



LEGISLATIVE COUNCIL

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BUDGET ESTIMATES 2021-2022 Supplementary Questions

Portfolio Committee No. 4 – Customer Service and Natural Resources

AGRICULTURE AND WESTERN NEW SOUTH WALES

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AGRICULTURE AND WESTERN NEW SOUTH WALES

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

Morpeth Train Station

1. In a building inspection report that was completed on 24 May 2011, termite barrier treatment was identified as one of seven 'urgent matters'. Has termite barrier treatment been carried out at the site?
 - (a) If so, how many times has the site been treated?
 - i. On what dates?
 - ii. Who was responsible for the cost of the treatment?
 - iii. What was the cost?
 - iv. Was there a recommendation for another treatment to be undertaken?
 - v. If so, when
 - vi. Has this been conducted?
 - vii. If not, why not?
2. In a building inspection report that was completed on 24 May 2011, electrical inspection was listed as one of seven 'urgent matters'. Has an electrical inspection been conducted on site?
 - (a) If so, how many times has the site been inspected?
 - i. On what dates?
 - ii. Was there any work recommended when the electrician attended?
 - iii. If so, what was the cost of the electrical work and who was responsible for the cost of the works?
3. The building inspection report identified that surface water drainage of the site was inadequate. What works have been conducted to resolve this issue?
 - (a) Has a Plumbing/hydraulic inspection been conducted?
 - i. On what dates?
 - ii. Was there any work recommended when the plumber attended and has this been completed?
 - iii. If so, what was the cost of the plumbing/drainage work and who was responsible for the cost?
4. Was access provided to the sub floor and a reinspect conducted prior to acting on the 24 May 2011 report?
 - (a) If so, when was access provided?
 - i. Who provided access?
 - ii. If not, why not?
5. Have repairs to the ceiling lining and investigations into water stains been conducted?
 - (a) If so, when?
 - (b) And what was the cost of repairs?

- (c) If not, why not?
 - i. When will ceiling repairs and investigations be conducted?
 - ii. When will the interior be repainted?
- 6. What plumbing works have been undertaken in the female toilet?
 - (a) When were works in the female toilet conducted?
 - (b) Is the female toilet currently functional on the site?
 - (c) Are there other toilets onsite that are broken or are leaking?
 - (d) Did a plumber attend to the leaking toilet pipework as identified in the building inspection report?
- 7. Does the property now have smoke alarms present?
 - (a) If so, when were they fitted and how many smoke alarms are onsite?
 - (b) If not, why not?
 - (c) And when will smoke alarms be installed?
- 8. A contract was awarded on 3 December 2021 for the upgrade of Robert Street Morpeth Soil Conservation Services depot storage and hardstand areas. Has the project commenced?
 - (a) If not, why not?
 - i. When will it commence?
- 9. The target finish date for the upgrade was listed as 10 June 2022. Will the target finish date be met?
 - (a) If not, what is the expected finish date?
 - (b) And why has it been delayed?
- 10. What will be the scope of works conducted?
 - (a) What is the estimated cost?
- 11. Who is responsible for the maintenance and upkeep of the building and lands at the old Morpeth Railway Station?
 - (a) What maintenance budget is available for the upkeep of the site?
 - (b) How much has been spent on maintenance for each financial year from 2011?
- 12. How often is the grass maintained?
 - (a) Who maintains it?
 - (b) When will plants overgrowing around the station be trimmed?
- 13. When will the broken windows near the toilet on the left hand side of the building and the one at the front of the building be replaced?
- 14. There is a flag pole, but no flag on the building, when will it be replaced?
- 15. When will the exterior be repainted?

16. When was the last site survey conducted?
17. Will funding be provided by the NSW Government to restore the rundown Morpeth station and give it a new life as a community asset?
18. Will the State Government enter into negotiations with the community, to consider a proposal, and strategy, to manage and look after the facility?
 - (a) If so, when?
 - (b) If not, why not?

Travelling Stock Reserves Plan of Management

19. The TSR Plan of Management states that 10 collaborative projects with First Nations communities will be undertaken (one per region).
 - (a) What budget has been allocated to this?
 - (b) How many projects have been completed, and can a list be provided, including the outcomes they have achieved?
 - (c) If projects haven't been completed, what is the timeframe for completion?
20. The TSR Plan of Management includes indicators relating to more interpretative sites explaining the historical importance of TSR's to First Nations People; more First Nation peoples engaged and employed in TSR management; more sites showcasing where First Nations Peoples' cultural heritage and travelling stock co-exist; and cultural burning practices on more TSR's:
 - (a) How much has been budgeted for each of these initiatives?
 - (b) What progress and outcomes have been achieved to date?
 - (c) Can a list of all projects completed be provided?

Floods and Forestry Operations

21. What has been the impact of the recent devastating floods on the NSW forest estate?
 - (a) What impact have the recent devastating floods had on the harvesting and processing operations of the NSW forest estate?
22. What is the expected shortfall in timber supply that was previously under contract through Forestry Corporation?
23. What assistance is the NSW Government providing to sawmills impacted by recent floods?
24. Will there be any NSW Government assistance or support specific to the timber industry?
25. When is Forestry Corporation expecting to resume full harvesting operations?
26. Is there salvageable timber available?
 - (a) If yes, what is the process for having the timber salvaged across the flood-affected areas of the NSW forest estate?
 - (b) To what extent will the Environmental Protection Agency be involved in this process?

NSW Forestry Corporation

27. What is the process for renegotiating and extending the Forestry Corporation Wood Supply Agreements (WSAs) that are due to expire in 2023?
 - (a) Is this process currently underway?
 - (b) When is the contract negotiation process expected to conclude?
28. What will be the duration of the new WSAs?
29. What consultation has been conducted with the timber industry and relevant stakeholders regarding the renegotiation of the new WSAs?
30. Will all sawmills be offered the same amount of timber supply as currently contracted under their existing WSAs?
31. Will Forestry Corporation continue to make available the same total annual volume of hardwood sawlogs beyond 2023?

National Forest Industries Plan

32. Was the NSW Government consulted prior to the Australian Government's announcement of \$86 million of funding to support the establishment of new forest plantations?
 - (a) What discussions, if any, has the NSW Government had with the Australian Government regarding the National Forest Industries Plan?
 - (b) Does the NSW Government have any plans to access the \$86 million of federal funding for the establishment of new forest plantations?
 - (c) How much of the \$86 million of federal funding for the establishment of new forest plantations will be available to NSW?
 - (d) How much will the NSW Government have to contribute in order to access the \$86 million of federal funding for the establishment of new forest plantations?
 - (e) Is any potential NSW Government co-contribution to the \$86 million of federal funding for new forest plantations able to be provided from Forestry Corporation?
 - (f) Can the \$86 million of federal funding for the establishment of new forest plantations be used for purchases of land, or is it for establishment costs only?
 - (g) What establishment costs are covered by the \$86 million of federal funding for the establishment of new forest plantations?
 - (h) What other costs are covered by the \$86 million of federal funding for the establishment of new forest plantations?
 - (i) Can existing NSW Government commitments of funding for new plantations be counted as part of any NSW Government co-contribution?
 - (j) If a new forest plantation is established under the federal funding program, will it still be eligible for registration under the Emissions Reduction Fund?

NSW Forest Estate

33. What is the NSW Government doing to grow the state's forest plantation estate?

34. Does the NSW Government have a goal to grow the state's softwood plantation estate?
 - (a) If yes, by how much, and by when?
35. Is the current softwood plantation estate in NSW sufficient to meet our future timber needs?
36. Has the NSW Government completed any analysis to determine the supply/demand gap for timber, and are there any plans to address it?
 - (a) Is the NSW Government aware of any work done by industry to model the supply/demand gap?
 - (b) If yes, how is the NSW Government working with industry to address these issues?
37. Of the 7,300 hectares of land for softwood plantations that Forestry Corporation has acquired since December 2016, how much has been developed for forest plantations?
38. Has any land owned by Forestry Corporation been identified for renewable energy infrastructure under the Energy Legislation Amendment Bill 2021?
 - (a) Has any productive and substituted land been identified as required by the legislation?
39. How much land has been purchased through the NSW Government's 2018 \$24 million dollar fund to expand the NSW forest plantation estate?
 - (a) How much of the fund has been expended on purchasing land?
 - (b) How much of the fund has been expended on establishing new forest plantations?
 - (c) How much of the fund has been expended to replant existing forest plantations?

NSW Forestry Hubs

40. Does the NSW Government have any representation or formal or informal involvement with the four Australian Government "Forestry Hubs" operating across NSW forests and forest industries?

Redirection of NSW Timber Exports

41. What is the total current cost of the NSW Government's program to redirect 270,000 tonnes of timber exports to the domestic market?
 - (a) What was the estimated budget of the program?
 - (b) Is the current total cost of the program consistent with the estimated program budget?
 - (c) Who has responsibility for overseeing this program?
 - (d) How much timber has been redirected to date?
 - (e) Of the timber that has been redirected to the domestic market, where has it been directed and for what purpose?
 - (f) Which NSW sawmills have received this redirected timber?
 - i. How much did each sawmill receive?
 - (g) What freight support is the NSW Government providing to facilitate the transportation of timber across the state under this program?
 - (h) Are there any plans to expand and/or continue the program?

- (i) In answers provided in response to supplementary questions following the Budget Estimates hearing on 3 November 2021, the Minister advised that the program to redirect NSW timber exports to the domestic market “has ensured that additional quality timber supplies are available for mills in NSW”. How was the estimate of “quality” established?
- (j) What grades of timber will be available under this program?
- (k) Will mills in Oberon and Bathurst be eligible for this program?
 - i. If not, why not?

NSW Timber Exports

- 42. How much timber is Forestry Corporation currently exporting?
 - (a) Which countries is the timber being exported to?
 - (b) Which international ports is the timber being exported to?
 - (c) What grade of timber is being exported?

Softwood Transport Assistance Program

- 43. Is NSW Government participating in the Softwood Transport Assistance Program?
 - (a) If not, why?
- 44. Have any timber mills in NSW conveyed their interest to the NSW Government in accessing the Kangaroo Island timber?
- 45. What is the NSW Government doing to support NSW timber mills to access additional resources so they can retain workers and continue to produce essential timber for the housing market?

NSW Forest Industries Innovation Fund

- 46. How much of the \$34 million NSW Forest Industries Innovation Fund loan scheme has been expended?
 - (a) To whom have the loans been awarded?

AGRICULTURE

Questions from the Hon Emma Hurst MLC

Sharks

47. After the fatal shark incident on 16 February 2022, what steps were taken by DPI? Were any additional SMART drumlines or shark nets put up within the vicinity of the incident - if so, how many and where?
48. With the installation of 170 SMART drumlines as a part of the new Shark Management strategy, will location maps of the gears' approximate locations be made publicly available?
49. Will catch statistics on SMART drumlines be made publicly available through annual reporting, like the Shark Meshing Program?
50. Has the DPI undertaken any research on how long it takes animals to recover from being hooked by a SMART drumline, and whether different species have different outcomes? If so, please share this research.
51. How much has the DPI spent on SMART drumline programs each year? Can you provide the figures for the past 5 years?
52. How much has the DPI spent on shark-net programs in the last 5 years? Please provide a breakdown per-year.
53. What was the cost of the most recent public and council survey conducted by the DPI regarding shark management, which closed in April 2021?
54. Does the DPI offer a rebate for individuals who purchase personal shark deterrents, similar to Western Australia?
55. How much money has the DPI invested into non harmful, non-lethal shark deterrents in the last 5 years (i.e. programs other than shark-nets and SMART drumlines)? Please provide a breakdown by year, and by deterrent method.
56. At the Budget Estimates hearing on 15 March 2022, the DPI stated that only 7 grey-nurse sharks had been caught on SMART-drumlines in their 30 years of operation. However, the article "*The effectiveness of Shark-Management-Alert-in-Real-Time (SMART) drumlines as a tool for catching white sharks, Carcharodon carcharias, off coastal New South Wales, Australia*" authored by Rick D Tate et al, published in May 2021, suggests that at least 26 grey nurse sharks have been caught on SMART-drumlines.
 - (a) Can you please explain this apparent discrepancy in numbers?
 - (b) Can you please advise how many of the 26 grey nurse sharks were found dead, and how many survived?
57. At the Budget Estimates hearing on 15 March 2022, in response to questions from Ms Hurst about whether non-target animals are tagged, the DPI responded "The general practice is to tag and release the animals".
 - (a) Can you please clarify if it is standard operating procedure for all animals (both target and non-target) to be tagged after being caught on the SMART-drumline?
 - (b) Is there any discretion when it comes to tagging non-target animals?
 - (c) Are there any species that are not routinely tagged – if so, why?

58. In the Sydney Region SMART-drumline data for 1 November to 1 December 2019, 3 sharks have the following notation: *“No trigger. Time is indicative of when the contractor arrived to pick up the gear at the end of the day”*
- (a) Why did the DPI not receive a trigger when these sharks were caught on the SMART drumline?
 - (b) Over the last 10 years, how many incidents have there been where an animal has not triggered the SMART drumline alert system?
59. The latest SMART drumline data available on the Shark Smart website is from 2019 (for Sydney, Newcastle and Bega) and 2020 (for North Coast).
- (a) When will the website be updated with more up-to-date data?
 - (b) In the interim, can you please provide any new data that is available in relation to the number of target and non-target species caught and tagged on SMART Drumlines, and their status (dead or alive)?

AGRICULTURE AND WESTERN NEW SOUTH WALES

Questions from Mr Justin Field MLC

NRC Review of land management and biodiversity conservation reforms

60. For each of the recommendations ‘supported’ or ‘supported in principle’ from the Natural Resources Commission review of land management and biodiversity conservation reforms (<https://www.nrc.nsw.gov.au/land-mngt>), what is the status of implementation of the Government’s response.

NSW Land Management Report 2018-2020

61. Regarding the NSW Land Management Report 2018-2020 (https://www.lls.nsw.gov.au/_data/assets/pdf_file/0006/1363713/NSW-Land-Management-Report-WEB.pdf); has any analysis been done by LLS to understand the drivers of low percentage of “hectares Implemented” versus the area of ‘hectares authorised’?
- (a) If yes, what was the nature of this analysis and will it be made public?

62. In relation to the total amount of code compliant clearing being notified or certified across the state, i.e. ‘hectares authorised’, are there any quantity triggers that would necessitate a review of the operation of the code?

LLS site visits relating to vegetation clearing under the Land Management (Native Vegetation) Code

63. How many site visits to properties have been made by LLS staff in each LLS region in relation to application of the Land Management (Native Vegetation) Code?
64. How does LLS decide when to undertake a site visit associated with application of the Land Management (Native Vegetation) Code?
65. Is there a consistent requirement for a site visit associated with parts of the Land Management (Native Vegetation) Code?

LLS oversight of set aside management requirements

66. Regarding the establishment and management of set asides under the Land Management (Native Vegetation) Code 2018:
- (a) How many individual properties in each of the LLS region have established set asides since the introduction of the Land Management (Native Vegetation) Code 2018?
- (b) What is the total area of set asides established in each LLS regions?
- (c) For how many of these set asides has LLS sought records from land owners/ managers in regards to their management?

- (d) What records and information are typically sought and provided when these requests are made by LLS?
- (e) Have many times has LLS amend the relevant mandatory code compliant certificate to prescribe or preclude specific management actions?

Expiry of clearing cap under Part 5 Equity of the Code

67. Regarding the March 2021 expiry of the clearing cap under Part 5 (Equity) of the Land Management (Native Vegetation) Code:

- (a) Has LLS provided any code compliant certificates under Part 5 of the Land Management (Native Vegetation) for an amount above the clearing cap that was lifted in 2021?
 - i. If so, how many have been issued for each LLS region?
- (b) For each of the code compliant certificates issued under Part 5 of the code, above the previous clearing cap, what was the total area certified for clearing?

LLS rates for land zoned for environmental conservation

68. Does LLS know the number and location of land owners who pay LLS rates, despite their properties being primarily zoned for environmental conservation under local council Local Environmental Plans (LEPs)?
- (a) If yes, how many properties fit this category in each LLS region?
69. Given land owners of these properties are generally not allowed to conduct any business which may generate a profit on their land, what direct benefit do they receive by paying LLS rates?
70. The LLS regulations already provide for a range of land use exemptions from rates, including rifle ranges, sugar cane farms, caravan parks and golf courses. Why do these land uses enjoy an exemption, but land holders of land zoned for environmental conservation do not?
71. Has there ever been formal or informal review in LLS of whether it is appropriate for landholders whose land is primarily zoned for environmental conservation under LEPs have to pay LLS rates?
- (a) If so, when did this review happen and what was the outcome?

State forests in different forest management zones

72. Which State Forests are in each of the following Management Zones:

- (a) the Taree forest management zone?
- (b) the Nowra forest management zone?
- (c) the Narooma forest management zone?
- (d) the Badja forest management zone?
- (e) the Bago-Maragle forest management zone?

- (f) the Batemans Bay forest management zone?
- (g) the Dorrigo forest management zone?
- (h) the Eden forest management zone?
- (i) the Glen Innes forest management zone?

Forestry Corporation NSW engagement with the EPA regarding additional protective measures post bushfires

73. Is Forestry Corporation NSW currently engaging with the EPA on any protective measures for native forest harvesting operations additional to those in the Coastal Integrated Forestry Operations Approvals? If so, what is the nature of this engagement?

Frontier Economics report ‘Comparing the value of alternative uses of native forests in Southern NSW’

74. Has the Minister or his staff received a briefing from DPI or FCNSW on the November 2021, Frontier Economics published a report titled: ‘*Comparing the value of alternative uses of native forests in Southern NSW*’. Available here: <https://www.frontier-economics.com.au/documents/2021/11/comparing-the-value-of-alternative-uses-of-native-forest-in-southern-nsw.pdf/>

- (a) If so,
 - i. was the briefing written or verbal?
 - ii. who provided the briefing?
 - iii. when was the briefing provided?

North coast wood supply contract extensions: Auditor-General review

75. Will wood supply agreements on the north coast, currently being negotiated for extension at historical timber supply volumes, receive any independent scrutiny or review before a recommendation is made to the Minister about their finalisation?
76. Will/ has the Forestry Corporation NSW consider having the wood supply contracts for the north coast reviewed by the Auditor-General before making a recommendation to the Minister about their finalisation?
77. Will there be any independent evaluation of the potential liability to the state from entering into contracts where there is considerable uncertainty about whether contract obligations can be fulfilled?
78. If Forestry Corporation NSW has/ will not engage the Auditor-General, or another suitably qualified independent reviewer, regarding the wood supply contract extensions on the north coast and potential future liabilities to the state, what is the reason?

North coast wood supply contract extensions: quantity and value

79. How many North Coast wood supply agreement holders have engaged in negotiations with Forestry Corporation NSW and indicated they will be seeking an extension to their current wood supply agreements at existing volumes?
80. Have any current wood supply agreement holders indicated they will not be negotiating an extension to their wood supply agreements past 2023?
 - (a) If so, how many?

Condition of roads managed by Forestry Corporation NSW - complaints from the public

81. How many complaints has Forestry Corporation NSW received since the 2019/20 bushfires about the condition of roads or roadworks been conducted by Forestry Corporation in the below state forests:
 - (a) Brooman State Forest?
 - (b) Shallow Crossing State Forest?
82. For each complaint received, what date was it received and what was the grievance raised?

Marine park compliance activities

Regarding the evidence received on 15 March 2022 by Mr Scott Hansen, Director General, Department of Primary Industries that:

‘The number of section 41s, which are harm or attempt to harm any animal in a sanctuary zone, in 2021 that was 174 penalty notices issued on that, and taking fish in declared waters there were 91 of those—that is, recreational fishing.’

83. Of the 174 penalty notices, how many of the offenses occurred in each of the marine parks in NSW? Please provide a number per marine park.
84. How many section 41s have been issued across the marine park estate in the following years:
 - (a) 2021?
 - (b) 2020?
 - (c) 2019?
 - (d) 2018?
 - (e) 2017?
85. How many DPI compliance staff are there allocated to each NSW marine park?
86. What have the numbers of compliance staff in each marine park in the following years:
 - (a) 2021?
 - (b) 2020?

- (c) 2019?
- (d) 2018?
- (e) 2017?

Marine park reform processes

87. Did the [August 2020 report prepared for MEEKP “Evaluation of the performance of NSW Marine Protected Areas: biological and ecological parameters”](#) inform the draft network management plan?
- (a) If yes, how?
 - (b) Why was it not referenced?
88. Will submissions on the network management plan be made public?
89. Why have submissions from the Hawkesbury Shelf Marine Park proposal not been made public?

Batemans amnesty

Documents received under GIPA and reported in the Sydney Morning Herald showed DPI officers expected there to be a “fish massacre” following the decision in December 2021 to put an amnesty on fishing in 6 sanctuary zones in Batemans Marine Park.

- 90. What has been done by the Government to understand the impacts of the amnesty and ensure that such a massacre has not occurred?
- 91. What feedback has there been on the amnesty to date?
- 92. Is the Government collating feedback to feed into the management plan process? If so, will they make this public?

Sydney Fatal Shark Incident

- 93. After the fatal shark incident on 16 Feb, can you outline the exact steps taken by DPI, especially any additional SMART drumlines or shark nets within the vicinity of the incident?
- 94. Western Australia currently offers a \$200 rebate for ocean users purchasing personal shark deterrents that have been independently tested and scientifically proven to significantly reduce the risk of shark bite. The products offered under the rebate were tested and proved effective against Great White Sharks. Noting the nature of the recent fatal incident in Sydney, has there been any discussion around instituting a similar program, offering rebates to ocean-users in NSW purchasing these independently tested and scientifically proven personal shark deterrents?
- 95. According to the most recent DPI public surveys (found [here](#)), shark meshing is extremely unpopular and provides little more than a false sense of security. Wouldn't it be better to shelve the shark nets, and reallocate that funding to more publicly supported measures that can actually reduce the risk, like a personal deterrent subsidy?

SMART drumlines

96. With the installation of 170 SMART drumlines as a part of the new Shark Management strategy, will location maps of the approximate locations be made available (noting that SMART drumlines are deployed in the morning and removed at dusk)?
97. Will catch statistics on SMART drumlines be made publicly available through annual reporting like the Shark Meshing Program?

Shark Meshing Program

98. Recently (1 March), Local Government NSW voted unanimously to pass a motion stating:

That Local Government NSW calls on the NSW Government to phase out of the use of shark nets and replace them with a combination of alternative shark mitigation strategies (such as drone surveillance, personal shark deterrents, education and SMART drumlines) that more effectively protect the beach without damaging marine wildlife.

Has there been any consideration within the Government to phase out the use of shark nets?

99. What was the cost of the most recent DPI public and council survey (closed April 21)?