares of land area.

203. What kind of stock are put on TSRs?

ANSWER:

203. All kinds of livestock can use TSRs.

204. Do you have an estimate of the numbers of each species that are on the 206 stock rated TSRs at any given time?

a) What, if any, other activities are permitted on TSRs?

ANSWER:

204. No. Management Agreement Permits are for five years, so no audit of stock numbers is recorded as this varies according to specific site and seasonal conditions.

a) Apiary and Reserve Use Permits are other activities permitted on TSRs.

205. From 2016 to the current time, were all 206 TSRs which are rated to carry stock in NSW under lease?

a) If not, how many TSRs were not under lease?

b) If not, why were some TSRs not under lease?

c) Was it due to poor pasture due to the drought or bushfires, or another reason?

d) If so, what were any other reasons?

ANSWER:

205. From 2016 to the current time, 232 TSRs were under grazing permits in North Coast LLS.
- a) 14 TSRs in North Coast LLS were not under permit.
 - b) It is unknown why these TSRs were not under permit.
 - c) In 2016 when most of these TSRs were permitted, drought and bushfires were not affecting TSRs on the North Coast.
 - d) Unknown.

206. Had these leases been relinquished by a leaseholder or had the lease run out?
- a) If they had been relinquished by a leaseholder, what was the reason given?
 - b) If this data is not collected, why not?
 - c) Wouldn't that be useful to know why a lease is being relinquished – eg during a drought, flood, bushfire or other natural disaster?

ANSWER:

206. Since 2016, 41 permit holders relinquished their permits on TSRs across North Coast.

- a) Reasons for relinquishing permits included the sale of permit holder's property, death of permit holder, drought and bushfire.
- b) N/A.
- c) N/A.

207. If these relinquishments were due to the drought, bushfire, flood or other natural disaster, did any such leaseholders receive a refund of the monies they had paid under the tender for the time that the land was not being stocked and the lease had been relinquished?
- a) If not, why not?

ANSWER:

207. Permit holders who relinquished permit on TSRs received a refund of monies if requested during drought and bushfires from North Coast LLS.

- a) N/A.

208. If the government collected money from farmers and other primary producers for travelling stock routes which were essentially unused. Was there any capacity for primary producers to cancel their lease?

ANSWER:

208. All permit holders have the right to cancel their permits on TSRs at any time. LLS requests that this be undertaken by giving written notice.

209. From 2016 to the current time, were all 206 TSRs which are rated to carry stock left vacant?
- a) If so, how long were they left vacant (this might be detailed information that the Minister and Department would have to give us on notice)?
 - b) Was this for multiple periods?

ANSWER:

209. No, from 2016 to the current time, only 14 TSRs were not under Management Agreement Permits and were left vacant.

- a) They were vacant for five years from 2016 to the current time.
- b) This is considered only one period.

210. Approximately what percentage of TSRs with stock carrying ratings were left vacant each year from 2016?

ANSWER:

210. Approximately 6% (14) of TSRs with stock carrying rating were vacant of livestock from 2016 to the current time in North Coast LLS.

211. How many hectares of land approximately does that equate to?

ANSWER:

211. The 14 unpermitted TSRs equate to approximately 150 hectares.

212. Why were TSRs left vacant at different times?

ANSWER:

212. TSRs are left vacant at different times for various reasons, such as no permit holder requiring the TSR or to allow for pasture recovery.

213. Is there a condition that a TSR leaseholder who leaves the land vacant of stock, must relinquish their lease?

ANSWER:

213. No.

214. Was there any fee relief for any TSR's that were being leased during the drought, or after the bushfires that had been vacant?

- a) If so, how was that calculated?

ANSWER:

214. Yes.

- a) Permit fee relief was provided to the permit holders in North Coast LLS that requested it on a pro-rata basis during the drought or following bushfires.

215. What is the average term of a TSR lease?

ANSWER:

215. The average term for a Management Agreement Permit is five years.

216. What is the average cost of a TSR lease – and how is it calculated (per hectare, or per stock level, or revenue)?

ANSWER:

216. The permit fee for a TSR in North Coast LLS is variable depending on the number of hectares, pasture quality, rated carry capacity and seasonal influences at the time of application for a Management Agreement Permit.

217. Does the calculation method differ between tenderers?

ANSWER:

217. The calculation method differs between permit applicants based on their interpretation of the TSR value.

218. How much do Grazing Stock Permits on TSRs cost?

ANSWER:

218. Grazing stock permit costs differ depending on the class and number of stock and seasonal conditions at the time of application.

219. What is the average value of these permits?

ANSWER:

219. The average value of a grazing stock permit is not available.

220. How are Primary Producers' LLS fees calculated? Per hectare or on stocking levels, or on revenue?

ANSWER:

220. In accordance with the *Local Land Services Act 2013*, LLS rates are levied on rateable land across New South Wales (NSW). Minimal areas of rateable land in NSW commence at 10 hectares. The following types of rates are currently levied by LLS, which are applicable to Primary Producers and rateable land in NSW in accordance with the *Local Land Services Act 2013* and *Local Land Services Regulation 2014*:

GENERAL RATE / SPECIAL PURPOSE RATE The general rate and special purpose rate are levied on all rateable land (i.e. land over a certain number of hectares). It has a base charge and an amount payable on the notional carrying capacity of the land (variable amount).

ANIMAL HEALTH RATE The animal health rate is levied on rateable land on which 50 or more stock units (or dry sheep equivalents) are run. It has a base charge and an amount payable on the notional carrying capacity of the land (variable amount).

221. Are Primary Producers' LLS fees increased automatically if they have grazing permits on TSRs?

ANSWER:

221. No.

222. On 6 March 2020, five TSRs were offered for tender in the North Coast LLS, with a closure date of 20 March 2020. Have all these tenders been resolved?

- a) How many tenders were received for each TSR?
- b) Were any of the successful tenderers previously leasing these TSRs?

- c) Did the overall revenue for these sites increase?
- d) If so, by how much?
- e) If not, why not?

ANSWER:

222. In 2020 North Coast LLS offered for TSRs and one Water Reserve for a limited tender, and all are resolved (four permitted and one left vacant).

- a) The number of applications for each TSR varied from 0 to 7.
- b) No.
- c) Yes.
- d) The overall revenue for the TSRs permitted increased by approximately \$12,500.
- e) N/A.

Biosecurity – Cane Toads

223. How many cane toads are in NSW?

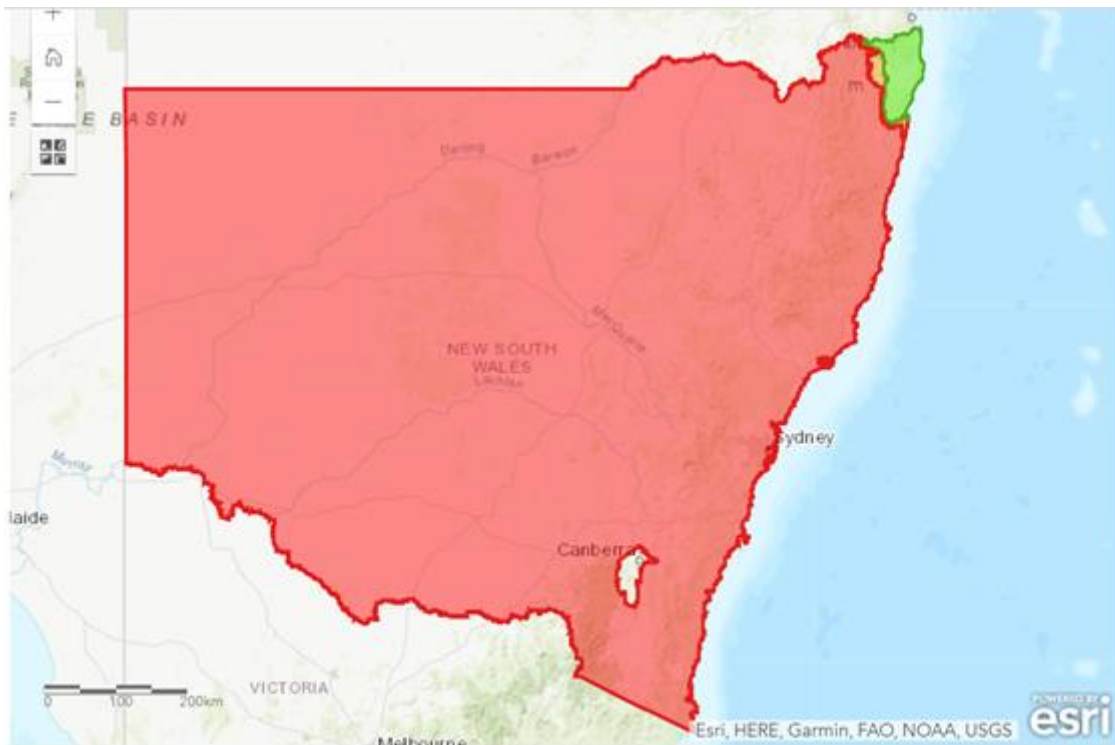
ANSWER:

223. Cane toads were introduced into the Byron Bay area in 1935 and are considered an established non-native pest animal in the north-east of NSW. The number of cane toads in the endemic area of NSW fluctuates due to seasonal breeding events.

224. What locations have they been found in?

ANSWER:

224. There are no known established populations of cane toads in NSW outside the endemic area (green and amber shaded sections in figure 1). However, annually between 10-20 cane toads are reported to NSW Department of Primary Industries (DPI) after being detected in the NSW Biosecurity Zone (see red shaded area in figure 1). On investigation, cane toads detected in the NSW Biosecurity Zone are generally determined to have stowed away on vehicles or on freight that had recently been in a cane toad infested area.



[Click for larger view](#)

This map shows three areas of NSW along with guidance on the management and reporting of cane toads in each area. The Cane Toad Biosecurity Zone consists of the Buffer areas and Cane toad free area. To help with determining which of the three areas a specific address is located in, the map has an address search function.

<https://www.dpi.nsw.gov.au/biosecurity/vertebrate-pests/nia/key-new-incursions-species/new-incursions/cane-toad>.

225. What is the government doing to address the issue?

ANSWER:

225. DPI maintains a biosecurity reporting system to ensure prompt and suitable management responses are implemented when biosecurity issues are reported. DPI investigates reports of cane toads detected in the NSW Cane Toad Biosecurity Zone. DPI liaises closely with LLS and other stakeholders (such as private landholders and LGAs) to undertake investigations. NSW National Parks and Wildlife Service and certain NSW Landcare groups undertake strategic control work of cane toad populations close to the Cane Toad Biosecurity Zone containment line to assist with preventing the spread of cane toads further into NSW.

Barclay Report

226. On 4 November 2020 you were interviewed on the ABC Country program. In the interview you referred to ‘winners and losers’ regarding the Commercial Fishing Business Adjustment Program, and in an answer to a question on notice you clarified that you used the ‘winners and losers’ expression to highlight the varied the feedback from stakeholders. How many ‘losers’ were there from the Commercial Fisheries Business Adjustment Program?

ANSWER:

226. This expression was used to highlight how varied the feedback from stakeholders can be regarding their own experiences with the commercial fishing reforms.

227. How is the Government assisting and supporting the 'losers'?

ANSWER:

227. The NSW Government provided significant and substantial financial assistance to the commercial fishing industry throughout the Commercial Fisheries Business Adjustment Program. The following additional support was provided:

- Low interest rate loans for fishers who needed to purchase more shares
- Grants for independent financial and legal advice
- Retraining grants for those exiting the industry
- FisherCare line offering confidential support and counselling
- Training workshops – for the Subsidised Share Trading Market and FishOnline
- Support from the Office of the Small Business Commissioner

Young Farmer Business Program

228. The 4 year funding allocation for the Young Farmer Business Program is due to cease at the end of this financial year. This has been an exceptionally well received initiative to build the business skills of those entering the industry. Will you commit an additional 4 year allocation to continue this initiative?

ANSWER:

228. An extension of the program is currently under Government consideration.

229. On the DPI website there are Survey Results for 2016, 2017 and 2018. Were surveys conducted in 2019, 2020?

a) If not why not?

ANSWER:

229a. Surveys were conducted in 2016, 2017, 2018 and 2020. Surveys are conducted on an as-needs basis to better understand key issues impacting young farmers and fishers in order to design program delivery. Four surveys have been conducted, two of which were general surveys across the sector and two were direct; one to young fishers and one to small scale farms. All survey reports/summaries can be found online at www.youngfarmer.farmtable.com.au/how-we-work/

230. Why aren't they publicly available?

ANSWER:

230. All survey reports/summaries can be found online at www.youngfarmer.farmtable.com.au/how-we-work/

231. The most recent Report Card on the DPI website for the program is dated 2017/18. Has a report card been published since then?

a) If not why not?

ANSWER:

231. Yes. Annual report cards are produced and can be found online at www.youngfarmer.farhtable.com.au/how-we-work/.

The YFBP has a live dashboard which has real-time data. This can be viewed online at www.youngfarmer.farhtable.com.au/about-us/.

232. Why aren't later year report cards publicly available?

ANSWER:

232. The 20/21 report card will be loaded post June 2021, along with the full report for the 4-year program.

233. The program is for young farmers to build business skills and provide key events and workshops to help develop their networking and skills to enhance their businesses.

ANSWER:

233. The program targets young farmers and fishers, aged between 18 and 35 years old, to build their business skills including financial literacy, risk management and business planning. It does this through skill building activities, development of resources and tools and establishing networks to support their business journey.

234. The most recent media release on the DPI website is dated 16 March 2018. Have you distributed a release over the past 3 years in relation to the program and what it offers?

a) If not why not?

ANSWER:

234. DPI media releases are found at Media Releases (nsw.gov.au). Since 2018, there have been 11 media releases in relation to the YFBP. These are available on Young Farmer Business Program – Farm Table website.

235. How much of the \$6 million announced by former Minister Blair has been awarded?

ANSWER:

235. It is expected all funding will be exhausted by the end of the 2020/21 financial year.

236. Will the Government increase funding for the program in the 2021/22 budget?

ANSWER:

236. Future programs will be considered during NSW Budget process.

Dairy Industry Fund

237. Is the Dairy Industry Fund Advisory Committee still an active committee?

- a) If not, when did it cease to be an active Committee?

ANSWER:

237a. The committee last met in December 2017 to evaluate project proposals received in the most recent call for proposals. The projects that commenced in 2018 were those recommended by the committee and the committee has been consulted as required to consider requests to vary contracts, most recently in October 2019.

238. If the Committee is still active, who are the Committee Members and are they still active?

- a) If there are any vacancies, when will they be filled?

ANSWER:

238. Committee members are: Jenny Wilson (Murray Dairy); Brad Granzin (Subtropical Dairy); Jane Sherborne (Dairy NSW); Terry Toohey (Dairy Connect); and Malcolm Holm (NSW Farmers Dairy Committee). There are no vacancies.

239. It appears from media articles that this fund was \$1 million, has all the money been spent?

- a) If not, how much is left?

ANSWER:

239a. The opening balance of the fund was \$1,050,000. \$1,038,333 has been allocated to eight projects since the fund was established. All except two projects have been completed. Several projects did not or will not spend their full budget and the expected balance at the conclusion of all funded projects is \$116,238.

240. If the fund is exhausted, what is the future of the fund?

ANSWER:

240. The fund will be closed when exhausted.

241. What was the fund used for?

- a) Can you please table a list of the projects?

ANSWER:

241a. NSW Dairy Industry Fund projects

1. A small dairy network for NSW dairy processors
2. Project 2020: Pathways to Change
3. NSW Dairy Industry Strategic Action Plan
4. Tech-KISS – Technology doing what farmers want

5. Accelerating adoption of farm business management practices
6. The Dairy Progression Framework
7. Farm Business Management Fundamentals Online
8. A double-blind, randomized, cross-over in situ clinical study to compare the effects of cows' milk with soy drink on dental health (enamel demineralisation/remineralisation)

NSW Shark Management Strategy

242. In reply to answers provided to questions on notice regarding the \$8 million Shark Mitigation Strategy in which you advised that the details were in Outcome Statement Chapter 6 Regional NSW, why is the word 'shark' not listed anywhere in the paper?

ANSWER:

242. Shark mitigation is a part of "Outcome 2: Stronger Primary Industries" and appears in the Treasury financial system as a budget line within Outcome 2.

243. You also advised that the \$315,000 listed in Budget Paper No.3 was for a capital allocation to upgrade the existing network of 21 VR4D tagged shark listening stations, and that this was part of the \$8 million Shark Strategy. So what is the remaining \$7,685,000?
- a) Where is this listed in the Budget papers?

ANSWER:

243. The remaining funding for the 2020/21 Shark Program includes:

\$1.8 million for net Contractors in the Shark Meshing Program

\$0.2 million for helicopter surveillance

\$0.2 million for the Shark Observation Grants Program

\$2 million for drone surveillance by Surf Life Saving NSW

\$1.3 million for SMART drumline Contractors on the North Coast

\$2.158 million for the NSW SharkSmart community education campaign and shark research.

This is listed as a budget line item within Outcome 2 in the Treasury Prime system.

244. The DPI website lists details for the annual \$200,000 Shark Observation Program. Is this program included in the \$8 million funding?

ANSWER:

244. Yes.

245. Applications for the program closed on 11 December, how many applications were received and how many were granted?

ANSWER:

245. 14 applications were received and 10 of these were successful.

246. Can you provide a list of the successful organisations?

ANSWER:

246.

The successful organisations are listed on the SharkSmart website at www.sharksmart.nsw.gov.au/shark-nets

247. Who is on the Technical Assessment Panel that reviews the applications and make recommendations to the Minister?

ANSWER:

247. The Technical Assessment Panel for the 2020/21 Shark Observation Grants Program comprised three DPI staff: Marcel Green, Program Leader Shark Programs; Dr Vic Peddemors, Senior Shark Scientist; and Scott Dalton, Shark Meshing Program Supervisor.

248. Why were the 10 SMART drumlines removed from Newcastle and replaced with 1 drone?

ANSWER:

248. As part of the Shark Management Strategy from 2015/16 - 2019/20, the Department of Primary Industries (DPI) ran two trials of 10 SMART drumlines deployed between Stockton Beach and Merewether Beach at Newcastle. Trial 1 ran from 10 February 2019 - 12 May 2019 and Trial 2 ran from 30 August 2019 - 1 December 2019. As noted by Mr Hansen in response to questioning from The Hon. Emma Hurst about the Northern Beaches trials, "Having completed the trials and demonstrated and proved the operation of the technology, both the gear and the guidelines for the operation of them, we moved past that trial phase." (Page 57 of the uncorrected transcript).

Surf Life Saving NSW is deploying drones at 34 beaches as part of the NSW Government's \$8 million 2020/21 Shark Program. Nobbys Beach at Newcastle is one of those 34 beaches.

The Shark Meshing Program also continues to operate at 51 beaches in the Greater Sydney Region from Newcastle to Wollongong.

249. Why were the 20 SMART drumlines removed from the Northern Beaches and replaced with 2 drones?

ANSWER:

249. As part of the Shark Management Strategy from 2015/16 - 2019/20, the DPI ran two trials of 20 SMART drumlines deployed between Manly and Palm Beach on Sydney's Northern Beaches. Trial 1 ran from 1 February 2019 - 30 April 2019 and Trial 2 ran from 30 August 2019 - 1 December 2019. As noted by Mr Hansen in response to questioning from The Hon. Emma Hurst about the Northern Beaches trials, "Having completed the trials and demonstrated and proved the operation of the technology, both the gear and the guidelines for the operation of them, we moved past that trial phase." (Page 57 of the uncorrected transcript)

Surf Life Saving NSW is deploying drones at 34 beaches as part of the NSW Government's \$8 million 2020/21 Shark Program. On the Northern Beaches, SLS NSW is flying drones at Palm Beach, South Narrabeen Beach and Dee Why Beach.

The Shark Meshing Program also continues to operate at 51 beaches across the Greater Sydney Region from Newcastle to Wollongong.

250. Are there any plans to phase out shark meshing programs with the implementation of non-lethal shark mitigation and deterrent measures?

ANSWER:

250. DPI is communicating the results of the Shark Management Strategy to coastal councils and communities, and in turn they will provide submissions via an online survey to DPI about their preferred suite of shark mitigation measures at beaches in their local government area. The survey results will help inform the NSW Government's decision making on the future of shark mitigation.

251. Does the government plan on implementing the recommendations from the Shark Sentiment Report produced for the Department of Primary Industries (DPI)?
- a) Will SMART Drums replace shark nets?
 - b) Will the government boost the funding for the Drone program?

ANSWER:

251. NSW DPI is communicating the results of the Shark Management Strategy to coastal councils and communities, and in turn they will provide submissions via an online survey to DPI about their preferred suite of shark mitigation measures at beaches in their local government area. The survey results will help inform the NSW Government's decision making on the future of shark mitigation.

252. Why was helicopter use reduced in a variety of locations compared to their use in 2019-20?

ANSWER:

252. The use of helicopters decreased as the rate of drone use increased. Helicopter trials under the Shark Management Strategy indicated that compared to drones, helicopters are relatively expensive and less effective, since they spend a limited amount of time at any one beach and often cannot be used in poor weather.

Helicopter surveillance continues to occur in the Shark Meshing region from Newcastle to Wollongong.

253. With the government continuing to monitor the "efficiency" of the shark mitigation program according to a statement by a spokesman for Minister Marshall to the Sydney Morning Herald in August 2020, why are the shark nets still being used if the past 10 years of evidence shows that shark nets only caught the targeted sharks 6.68% of the time as oppose to all the other animals caught in the shark?

ANSWER:

253. The DPI is communicating the results of the Shark Management Strategy to coastal councils and communities, and in turn they will provide submissions via an online survey to DPI about their preferred suite of shark mitigation measures at beaches in their local government area. The survey results will help inform Government decision making on the future of shark mitigation.

Local Government

254. Primary producers typically require large areas of land to operate their business, and when coupled with skyrocketing land values, farmers face ever-increasing local government rates bills. What is NSW Government doing to ensure that the rating system is fair and equitable, and that farmers do not bear a disproportionate amount of rate increases, particularly where councils have recently amalgamated?

ANSWER:

254. This is a matter for the Minister for Local Government.

255. Farmers commonly contribute a higher proportion of local government rates than other ratepayers, despite often deriving less benefit from council services. What is NSW Government doing to ensure that all landholders appropriately contribute to council costs, considering high impact landholders such as State Authorities and State Owned Corporations are currently exempt from paying local government rates?

ANSWER:

255. This is a matter for the Minister for Local Government.

256. Following the 2019-20 bushfires will there be an increase in the Emergency Services and Fire Levy to either insurance premiums and/or Local Government rates?

ANSWER:

256. This is a matter for the Minister for Police and Emergency Services.

257. What is the estimated percentage increase and how will you ensure minimum cost imposts on regional areas and farm businesses?

ANSWER:

257. This is a matter for the Minister for Police and Emergency Services.

Aboriginal Fishing Trusts

258. Were projects funded in 2018/19 and 2019/20 from the Aboriginal fishing trust fund?

- a) If so, why aren't they listed on the DPI website?
- b) Is a list publicly available? If so where?

ANSWER:

258. Yes.

Active and completed projects from the 2018/19 funding round are available on the NSW DPI website.

As per Mr Sloan's response to this question on page 71 of the uncorrected transcript, even once the Aboriginal Fishing Advisory Council and the Aboriginal Fishing Trust Expenditure Committee may have approved an application and the Minister has approved there is then a process of negotiating with the applicant to settle on the terms. They do not get posted on the website until that is finalised. The 2019/20 funded projects will be uploaded to the website once all successful applicants have executed a funding deed.

The list of active and/or completed projects are available at:
<https://www.dpi.nsw.gov.au/fishing/aboriginal-fishing/AFTE>.

259. What was the total amount allocated from the aboriginal fishing trust for 2018-19?

ANSWER:

259. \$424,041.

260. What was the total amount allocated from the aboriginal fishing trust for 2019-20?

ANSWER:

260. \$269,285.

261. Did the Aboriginal fishing Expenditure Trust Fund Committee assess and rank applications for both 2018-19 and 2019-20 financial years?

a) Please disaggregate the number of applications and the amount for each financial year.

ANSWER:

261. Yes

2018/19 - 15 applications were received. 10 project applications were funded totalling \$424,041.

2019/20 - 12 applications were received. 7 project applications were funded totalling \$269,285.

262. Why aren't minutes of the aboriginal fishing advisory council on the DPI website?

ANSWER:

262. The Chair's meeting outcome summaries are available on the DPI website:

<https://www.dpi.nsw.gov.au/fishing/aboriginal-fishing/afac>.

263. Has the Aboriginal fishing advisory council met since November 2020?

a) If not, when is the next meeting scheduled for?

ANSWER:

263. Yes, the Aboriginal Fishing Advisory Council met on 24 and 25 February 2021.

Commfish

264. Has CommFish met since 2 October 2020?

a) If so, why are the minutes not available on the DPI website?

ANSWER:

264. Yes

a) The minutes will be available on the DPI website following completion of administrative processes.

265. The chairman's summary from 2 October 2020 advises that the terms for several members of CommFish will be expiring at the end of November. How many members' terms have expired?

a) When do they expire?

b) Are there any positions currently vacant?

c) Have expressions of interest been advertised or distributed?

d) If not, why not and when will they?

ANSWER:

265. Membership of four positions to CommFish NSW expired on 30 November 2020.

No, there are no positions currently vacant.

Expressions of Interest for vacancies were advertised on 30 September 2020 and all vacancies have been filled.

Cockles

266. Have any of the prosecutions from 4 and 5 January 2021 gone to court yet?

ANSWER:

266. No

267. Compliance rate is only 81%, and Shellharbour locals believe that the bag limits reduction is not having an effect, and that compliance needs more resourcing. Will the Government increase resourcing for compliance activities?

ANSWER:

267. DPI has responded by redirecting its Greater Sydney Mobile Squad which includes three additional Fisheries Officers to focus activities more in the Illawarra area and on cockle compliance with the new limits. The new arrangements also need to be given time to take effect.

268. When the Government announced the changes to bag limits, what extra community information was disseminated?

ANSWER:

268. NSW DPI has installed new signage with the cockle rule change at key foreshore intertidal cockle collection locations around Lake Illawarra. Updated brochures outlining the new rules are also being distributed to recreational cockle collectors. Fishcare Volunteers and DPI education officers have also been out in the community to educate and boost local advisory activities. The rule change was also promoted on the Fisheries Facebook page and via the NSW DPI recreational fishing newsletter (Newscast).

Commonwealth Future Drought Funding & Farm Business Resilience Program

269. The Commonwealth Future Drought Funding requires a co-contribution from the States and Territories to deliver the Farm Business Resilience Program. What is planned?

a) What funding will be allocated?

ANSWER:

269. NSW DPI is currently negotiating with the Commonwealth on the delivery of a 2021-2022 pilot program which the DPI may include co-contribute through existing programs.

270. Where is this being coordinated from?

ANSWER:

270. Deputy Director General Agriculture is the lead for NSW DPI in negotiations with the Commonwealth.

Emergency Water Infrastructure Rebate

271. The Australian Government has committed new funding to extend this program subject to matching by the NSW Government. Will this funding will be committed in the 2012-22 NSW Government's budget?

ANSWER:

271. I welcomed the Commonwealth Governments announcement in October 2020 that it will provide an additional \$50 million for the EWIR scheme, subject to matched funding from state governments. My primary concern was always for the 'stranded' and unfunded applications from the original Commonwealth program that are currently sitting with the NSW Rural Assistance Authority (RAA). These applications are from farmers who undertook eligible works in good faith and a resolution of these applications is an important outcome for any negotiations with the Commonwealth. Budget announcements would normally be made when the NSW Budget is delivered.

272. There are a significant number of stranded applications with the Rural Assistance Authority made before the current round closed. What is the status of these applications and when will they will be processed?

ANSWER:

272. See answer to Question 271.

Stray Cats on the Stockton Breakwall

273. What investigations have been carried out in relation to the shooting on the Stockton Breakwall by a licenced contractor in December 2020 by the NSW Government or other agencies?

ANSWER:

273. RSPCA NSW are investigating the incident as a matter of priority. As this matter is currently under investigation, it would not be appropriate to make any further comment.

274. Have there been any prosecutions or any other penalties due to those actions?

ANSWER:

274. As this matter is currently under investigation, it would not be appropriate to make any further comment.

Agribusiness and Tourism

275. What input has the Department of Primary Industries had into the new tourism agribusiness project that is being undertaken by the NSW Small Business Commissioner?

ANSWER:

275. The NSW Small Business Commissioners program was a pilot that has led to NSW Planning releasing proposed amendments to the planning framework to diversify farm incomes and include an array of changes to simplify the planning framework for primary producers. The document on exhibition was a collaborative effort between NSW DPI and DPIE Planning.

276. How much financial support has been allocated from the Department of Primary Industries to the program?

ANSWER:

276. This program was completed with DPI internal resources from the Agricultural Land Use Planning team.

RSPCA Additional Funding

277. There were reports on 3 March 2021 that the RSPCA in NSW is set for a \$10.5 million funding boost to improve facilities and conditions for animals, staff and volunteers. When will the RSPCA receive the funding?

ANSWER:

277. Questions regarding the specific details of the funding should be directed to the Minister for Local Government.

278. Will this be a one off \$10.5 million funding boost?

ANSWER:

278. Questions regarding the specific details of the funding should be directed to the Minister for Local Government.

279. Is this a 2021-22 pre-budget announcement?

ANSWER:

279. Questions regarding the specific details of the funding should be directed to the Minister for Local Government.

280. Will recurrent funding be increased for the RSPCA?

ANSWER:

280. The NSW Government is currently reforming its animal welfare laws as part of the NSW Animal Welfare Action Plan. Arrangements to support effective compliance and enforcement will be considered once new legislation is in place.

281. Will the Animal Welfare League also receive a funding boost?

a) If not why not?

ANSWER:

281. The NSW Government is currently reforming its animal welfare laws as part of the NSW Animal Welfare Action Plan. Arrangements to support effective compliance and enforcement will be considered once new legislation is in place.

Biosecurity - Vicious and invasive red-eared slider turtles

282. When did the Department first become aware of the invasion of the red-eared slider turtles?

ANSWER:

282. As per transcript (page 57 of uncorrected transcript), a breeding population was detected in NSW as far back as 2006. (The species was also detected in other states in the 1990s.)

283. Where have they been identified?

ANSWER:

283. They have been identified in numerous locations in NSW. The Atlas of Living Australia webpage for the red-eared slider turtle provides publicly available data including detection information for the species:

<https://bie.ala.org.au/species/urn:lsid:biodiversity.org.au:afd.taxon:9ddb4c46-3329-4cda-9ce7-dee2b6c34e7c>

284. How many red eared slider turtles are in NSW?

ANSWER:

284. Considering the geographic range that the species has been detected in, in NSW and the number of animals that have been collected to date, there are likely to be in the order of hundreds of additional red-eared slider turtles both living in the wider NSW environment and being kept in illegal private collections..

285. What locations have they been found in?

ANSWER:

285. There are numerous locations in NSW where they have been found. The Atlas of Living Australia webpage for the red-eared slider turtle provides publicly available data including detection information for the species:

<https://bie.ala.org.au/species/urn:lsid:biodiversity.org.au:afd.taxon:9ddb4c46-3329-4cda-9ce7-dee2b6c34e7c>

286. On how many occasions has a scent detector dog been deployed?

ANSWER:

286. On two separate occasions during 2020 (October and November), scent detector dogs were deployed at a number of sites in the Sydney area to trial their ability to detect red-eared slider turtles.

287. How many dogs does the team consist of?

ANSWER:

287. Two dogs have been trained on red-eared slider turtle scent for use in NSW.

288. Are the dogs kept and trained as part of the Department of Primary Industries?

a) If not, who provides the dogs?

ANSWER:

288a. The dogs are owned by the proprietors of Canines for Wildlife.

289. How much had been spent in this financial year to date deploying scent detector dogs?

ANSWER:

289. The training and trialling of scent detector dogs was contracted for by DPI during the income year ending 30 June 2020 at a cost of \$21,400. During the current income year ending 30 June 2021, no additional money has been spent by DPI on the training and trialling of the scent detector dogs.

290. Are the scent detector dogs trained to identify just the red eared slider turtles?

ANSWER:

290. No. Scent detector dogs can be trained to detect a range of biosecurity matter to support biosecurity and other programs.

291. How many other species do the dogs identify?

a) What are they?

ANSWER

291a. The organisation that trains these particular dogs advises that they have been trained to detect a range of biosecurity concerns including red-eared slider turtle, cane toads, feral cat and American fowlbrood. The dogs have also been trained to detect vulnerable native species including the Bell's Turtle, koala, Silver-headed antechinus and Black-tailed dusky antechinus.

292. When a dog identifies a red eared turtle, what steps are then taken to ensure there is no further biosecurity threat to other native turtles?

ANSWER:

292. The scent detector dog primarily indicates the presence of the scent of red-eared slider turtles. Once red-eared slider turtles are detected, trapping techniques can be used to capture and

remove the animal(s) from the environment thereby reducing the threat to native species and the natural ecology of an area.

293. Are the red eared turtles destroyed?

a) If so, where is this done?

ANSWER:

293a. Captured red-eared slider turtles are humanely euthanised by registered veterinarians.

294. What monitoring is being conducted in known red eared turtle locations?

a) How often is monitoring being conducted?

ANSWER:

294a. A range of monitoring systems have been implemented for red-eared slider turtles. Brochures, posters and permanent signage have been developed and deployed in key areas raising awareness of the species and promoting the public to report sightings of the species, environmental DNA techniques have been trialled to enable the 'swabbing' of turtle basking points and the sampling of water bodies to detect the species, surveillance cameras have been erected at selected sites.

Monitoring of red-eared slider turtles traps is conducted whilst traps are in use. Cathedral traps need to be checked several times per day, whilst basking traps can be checked once every day. Environmental DNA sampling using water samples was conducted four times during the 2020-21 spring /summer. Environmental DNA sampling for red-eared slider turtles using swabs was conducted once in December 2020. Additionally, due to the development of brochures, posters and permanent signage, passive monitoring and reporting of red-eared slider turtles by public land managers and the public is ongoing.

Marine Estate Knowledge Panel

295. How many expressions of interest were received for each of the member positions?

ANSWER:

295. A total of 36 expressions of interest were received. Some applicants expressed an interest in more than one position (therefore a total of 39 applications are reported below):

- Aboriginal expert in Sea Country management (identified position) = 4 applications
- Ecological expert in marine biological science / natural resource management = 17 applications
- Economic expert in natural resource management = 6 applications
- Social expert in natural resource management = 11 applications
- One applicant did not nominate for a specific position.

296. Who considers the expressions of interest?

ANSWER:

296. An assessment panel has been established comprising:
- Department of Primary Industries (DPI), Fisheries – Sean Sloan, Deputy Director General Fisheries (Convenor)
 - Department of Planning, Industry and Environment - Environment, Energy and Science (EES)– Sharon Molloy, Executive Director, Biodiversity and Conservation
 - Chair of the Marine Estate Expert Knowledge Panel – Ms Anthea Tinney
 - Chair of the Marine Estate Management Authority – Dr Russell Reichelt

The assessment panel recommendations, along with all of the applications, will be provided to the Ministers responsible for the *Marine Estate Management Act 2014* for their consideration for formal appointment as members.

297. How many members will form the Marine Estate Knowledge Panel?

ANSWER:

297. There are no current limitations set in regulation on the number of Panel members. The decision on the number of members appointed is at the discretion of the Ministers responsible for administering the *Marine Estate Management Act 2014*. Currently the Panel consists of a Chair and five members.

298. When will members be appointed?

ANSWER:

298. The assessment panel's recommendations, along with all of the applications, will be provided to the Ministers responsible for the *Marine Estate Management Act 2014* for their consideration for formal appointment as members.

299. When will the first meeting occur for 2021?

ANSWER:

299. The Marine Estate Expert Knowledge Panel met via video conference on 2 March 2021. The Marine Estate Expert Knowledge Panel will next meet in June 2021.

300. On the Marine NSW website the most recent advice from the Marine Estate Management Authority (Authority) and Marine Estate Expert Knowledge Panel (Expert Knowledge Panel) is listed as 13 November 2015. Has the Expert Knowledge Panel provided advice since then?

ANSWER:

300. The Marine Estate Expert Knowledge Panel generally meets four times a year and the Chair of the Panel attends Marine Estate Management Authority meetings to report on the work of the Panel in delivering on its work program.

301. Why has it been over five years since the Expert Knowledge Panel has provided advice?

ANSWER:

301. The Marine Estate Expert Knowledge Panel has continued to provide advice to the Authority since their establishment, including from 2015 through to 2021. Their advice has informed major work programs delivered under the marine estate schedule of works including the marine estate Threat and Risk Assessment (2017), the Marine Estate Management Strategy (2018), the Marine Integrated Monitoring and Evaluation Framework and its implementation (2019-now) and current marine park management planning processes underway.

302. Are members of the Expert Knowledge Panel remunerated?
- If so, how much do they receive?
 - Do they receive a set meeting fee? If so, how much?
 - Are they reimbursed for travel?
 - When did the panel last meet?
 - When were members last paid?

ANSWER:

302. Yes – Marine Estate Expert Knowledge Panel members receive an annual stipend as opposed to set sitting fees.

- The Marine Estate Expert Knowledge Panel Chair receives \$45,000 to \$50,000 per annum. Members receive \$12,600 to \$14,500 per annum.
- No.
- Additional out-of-pocket expenses for meals and public transport are reimbursed on the submission of receipts relevant to Marine Estate Expert Knowledge Panel meeting dates.
- The Marine Estate Expert Knowledge Panel last met via video conference on 2 March 2021.
- Three current members (Chair and two panel members) are paid a fortnightly stipend. Three members whose appointments expired on 31 January 2021 were paid their final stipend payment on 7 February 2021.

Irrigation Pumps & Recreational Fishers

303. As a Minister who oversees the Fisheries Management Act 1994, can you explain how is it possible that we allow fish and other aquatic animals to be killed as part of irrigation water extraction when the various legislations listed above contain objectives that include the protection, restoration and enhancement of the environment and protection of fish and other aquatic animals?

ANSWER:

303. DPI is pursuing a range of initiatives with industry sectors to minimise the impact of water diversions on native fish populations. This includes the development of national guidelines on fish protection screen design, the establishment (with partner groups) of the Australian Fish Screens website (fishscreens.org.au) and the recent \$1.5M investment in a large-scale screening pilot with the Trangie-Nevertire Irrigation Scheme. The Ministerial Fish Passage Taskforce will also review issues of diversion screening. This will ensure expert advice from multiple agencies and stakeholder groups guide the future management of diversion screening in NSW.

304. Why are funds from the Recreational Fishing Trust Fund being used to try and solve problems with irrigators' impacts on fish populations—problems that are the responsibility of the NSW Government, other government agencies such as WaterNSW, and irrigators, and that should be managed under numerous existing legislation?

ANSWER:

304. In 2019, the Recreational Fishing NSW Advisory Council (Council) proposed a forum be held with Water NSW, DPI, relevant water management experts, key industry stakeholders and

recreational fishing stakeholders on fish screening. The aim of the forum is to better understand the range of legislative and operational barriers to the widespread adoption of fish screening technology. An application for funding was subsequently submitted to the Recreational Fishing Freshwater Trust Expenditure Committee and the Recreational Fishing NSW Advisory Council and was subsequently supported.

305. A total of \$148,000 was recently approved from the Recreational Fishing Trust for a stakeholder workshop/forum to discuss fish screening technology, address the barriers and fast track the adoption of fast track fish screening on irrigation intake pipes. \$148,000 is an absorbent amount for the hosting of a stakeholder workshop/forum. Can you please provide a breakdown of the \$148,000?

ANSWER:

305. The proposed budget in the DPI funding application, submitted on behalf of concerned recreational fishers and titled ‘Convene a fish screening stakeholder forum and develop a “screens for streams” discussion - issues paper and implementation - options strategy’ was as follows:

Item	Amount
Stage 1	
Consultant (Water/Industry Experience)	\$35,000
Consultant to establish communication network and identify communication pathways	\$15,000
Discussion / issues paper development costs (travel and accommodation for stakeholder engagement, excludes consultant costs)	\$48,000
Stakeholder forum (Travel and accommodation for non-agency attendees)	\$10,000
Stakeholder forum (Venue and catering)	\$10,000
Forum running and outputs and implementation and options strategy drafting instructions (consultant / research fellow)	\$5,000
Stage 2	
Implementation and options strategy development (Indicative budget)	\$50,000
Communicate project outcomes through identified comms network and pathways	\$15,000
Total	\$148,000

-*Note: there was also proposed in-kind funding from various organisations amounting to \$41,000 as part of the funding application.

306. Has the workshop/forum been held?
 a) If not, when will it?

ANSWER:

306. No

- a) It is scheduled for later in 2021.

307. Where will it be hosted?

ANSWER:

307. The workshop is proposed to be held in Dubbo

308. Will the workshop/forum be invitation only or a public event?

ANSWER:

308. The format of the forum has not been determined yet

309. Please provide the dates and locations of all workshop/forums?

ANSWER:

309. The forum has not been held yet.

Animal Welfare and Companion Animal Breeding

310. Do animal welfare enforcement agencies have a right of entry to a residential property where there is no evidence of criminal activity or animal cruelty?

a) If so, for what purpose?

ANSWER:

310. Inspectors may only enter dwellings with the permission of the occupier, in accordance with a search warrant, or for the express purpose of providing urgently required care to an animal.

Inspectors may enter land (not including a dwelling) used for the purpose of an animal trade or land in or on which an animal is being used, or kept for use, in connection with any other trade, or any business or profession to examine animals and check compliance with the Act, Regulation and relevant Code of Practice.

311. Does the Government support the definition of an animal trade within the Prevention of Cruelty to Animals Act (1979) to separate animal businesses from non-animal businesses?

ANSWER:

311. The Government's future position on any changes to the definition of an animal trade will be dependent on the outcomes of consultation undertaken through the Animal Welfare Action Plan process.

312. Is the Government intending to support the Shooters, Fishers and Farmers amendment to the Prevention of Cruelty to Animals Act (1979) regarding the definition of an animal trade?

ANSWER:

312. The question is now outdated.

Deer control in the Illawarra

313. In relation to the decision by the Government to double the pest eradication fund in NSW as part of the 2020/21 budget;
- a) Has there been any increase in the funding allocated to the Illawarra Wild Deer Management Program as a result of this decision?
 - b) How much money has the Government contributed to the Illawarra Wild Deer Management program this financial year?
 - c) Has there been any increase in feral deer culling programs in the Illawarra as a result of this decision?
 - d) Will the Minister commit to funding trial feral deer culling programs in the Illawarra this financial year?

ANSWER:

313.

- a) Yes
 - b) In total, NSW Government has contributed \$243,000 during 20/21 financial year. (Local Land Services Pest Levy, NSW DPI's Invasive Species NPP fund and the NSW Government's Bushfire Recovery Fund).
 - c) The Illawarra Wild Deer Management Program is the only deer management program currently operating in the Illawarra.
 - d) Yes
314. In response to advocacy by Wollongong City Council and major landholders claiming the Illawarra Wild Deer Management Program urgently requires a doubling of funding to stem the increasing populations of feral deer in the Illawarra:
- a) Will the Government commit to matching the current funding provided by partner organisations, and allocate a further \$200,000 to the Program to fund culling and collaborative research projects in the Illawarra?

ANSWER:

314a. NSW Government is currently contributing funding toward the Illawarra Deer Management Program. Pest animal management research and operational management programs are prioritised based on available funding.

AGRICULTURE

Questions from Mr Justin Field MLC

Marine Estate Management Plan Process

315. In regards to the Minister's response (refer to page 18 of the transcript) to questions regarding the status of a regulation to revoke a number of sanctuary zones in the Batemans Marine Park, will the Minister confirm the statutory role of the Marine Estate Management Authority (MEMA) in the processes of considering a draft regulation and in conducting consultation about such a regulation?

ANSWER:

315. Section 43(3) of the *Marine Estate Management Act 2014* states that the relevant Ministers are to seek the advice of the Authority regarding the preparation of the draft management rules.

316. Will the MEMA "report/recommendation" referred to by the Minister (refer to page 18 of the transcript) be made public before the public consultation that is required under the Marine Estate Management Act?

ANSWER:

316. The Ministers are seeking the advice from the Marine Estate Management Authority in accordance with s.43(3) of the *Marine Estate Management Act 2014*.

Marine Estate Management Authority and Expert Knowledge Panel advice relating to key marine estate initiatives in the schedule of works is made publicly available. Advice is made available online at www.marine.nsw.gov.au/advisory-bodies/marine-estate-management-authority/advice in a timely way.

317. Regarding the "advice" referred to by Mr Hansen (refer to page 19 of the transcript) described by him as: "advice that was given with regard to the amnesty provided around ocean beaches and headlands", will the Minister provide that advice?
- a) If not, was that advice legal advice?
 - i) If yes,
 - i. was it internal legal advice within the Department?
 - ii. was it Crown Solicitors advice?
 - iii. was it external legal advice?
 - ii) If no,
 - i. who provided the advice?

- ii. in what form was the advice provided?

ANSWER:

317. Legal advice is subject to legal professional privilege.

318. Please outline the likely timeline for the finalisation and consultation of management plans for:
- a) Batemans Marine Park
 - b) Port Stephens-Great Lakes Marine Park

ANSWER:

318. For both parks, a draft management plan is anticipated to be available for two months community consultation commencing in 2021.

319. Are the Batemans and Port Stephens-Great Lakes marine park management plans an independent process, with separate consultation, to the development of a network plan as mentioned by Mr Sloan (refer to page 19 of transcript)?

ANSWER:

319. No

320. What is the process and proposed timeline for the development of the network plan, including the likely time frame for public consultation?

ANSWER:

320. See the answer to question 318.

The statutory process for marine park management plans is set out in Division 5 of Part 5 of the *Marine Estate Management Act 2014*.

321. How will the network plan process affect, if at all, the development of management plans for Batemans Marine Park and Port Stephens Great Lakes Marine Park?

ANSWER:

321. The Government's new approach to marine park management planning was piloted at Batemans Marine Park and then Port Stephens-Great Lakes Marine Park and then also applied at Cape Byron, Solitary Islands and Jervis Bay marine parks. The culmination of this work is expected to be a network management plan that includes these five mainland marine parks. This approach is provided for in Section 47 of the *Marine Estate Management Act 2014*.

322. Is the regulation, referred to in question 1, to rezone sanctuary zones in Batemans Marine Park going to be exhibited independent of:

- a) The development of the management plan
- b) The development of a network plan

ANSWER:

322a-b. The Bateman's Marine Park rezoning amendment regulation is a separate but related process to the development of a network management plan for the five mainland marine parks.

The NSW Government is currently seeking the advice of the Marine Estate Management Authority on the draft Batemans rezoning regulation in accordance with s.43(3) of the Act. Exhibition timeframes for these processes will consider this advice.

323. Will the network plan process include a review of spatial management/zoning in each of the following marine parks:

- a) Port Stephens-Great Lakes Marine Park
- b) Batemans Marine Park
- c) Jervis Bay Marine Park
- d) Solitary Islands Marine Park
- e) Cape Byron Marine Park?

ANSWER:

323. The NSW Government committed to comprehensively reviewing the State's marine parks

324. If yes to the above question,

- a) how will the consultation of spatial management/zoning be undertaken as part of the network plan?
- b) Will a separate spatial management/zoning consultation be undertake for each of the following marine parks:
 - i. Port Stephens-Great Lakes Marine Park
 - ii. Batemans Marine Park
 - iii. Jervis Bay Marine Park
 - iv. Solitary Islands Marine Park
 - v. Cape Byron Marine Park

c) If no, will there be a review of spatial management as a result of the network plan and when would this occur in each of the following marine parks:

- i. Port Stephens-Great Lakes Marine Park
- ii. Batemans Marine Park
- iii. Jervis Bay Marine Park
- iv. Solitary Islands Marine Park
- v. Cape Byron Marine Park?
- vi. Batemans Marine Park fishing amnesty

ANSWER:

324. Please refer to the answer to question 323.

The management rules for the five mainland marine parks will be considered once the network management plan is sufficiently developed, with a priority focus on rules for the Batemans and Port Stephens-Great Lakes marine parks.

325. Since December 2019, has any correspondence been received in the Ministers Office or DPI Fisheries from the Australian Department of Environment and Energy or the International Union for Conservation of Nature (or subordinate Expert Assessment Group), in regards to the IUCN Green Listing of Montague Island?

a) If so, what was the nature of that correspondence?

ANSWER:

325. NSW DPI has received correspondence from the Chair of the Australian Expert Assessment Group. The correspondence concerned changes in management at Montague Island and Batemans Marine Park.

326. Are you aware that the IUCN Green Listing has been given a “precautionary” trigger status as a result of the fishing amnesty?

ANSWER:

326. National Parks and Wildlife Service are responsible for the management of the Montague Island Nature Reserve and its related IUCN Green Listing.

327. What is the Government doing to ensure that the fishing amnesty does not lead to the IUCN Green Listing status being removed?

ANSWER:

327. This is a matter for the Minister for Energy and Environment

328. Has there been any assessment or scientific studies on the impacts of the fishing amnesty on:

- a) Brou Lake South sanctuary zone
- b) Montague Island South and East sanctuary zones
- c) Clarks Bay – Freshwater Bay and Forsters Bay sanctuary zones
- d) Nangudga Lake sanctuary zone

ANSWER:

328. Long term monitoring of a number of sites through out the Batemans Marine Park, including sites around Montague Island, will continue.

329. Has there been any specific assessment or scientific studies on the impacts of the fishing amnesty on the Grey Nurse Shark population at Montague Island?

ANSWER:

329. Tagged Grey Nurse Sharks have been detected in the Batemans Marine Park and DPI has detections over the period 2013 to 2018 that may provide a baseline. Acoustic receivers have been logging the presence of Grey Nurse Sharks over the past year.

330. What is the Government doing to ensure that the amnesty has no impact on the Grey Nurse Shark population at Montague Island when the fishing amnesty is in place from 30 April to 1 November?

ANSWER:

330. Please note answer to 329.

Current fishing access within the Sanctuary Zones at Montague Island is consistent with the rules in place at the northern Montague Island Inner Habitat Protection Zone aimed at protecting Grey Nurse Sharks and methods allowed are also consistent with the fishing access rules at other Grey Nurse Shark critical habitat sites in NSW located outside of Sanctuary Zones within marine parks. See https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0007/635092/GNS-Protection-Guide.pdf

DPI Fisheries will continue to undertake risk-based compliance activities in the Batemans Marine Park. See also response to 331.

331. How many compliance patrols have occurred since the December 2019 fishing amnesty decision to ensure that fishing in Montague Island South and East sanctuary zones has not occurred between 1 November and 30 April?

a) Please list number of patrols and dates.

ANSWER:

331.

21 Patrols:

Patrol Dates

13/12/2019

26/12/2019

27/12/2019

25/1/2019

26/1/2019

03/03/2020

07/03/2020

10/03/2020

3/4/2020

12/05/2020

16/05/2020 x 2

16/06/2020

17/06/2020

05/08/2020

09/12/2020

27/12/2020

5/1/2021

24/01/2021

10/02/2021

12/02/2021

332. Has there been any local community consultation or feedback requested in regards to the fishing amnesty decision in:

- a) Brou Lake South sanctuary zone
- b) Montague Island South and East sanctuary zones
- c) Clarks Bay – Freshwater Bay and Forsters Bay sanctuary zones
- d) Nangudga Lake sanctuary zone.

ANSWER:

332a-d. The rules will be open for public consultation before being finalised and implemented by Government.

333. In Answers to Supplementary Questions from the March 2020 Agriculture and Western NSW budget estimates hearing, a response was given to a question regarding what scientific advice was relied upon to put in place the fishing amnesty in sanctuary zones (question no. 84) that said the “proposed changes have been informed by Threat and Risk Assessment (TARA) document”. Please provide a specific reference, with page numbers, in the TARA document.

ANSWER:

333. The marine estate Threat and Risk Assessment (TARA) is available at <https://www.marine.nsw.gov.au/marine-estate-programs/threat-and-risk-assessment>. There are numerous references in the report to several forms of recreational fishing being a moderate, low or minimal risk to environmental values in estuaries and coastal and marine waters of the NSW marine estate in the report, including in the South Region (from Shellharbour to the Victorian Border).

Private Native Forestry reporting

334. In relation to the PNF annual reports referred to by Mr Witherdin that were received by LLS in this financial year and in the last financial year (refer to transcript page 75, para 7), were those reports forwarded to the EPA?

ANSWER:

334. Yes

335. For each reporting year (ending 31 March), what was the total volume of timber products harvested and the total land area on which PNF operations were reported to LLS? Please provide this information split into the following forestry regions:

- a) Northern NSW
- b) Southern NSW
- c) River red gum
- d) Cypress and western

ANSWER:

335.

2019

- a) Less than 1,010 cubic metres, 93 hectares
- b) No reports received by LLS.
- c) No reports received by LLS.
- d) No reports received by LLS.

2020

- a) 500 – 2,000 cubic metres, 80 hectares

b) No reports received by LLS.

c) No reports received by LLS.

d) No reports received by LLS.

2021

a) No reports received by LLS.

b) No reports received by LLS.

c) No reports received by LLS.

d) No reports received by LLS.

Note: LLS received two reports in 2021, but these reports included information on forestry operations conducted in 2020.

336. What information/data about PNF operations does LLS currently provide to the following organisations? (please provide information about the nature of the data/information provided, how that information is provided and the timing/regularity of reporting - for example is it routine on a specific timeline or as requested):

a) Department of Primary Industries

b) Environment Protection Authority

c) Environment, Energy and Science

d) Other

ANSWER:

336.

a) Information on an as-requested basis to support DPI's policy, industry development, science and research functions.

b) LLS provides all approved PNF Plans routinely on a fortnightly basis. LLS provides all annual reports by 31 March each year if submitted to LLS.

c) LLS, EES, EPA and DPI Plantations hold bi-monthly operations meetings. LLS also provides PNF Plan area on an annual basis to EES.

d) Information as-requested by the Commonwealth Department of Agriculture, Water and Environment to inform Australia's State of the Forests Reporting.

337. What information/data about PNF operations does LLS currently receive from the following organisations? (please provide information about the nature of the data/information provided, how that information is provided and the timing/regularity of reporting - for example is it routine on a specific timeline or as requested):

- a) Department of Primary Industries
- b) Environment Protection Authority
- c) Environment, Energy and Science
- d) Other

ANSWER:

337.

a) Information on an as-requested basis to support DPI's policy, industry development, science and research functions.

b) LLS, EES, EPA and DPI Plantations hold bi-monthly operations meetings. This includes discussion of any anticipated risks and/or compliance matters that may require interagency cooperation.

c) LLS, EES, EPA and DPI Plantations hold bi-monthly operations meetings. This includes discussion of any anticipated risks and/or compliance matters that may require interagency cooperation.

d) Information on an as-requested basis to the Commonwealth Department of Agriculture, Water and Environment to inform Australia's State of the Forests Reporting.

338. What information/data about PNF operations does the DPI currently provide to the following organisations? (please provide information about the nature of the data/information provided, how that information is provided and the timing/regularity of reporting (for example is it routine on a specific timeline or as requested):

- a) Environment Protection Authority
- b) Local Land Services
- c) Environment, Energy and Science
- d) Other

ANSWER:

338. Nil.

339. What information/data about PNF operations does the DPI currently receive from the following organisations? (please provide information about the nature of the data/information provided, how that information is provided and the timing/regularity of reporting - for example is it routine on a specific timeline or as requested):
- a) Environment Protection Authority
 - b) Local Land Services
 - c) Environment, Energy and Science
 - d) Other

ANSWER:

339. Local Land Services provides verbal updates to DPI Forestry on PNF approvals activity on an as-requested basis.

340. What communication protocols exist, if any, between the EPA and LLS in regards to PNF approval?

ANSWER:

340. LLS provides all approved PNF Plans routinely on a fortnightly basis. LLS provides all annual reports by 31 March each year if submitted to LLS. LLS, EES, EPA and DPI Plantations hold bi-monthly operations meetings. This includes discussion of any anticipated risks and/or compliance matters that may require interagency cooperation.

341. Before issuing new PNF approvals, does the LLS seek any advice from the EPA about active or proposed PNF operations in the local area?

ANSWER:

341. LLS, EES, EPA and DPI Plantations hold bi-monthly operations meetings. This includes discussion of any anticipated risks and/or compliance matters that may require interagency cooperation.

342. Does either LLS or DPI receive any reporting or have any awareness of where timber products harvested by PNF operations are sold to?

ANSWER:

342. PNF operators are not required to report on the market for their products. DPI Forestry has however in the recent past conducted surveys in the north coast region that provide information on these matters
(see dpi.nsw.gov.au/forestry/private-native-forestry)

Land clearing code review

343. Who are the members of the Land Management Biodiversity Conservation Board (refer to page 38 of the transcript)?

ANSWER:

343. Paul Grimes – Coordinator General Environment, Energy and Science, DPIE. Dean Knudson - Deputy Secretary, Biodiversity Conservation and Science, DPIE. David Witherdin – CEO, Local Land Services, DRNSW. Carolyn Raine – Director Land Management, Local Land Services, DRNSW.

344. What functions does/will the Land Management Biodiversity Conservation Board perform?

- a) Does it have terms of reference and are they publicly available?
- b) Will their decisions be made public?

ANSWER:

344. The LMBC oversees the implementation of the LMBC framework.

- a) Yes the LMBC Board has a ToR and no it is not currently publicly available.
- b) This is a decision for the NSW Government and relevant Ministers.

345. Will the terms of reference for the review into the Land Management (Native Vegetation) Code 2018 be made public?

ANSWER:

345. The terms of reference for the review are still being developed and under consideration by Government

346. Will the findings of the review of the Land Management (Native Vegetation) Code 2018 be made public?

ANSWER:

346. The Terms of Reference are still being developed and are under consideration by Government. A decision on whether the review findings are made public will be considered once the Terms of Reference are finalised

347. Will set asides required under the Land Management (Native Vegetation) Code 2018 be considered as part of this review?

ANSWER:

347. The terms of reference for the review are still being developed and under consideration by Government

North West clearing code

348. Who are the members of the landholder reference group (referred to on page 50 of the transcript) that was consulted in regards to a “North West or large area code”?

a) What are they from and how were they decided upon?

ANSWER:

348. Members of the regional reference group included landholders from the Moree, Walgett, Narrabri and Brewarrina areas, and representatives from the NSW Farmers Association, Landcare, Local Land Services and the Environment, Energy and Science group within the Department of Planning, Industry and Environment and the Australian Government.

Specifically, the regional reference group comprised the following:

- 13 landholders from the north-west region
- Local agronomist
- Landcare representative
- Commonwealth Department of Agriculture, Water and the Environment representative
- NSW Farmers representative
- Department Planning, Industry and Environment representatives
- Local Land Services representatives

a) Participating landholders were selected based on the advice of Local Land Services staff, stakeholder groups and other landholders, as well as their geographic spread and farming enterprise. Walgett Pilot participants were also invited to be involved.

349. Is the report developed as a result of consultation with the landholder reference group in regards to a “North West or large area code” (referred to on page 50 of the transcript) publicly available?

a) If so, where?

b) If not, can this be made publicly available?

ANSWER:

349. No