

# PORTFOLIO COMMITTEE NO. 4 - REGIONAL NEW SOUTH WALES, WATER AND AGRICULTURE

Monday, 1 November 2021

Examination of proposed expenditure for the portfolio area

## AGRICULTURE AND WESTERN NEW SOUTH WALES

**CORRECTED**

The Committee met at 9:30.

### MEMBERS

The Hon. Mark Banasiak (Chair)

Ms Abigail Boyd  
The Hon. Sam Faraway  
The Hon. Emma Hurst (Deputy Chair)  
The Hon. Taylor Martin  
The Hon. Peter Poulos  
The Hon. Peter Primrose  
The Hon. Penny Sharpe  
The Hon. Mick Veitch

### MEMBERS PRESENT VIA VIDEOCONFERENCE

Mr Justin Field

### PRESENT

**The Hon. Adam Marshall**, *Minister for Agriculture and Western New South Wales*

\* Please note:

[inaudible] is used when audio words cannot be deciphered

[audio malfunction] is used when words are lost due to a technical malfunction  
[disorder] is used when members or witnesses speak over one another.

## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

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

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



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**CORRECTED**

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**The CHAIR:** Welcome to the public hearing for the inquiry into budget estimates 2021-22. Before I commence I acknowledge the Gadigal people, who are the traditional custodians of this land. I also pay respect to Elders past, present and emerging of the Eora nation and extend that respect to other Aboriginals present. I welcome Minister Adam Marshall and accompanying officials to this hearing. Today the committee will examine the proposed expenditure for the portfolio of Agriculture And Western New South Wales.

Before we commence, I will make some brief comments about the procedures for today's hearing. Today's proceedings are being broadcast live from the Parliament's website, and a transcript will be placed on the Committee's website once it becomes available. In accordance with the broadcasting guidelines, media representatives are reminded that they must take responsibility for what they publish about the Committee's proceedings. All witnesses in budget estimates have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018. There may be some questions that a witness could only answer if they had more time or with certain documents to hand. In these circumstances, witnesses are advised they can take a question on notice and provide an answer within 21 days. If witnesses wish to hand up documents, they should do so through the Committee staff. Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers seated at the table behind you.

In terms of the audibility of hearing today, we have witnesses in person and via video conference. I ask Committee members to clearly identify who questions are directed to and I ask everyone appearing remotely to please state their name when they begin speaking. Could everyone please mute their microphones when they are not speaking. Finally, could everyone please turn their mobile phones to silent for the duration of the hearing. All witnesses will be sworn prior to giving evidence. Minister Marshall, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament.

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**CORRECTED**

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**SCOTT HANSEN**, Director General, Department of Primary Industries, sworn and examined

**GARY JOHN BARNES**, Secretary, Department of Regional NSW, before the Committee via video conference, affirmed and examined

**DARRYL QUINLIVAN**, NSW Agricultural Commissioner, before the Committee via video conference, affirmed and examined

**JOHN TRACEY**, Deputy Director General, Biosecurity and Food Safety, Department of Primary Industries, before the Committee via video conference, affirmed and examined

**SEAN SLOAN**, Deputy Director General, Fisheries, Department of Primary Industries, before the Committee via video conference, sworn and examined

**KIM FILMER**, Chief Animal Welfare Officer, Department of Primary Industries, before the Committee via video conference, affirmed and examined

**SUZANNE ROBINSON**, Acting Director Animal Welfare, Department of Primary Industries, before the Committee via video conference, affirmed and examined

**DAVID WITHERDIN**, Chief Executive Officer, Local Land Services, affirmed and examined

**The CHAIR:** Today's hearing will be conducted from 9.30 a.m. to 12.45 p.m. with the Minister and from 2.00 p.m. to 5.45 p.m. with the department witnesses, with questions from Opposition and crossbench members only. If required, an additional 15 minutes is allocated at the end of each session for Government questions. I foreshadow that at around 11.00 a.m. we will have a COVID break and also another one at 3.30 p.m. If we are in the middle of questions, I apologise if I have to stop. As there is no provision for witnesses to make an opening statement, we will begin with questions from the Opposition.

**The Hon. MICK VEITCH:** Good morning all. Thank you all for your attendance, those here and those on the screen. Minister, the current ICAC inquiry has seen press releases being issued by the former member of Wagga that do not reflect departmental advice. Have you ever issued a press release that contradicts departmental advice?

**Mr ADAM MARSHALL:** As a Minister, not to my knowledge, no.

**The Hon. MICK VEITCH:** Minister, I draw your attention to your press release with the former Deputy Premier, dated 13 May. You say:

Today's announcement of free baits to treat grain almost completely removes the cost burden on our farmers and croppers and complements our popular workshops to arm farmers with the tools needed to build a mice-free fortress to protect their paddocks.

That was wrong, was it not?

**Mr ADAM MARSHALL:** That is what, sorry, Mr Veitch?

**The Hon. MICK VEITCH:** That was wrong, was it not?

**Mr ADAM MARSHALL:** What is wrong?

**The Hon. MICK VEITCH:** That statement.

**Mr ADAM MARSHALL:** How is it wrong?

**The Hon. MICK VEITCH:** I will quote from an email from Mr Hansen to you on 12 May.

**Mr ADAM MARSHALL:** Sure.

**The Hon. MICK VEITCH:** That statement was issued on 13 May. On 12 May in an email sent at 10.30 p.m., the long-working Mr Hansen stated:

There are two main issues;

1. "Today's announcement of free baits to treat grain almost completely removes the cost burden on our farmers and croppers" - it doesn't.

Minister, did you ignore the advice of Mr Hansen?

**Mr ADAM MARSHALL:** No, I never ignore the advice of Mr Hansen or any of the advice I get, Mr Veitch. But as you know, in government we have to consider a range of pieces of advice, not only from Mr Hansen and industry bodies, from colleagues, from members of the public, before government forms its policy position and then makes announcements in the public domain.

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**CORRECTED**

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**The Hon. MICK VEITCH:** Was Mr Hansen incorrect when he said that statement was incorrect?

**Mr ADAM MARSHALL:** You have got Mr Hansen here, Mr Hansen can answer.

**The Hon. MICK VEITCH:** I will probably explore this with Mr Hansen this afternoon, but I would like to know why, when the most senior public servant in the department is telling you that that is an incorrect statement on 12 May, that on 13 May it is still in the press release in its format.

**Mr ADAM MARSHALL:** It is in the press release because that is the position of the Government, Mr Veitch, and the Government's position is taken with a range of considerations. Mr Hansen and I—and I think you very well know this—not only have a very close professional but personal relationship, and I value his expertise, his experience and his advice.

**The Hon. MICK VEITCH:** Why did you not take the advice then?

**Mr ADAM MARSHALL:** I take Mr Hansen's advice on board at all times but at the end of the day it is the role of government to consider all the advice it receives in making policy decisions and then announcing those policy decisions.

**The Hon. MICK VEITCH:** In the same press release a bit further on it states:

2. "In addition to free grain treatment and expert workshops, the NSW Department of Primary Industries will also launch an unprecedented body of research to identify and potentially develop future tools to combat mice plagues, including biological controls."

Mr Hansen's email states:

DPI have no researchers in this area, we have no research in this area. The research body that all states have agreed to carry out the research into mice is CSIRO. There is no budget to build an instantaneous "moonshot" research program.

I like the word "moonshot"; it is a good descriptor. Minister, in light of that advice, you still put it in the press release.

**Mr ADAM MARSHALL:** Yes, that is right, Mr Veitch, because we were putting \$1.8 million of public money towards an Australian leading unprecedented research program, which at the moment is underway, the Department of Primary Industries [DPI] collaborating with the CSIRO and a number of universities across the country. I receive a progress update on that on a regular basis and that is progressing well. We are hoping to be able to develop a way to remove the X chromosome from sperm to slow down the breeding cycle of mice.

**The Hon. MICK VEITCH:** That is not what Mr Hansen says here, Minister. The way I read that, for you to be able to find the funding, you would have to have cancelled other research. Did you have to cancel other research within the department to fund that?

**Mr ADAM MARSHALL:** No, we received additional funding to undertake that research.

**The Hon. MICK VEITCH:** As a part of the \$150 million?

**Mr ADAM MARSHALL:** Correct, absolutely.

**The Hon. MICK VEITCH:** I would like to go to that \$150 million, if I may, Minister.

**Mr ADAM MARSHALL:** Sure.

**The Hon. MICK VEITCH:** As you know Standing Order [SO] 52 orders are pretty good. They throw up some documents for us.

**Mr ADAM MARSHALL:** There are quite a lot of them, yes.

**The Hon. MICK VEITCH:** That is right. Some of us take the time to read them too—Mr Primrose and myself.

**The CHAIR:** Lucky you are not the transport Minister.

**The Hon. MICK VEITCH:** I want to clarify where this is up to. In those documents it states implementation cost, \$360,991, went to Service NSW and operational cost breakdown, \$5,552,582 went to Service NSW. Minister, did Service NSW receive all of that money?

**Mr ADAM MARSHALL:** I cannot speak to what finances Service NSW got. I am not responsible as the agriculture Minister nor DPI or Local Land Services [LLS] for that component of the program.

**The Hon. MICK VEITCH:** Was it on top of the \$150 million that you jointly announced or was it a part of the \$150 million?

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**CORRECTED**

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**Mr ADAM MARSHALL:** I would have to take that on notice or refer it to Minister—unless Mr Hansen has the answer to that.

**Mr HANSEN:** My understanding is it is part of the \$150 million.

**The Hon. MICK VEITCH:** So it was not \$150 million at all.

**Mr HANSEN:** The \$150 million includes the provision of someone actually answering the phone when people ring or to process applications. It is part of the total package. It is just the administrative cost.

**The Hon. MICK VEITCH:** If I have got it correct then, Service NSW have clipped the ticket on urgently required mouse funding to the tune of, say, \$5.8 million?

**Mr HANSEN:** They would have obviously had to scale up their staffing capacity to be able to respond to applications to build the online application process. I am not aware of where their 10 per cent administrative cost is borne.

**The Hon. MICK VEITCH:** Minister, did you fight for that money to be on top of, not a part of, the \$150 million?

**Mr ADAM MARSHALL:** I fought for as large a package as I could get to support primary producers. The component that was the subject of that determination of funding for the component of the household and small business program was not something that I was involved with. I was involved in the \$95 million component, which is there for rebates for primary producers.

**The Hon. MICK VEITCH:** How often does Service NSW clip the ticket on funding programs from your department, Minister?

**Mr ADAM MARSHALL:** As I said, that funding program is not from any of my departments.

**The Hon. MICK VEITCH:** I am moving on to other funding.

**Mr ADAM MARSHALL:** The way it works is that, of that 150 million there is 95 million that is set aside for the rebates for primary producers. That is administered by my department, by the Rural Assistance Authority. There is \$5 million, again administered by my department, to work with producers and suppliers of mouse baits, so zinc phosphide, the ZP50. The other components fall into either the remit of Mr Barnes or Minister Dominello in terms of Service NSW and the household and small business rebates.

**The Hon. MICK VEITCH:** I am going to explore those elements probably with Mr Barnes and Mr Hansen this afternoon.

**Mr ADAM MARSHALL:** I am happy to have them explored.

**The Hon. MICK VEITCH:** I am trying to get the bottom of how often is it that Service NSW clips the ticket—that it is actually a part of, not on top of? It was not \$150 million, as I see it. This is work that the Government should already be doing. This is a nice little internal business unit. You just clip the ticket; you just transfer the funds across to Service NSW. Minister Dominello must think this is a great lurk. Does he do this with all programs or is it just here and there?

**Mr ADAM MARSHALL:** I can only talk to the programs that fall within my portfolio, Mr Veitch. If you have questions about matters that involve Service NSW, you will have to direct them to the Minister responsible for Service NSW.

**The Hon. MICK VEITCH:** I will. Minister, can you take on notice how many times in the last two years Service NSW has been paid to run programs for your department? Do not worry, I am going to ask the same question to Minister Toole as well.

**Mr ADAM MARSHALL:** I am not sure if I can take that on notice because the programs are not for my department. As I said, and I tried to explain, Mr Veitch, the component of the package that falls within my portfolio is the \$95 million rebate scheme for primary producers.

**The Hon. MICK VEITCH:** You are saying they do not take any money at all?

**Mr ADAM MARSHALL:** No. I am just trying to explain for the benefit of you and the Committee.

**The Hon. MICK VEITCH:** I understand.

**Mr ADAM MARSHALL:** I cannot answer questions for which I am not the responsible Minister.

**The Hon. MICK VEITCH:** Okay, but within your ambit—

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**CORRECTED**

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**Mr ADAM MARSHALL:** Yes, within the \$95 million. Yes.

**The Hon. MICK VEITCH:** No, I am saying, within the department is there any other program?

**Mr ADAM MARSHALL:** Okay.

**The Hon. MICK VEITCH:** Could you take it on notice and tell us how many of those other programs may have been run—instead of doing it through the Rural Assistance Authority [RAA] it goes through Service NSW instead? How much? I reckon the people who are looking for mice support would have been good at \$150 million.

**Mr ADAM MARSHALL:** On that, Mr Veitch, I am not aware—if we have a program that fits within this portfolio it would be administered by the RAA. I do not know if Mr Hansen's view. If you are suggesting in the tone of your question that by Service NSW having a portion of that \$150 million package that farmers are somehow missing out, then I utterly reject that because the numbers simply do not support that.

**The Hon. MICK VEITCH:** My argument is that Service NSW should be on top of, not a part of, because it is an internal government transfer. It is not \$150 million for people out there who are busting themselves trying to fight the mice plague—\$5.5 million went to your own government. That has got nothing to do with the mice plague. What I am saying is, you should have announced a \$145 million program. This is money that should have been on top of the \$150 million, and under your watch you have duded the people of Central West New South Wales over mice. Can I go on to—

**Mr ADAM MARSHALL:** No, you cannot because—

**The Hon. MICK VEITCH:** I want to go back to this press release, Minister.

**Mr ADAM MARSHALL:** —no-one has duded anything, Mr Veitch.

**The Hon. MICK VEITCH:** I want to clarify the press release. Those two statements that Mr Hansen has made, you are saying are incorrect?

**Mr ADAM MARSHALL:** That was not my evidence, Mr Veitch.

**The Hon. MICK VEITCH:** Mr Hansen is correct?

**Mr ADAM MARSHALL:** What I have said, if you can let me finish the answer to the previous question, was that of the \$95 million that is allocated for rebates for farmers, every single dollar of that goes to farmers. In fact, at the moment we have received 803 applications and 738 have been approved, and a bit over \$4 million is already in the pockets of farmers. Even of the money that has been set aside for rebates, we still have plenty of money in that program—plenty of money in that program. I understand your concern. I am happy to take that on notice with regard to Service NSW. We will get an answer to you. I do not know if we can provide it or if we will have to seek that from Regional NSW.

**Mr HANSEN:** For every program there is a cost for government about the actual grant amount and the actual administration of the grant amount. These programs actually get turned on and are in addition to business as usual. The Minister's portfolio within DPI is responsible for that zinc phosphide rebate assistance package, which is not being administered by Service NSW. Service NSW is administering the household and business rebate scheme; that is the \$50 million that you are talking about.

**The Hon. MICK VEITCH:** Yes.

**Mr HANSEN:** Across our business, there are a range of activities or programs that the Rural Assistance Authority gets asked to administer and to deliver, and we will include an—

**The Hon. MICK VEITCH:** They do that well.

**Mr HANSEN:** —overhead and admin because we will scale-up staffing to be able to respond to that. I expect that Service NSW would do the same. We deliver a number of programs on behalf of other agencies through the RAA, whether they be Commonwealth agencies or others. We add our costs of actually scaling up to deliver that into those costs. It does then reflect the actual total cost for government of doing that business. It is not just the grant. It is actually how many additional staff have they employed to make sure that assistance is delivered.

**Mr BARNES:** Mr Veitch, I just want to confirm what the Minister has said. In relation to the money that was for small business and also for households, that was being run by the Deputy Premier's office out of the Department of Regional NSW. We deliberately contract the folk over at Service NSW to ramp-up and deliver that service. Remember this is right in the middle of them also providing COVID relief payments. They did have to put on additional staff. The reason we did it out of Service NSW is because the customers had a pre-existing



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**CORRECTED**

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relationship—particularly small business—with Service NSW because they would have provided similar relief packages for bushfires and also for drought—particularly bushfires. I am happy to take that on notice.

**The Hon. MICK VEITCH:** Mr Barnes, if you could take that on notice that would be good, but I think we might explore that this afternoon as well.

**Mr BARNES:** Yes. I might have an answer for you on Wednesday.

**The Hon. MICK VEITCH:** Thank you. Minister, I want to go to your ministerial diaries. I was in this gig of shadow Minister for primary industries previously. To set the scene, I would read Minister Blair's diaries. I would go down to the canteen here, get a cup of coffee and go back upstairs and open them up. It would take about half a day to work through three months of his diaries. Minister, your diary for the period 1 January 2021 to 31 March 2021 has 11 meetings—less than one a week. Of those 11, nine meetings were held on sitting days in the Parliament and two during estimates. All 11 meetings took place whilst you were in Sydney for parliamentary duties. There were 11 meetings in a three-month period—less than one a week.

I thought I would look at the next lot because I only came back into this gig at the end of June. For the period 1 April 2021 to 30 June 2021, you had 21 meetings. Your workload increased little bit to about one and a half meetings a week. There were seven meetings outside of Parliament, six meetings during Parliament and eight meetings during the Western Division, which you and I were at at the same time in Broken Hill. There are 21 meetings in total. Minister, you had 32 meetings in 26 weeks. You must be exhausted, Minister. Seriously, you are the agriculture Minister. It is the most important portfolio for regional New South Wales. It was pre-COVID, so you cannot blame COVID. You had 32 meetings in 26 weeks. What are you doing, Minister? Do you think stakeholders would be happy with that?

**Mr ADAM MARSHALL:** Mr Veitch, I am glad you asked that question. As you are aware the ministerial diary disclosures have requirements on a number of meetings that are required to be disclosed. Meetings that occur with government officials, members of Parliament and other bodies are not required to be disclosed. Also, in addition to me making all of my disclosures that are required, I have a lot of other text phone exchanges, phone calls—

**The Hon. MICK VEITCH:** Minister, you would know if you read the disclosure that telephone calls are meant to be put on the disclosure. Are you now saying that you had telephone calls that you have not put on the disclosure?

**Mr ADAM MARSHALL:** Any scheduled meetings and telephone calls, for sure, but just like you are, I receive phone calls a lot of the time that are completely out of the blue where people are ringing to ask questions or find out issues or things like that.

**The Hon. MICK VEITCH:** Minister, can I ask you—

**Mr ADAM MARSHALL:** You can ask me, yes.

**The Hon. MICK VEITCH:** You had nine meetings on sitting days in the first three months, six meetings during Parliament in the second, and then Broken Hill made up for eight meetings. Have you met anyone outside of Parliament or Broken Hill in that six-month period? Have you travelled to anywhere else in the State where you have had a meeting with a stakeholder group?

**Mr ADAM MARSHALL:** I would have to take that on notice, but I have travelled extensively across the State as you know.

**The Hon. MICK VEITCH:** You must not be meeting with people because your meetings are here in Sydney.

**Mr ADAM MARSHALL:** As I said, I will take that on notice for you, but I actually—

**The Hon. MICK VEITCH:** This is the period that covers the mice plague, Minister.

**Mr ADAM MARSHALL:** Yes, I actually meet with a range of stakeholders and a range of people as per my requests.

**The Hon. MICK VEITCH:** Are you putting them in your diary? Maybe you have just forgotten to disclose the meetings as per the arrangements that are required.

**Mr ADAM MARSHALL:** As I said, I will take that on notice, Mr Veitch.

**The Hon. MICK VEITCH:** You are going to check if you have fulfilled your obligations to disclose all meetings as per the ministerial diary arrangement.

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**CORRECTED**

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**Mr ADAM MARSHALL:** I believe I have, but I will check that for you.

**The Hon. MICK VEITCH:** Do you think 32 meetings in 26 weeks is satisfactory for any Minister of the Crown?

**Mr ADAM MARSHALL:** I hold as many meetings as requests come in and many other meetings as well. As I said, I will take that on notice, Mr Veitch.

**The Hon. MICK VEITCH:** Minister, you are pretty busy here clearly and you may not have had a chance to look at the ministerial disclosures or the diaries of other Ministers but I suggest you might want to have a look and see just what work other Ministers are doing because this does not cut the mustard, Minister. You had 32 meetings, most of which were held during parliamentary activities whilst you were in Sydney, not too many meetings on the North Coast, not too many meetings down my way that I can see, and certainly during the mice plague where I would have thought that breeding event would have required the attendance of a Minister, I cannot see too many meetings there either. Minister, this is not satisfactory. Do you agree?

**Mr ADAM MARSHALL:** No, Mr Veitch, I do not agree with your proposition.

**The Hon. MICK VEITCH:** So 32 meetings in 26 weeks is satisfactory.

**Mr ADAM MARSHALL:** No, I said I do not agree with your proposition there. I regularly meet with many different people—

**The Hon. MICK VEITCH:** Thirty-two meetings in 26 weeks—regularly.

**Mr ADAM MARSHALL:** As I said, I regularly meet, so does my office and so does my department on a regular basis, and I receive advice from them all the time. Also, as you know, I am a busy local member, and in the course of doing that I also come into contact with people in my portfolio.

**The Hon. MICK VEITCH:** Minister, the local member stuff—

**Mr ADAM MARSHALL:** No, I get that.

**The Hon. MICK VEITCH:** The local member stuff is separate; this is about your ministerial duties.

**Mr ADAM MARSHALL:** You are dead right.

**The Hon. MICK VEITCH:** This is about your obligations as a Minister of the Crown.

**Mr ADAM MARSHALL:** Yes.

**The Hon. MICK VEITCH:** Are you satisfied that 32 meetings with stakeholders meets the requirements? Are there stakeholders getting back to you and saying, "Where are you? What are you doing?"

**Mr ADAM MARSHALL:** No.

**The Hon. MICK VEITCH:** Are there stakeholders asking for meetings that you have not actually met?

**Mr ADAM MARSHALL:** Not that I am aware of, no.

**The Hon. MICK VEITCH:** I think you might want to take that on notice.

**Mr ADAM MARSHALL:** As I said, I have taken your question on notice.

**The Hon. MICK VEITCH:** How about you take on notice whether there have been approaches for meetings from stakeholders and you have not met with them.

**Mr ADAM MARSHALL:** Yes, happy to take that on notice, Mr Veitch.

**The Hon. EMMA HURST:** At the last budget estimate hearings on 3 March 2021 you said in relation to the Animal Welfare Action Plan:

... what I have made clear, and I will say it again to this Committee, is that that whole process will be concluded and culminate in fresh legislation coming into this Parliament this calendar year to modernise our animal welfare laws ...

Can you confirm that the new animal protection legislation is still going to be tabled at the end of 2021?

**Mr ADAM MARSHALL:** That is certainly my intention, Ms Hurst. It is not animal protection legislation. The objective of the Government is to modernise our animal welfare laws; that is, to look at the Prevention of Cruelty to Animals Act, the Animal Research Act and the Exhibited Animals Protection Act. They are, all three, very old pieces of legislation.

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**CORRECTED**

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**The Hon. EMMA HURST:** I understand the process of the legislation and what is coming forward. My question was: Is it going to be tabled this year? And you said that is your plan.

**Mr ADAM MARSHALL:** That is still the plan and the intention.

**The Hon. EMMA HURST:** Is it going to still go for a draft consultation to allow some feedback on the actual piece of legislation?

**Mr ADAM MARSHALL:** That is something that I am considering at the moment, Ms Hurst. You would be aware that the discussion paper just came off public exhibition and there were almost 5,000 submissions to that discussion paper.

**The Hon. EMMA HURST:** In that case, how are you ever going to get this legislation tabled in the next three weeks before the year finishes?

**Mr ADAM MARSHALL:** As I said, that is certainly still the plan, but we are working through those submissions at the moment. Can I also say that it is not just about tabling legislation; it is about putting together something that has a reasonable chance of getting through the Parliament. As we saw recently with the legislation that was introduced and eventually passed through the Parliament with regard to lifting penalties for animal welfare, it was a very simple bill but nevertheless it had a difficult process getting through the Parliament. I am obviously considering—

**The Hon. EMMA HURST:** I am still struggling to understand the time line if you have only just closed for that large discussion paper. You have had a significant number of submissions. I have heard from stakeholders that they are going to wait until they see the legislation because they found the discussion paper quite vague. Obviously there is going to need to still be more consultation once the legislation is written. I do not understand how it will be done in the next three weeks. Can we get your confirmation that it will be done early next year if it fails to come up this year?

**Mr ADAM MARSHALL:** As I said, Ms Hurst, it is still the intention of the Government. We are going through the submissions at the moment; it may well be that the Government decides to use an alternate process, perhaps, for example, a parliamentary committee to analyse some certain aspects or some friction points in the review that have come out in the submissions. I just want to make it clear though that the intention of the Government is not in any way to diminish or to take away from the existing exemptions that exist for recreational activities for commercial activities; it is simply to modernise the existing three pieces of legislation. This is an area, as you would be aware, that there is a lot of community interest in, and as we saw last time a bill was debated in the Parliament but also more broadly in the community, there are a lot of mixed views about this particular issue. It evokes a lot of emotion.

**The Hon. EMMA HURST:** With a lot of the proposals, it sounds from the discussion paper that the proposal is to switch a lot of the legislation into regulations. One particular area is moving the Animal Research Review Panel into regulations. What is the purpose of moving the panel into regulations?

**Mr ADAM MARSHALL:** The Government does not have a firm view on specific proposals at this stage. As I said, we are going through a process to consult with the community and the Government will present its view in due course. The discussion paper was formed by the Department of Primary Industries based on a range of community views and opinions that were identified through the past 18 months, and that was in the discussion paper.

**The Hon. EMMA HURST:** In regard to that, the discussion paper also proposes a long list of defences for animal cruelty, such as destroying an animal for the purposes of food, and it also suggests extending these broad defences to the Crimes Act, which is actually in the discussion paper. That would have a very bizarre legislative effect. As you would know, bestiality is in the Crimes Act. If we were to extend exemptions to the Crimes Act for bestiality, essentially you are saying that if somebody committed an act of bestiality while destroying an animal for food that that could be a defence. That is what is proposed in the discussion paper.

**Mr ADAM MARSHALL:** No, I do not believe that is the case.

**The Hon. EMMA HURST:** You do not believe that is in the discussion paper?

**Mr ADAM MARSHALL:** No, I do not believe that that is the intent, and—

**The Hon. EMMA HURST:** There are four charges under the Crimes Act—bestiality, attempted bestiality—and your discussion paper says that you would extend those defences to the Crimes Act defences of animal cruelty or serious animal cruelty, which also includes intentionally causing severe pain and suffering to an animal before death. Why would we have a defence exemption for serious animal cruelty?

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**CORRECTED**

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**Mr ADAM MARSHALL:** We may well not, Ms Hurst. I think you are getting a bit ahead of the situation.

**The Hon. EMMA HURST:** But it was proposed, and I am wondering where or why that would be proposed in the discussion paper.

**Mr ADAM MARSHALL:** Mr Hansen might be able to answer why it was proposed in the discussion paper. The issue is that Government has an obligation to consult on a range of proposals and views before it forms its view in terms of bringing legislation forward before the Parliament.

**The Hon. EMMA HURST:** I understand that, Minister, but I am just wondering, when you see a discussion paper and there is a line in the discussion paper saying, "We are also going to expand"—

**Mr ADAM MARSHALL:** Which line of the discussion paper are you referring to? I have got it here. I might be able to help you.

**The Hon. EMMA HURST:** Proposal 8 on page 18 is where the discussion paper proposes the long list of defences for animal cruelty. Then at the very end of the section there is a comment about expanding the definitions of the Crimes Act for animal cruelty offences so there is no inconsistency.

**Mr ADAM MARSHALL:** Yes.

**The Hon. EMMA HURST:** You can see that there?

**Mr HANSEN:** If I can, Chair, the intent here is that we want to make sure that in trying to modernise and clean up the three primary pieces of legislation for animal welfare that we do not end up creating a perverse outcome within the Crimes Act. The actual intent of that line is to reference the fact that we want to make sure that while we have a view about where exemptions should exist within those three pieces of primary animal welfare legislation that there is not a flow-on impact in terms of the Crimes Act and, therefore, we should make sure there is a more streamlined defence, and also streamlined potential actions between what will end up being a primary animal welfare piece of legislation and the Crimes Act.

**The Hon. EMMA HURST:** I do not think we need a streamlined defence for bestiality, personally. I am not sure why that was proposed.

**Mr HANSEN:** No. I am sure that if you have got strong views on that it would be in your submission. The intent there is merely to elicit the fact that we cannot look at these three pieces of animal welfare legislation in isolation from the other pieces of legislation that currently sit across government.

**Ms ABIGAIL BOYD:** The process of updating the animal welfare reform legislation is a shambles, is it not?

**Mr ADAM MARSHALL:** How so?

**Ms ABIGAIL BOYD:** If you had been listening to what Ms Hurst has just said—we have been waiting so long. We have been promised that we are going to get it by the end of the year. You have just told this Committee that you have got 5,000 responses to go through. How on earth are you going to table a draft of this legislation by the end of the year?

**Mr ADAM MARSHALL:** As I said, that is the intent of the Government, Ms Boyd.

**Ms ABIGAIL BOYD:** Is it an intent based on evidence or is it just an intention based on "that is what we said we would do, even though now we are clearly behind"?

**Mr ADAM MARSHALL:** No. I have said to the Committee before and I will say it again: That is the intent of the Government. We are considering those submissions and may well look at alternative ways of trying to bring together a piece of legislation that not only represents modern animal welfare laws, and the very best of them, but also is consistent with other jurisdictions, but obviously something that stands a chance of passing through the Parliament.

**Ms ABIGAIL BOYD:** I really hope so.

**Mr ADAM MARSHALL:** I am not going to waste my time nor the Parliament's time by putting up a bill which is ultimately just going to be rejected by the Parliament.

**Ms ABIGAIL BOYD:** Absolutely. I hope that you take on the feedback from my colleague on that point, particularly—

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**CORRECTED**

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**Mr ADAM MARSHALL:** We are taking on all feedback and, as I said, it is an issue that always elicits enormous amounts—and very passionate—of community views. Can I say that there are some extreme views on all sides and we are trying to bring it together in something that people can agree on.

**Ms ABIGAIL BOYD:** The Animal Welfare Action Plan does not specify whether the reforms will include rewriting all of the codes of practice that fall underneath the Prevention of Cruelty to Animals Act [POCTAA]. Will that be occurring?

**Mr ADAM MARSHALL:** Yes, that would be the intent. Mr Hansen.

**Mr HANSEN:** It does not specifically flow as a direct action item, but once the legislation is in place the regulations will then be moving through the codes to make sure they are modernised. Some of those codes obviously are national and so it would be part of a national review, but there are outlying codes that will be progressed ahead of the regulations because they are currently being discussed and debated at a national level as well. Sorry that was a bit jumbled. We will be reviewing all the codes as they are currently scheduled on that national cycle.

**Ms ABIGAIL BOYD:** It is coming, okay. Will that include the code of practice in relation to council pounds?

**Mr HANSEN:** Yes, as far as I am aware. I might see—

**Ms ABIGAIL BOYD:** I might come back to that in the afternoon. I have got limited time, unfortunately. You are aware, no doubt, Minister, of the 15 dogs that were shot in Bourke council. I understand that this falls under the Minister for Local Government's responsibility. However, there is an overlap between your department and her department on this, particularly because the RSPCA and the Animal Welfare League operate some of those pounds. Will you commit to making funding available to the RSPCA to enable them to support individual councils like Bourke so something like this does not happen again?

**Mr ADAM MARSHALL:** Sorry, what sort of support are you—

**Ms ABIGAIL BOYD:** Clearly we had a situation where 10 puppies were shot.

**Mr ADAM MARSHALL:** Yes.

**Ms ABIGAIL BOYD:** If the RSPCA was asked to provide additional support to council-run animal shelters and pounds to deliver services like free desexing services, education et cetera, would you be supporting that extra funding for the RSPCA?

**Mr ADAM MARSHALL:** I have not received any funding requests from either the council or the RSPCA, but if I did receive such a request, it would definitely be considered. Obviously there would be consultation with Minister Hancock and the Office of Local Government, which has primary responsibility in this space administering the Companion Animals Act. Mr Hansen, I do not think we have received any requests?

**Mr HANSEN:** No, not that I am aware of.

**Ms ABIGAIL BOYD:** Again, I might come back to this this afternoon. Minister, will you commit to making euthanasia by shooting of companion animals illegal under the animal welfare reforms that you are now about to present to the Parliament?

**Mr ADAM MARSHALL:** No, I will not make any such commitment in that regard nor would I make a commitment for really anything at this stage. I am not in a position to make that commitment.

**Ms ABIGAIL BOYD:** Are you personally concerned by the report of these 15 dogs being shot? They were perfectly healthy dogs that were about to be picked up.

**Mr ADAM MARSHALL:** Yes, I was personally concerned.

**Ms ABIGAIL BOYD:** Are you aware that it was seen as being legal under the animal welfare laws that you are in charge of?

**Mr ADAM MARSHALL:** I believe there was an investigation conducted as a result of that, yes.

**Ms ABIGAIL BOYD:** Clearly there is a problem with the animal welfare laws if we can shoot 10 puppies in the head?

**Mr ADAM MARSHALL:** I am not going to comment on the specifics of that individual circumstance. There has been a formal investigation and those matters are still underfoot.

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**CORRECTED**

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**Ms ABIGAIL BOYD:** We already have the confirmation that they were legal under the animal welfare rules. Are you not concerned about closing that loophole so that we do not have more puppies being shot in the head?

**Mr ADAM MARSHALL:** As I said, I am not going to comment on the specifics of that particular case at Bourke. What I can say is that is an example among many of the issues which have been raised as part of the consultation for the new animal welfare laws and will be taken into account as with other submissions as part of this process.

**Ms ABIGAIL BOYD:** I understand that when you answered before you talked about the significant tensions in this space and perhaps some extreme views on either side of many of these animal welfare issues. This is not one of those, is it, Minister? This is pretty straightforward. Should we be allowing councils to shoot puppies in the head? Yes or no.

**Mr ADAM MARSHALL:** Again, the companion animals legislation is administered by Minister Hancock.

**Ms ABIGAIL BOYD:** But this is under your legislation.

**Mr ADAM MARSHALL:** I administer the Prevention of Cruelty to Animals Act. I do not, as a rule, as Minister, make comments on compliance action by the compliance agencies. I leave it to the compliance agencies under the Act to enforce the laws. If you believe that there is a deficiency or if members of the public believe that there is a deficiency in the current laws—

**Ms ABIGAIL BOYD:** They do.

**Mr ADAM MARSHALL:** —then make that submission so that it can be taken into account with the formulation of the new animal welfare laws in this State.

**The CHAIR:** We might as well stay on this topic. Minister, with regards to the animal welfare discussion paper, can you advise us what groups representing fishers and hunters were engaged in the initial consultation?

**Mr ADAM MARSHALL:** Every member of the public was consulted. It was a public document. In terms of the formulation—

**The CHAIR:** I am talking about the original regional consultation.

**Mr ADAM MARSHALL:** I will have to ask Mr Hansen to address that.

**Mr HANSEN:** Thanks, Minister. I might go across to Suzanne Robinson, who is heading up our reform in this space. Ms Robinson?

**Ms ROBINSON:** In terms of the consultation, we have been out for the two rounds of public consultation. There has been community opportunity to comment both through a five-month period with the submissions on the issues paper that went out, which we got about 1,100 comments on, and then we also—

**The CHAIR:** Sorry, Ms Robinson, I am talking about before that. Pre the 1,100 submissions there was a smaller consultation with associations. Which one of those associations represented either recreational or commercial fishermen or hunters?

**Ms ROBINSON:** We did undertake some very targeted consultation with some groups that were primarily the enforcement agencies that enforce the legislation and some key other groups. That did not include fishers and hunters. The opportunity for them to comment was through the two periods of public consultation.

**The CHAIR:** NSW Farmers is not a compliance agency but it was included in that initial consultation, but you had no-one representing commercial fishermen.

**Mr HANSEN:** No, no specific—so that initial targeted consultation was Animal Care Australia, Master Dog Breeders, DOGS NSW, Australian Federation of Livestock Working Dogs, NSW Farmers, Australian National Cats Inc., Cats NSW, NSW Cat Fanciers Association. So no specific reference to any organisation associated directly with either fishing or shooting.

**The CHAIR:** Picking up the Minister's comments about these exemptions and now that they are actually going to be called "defences", do you think this is a balanced stakeholder representation, given that you are introducing a lot of potential offences that will not actually be covered by an exemption that would be given a defence for, and so they will now have to essentially fight against that defence in court or defend it in court? It is not an exemption anymore, as per the discussion paper; it is actually a defence. Picking up on what Ms Hurst said, you say that they are not changing, but in the actual discussion paper it says that they are going to be changing but you do not tell us how they are going to change.

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**CORRECTED**

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**Ms ROBINSON:** The defences are in the current legislation, so that is how it is dealt with at the moment. The intent with the changes to the laws is to continue that approach across into the new legislation. So we do have a defences approach in the current laws.

**The CHAIR:** Okay. So when we include additional things, Minister, like the psychological suffering of animals, can you tell me how that is going to be judged, how that is going to be measured, who will examine the animal as to its psychological condition with regard to things like recreational or commercial fishing or recreational hunting? Who is going to diagnose the psychological condition of the fish before it is killed?

**Mr ADAM MARSHALL:** That is a very good question.

**The CHAIR:** I am hoping for a very good answer.

**Mr ADAM MARSHALL:** Yes. Just to go back a step—

**The Hon. ROBERT BORSAK:** Just for the record, I note that the Minister is smiling—and I would smile too, Minister.

**The Hon. SAM FARRAWAY:** Point of order: Are you participating, Mr Borsak, or not?

**The Hon. ROBERT BORSAK:** I think I am.

**The Hon. SAM FARRAWAY:** Right. Well, the Minister has been asked a question and he is answering the question, so let the Minister—

**The Hon. ROBERT BORSAK:** To the point of order: I am entitled to interject.

**The Hon. SAM FARRAWAY:** That is fine.

**The Hon. ROBERT BORSAK:** Thank you. That is fine.

**The Hon. SAM FARRAWAY:** The Minister is answering the question, so why don't you let him answer the question without you interjecting?

**The Hon. ROBERT BORSAK:** I am letting him answer the question.

**The Hon. SAM FARRAWAY:** No, you are not; you are interjecting.

**The CHAIR:** All right.

**The Hon. ROBERT BORSAK:** You are interjecting. You are interjecting to my interjections.

**The Hon. SAM FARRAWAY:** You are interjecting while he is trying to answer the question. Let's get on with it.

**The CHAIR:** Let's hear the answer, Minister.

**Mr ADAM MARSHALL:** Thank you. The intention is that the same defences, the same provisions that exist in the current legislation, will be all carried across into the new—that is, that those sort of activities will not be subject or be considered to be breaching the Prevention of Cruelty to Animals Act or the new legislation. That is the intention. In terms of the question you asked about the mechanics of how a compliance agency makes that assessment, I would have to ask either Mr Hansen or Ms Robinson to answer how a compliance agency makes that determination, but the intention is that the defences or the existing carve-outs, if you like, that exists for those activities under the current legislation come across. There is no way that I would, as the agriculture Minister, introduce or contemplate supporting legislation that did anything to move the needle against the status quo in terms of those carve-outs for those sort of activities, regardless of the new—whatever the definitions were. Mr Hansen.

**Mr HANSEN:** Thanks, Minister. I might start and then I will throw across to my colleagues. Psychological suffering is already referenced in the current Prevention of Cruelty to Animals Act; in fact, it uses even more vague terms like "distressed", "tormenting", "terrifying", even "infuriating", which I am not sure how we currently measure and assess that. So the intent of the new Act actually is to try to clean this up as much as you can, given the fact that it is a highly unquantifiable measurement. In fact, welfare in itself is a highly unquantifiable measurement and relies largely on the subjective views of the community, and ultimately the courts will make the decision as to how to best interpret it. But it is in no way a new piece that is looking to be added. In fact, all it is trying to do is wrap up some of that language that currently sits in the current Act, such as "distress", and give it a new title. That new title is in line with what both Western Australia has included in their legislation and what Queensland has been using for almost 20 years. It does have a body of evidence in terms of judgement across jurisdictions in terms of court and in terms of actions taken against it.

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**CORRECTED**

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**The CHAIR:** We might come back to it. My time has elapsed. The Opposition?

**The Hon. PENNY SHARPE:** Good morning, Minister.

**Mr ADAM MARSHALL:** Good morning.

**The Hon. PENNY SHARPE:** I just wanted to ask you a couple of questions. I wanted to get your understanding about whether the koala wars within Government have been put to bed.

**Mr ADAM MARSHALL:** I have not really been part of or had any discussion post, I think, earlier this year, Ms Sharpe. I do not know what definition you give to "koala wars", but certainly we have—

**The Hon. PENNY SHARPE:** Well, some of your party did threaten to leave the Coalition—

**The CHAIR:** Last year.

**The Hon. PENNY SHARPE:** —last year over koalas, so I am just trying to get a bit of a sense of where you feel it is up to.

**Mr ADAM MARSHALL:** Yes. We have a koala State environmental planning policy [SEPP] 2021 that is in place.

**The CHAIR:** Excellent. We have opened up another front.

**Mr ADAM MARSHALL:** I am pretty comfortable with that.

**The Hon. PENNY SHARPE:** Sure. As far as you are concerned, there is a commitment across government to making sure that koalas do not become extinct in the wildlife 2050?

**Mr ADAM MARSHALL:** Yes, I am aware of that—was it a commitment? What did Minister Kean call it, an objective or a target? I cannot remember the exact wording.

**The Hon. PENNY SHARPE:** Well, I would hope you have shared views in relation to this, Minister. He is wanting to double the number; we do not know what the base number is, which we could talk about, but that is not really why I am here today. I am glad that you mentioned the koala SEPP—obviously much disagreement about that, and some would suggest we have now got three different SEPPs dealing with koalas. Having said that, one of the key announcements in relation to saving koalas also included the review of the Private Native Forestry Codes of Practice. Now, my understanding is that it went on public exhibition in March last year in 2020 and that finished in May 2020, and we still have not got the code. Where is it up to, Minister?

**Mr ADAM MARSHALL:** Thank you for the question. You will be aware of legislation that I introduced into the Parliament, the Local Land Services amendment bill—which was defeated, unfortunately, by one vote in the Legislative Council—which sought to enact a number of outcomes of that private native forestry code review, namely to increase the private native forestry plan approval period from 15 to 30 years and to remove the dual consent provisions that allow local councils to essentially in some instances override an approval granted by Local Land Services NSW. Since that legislation failed, the announcement that you reference about when the new SEPP was made and there was an announcement made by the former Deputy Premier that there would be a new review of the private native forestry codes, that work I am aware is underway. There are discussions between Local Land Services and Environment, Energy and Science [EES] division, and when those discussions have concluded I will be awaiting that formal advice. Can I say—

**The Hon. PENNY SHARPE:** Minister, just to be clear, at the estimates last week the environment Minister and his public servants suggested that the review is with Local Land Services and with you, and that we are waiting on you to complete that. Are you saying that is not the case?

**Mr ADAM MARSHALL:** That is definitely—well, I do not know what was said, but if you can let me keep going—

**The Hon. PENNY SHARPE:** I can quote to you from Ms Mackey:

That code is, as you would be aware, being reviewed by Local Land Services [LLS]. They have the lead on reviewing that. We are encouraging them to work to finalise that review so that we can go through the process of concurrence with the Minister for the environment.

Is that not your understanding of what is going on?

**Mr ADAM MARSHALL:** No, that is not my understanding of what is going on, Ms Sharpe.

**The Hon. PENNY SHARPE:** What is going on then?



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**CORRECTED**

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**Mr ADAM MARSHALL:** If I could return to the answer, which you interrupted with your second question, I will keep going. The private native forestry codes sit with me as agriculture Minister, but to amend those codes obviously requires the concurrence of the environment Minister.

**The Hon. PENNY SHARPE:** Correct.

**Mr ADAM MARSHALL:** We had conducted a review—that is, the Government had conducted a review. I had taken a minute to Cabinet, and the legislation that was presented to the Parliament was the result of that.

**The Hon. PENNY SHARPE:** But that is not the code, though, Minister. Can you explain to me the difference? Bits of the code being legislated is a different matter.

**Mr ADAM MARSHALL:** Yes, I am getting there for you. So post the announcement, I think, in March—was it March, April this year?—the review is being conducted as I understand it between Local Land Services and EES. That review has not been finalised and, indeed, it is very likely that to finalise that, the Natural Resources Commission [NRC] will be asked to actually have a look at the draft of the new code to provide their advice before I would be in any position to review that and potentially seek the concurrence of Minister Kean.

**The Hon. PENNY SHARPE:** That is a long time frame, Minister. That sounds like another 12 months to me.

**Mr ADAM MARSHALL:** I want it done as soon as possible.

**The Hon. PENNY SHARPE:** Sure.

**Mr ADAM MARSHALL:** Aside from two aspects of the current code, which are the approval period times and the dual consent provisions, I am very comfortable with the code and with the protections that exist within it. There are others that suggest there should be additional protections for koala habitat, and that has been the nature of those discussions. I have made it clear to LLS that as far as I am concerned that if there are to be any amendments to the code they must include those two provisions, which are absolutely key to not just the continuation of that industry but the growth of the private native forestry [PNF] industry.

**The Hon. PENNY SHARPE:** Minister, just to be clear, consultation on the draft codes ended in May 2020. It is now November 2021, and you are telling us that the EES has got more work to do and then you are going to send it to the Expenditure Review Committee [ERC] for another look and then there will be some sort of new draft code put out. Is that what you are telling me?

**Mr ADAM MARSHALL:** No, I am not telling you that. It is not the ERC, it is the NRC.

**The Hon. PENNY SHARPE:** Sorry, NRC. I cannot read my own writing.

**Mr ADAM MARSHALL:** That is right. It is my understanding that was part of the agreement that was reached between the former Deputy Premier and the Minister for Planning. That as part of the making of the new koala SEPP, which is essentially the old SEPP with a new name—before as you call it the wars erupted—and that there would be a new review of the PNF codes and that it would have to be peer-reviewed by the NRC before it could be made.

**The Hon. PENNY SHARPE:** Clearly the Minister is not aware of that nor are his officials, given their concern about LLS not completing the review. They seem to think it was close or were hoping it was close—clearly not.

**Mr ADAM MARSHALL:** Mr Witherdin is the CEO of the LLS. He sits in the room.

**The Hon. PENNY SHARPE:** I appreciate that. I will ask Mr Witherdin about it this afternoon.

**Mr ADAM MARSHALL:** I hope you do.

**The Hon. PENNY SHARPE:** I just want a time frame. It is still not finalised, it has to go to the NRC and I assume it will have to be put out again. We are talking at least 12 months are we not, Minister?

**Mr ADAM MARSHALL:** I would hope not. I would like the changes to be in ASAP.

**The Hon. PENNY SHARPE:** But that is not going to be possible, is it, given the process that you have just outlined that this is the first that anyone has heard of it.

**Mr ADAM MARSHALL:** Can I say, Ms Sharpe, that for someone who has custody of the codes, the agreement that was reached afterwards was not a discussion unfortunately that I was involved with.

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**CORRECTED**

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**The Hon. PENNY SHARPE:** Now that the former Deputy Premier has gone, who has carriage of actually sorting this out? Is it you or is it the new Deputy Premier?

**Mr ADAM MARSHALL:** I have custody; I hold the codes.

**The Hon. PENNY SHARPE:** It is your gig?

**Mr ADAM MARSHALL:** Yes.

**The Hon. PENNY SHARPE:** Even though it was your gig before but the former Deputy Premier took it over.

**Mr ADAM MARSHALL:** I hold the code and the codes are what the codes are now, and any changes that occur to those codes will have to include those two key provisions that I just mentioned.

**The Hon. PENNY SHARPE:** Minister, are you going to allow private native forestry in core koala habitat?

**Mr ADAM MARSHALL:** It is not allowed now.

**The Hon. PENNY SHARPE:** Correct. Are you telling me that that is something you are going to ensure stays in any codes that might be coming sometime in the next 12 months?

**Mr ADAM MARSHALL:** I can because, Ms Sharpe, I can tell you I have no interest in watering down the protections for core koala habitat or koala feed trees that exist in the current private native forestry codes; neither does industry. The provisions that are there are robust, are strong, and that is why the Government and I introduced the legislation, to try and solve the koala habitat wars as you call them because we believe that—

**The Hon. PENNY SHARPE:** We were not at war, Minister.

**Mr ADAM MARSHALL:** I am just using your phrase.

**The Hon. PENNY SHARPE:** It was an internal war of yours; it was not one of ours.

**Mr ADAM MARSHALL:** The provisions that exist within the current codes are ample to protect core koala habitat. The provisions that are in each code with regard to the scheduling of not just the feed trees but the habitat and also the buffer zones—

**The Hon. PENNY SHARPE:** You are saying to me that regardless that this process is obviously massively overdue and was seen as part of the core commitment around koalas and ending the koala wars, whatever form the PNF comes out in, it is not going to be watering down protections for koalas? Is that what you are telling the Committee?

**Mr ADAM MARSHALL:** Absolutely not.

**The Hon. PENNY SHARPE:** Great, thank you.

**Mr ADAM MARSHALL:** Absolutely not because there are already robust provisions within the code to protect them. That was our argument all along.

**The Hon. PENNY SHARPE:** Great. Can we talk about the Land Management (Native Vegetation) Code as well, which is the second part of that?

**Mr ADAM MARSHALL:** Sure.

**The Hon. PENNY SHARPE:** You would be aware that the Audit Office, through the Natural Resources Commission, reports a massive rise in land clearing that has occurred since the reforms?

**Mr ADAM MARSHALL:** Sorry?

**The Hon. PENNY SHARPE:** The Natural Resources Commission did a review—I will read some of this to you—on the issues of the reforms that were leading to an increase in land clearing. Land clearing rates have increased almost 13-fold, biodiversity in nine out of 11 regions is now at risk, and unexplained clearing has increased. That is all well and fine, but some of this was supposed to be addressed in the three-year review that was promised of the land management code. Where is that up to?

**Mr ADAM MARSHALL:** First of all, when the NRC and EES talk about clearing, I utterly reject the way that they characterise it. Over 80 per cent of the land management activities that they class as clearing is the removal of invasive native species [INS], which actually does the environment a huge benefit. That is why the previous native vegetation laws failed because they did not allow INS treatment.

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**CORRECTED**

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**The Hon. PENNY SHARPE:** Minister, you are now saying that the Natural Resources Commission that you use and the Audit Office, which also raised these issues about land clearing, are wrong?

**Mr ADAM MARSHALL:** What I am saying is what they class as clearing, the vast majority of it is actually beneficial to the environment. It is getting rid of invasive native species and it is actually good for the environment.

**The Hon. SAM FARRAWAY:** Spot on. That is exactly right.

**The Hon. PENNY SHARPE:** That is terrific, but that is not—

**Mr ADAM MARSHALL:** It is what we want to see happen.

**The Hon. PENNY SHARPE:** That is fine, but the Audit Office do not say that. The Natural Resources Commission, who you just pointed to in the previous code that you are sending off to trust them for their advice, and now you are saying that their advice on this issue is incorrect?

**Mr ADAM MARSHALL:** No, I am just saying that the way that they characterise clearing is, I think, not as accurate as it could be because it is not clearing, it is actually improving the landscape by removing invasive native species.

**The Hon. PENNY SHARPE:** There was a promise when the reforms were put in that there would be a three-year review of Land Management (Native Vegetation) Code. We were told last week that the environment Minister has signed the terms of reference for the review and they are with you. Where is that up to?

**Mr ADAM MARSHALL:** I have written back to the environment Minister suggesting that given the five-year statutory review has to be undertaken at the start of next year, and the fact that we have had three separate reviews of the land management code in the last couple of years that staff from LLS and EES are still trying to implement, that it would actually make more sense to bring forward the five-year statutory review and do it all then rather than having—

**The Hon. PENNY SHARPE:** When did you write to the Minister about that?

**Mr ADAM MARSHALL:** —the three-year review—

**The Hon. PENNY SHARPE:** We will get to that.

**Mr ADAM MARSHALL:** —running alongside the five-year review—

**The Hon. PENNY SHARPE:** When did you write to the Minister?

**Mr ADAM MARSHALL:** —while they are still trying to implement the recommendations of the previous three reviews.

**The Hon. PENNY SHARPE:** When did you write to the Minister about this issue?

**Mr ADAM MARSHALL:** Very recently.

**The Hon. PENNY SHARPE:** After the estimates last week?

**Mr ADAM MARSHALL:** It was recently. I am not sure of the exact date.

**The Hon. PENNY SHARPE:** Can you take it on notice and tell us?

**Mr ADAM MARSHALL:** Absolutely, I can.

**The Hon. MICK VEITCH:** You would know if it was after estimates last week though?

**Mr ADAM MARSHALL:** I would have to take it on notice.

**The Hon. PENNY SHARPE:** Basically you are announcing today that there is not going to be the three-year review that was promised as part of the reforms, and instead you are kicking the review of the land management code down to the five-year statutory review?

**Mr ADAM MARSHALL:** No, what I am saying is that I have written to Minister Kean—

**The Hon. PENNY SHARPE:** It was promised when this was going through. There have been two reports from the Audit Office and from the Natural Resources Commission, which now you are disputing, which is extraordinary in itself. Regardless of that, you are raising really serious red flags about concerns that were raised during the reform process but were promised by your government would be addressed in the three-year review. You are just now telling us, "No, there is no three-year review. We are just going to do a five-year review and that is it"?

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**CORRECTED**

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**Mr ADAM MARSHALL:** No, I am not telling you that there will not be a three-year review.

**The Hon. PENNY SHARPE:** Well where is it up to?

**Mr ADAM MARSHALL:** I am telling you that I have gone back to Minister Kean, saying I do not believe it makes sense to do a three-year review at the same time we are going to be doing a statutory five-year review.

**The Hon. PENNY SHARPE:** You are asking Mr Kean, and if he agrees the two of you will dump it together, or is it that you have decided that you do not want to do the three-year review and you are just hoping? It sounds to me that there is—

**Mr ADAM MARSHALL:** I cannot unilaterally decide that, Ms Sharpe.

**The Hon. PENNY SHARPE:** Correct. I know that. Minister Kean seemed to think that he had signed off the terms of reference a long time ago, possibly as early as March this year. You have sat on it for at least six months and now you are saying it is all too hard and we are not going to do it, and, "Please, Minister, can you let me off the hook?" Is that what the letter is?

**Mr ADAM MARSHALL:** No. As I have said to you already, there have been three separate reviews into the land management code in the last couple of years, of which there has been numerous recommendations that are in the process of being implemented. There is a five-year statutory review that has to commence next year.

**The Hon. PENNY SHARPE:** Yes, but you are breaking the promise on the three-year review that was promised the first time. Thank you, Minister. I have finished with you for today. I will hand you back to my colleague Mr Veitch.

**The Hon. MICK VEITCH:** Minister, can I just go to the question on notice I asked about the staffing numbers within the department and the Government Information (Public Access) Act [GIPAA] request that I lodged subsequent to the response which came in to determine essentially how you got to those numbers. Minister, to the first part of my question of how many full-time equivalent [FTE] staff were employed by the Department of Primary Industries on 1 July 2020, the answer is:

(1) Department of Primary Industries workforce data is available in the Department of Regional NSW Annual Report.

Minister, when was the 2020-21 annual report printed?

**Mr ADAM MARSHALL:** I do not know. Mr Barnes might be able to answer that. I have not seen it yet. Mr Barnes, are you there?

**The Hon. MICK VEITCH:** That is okay. I will ask him this afternoon.

**Mr BARNES:** Yes, I am and I am happy, Mr Veitch, to pick that one up this afternoon.

**The Hon. MICK VEITCH:** Excellent, thank you.

**Mr BARNES:** It has not been published yet.

**The Hon. MICK VEITCH:** No, it has not been published. Okay, thank you. Minister, your answer is referring to a report that has not been published.

**Mr ADAM MARSHALL:** I am sorry.

**The Hon. MICK VEITCH:** Your answer is referring to a report that has yet to be published. Is that correct?

**Mr ADAM MARSHALL:** I do not have that document in front of me, Mr Veitch.

**The Hon. MICK VEITCH:** The second part of my question, Minister, was: How many FTE staff were employed by the Department of Primary Industries for 1 July 2021? And the answer is, "See (1) above," which states:

(1) Department of Primary Industries workforce data is available in the Department of Regional NSW Annual Report.

Minister, when is the 1 July 2021 to 30 June 2022 annual report published?

**Mr ADAM MARSHALL:** I do not know, Mr Veitch.

**The Hon. MICK VEITCH:** Is it published yet?

**Mr ADAM MARSHALL:** I would have to ask Mr Barnes.

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**CORRECTED**

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**The Hon. MICK VEITCH:** Is it published yet, Minister?

**Mr ADAM MARSHALL:** I would have to ask Mr Barnes.

**The Hon. MICK VEITCH:** It is the current financial year, Minister. It is not published yet. How can I go to an annual report to find the data that is not published yet? You are taking the micky, aren't you, Minister? That answer is referring to two documents that do not exist yet. At the time you lodged that response, those reports did not exist. Is that correct, Minister?

**Mr ADAM MARSHALL:** No. Which report are you referring to?

**The Hon. MICK VEITCH:** Either of them—the 2020-21 report.

**Mr ADAM MARSHALL:** The 2020-21—Mr Barnes, is that the one you said was not published yet?

**The Hon. MICK VEITCH:** That would be correct.

**Mr ADAM MARSHALL:** Yes, that is right.

**Mr BARNES:** Yes, Minister. That report is in draft form and will be published soon.

**Mr ADAM MARSHALL:** The one prior, too, is on the website.

**The Hon. MICK VEITCH:** Minister, you are referring me to two reports that have not been published yet that are not available for anyone to look at. They are not public.

**Mr ADAM MARSHALL:** I do not have that document in front of me so I am going from memory, but I believe the document that the answer referred you to is actually published and it is on the department's website right now.

**The Hon. MICK VEITCH:** In the annual report? It states:

(1) Department of Primary Industries workforce data is available in the Department of Regional NSW Annual Report.

**Mr ADAM MARSHALL:** Yes.

**The Hon. MICK VEITCH:** Are you telling me that the 2020-21 annual report on the date of 4 August 2021 when you lodged this response was on the website?

**Mr ADAM MARSHALL:** I do not have that document in front of me, Mr Veitch. What I can say is—

**The Hon. MICK VEITCH:** No-one does, Minister, because it has not been published.

**The Hon. PENNY SHARPE:** It is not available.

**Mr ADAM MARSHALL:** No, I do not have the document you are referring to in front of me. I do not have that document that you are referring to in front of me. What I can say is that the latest Department of Regional NSW report is on the website. I have seen it.

**The Hon. MICK VEITCH:** Mr Barnes is saying it has not been published yet, Minister.

**Mr ADAM MARSHALL:** No, the latest report is on there.

**The Hon. MICK VEITCH:** Minister, I am talking about the 2020-21 financial year on 4 August when you put this answer up to the Legislative Council.

**Mr ADAM MARSHALL:** Yes.

**The Hon. MICK VEITCH:** It was not published then, and I want to know how the 1 July 2021 numbers I sought are on the website, Minister, because that will not be published until this time next year.

**Mr ADAM MARSHALL:** Is your question "When was the report that it is now on the website put on the website?"

**The Hon. MICK VEITCH:** My question is: Are you taking the micky out of the Legislative Council process?

**Mr ADAM MARSHALL:** I am trying to assist you, but I am trying to understand you.

**The Hon. MICK VEITCH:** No, you are not, Minister.

**Mr ADAM MARSHALL:** Yes, I am. When is your question—

**The Hon. MICK VEITCH:** Minister, the 1 July 2021 numbers; that is this financial year.

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**CORRECTED**

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**Mr ADAM MARSHALL:** But hang on. Going back to your first part, when you are asking—the annual report that is on the website now—

**The Hon. MICK VEITCH:** You don't know, do you? You do not know.

**Mr ADAM MARSHALL:** Well, I viewed it. The answer is on page 81 of the annual report. I have printed it out.

**The Hon. MICK VEITCH:** Minister, page 81 of which annual report?

**Mr ADAM MARSHALL:** Of the annual report that is on the website right now.

**The Hon. MICK VEITCH:** When did you print it out?

**Mr ADAM MARSHALL:** When did I print it out? I do not recall.

**The Hon. MICK VEITCH:** Are you talking about the year 2019-2020, Minister?

**Mr ADAM MARSHALL:** The latest annual report that is on the website.

**The Hon. MICK VEITCH:** So 2019-2020.

**Mr ADAM MARSHALL:** Yes, that is right.

**The Hon. MICK VEITCH:** These two questions relate to the year 2020-2021. You are 12 months behind. That report does not exist, and this financial year's report cannot exist because it cannot be published until next year, Minister. Do you not understand how parliamentary process works?

**Mr ADAM MARSHALL:** Yes, I do.

**The Hon. MICK VEITCH:** Then you are taking the micky out of the Legislative Council because that answer is incorrect, Minister. Do you accept that?

**Mr ADAM MARSHALL:** No, I do not have the document in front of me to be able to refer to.

**The CHAIR:** I will have to stop this segment of *Who's on First?* Just picking up from where I left, Mr Hansen, before my time elapsed you were talking about how this whole concept of psychological suffering and psychological harm is judged subjectively. Minister, can you explain the concept of the five freedoms which are part of this discussion paper as well and how that would be applied to wild fish in a recreational fishery where someone is storing live fish in a boat, whether it is in a live bait tank or a live fish well? How is that going to work against what is written in the discussion paper where it states that one of the five freedoms is to "provide for appropriate or necessary confinement, and appropriate exercise that considers behavioural needs"? How are we going to be subjectively judged on that concept, Minister?

**Mr ADAM MARSHALL:** I will ask Mr Hansen to answer that.

**Mr HANSEN:** As we were picking up from last time, those current provisions currently get captured and brought across and so it is the same as under the current Prevention of Cruelty to Animals Act—that subjective determination as to whether those animals are distressed or infuriated. There is a large volume of assessment that has been made by courts that provide protections around the consideration as to the circumstances. There is nothing that is intended to increase the burden on the fisher or the individual involved in the process of fishing to be able to demonstrate their necessity for defence because the burden of proof lies with prosecution to demonstrate that actually there has been a breach.

**The CHAIR:** My concern is: Is this subjectively getting to a point where it is being taken to court? As you said, these are defences, and so essentially someone could be subjectively charged and then they would have to go through the process of going to court and defending essentially the indefensible.

**Mr ADAM MARSHALL:** That can occur now, though, Mr Chair. That is the way the Prevention of Cruelty to Animals Act is currently written. I do not comment on specifics of compliance activities, but typically the compliance agencies over many years have always adopted the procedure that they do not take up cases to court where there is a legitimate defence because that would not be a smart use of their resources or court time.

**The CHAIR:** Can we talk about the introduction of crustaceans and cephalopods. How are we going to assess the psychological condition of a mussel?

**Mr ADAM MARSHALL:** Are you referring to the discussion paper or a bill that is currently before the Legislative Council?

**The CHAIR:** No, the discussion paper. We will get to Ms Hurst's bill in a minute.

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**CORRECTED**

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**Mr ADAM MARSHALL:** Okay, good; I hope we do. Again, that would be a matter for the compliance agencies and how they deal with it. As Mr Hansen said previously, it is not an exact science and that is—

**The CHAIR:** You know this carrot has more of a nervous system than a mussel.

**The Hon. SAM FARRAWAY:** I knew that was coming.

**Mr ADAM MARSHALL:** I wondered why you had suddenly decided to eat carrots.

**The Hon. SAM FARRAWAY:** Bugs Bunny.

**The Hon. TAYLOR MARTIN:** There is always a stunt.

**The CHAIR:** I am very healthy, Minister.

**Mr ADAM MARSHALL:** I know, always a healthy diet. As Mr Hansen said in his answer to your question earlier, there is in the current legislation a lot of areas of grey where it is hard to make those assessments for the compliance agencies and it is very much a subjective test. It is now, and the purpose of the discussion paper in the context of your question is to try and change that language to make it less subjective, less circumspect and more definitive both for members of the public and for the compliance agencies. That being said, the same defences or carve-outs that exist currently in the legislation will be carried across into the new. It is hoped that it will just make things clearer and easier and not actually capture more people or capture new offences. Is that right, Mr Hansen?

**Mr HANSEN:** Yes, that is right, and as you would be aware, the discussion paper actually proposes a specific exemption for live baiting, for example, which is modelled off what Queensland has had in place, and you would be aware of the lack of impact that has had with regard to recreational fishing up there.

**The CHAIR:** Minister, can you explain why on 31 May this year, in response to the Recreational Fishing Alliance, you said, "The Hon. Emma Hurst, MLC, proposes to extend the definition of 'animal' to include cephalopods and crustaceans at all times. Please be advised that this bill is not supported by the New South Wales Government," yet, a few months later your department put out its own animal welfare discussion paper that says that it basically wants to do the same thing?

**Mr ADAM MARSHALL:** It is not the same thing.

**The CHAIR:** It is. It is including the definition of cephalopods and crustaceans under the definition of an animal. That is exactly what Ms Hurst's bill does.

**Mr ADAM MARSHALL:** Yes—

**The CHAIR:** So it is exactly the same thing?

**Mr ADAM MARSHALL:** No. The carve-out provision, in terms of the defence mechanism, still exists and is carried across. I have made it quite clear publicly and in numerous pieces of correspondence—if you are asking me that question, the Government's position is that it will not support the bill. Sorry, Ms Hurst.

**The CHAIR:** Have you explained that to the Recreational Fishing Alliance of NSW? As of yesterday, they are still left wondering why you are seemingly supporting Ms Hurst's bill through the animal welfare discussion paper.

**Mr ADAM MARSHALL:** As you said in the premise to your question, I have actually written to them and put that in writing that the Government does not support the bill. I have also said it to a number of stakeholders that have met with me recently about this issue that the Government will not be supporting the bill. I have personally signed mountains of correspondence to people who have asked those questions that makes it clear. I think the language I have used more recently is that I have inserted the word "strongly" in that correspondence that the Government will be opposing that legislation.

**The CHAIR:** What steps have you taken to consult with non-English speaking fishermen as part of this animal welfare reform discussion, Minister?

**Mr ADAM MARSHALL:** I will have to throw to Mr Hansen on that.

**Mr HANSEN:** I might get either Suzanne Robinson or Sean Sloan to see if they have anything to add on this.

**Ms ROBINSON:** I will just add that in the current legislation, crustaceans in certain food retail areas are in there already. The intent with the new legislation is to look at decapod crustaceans, like lobsters, crabs, crayfish and things like that—it would not include mussels—and to include cephalopods like octopus and squid. As mentioned already, the defences that are currently used would be carried over.

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**CORRECTED**

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**The CHAIR:** And to my original question about what steps you have taken to consult with non-English speaking recreational fishermen about this reform?

**Ms ROBINSON:** At this stage there has been no specific consultation with non-English speaking fishermen that I am aware of.

**The CHAIR:** Thank you. I will pass to Ms Hurst.

**The Hon. EMMA HURST:** I recently ran a confidential roundtable with people who are involved in the use of animals in experimentation. Two areas that they brought up were the use of smoking mice models and the forced drowning tests or forced swim tests that are still currently being used. Are you aware, Minister, how many smoking mice experiments and how many forced swim tests are currently occurring in New South Wales?

**Mr ADAM MARSHALL:** I pride myself on knowing a lot of details, but I must confess that you have got me there. No, I do not off the top of my head.

**The Hon. EMMA HURST:** Can you take the question on notice?

**Mr ADAM MARSHALL:** Yes. Before I do, has anyone in our team got the answer to that? Otherwise, we will take it on notice.

**Mr HANSEN:** I do not have the number for the forced swim tests or the smoking exposure tests in front of me at the moment. I am happy to get that number and come back to you.

**The Hon. EMMA HURST:** Thank you. If you could take it on notice, that would be great. There are people even within the industry who are involved in the use of animals in experimentation who suggest that these should both be outlawed experiments because apart from the animal cruelty that is involved in these experiments, there is a large question about the validity of them. There is another section of the industry that say that at an absolute minimum they should be subjected to ministerial approval, similar to LD50 testing, which is subject to ministerial approval. Are you currently considering moving those two very controversial experiments into ministerial approval or to actually outlaw them?

**Mr ADAM MARSHALL:** It is not something I am considering at the moment or have received any requests to undertake or advice on. Mr Hansen may be working on something.

**Mr HANSEN:** You would know that the Animal Research Review Panel has been looking at this very closely. They have also been hearing the concerns that you have been hearing from practitioners in this space and others. They are considering it and have been requesting information from research establishments about their current procedures and have been looking at what alternatives are in place. We expect that they will be making recommendations on the development of guidelines, and those guidelines could well include that referral to the Minister, like the LD50, but we are yet to get that final piece from them.

**The Hon. EMMA HURST:** Minister, I also want to talk to you about animal hoarding. I noticed that also was not addressed in the discussion paper. Animal hoarding is a very complicated issue and something that the authorities—the RSPCA and Animal Welfare League—are constantly struggling with. It is something that the courts struggle with as well due to the complexity of these cases. The recidivism rate is almost 100 per cent. Obviously all the courts have got in front of them is the Prevention of Cruelty to Animals Act, which is to give fines or jail time, which does nothing really to protect the animals. They often find it difficult because there are obviously psychological health issues involved in many of these cases. I know that overseas in various places there is specific legislation that recognises animal hoarding as a specific type of problem and offence, and there is mandatory psychological counselling involved in the sentencing for animal hoarding because it is quite a complex and difficult situation. Is that something that you are considering as well within the Animal Welfare Action Plan?

**Mr ADAM MARSHALL:** Ms Hurst, it is not something that is chief among the issues that are being considered. Since you have raised it, I am happy to have a conversation with Minister Hancock, who administers the companion animals legislation. It probably sounds more like a companion animals matter than a prevention of cruelty matter because a lot of—

**The Hon. EMMA HURST:** Mostly when people are charged for animal hoarding it will come under neglect under the Prevention of Cruelty to Animals Act.

**Mr ADAM MARSHALL:** That is correct.

**The Hon. EMMA HURST:** So it does not come under the Companion Animals Act.

**Mr ADAM MARSHALL:** What you are seeking, though, may best sit somewhere else. What I am saying is, you are right. At the moment, that is the only provision that I am aware of where people can be captured



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**CORRECTED**

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or fined, but that does not really address, as per the premise of your question, the root causes of what causes a person to be hoarding animals or hoarding any other materials. As the local member, in the little experience I have had with individuals who are hoarders, it tends to be that there are some deep psychological issues and that can manifest itself in the hoarding of animals or the hoarding of other items or material goods. Simply taking them to the courts to fine them for a breach of POCTAA might do something for the animals on a short-term basis, but longer term it does not address the significant issues that that person may be experiencing. It probably requires more attention than what animal cruelty laws can provide. It would actually relate to the treatment of the person.

**The Hon. EMMA HURST:** So I can leave that issue with you to take up with the Minister for Local Government to look further into it?

**Mr ADAM MARSHALL:** I will take it on notice. It may well be a mental health or health-related issue because the hoarding tendency might manifest itself in the hoarding of animals, but the problem is quite deeper than that.

**The Hon. EMMA HURST:** I also want to ask about the Exhibited Animals Protection Act, the current version. Mr Daniel Brighton is currently being prosecuted for serious animal cruelty, you have probably heard about his case. He has had previous animal cruelty charges. He lost two crocodiles from his property in western Sydney. He is also currently working at Central Coast Zoo, where the lions from Stardust Circus have been taken. Are you at all concerned that this particular individual will be involved in the care of these animals?

**Mr ADAM MARSHALL:** I would be concerned about any individual caring for animals to make sure that the animals themselves receive the care that they are entitled to and they deserve. In terms of that specific case, Mr Hansen might have some information.

**The Hon. EMMA HURST:** Before we go to Mr Hansen, under the Exhibited Animals Protection Act there is a section about somebody has to be considered a fit and proper person. I am just wondering how that particular individual is considered a fit and proper person under the Exhibited Animals Protection Act to continue to care for those animals?

**Mr HANSEN:** I am happy if you want to come back to the conversation after, but the short answer here is obviously we cannot make any comments around the individual—

**The Hon. EMMA HURST:** I am not asking about the court case; I am just talking about the current situation.

**Mr HANSEN:** Well, the court case is actually relevant to whether this person actually has a conviction on animal welfare charges or not because that is currently in appeal, but at the same time the fit and proper person test is tied to the owner of the licence and, therefore, that is—

**The Hon. EMMA HURST:** So anybody that is working there that is not the owner of the licence does not have to pass a fit and proper person test? You could have people charged for all sorts of grievous cruelty?

**Mr HANSEN:** It then becomes the obligation of the holder of the licence to make sure that their staff force is appropriately trained and are the appropriate people.

**The Hon. EMMA HURST:** So it is entirely up to the licence holder as to who they employ?

**Mr HANSEN:** That then allows us to hold the licence holder accountable for it.

**Mr JUSTIN FIELD:** Thank you, Chair. Can I just check that people in the room can hear me?

**The CHAIR:** Yes, we can hear you.

**Mr ADAM MARSHALL:** Yes.

**Mr JUSTIN FIELD:** Thank you, Minister, and your team for your attendance today. Minister, I want to continue on the status of the LLS code review. In the March estimates, in answer to questions from me, you said at the time about the three-year review:

... that panel is just about to send to Minister Kean and myself a draft terms of reference for us to sign off on so that they can commence their work.

That was in March 2021. When did you receive the terms of reference?

**Mr ADAM MARSHALL:** I am not sure of the exact date, Mr Field, but I can provide that to you on notice. What I do know is when those terms were received, they were referred to Local Land Services and LLS engaged in some discussions with EES, and that culminated in some advice provided to me recently. I cannot give you the exact date—unless Mr Witherdin has got the date there.

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**CORRECTED**

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**Mr WITHERDIN:** No, I do not have the exact date.

**Mr JUSTIN FIELD:** I am happy to receive that either directly from Mr Witherdin or on notice but before he does, can you make that advice available to the Committee, please?

**Mr ADAM MARSHALL:** Which advice is that, sorry, Mr Field?

**Mr JUSTIN FIELD:** You just said that LLS, after discussions with EES and other stakeholders, had provided you with some advice recently. I was just wondering if you could provide that on notice to the Committee.

**Mr ADAM MARSHALL:** Yes, sure.

**Mr JUSTIN FIELD:** Thank you. Mr Witherdin, did you have that date?

**Mr WITHERDIN:** No, sorry, I do not have that date available. I may be able to provide that later in the course of proceedings.

**Mr JUSTIN FIELD:** Thank you. Of course, the terms of reference were actually prepared by a panel that included, I think, yourself Mr Witherdin and the Coordinator General of the EES. You were originally involved in the provision of the advice to the Ministers; is that correct—of the draft terms, I mean?

**Mr WITHERDIN:** Yes, correct.

**Mr JUSTIN FIELD:** Mr Witherdin, in the answers during that same session I continued with you, and in regard to the three-year review, your response to me was:

That was actually one of the recommendations of the NRC review to have that set up at a bureaucratic level.

That was the panel. You continued:

That is co-chaired by myself and the coordinator general ... As the Minister said, we have draft terms of reference there. We will put those forward to both Ministers for their concurrence and then move forward with that work.

You continued:

The focus of it is specifically around the NRC and the Audit Office recommendations ... then next year we move into a five-year statutory review.

Minister, clearly from that evidence in March this year it was the intention to have separate reviews because the three-year review was to be very specifically focused on the Auditor-General's report and the NRC review. Why did you not act on the three-year review when you received those terms of reference earlier this year?

**Mr ADAM MARSHALL:** Mr Field, all I can say to you and to the Committee is that we have had that code reviewed a number of times—three times—in the last few years. We have a five-year statutory review that is required to be conducted next year. Given the staffing resources and time, it has been my suggestion to Minister Kean that we actually collapse the three-year review into the five-year review and do one whole-scale, detailed review, rather than trying to run two reviews concurrently—one broad, one specific. It would make more sense just to do both jobs with one larger review rather than trying to duplicate effort when staff are still trying to implement the recommendations of the three previous reviews. That is what I have suggested.

**Mr JUSTIN FIELD:** I am sorry, Minister, but that conflicts directly with what was said by yourself and Mr Witherdin in March. The terms of reference were imminent in March. They were specifically designed to consider the Audit Office and the NRC review, and they were to be specifically focused on that. Why did you not implement it then? I appreciate you have taken a different position now, but why did you not initiate the three-year review in March when you were given the terms of reference?

**Mr ADAM MARSHALL:** I cannot speak to when I saw those terms of reference or when I was given those, Mr Field, but that is my current position. Mr Witherdin.

**Mr WITHERDIN:** If you are happy for me to come in, Mr Field, I might be able to clarify things a little bit better.

**Mr JUSTIN FIELD:** Quickly if we could, Mr Witherdin. I am happy to come back to you this afternoon with more details around it. I have very limited time.

**Mr WITHERDIN:** Yes. What I will say is that that work is ongoing. The land management and biodiversity conservation [LMBC] board that Dr Grimes and myself co-chair, actioning both the outcomes of the Audit Office review and the NRC review. I am happy to talk about that in more detail this afternoon. Just because the three-year review is not progressing does not mean that that body of work is not progressing and not progressing at pace.

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**CORRECTED**

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**Mr JUSTIN FIELD:** Minister, I would love to move on to marine. A few months ago the Batemans—I think all of the community consultative bodies for the marine parks were told that the public consultation on the draft network management plan was imminent. I noticed this morning, just before estimates, you have now launched that consultation. What was the delay?

**Mr ADAM MARSHALL:** The delay was in finding—well, there really was not too much of a delay. I think I signed off on the final draft network plan some time ago. Minister Kean then signed off on it as well, and it was simply about picking a time to put it out for the required months of consultation, Mr Field.

**Mr JUSTIN FIELD:** What I have been told, Minister, was that it was due months ago. That was what was said to the committees, and then it just did not come. Were you embarrassed by last week's estimates hearings with Minister Kean that so many of these reviews and processes seem to be held up in your office?

**The CHAIR:** I am going to have to—sorry. Justin, maybe you can pick that up with the Minister in the next round. I am going to throw to the Opposition because the bell had gone before you fired that one off.

**Mr JUSTIN FIELD:** Sorry. No worries. Thanks, Chair.

**The Hon. MICK VEITCH:** That is okay, Justin. It was a good question. Minister, this is probably something you will have to take on notice. It is relating to the mice funding program. As at today's date, would it be possible for you to provide how many claims have been paid and how many funds have been expended for three categories: farmers, small business and households? Obviously you will not have those details as at today's date to hand.

**Mr ADAM MARSHALL:** Mr Veitch, I can take on notice for—I can get the information for you about households and small business from Service NSW and Minister Dominello because that sits outside my portfolio.

**The Hon. MICK VEITCH:** I understand that. I appreciate that.

**Mr ADAM MARSHALL:** Whilst I would love it to be in my portfolio, it is not, and I would love to be able to help you. In terms of farmers, in terms of 1 November, I can take that on notice. What I can share with the Committee is, as of close of business on Friday there were 803 applications received from primary producers and 738 applications have been processed and approved. They have an average payout, an average claim, of \$6,211.12 and are worth almost \$5 million. The average processing time by the RAA from the application being received to money hitting the bank account of the primary producer is currently five days.

**The Hon. MICK VEITCH:** Five working days?

**Mr ADAM MARSHALL:** Five days.

**The Hon. MICK VEITCH:** Five calendar days?

**Mr ADAM MARSHALL:** Five calendar days.

**The Hon. MICK VEITCH:** Okay.

**Mr ADAM MARSHALL:** That is what it is at the moment from the RAA, but the other information I will get to you and on notice we can update those figures to be correct as of today.

**The Hon. MICK VEITCH:** Thank you. Minister, in the brief time before we break, I want to pick up on what Mr Field was saying. How do you respond to his last question regarding people talking about delays and obfuscation coming out of your office? Is it correct?

**Mr ADAM MARSHALL:** No. In terms of the marine estate management draft plan—

**The Hon. MICK VEITCH:** I am talking in general terms. In general terms people are saying things are delayed out of your office or things are not being done in your office in a timely enough fashion. Do you refute that categorically? Do you not agree with Mr Field's question?

**Mr ADAM MARSHALL:** You are asking that as well. No. I will get you the exact dates. But in terms of the draft marine estate management plan, the advice was provided by the Marine Estate Management Authority. It requires the concurrence of myself and Minister Kean. The draft management plan was signed off by both myself and Minister Kean and then it was a case of releasing that for public exhibition, which it has been now. But there was no delay in signing off on the draft plan. Mr Hansen has the other mouse figures for small businesses and households.

**Mr HANSEN:** As of 1 November, for the small business and household rebates there have been 53,117 applications. The breakup of those are 46,627 households, 5,952 small businesses and 53 that have claimed

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**CORRECTED**

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both. There has been \$27.54 million requested and \$22.27 million has been paid out. The average application completion time is three days.

**The Hon. MICK VEITCH:** That was for households. And for small businesses how much has been paid out?

**Mr HANSEN:** That figure is captured in that one there. The small business one is captured in that \$22.27 million. I do not have a breakdown for that.

**The Hon. MICK VEITCH:** Thank you.

**The CHAIR:** I think it is a good time for us to pause and have our first COVID break. We will be back at 11.15 a.m.

**(Short adjournment)**

**The CHAIR:** Welcome back after our Glen 20 break. I will now pass back to the Opposition for the remainder of the time.

**The Hon. MICK VEITCH:** Minister, I would like to ask some questions about the announcement at the Bush Summit around Pacific Island harvest workers, which were supposed to be flown in. Have they arrived yet?

**Mr ADAM MARSHALL:** Sorry?

**The Hon. MICK VEITCH:** The 55,000 Pacific Islanders who were going to come and pick our fruit—Minister, have they arrived yet?

**Mr ADAM MARSHALL:** Well, you would have to ask the Commonwealth Government, I think, in relation to that. I think the article referring to that—I read it too, and I have spoken to the Deputy Premier and his office—might be an example of *The Daily Telegraph* perhaps beefing things up a bit beyond what they may be. When the New South Wales Government announced that from 1 November, from today, we would not require overseas arrivals to quarantine if they were double vaccinated, you will recall that the Prime Minister at the time made a comment where he said: "Well, no, no, no. Returning Australians will get priority." That rang alarm bells with me as the ag Minister, saying: "Well, hang on. We have a Pacific Labour Scheme, a Seasonal Worker Programme that has been operating during the pandemic. Does that mean suddenly that the Feds are going to stop approving visas for these people to come into New South Wales or come into Australia?" I cannot speak for that article, but the work that has been going on has been to seek assurances from the Commonwealth via the foreign affairs Minister that actually—

**The Hon. MICK VEITCH:** Via the Deputy Premier.

**Mr ADAM MARSHALL:** Yes, via the Deputy Premier—that they will continue to approve visa applications that are made under those two schemes.

**The Hon. MICK VEITCH:** I guess most of regional New South Wales would like to know: Why is it that the Deputy Premier is doing this work on agricultural workforce issues for seasonal workers and not the agriculture Minister? Within Government why is that the case?

**Mr ADAM MARSHALL:** It is a case of us all working together on it. On this occasion I raised the concern about it and we had a discussion and the approach was made, I understand, to the—certainly I have written formally to the Minister for Foreign Affairs and there have been some follow-up discussions at an operational level and at a political level to make sure that the Commonwealth keep processing those visa applications, which they have indicated to me that they will continue to do that. So they will continue to approve those applications as they are made by individuals to come into this country under those visa programs.

**The Hon. MICK VEITCH:** Today is Monday. The yarn, the story in the Telegraph, says that it could be as early as today that there will be people arriving on the scheme. As the agriculture Minister, have you checked to see if that is the case?

**Mr ADAM MARSHALL:** There could be arrivals that come today or tomorrow. I do not have line of sight of the Commonwealth immigration or the visa program.

**The Hon. MICK VEITCH:** That is okay. So you are saying this story, though, is inaccurate.

**Mr ADAM MARSHALL:** We had line of sight as a Government when we had the quarantine program. The only involvement of the States was to quarantine overseas arrivals. From today the State does not have any involvement in the quarantining. There is no quarantining. It is a matter for those applications being made to the

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**CORRECTED**

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Commonwealth. They are approving them. They come here, they can go straight off the plane and go straight to work.

**The Hon. MICK VEITCH:** Of the supposed 55,000, how many will New South Wales get?

**Mr ADAM MARSHALL:** I do not know where that 55,000 number comes from, Mr Veitch.

**The Hon. MICK VEITCH:** I guess the next question is: How many does New South Wales require?

**Mr ADAM MARSHALL:** How many do we require?

**The Hon. MICK VEITCH:** Yes. What is the shortfall in our ag workforce now?

**Mr ADAM MARSHALL:** That is a great question and one that I asked again last week of industry. The difficult thing is no-one, whether governments of Commonwealth or State level, my State counterparts, even industry or sectors within industry, can give a definitive answer. What we do know is that in the 2018-2019 year we used a bit over 9,000 offshore workers for agriculture, but we do not know exactly.

**The Hon. MICK VEITCH:** Let me get this clear: You do not know about 55,000, where that number comes from.

**Mr ADAM MARSHALL:** Yes.

**The Hon. MICK VEITCH:** And as at today, at today's hearing, you do not know exactly what the shortfall is for New South Wales agricultural workforce requirements.

**Mr ADAM MARSHALL:** What I am saying is that the nature of the agriculture industry is no-one knows, exactly.

**The Hon. MICK VEITCH:** So no-one knows how many we need?

**Mr ADAM MARSHALL:** No-one knows exactly, no, across the whole board.

**Mr HANSEN:** Sorry, the 55,000—

**The Hon. MICK VEITCH:** That is a national number, I know.

**Mr HANSEN:** That is the number of people in the Pacific Islands who have registered to participate in the program. Obviously that is the pool of available workers.

**The Hon. MICK VEITCH:** Minister, this ag workforce issue did not creep up on us, did it? We have known for a while that there is a problem. You would have known last year when we shut the international borders due to COVID; it highlighted how much we rely on an overseas contingency to shear our sheep, harvest our grain and pick our fruit and veg. We knew last year that there was going to be a problem. We have got a bumper season, and I do not think anyone begrudges the bumper season. We were talking earlier with the future Minister for Agriculture over here, the Hon. Sam Faraway, about the—

**The Hon. SAM FARRAWAY:** Here we go.

**Mr ADAM MARSHALL:** He would do a good job.

**The Hon. SAM FARRAWAY:** The current one is alright.

**The Hon. MICK VEITCH:** Did you hear that? He just said you will do a good job. The issue I have got, Minister, is that on 1 September you announced the East Coast Labour Taskforce—that is, 1 September this year. If we knew last year that it was a problem, why did you not do that on 1 September last year so that a body of work could be done to try to address the issues around our agricultural workforce shortfalls? Why did you not do it last year?

**Mr ADAM MARSHALL:** I am glad you have raised the issue of workforce because we have been participating and leading a number of initiatives in this space and participating with all the other States in a Commonwealth-led initiative, which Mr Hansen can take you through.

**The Hon. MICK VEITCH:** No, we can talk about that this afternoon.

**Mr ADAM MARSHALL:** I hope you do—

**The Hon. MICK VEITCH:** I will. I have got plenty here.

**Mr ADAM MARSHALL:** —because there has been some really good stuff come out of that. There has been an untold number of meetings and roundtables and phone calls and discussions. Plus, Mr Veitch, as you know, since last year we have been working with industry as a government to try to remove any barriers that we

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**CORRECTED**

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can to the free movement of workers both coming into New South Wales and once they are in New South Wales being able to move around but also trying to bolster the availability of domestic workforce for the agricultural sector, and whether that has been the ag workers protocol, boosting Tocal—

**The Hon. MICK VEITCH:** Why did you not announce a task force last year? Why wait until 1 September this year? You knew last year, Minister, that it was going to be a problem.

**Mr ADAM MARSHALL:** That task force is not about addressing the immediate issue; that is about looking to the medium and longer term about how we can—

**The Hon. MICK VEITCH:** Excellent.

**Mr ADAM MARSHALL:** This is also what industry wants us to do—to look at the medium and longer term.

**The Hon. MICK VEITCH:** Excellent. I am going to talk about industry in a minute. I have got some questions from NSW Farmers that I want to ask you.

**Mr ADAM MARSHALL:** Yes, good. I look forward to that discussion. But that is all about how do we make agriculture less reliant in the long-term on a workforce which, as the pandemic has highlighted, we cannot always assume will be available both in terms of seasonal workers and the backpacker workforce. Industry is at that table as well.

**The Hon. MICK VEITCH:** Minister, you cannot tell us as at today's date what the shortfall is for this year's harvest? I gather that is what you are saying. The industry is unable to provide you with that information. Have you got even a ballpark number of what our workforce requirements would be?

**Mr ADAM MARSHALL:** As I said, the best ballpark number that we go by is the number that we know for a fact was used in terms of offshore overseas workforce, which was the 2019 harvest period, which was around 9,000 overseas workers. Mr Veitch, that question you raised is the key focus of the East Coast Labour Taskforce. No-one, no government and no industry in Queensland, New South Wales, Victoria or Tasmania can conclusively answer that question. We need some better labour mobility data so that we can track essentially a harvest trail and work out what is the quantum of workers that the east coast will need in a typical harvest year and how do we get them here. They may well come in via Queensland and work their way down or a mixture.

**The Hon. MICK VEITCH:** It is an important body of work that this task force is going to do, and just so you know, my criticism is not that you announced the task force. My criticism is that you announced it on 1 September this year and not last year when we knew it was a problem. How many times has the task force met since 1 September?

**Mr ADAM MARSHALL:** We had our first meeting recently.

**The Hon. MICK VEITCH:** As in when?

**Mr HANSEN:** It was 22 October.

**The Hon. MICK VEITCH:** So 22 October?

**Mr ADAM MARSHALL:** Yes.

**The Hon. MICK VEITCH:** You were at that meeting, I take it?

**Mr ADAM MARSHALL:** Yes.

**The Hon. MICK VEITCH:** Okay, so that will be in this quarter's diaries.

**Mr ADAM MARSHALL:** Yes.

**The Hon. MICK VEITCH:** Minister, what I would like to know now is when the Pacific Islanders come in via the Federal scheme, who is responsible for determining where they go? Who determines whether they go to Victoria or Queensland or New South Wales? Who determines where they will work? Or will they just arrive here and there is no coordination of that?

**Mr ADAM MARSHALL:** No, what happens is when the Commonwealth stamps someone's visa for that scheme, they have to show that they are coming here to work, so they must have an employer when they get stateside. Then once they are stateside and they undertake that work they can move from there, but the State Government has never had a role in that process. That has always been—

**The Hon. MICK VEITCH:** The Feds do that?

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**CORRECTED**

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**Mr ADAM MARSHALL:** The Feds deal with immigration visas. Industry makes that connection either directly or they work through a third-party labour hire company, and it is different for different industries.

**The Hon. MICK VEITCH:** Do we make sure they are getting paid appropriate wages and do we make sure they are being looked after with accommodation and stuff like that or do we just leave that to the labour hire companies?

**Mr ADAM MARSHALL:** That is a requirement. My understanding—Mr Hansen might correct me—is that is a requirement of the host employer to guarantee that.

**Mr HANSEN:** Further to what the Minister said, the approved employer is actually the one who has to lodge the application for their approval for arrival. Any worker who hops on a plane to come over is actually tied to their arrival and then the work program or work schedule that has been submitted by the approved employer through to the Commonwealth for approval. They need to demonstrate the fact that that job cannot be completed by someone domestically; they need to show requirement of demand and so forth.

**The Hon. MICK VEITCH:** Yes, there is a series of things. Minister, one of the initiatives you announced was the harvest leave. I just want to work through how that works. This is for the Department of Regional NSW staff, which includes DPI.

**Mr ADAM MARSHALL:** Correct.

**The Hon. SAM FARRAWAY:** A fantastic initiative.

**The Hon. MICK VEITCH:** Is it for any other public servants in New South Wales—obviously other than our frontline workers, nurses, doctors, teachers.

**Mr ADAM MARSHALL:** Yes.

**The Hon. MICK VEITCH:** So all public servants?

**Mr ADAM MARSHALL:** Just those 4,500 roughly within the Department of Regional NSW.

**The Hon. MICK VEITCH:** As at today's date, how many have taken up the harvest leave opportunity?

**Mr ADAM MARSHALL:** It only just started today.

**The Hon. MICK VEITCH:** Good.

**Mr ADAM MARSHALL:** I will ask Mr Hansen and Mr Barnes.

**The Hon. MICK VEITCH:** Surely people would be putting their hand up.

**Mr ADAM MARSHALL:** Yes. Mr Hansen?

**Mr HANSEN:** Because it has only started today, we cannot give you a number as to how many people have actually applied online. There was a number of steps that they needed to go through in terms of getting the secretary of the New South Wales public service's approval and sign off and discussion with unions to bed that down. The system for staff being able to apply for leave as well as apply and lodge a secondary employment—because we are requiring them to lodge a secondary employment form so that we can track and monitor potential conflicts of interest—all turns on today. We have had enormous interest expressed by staff, but until the harvest switches from at the moment a grains-focused harvest up in the north to horticultural, I am not expecting that we will get a large surge in numbers of applications. A lot of the staff who would be really suitable to go and assist on the northern grain harvest are actually the staff who are busy at the moment on our own field stations on our own research, and so it is probably going to be a bit counter cyclical for them in terms of they will probably look to have a crack at horticulture or something else because first and foremost for us is making sure those jobs get done.

**The Hon. MICK VEITCH:** Through you, Minister, to Mr Hansen if I can, is this to be within budget or did you receive supplementation to cover the leave?

**Mr HANSEN:** Within budget.

**The Hon. MICK VEITCH:** It is within budget. How many are you expecting to take this up? Have you in anyway looked at this and made a guesstimate? Considering this is a new area, have you created a guesstimate?

**Mr HANSEN:** No, we do not have any forecasts yet.

**The Hon. MICK VEITCH:** No forecasts; thank you. Were you consulted as a part of this process?

**Mr HANSEN:** Yes.

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**CORRECTED**

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**The Hon. MICK VEITCH:** Did this idea generate from the Minister or the Minister's office or did it come out of your department?

**Mr HANSEN:** This was an idea that started percolating at the time of the Riverina citrus harvest last year when the industry was in dire straits in terms of being able to get workers across the border, and the Minister had indicated the fact that if we were not able to come up with a triage for the casual workers that would normally reside on the Victorian side of the border but pick the New South Wales side, we might have to see where we can find a ready and available group to help.

**The Hon. MICK VEITCH:** Yes. We obviously were able to triage and manage those seasonal workers down there to be able to get across and do the harvest, but the idea has just been percolating along in the background. With the bumper season coming up, there is a huge benefit for me in being able to get my staff the opportunity to go out and spend time on farms as well to reconnect with the people that they provide services for, after a long period of shutdown and restriction in movement. The timing works for us.

**The Hon. MICK VEITCH:** Is there any reason why we do not open it up to all public servants in regional New South Wales, other than the front line? I will be very clear about that.

**Mr ADAM MARSHALL:** No. I certainly would not be opposed to it, Mr Veitch.

**The Hon. MICK VEITCH:** Has it been floated?

**Mr ADAM MARSHALL:** Not in my presence, no. Certainly, as far as my portfolio and my interests—the public servants in regional New South Wales make sense because almost all of them live in the bush.

**The Hon. MICK VEITCH:** That is right.

**Mr ADAM MARSHALL:** That is what makes the two agencies that I am the Minister for unique. There are a number of regional New South Wales direct employees who are based in the regions, with some still in Sydney. But that will gradually change. I would not be opposed to it, Mr Veitch.

**The Hon. MICK VEITCH:** Minister—

**Mr BARNES:** Mr Veitch, it is Gary Barnes here. We obviously raised the matter with the Public Service Commission to make them aware that I, as the accountable officer, would be utilising the powers that I had to give rise to this. If it were to occur—and there is no reason why it could not with other agencies—then it would need to be made on a cluster-by-cluster basis. As Mr Hansen talked about previously, we did entertain this last year. These are atypical times and these are atypical measures that we have deemed appropriate to put in place to help our primary producers. It would be a travesty if we could not do everything humanly possible to allow them to reap the benefits of what will be a bumper season.

**The CHAIR:** Minister, I will just pick up on some questions from the Hon. Mick Veitch and Mr Justin Field on the marine park draft management plans. You are aware that I asked you a series of questions on 7 September, totalling about 17, and you successfully answered two of them. The one that you did answer was that the marine park advisory committees were presented with some information about the draft management plans on 27 September and 1 August. When did you receive it across your desk for endorsement or approval?

**Mr ADAM MARSHALL:** The draft marine management plan? I would have to take that on notice, Chair.

**The CHAIR:** One of the other questions I asked was about the vacancies within the marine park advisory committees. I was advised that there were approximately 41 vacancies, including alternate members. When I put the question to you, you did not answer it. As of 7 September, how many vacancies were there within those five marine park advisory committees?

**Mr ADAM MARSHALL:** There are not too many; there are a couple. Mr Hansen?

**The CHAIR:** How many vacancies were there as of 7 September when I asked, and then I will ask a follow-up about what the number is now.

**Mr HANSEN:** I do not have the number in front of me. I will get it for you for this afternoon. As you flagged, there are 19 members, but they are alternate members. Sometimes an alternate member role might be vacant because there is an active member, and that does not have an impact. We will get those numbers for you.

**The CHAIR:** That would be great. Is it true, Minister, that the committee members were not shown the draft management plan at these meetings and that they were just given a brief outline via PowerPoint?

**Mr ADAM MARSHALL:** I cannot say what the committee members were shown or not shown, Chair.



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**CORRECTED**

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**The CHAIR:** Would you want to defer to somebody who possibly can?

**Mr ADAM MARSHALL:** Mr Sloan or Mr Hansen might be able to answer that.

**Mr HANSEN:** Just before I throw to Mr Sloan, that is correct. They were talked through what was going to comprise the draft plans, but at that stage they were not shown the actual draft document.

**The CHAIR:** Can I just pick up on that and ask why they were not shown the draft document, given they would have had considerable input into that? Would you not want them to check their own homework and see whether you had got their views correct?

**Mr HANSEN:** That is what they have the capacity to do now, with the draft plan out this morning.

**The CHAIR:** But the draft plan is out for everybody to view. Do you not think it would have been prudent for them to see it before it went out to everyone else? In that meeting that you had on 27 September or 1 August, would it not have been better to present them with the details of that plan so then they could have a look at it and say, "Yes, that is right" or, "No, that is not what I said," and then it go to the Minister to be endorsed and then it go out to the remainder of the public?

**Mr HANSEN:** Again, I will go to Mr Sloan in a moment, but the feedback from those committees has been captured in the drafting of the draft network plan. The draft network plan and the concepts of it that were captured in that were what was talked through and consulted with the committees on. They were also taken through the "what comes next" steps, which are actually the translation of the network plan into the localised management plans. They were talked through all of those processes over this last period of time and now they will get to see the actual draft management network plan and be able to provide their comments collectively and individually back on that.

**The CHAIR:** Mr Sloan, do you have anything else to add?

**Mr SLOAN:** Yes, Chair, thank you. Just to add to that, obviously a consultation process like this involves certain iterations. The marine park advisory committees saw an earlier draft of the plan. They were not provided with the final version because that is obviously something that the department prepares for ministerial consideration. Now that the draft plan is out there for public consultation, it is a requirement of the Act for it to be out for a period of two months of public consultation. That period has actually been extended for three months to make sure that the public can have a good amount of time to look through the draft plan, and also obviously so the marine park advisory committees can work through it as well.

**The CHAIR:** Picking up on what you said, Mr Hansen, will the localised management plan include lines on a map? In response to my question, Minister, you said that the draft does not include lines on a map. Will the localised management plans include lines on a map and sectioning off zones?

**Mr HANSEN:** It is when they get to that localised management plan that all the controls to mitigate any of the risks that are identified in the threat and risk assessment in that local area get put in place. That is all the management—whether that is lines on a map for prohibiting boating or prohibiting anchoring or prohibiting certain activities, that all comes up at that local management plan. That is right. That is where those details get thrashed out.

**The CHAIR:** Is it the intention to use these zones to manage user conflict between fishermen, scuba divers, et cetera?

**Mr HANSEN:** That would be one of the intentions, yes.

**The CHAIR:** I think the draft plans talk about low and minimal fishing practices. Can you define what you mean by those?

**Mr HANSEN:** I might throw to Mr Sloan for that.

**Mr SLOAN:** Thank you, Chair. For the low to minimal impact fishing activities you have to look closely at the values of the different zones to be able to establish those. For example, trawl fishing, which has fishing gear that has an impact or contact with the seabed, would not be compatible with a sanctuary zone. We have those higher protections for biodiversity and species. That type of fishing method would be considered to be relatively high impact on those values.

Trawl fishing on a different type of benthic habitat—for example, in a general use zone in a marine park, where you might have a high energy sandy bottom—would be considered to be low impact. The types of activities where we see opportunities for further low impact fishing activities during the review are activities like line fishing, hand collection fishing, diving, in some areas spearfishing and, in some areas, trap fishing. So generally methods that have relatively low impacts on the ecosystem.

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**CORRECTED**

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**The CHAIR:** Thank you. We might pick up on that later.

**The Hon. EMMA HURST:** I have been advised that in response to a survey that was commissioned by the DPI earlier this year that five of eight councils with shark nets provided submissions opposing that continued use, and two more provided formal requests to actually remove the shark nets. Are you aware of this, Minister?

**Mr ADAM MARSHALL:** Yes, I am.

**The Hon. EMMA HURST:** Given that there are so many councils that actually no longer want to use them, will you as Minister be moving to end the use of shark nets in these local government areas [LGAs] that have requested it?

**Mr ADAM MARSHALL:** Good question, Ms Hurst. The meshing program, which covers 51 beaches in New South Wales, will remain in place for this summer. I have made no move to lift or remove any nets from any of those meshed beaches. I know I have said it before but I feel obligated to say to the Committee that I know people have varying views on the meshing program, but there has not been a fatality on a meshed beach in New South Wales since 1951.

**The Hon. EMMA HURST:** Minister, what was the point of collecting the councils' views if you were not actually going to act on those council views?

**Mr ADAM MARSHALL:** Well, we did act on the views because we collected more than just their views on meshing; we collected their views on other technologies to help keep bathers as safe as possible on our beaches. As a result of that—

**The Hon. EMMA HURST:** Why did you ask anything about the meshing if you had no intention to remove it or, if the majority of councils do want them removed, why would you ignore that request of those councils?

**Mr ADAM MARSHALL:** I will come to that. We asked them a range of questions including that, which helped guide the record investment of over \$21 million in the new shark mitigation program which utilises drone technology, shark management alert in real time [SMART] drumlines and listening stations—

**The Hon. EMMA HURST:** I understand a lot of the other technologies—and they are great, and obviously that is one of the reasons why a lot of these councils feel that those other technologies do exist; that they are more widely supported—obviously they are not going to kill such large numbers of animals. What I am asking is specifically about the councils' views on the meshing, and particularly the councils that have specifically asked for them to be removed. Why have they been ignored?

**Mr ADAM MARSHALL:** They have not been ignored; the views have been considered, Ms Hurst. But as the responsible Minister, I have got to consider a range of issues, including the protection of human life.

**The Hon. EMMA HURST:** As I understand it, those councils had the view that these other technologies that you are talking about—increased lifeguards, drones, and some of them were talking about drumlines, for example—they felt that those were actually just as effective as, if not more effective than, the meshing programs. Are you disagreeing with their conclusions on that?

**Mr ADAM MARSHALL:** No, I wholeheartedly support the councils having their views and having an opportunity to have their views. That is why we asked them for their views and we asked the broader community for their views as well. Overwhelmingly, people want to be safe, and meshing of beaches works.

**The Hon. EMMA HURST:** Did people also want to remove the meshing? When you say you consulted with the community, what was the percentage of people that wanted them removed?

**Mr ADAM MARSHALL:** I cannot remember off the top of my head. Mr Hansen might, or we can take it on notice.

**The Hon. EMMA HURST:** Can you take that on notice?

**Mr ADAM MARSHALL:** Yes. But the reality is that the meshing program works. Can I say, though, that going forward I cannot sit here and say that forever and a day those 51 beaches will continue to be meshed and continue to have nets, but for this summer they definitely will. Our technology is certainly getting better. It is world leading and we are spending more money on our protection program than, I think, possibly all of the other State governments combined in Australia. So our program is comprehensive; it utilises the latest technology. Yes, meshing of beaches does have impacts on marine life—it absolutely does, and we do our best and DPI and its team does its best to mitigate those. But for the moment, they are there; they work. Perhaps they will not be there forever, but they are definitely going to be there for this summer. As I said—

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**CORRECTED**

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**The Hon. EMMA HURST:** There has been a lot of research suggesting that it creates a false sense of security, and there have been some articles in the media and universities also coming out with research saying that they are not actually that effective and that the other measures are actually far more effective. What do you say to the researchers and the experts in marine biology that say that it actually creates a false sense of security?

**Mr ADAM MARSHALL:** You could in theory, if you wanted to, mount that argument for every measure that the Government takes—

**The Hon. EMMA HURST:** Everything the Government does gives a false sense of security?

**Mr ADAM MARSHALL:** No, in terms of beaches. When people go to a beach and they see lifeguards and flags, when they see the drones overhead, when they know that there are SMART drumlines and when they know there are listening stations, it could well give people a sense of protection and comfort, which can be a good thing. It can also sometimes be a bad thing.

**The Hon. EMMA HURST:** But my understanding is that those measures have been proven to actually reduce the number of shark attacks. For example, apparently lifeguards is one of the most reliable ways of actually detecting sharks and getting people out of the water and saving human lives.

**Mr ADAM MARSHALL:** They are critical to getting people out of the water. It is not a case of government picking one technology over another; we integrate them all. That is why our partnership with Surf Life Saving NSW is so crucial because we help them train their drone pilots. They are the ones that operate the drones that fly above the beaches that have the technology to actually identify all marine life and, using an algorithm through software, actually determine what type of species it is. If it is a shark species, it will notify the operator of the drone. Again, I will repeat—

**The Hon. EMMA HURST:** I understand the technology and obviously we support the use of drones as well.

**Mr ADAM MARSHALL:** Again, I will repeat: In New South Wales we have not had a fatality on a beach that has been meshed since 1951—70 years. I know you can argue all sorts of things, but that is a fact.

**The Hon. EMMA HURST:** I am going to move on to puppy farming. We spoke at previous estimates about councils struggling with the number of development applications for large-scale dog breeding facilities. On 28 October Murray River Council announced a new companion animal breeding policy and they said that councils lack the power to address the issue of puppy factories. The mayor of the council said to the media:

The NSW Government needs to align their legislation with that of the strict laws now imposed in Victoria to stop establishments simply moving across the border. Whilst we recognise there was a recent update to their Code of Practice, this goes nowhere near far enough and there is still a huge gap in NSW legislation.

I understand Murray River Council has specifically outreached to you on this issue about a number of their concerns. Have you responded to Murray River Council?

**Mr ADAM MARSHALL:** I believe I have written back to the council, but I intend to actually follow up a little bit more with the council. I am very sympathetic to their concerns. As we discussed at last estimates, I am not the planning Minister so I cannot control the land use planning laws through the Environment Planning and Assessment Act—sorry, the bell has gone, has it? You are all laughing at me.

**The CHAIR:** Yes, it has, but finish your answer and then we will throw to Mr Field.

**Mr ADAM MARSHALL:** Okay. Yes, I will be reaching out further to that council, Ms Hurst.

**The CHAIR:** Mr Field, are you there?

**Mr JUSTIN FIELD:** I am, Chair. Thank you very much. Minister, I wanted to return to the situation with our marine parks and network management plan. Minister, you would acknowledge that in 2011 the Government commissioned an independent scientific assessment of marine parks. It recommended two new marine parks be established in New South Wales and additional protections. How is it that a decade later the Government has just put out a draft network plan, which provides no specific proposals, and you have not at all actioned these two new marine parks? Instead you have cut marine sanctuary protections in the last decade.

**Mr ADAM MARSHALL:** Because the network plan is designed to be a framework to manage the existing marine park estate.

**Mr JUSTIN FIELD:** So it has taken you a decade to come up with a plan to manage the existing marine parks. What have you been doing for the last decade?

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**CORRECTED**

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**Mr ADAM MARSHALL:** No, there has been a plan in place. This is a new network management plan. Each of the individual marine parks, as you know, Mr Field, has its own individual plan. This is a network plan to try to, I guess, give some consistency and harmonisation above. Then the next phase will be the individual controls and lines on maps—to use the Chair's turn of phrase—for how each of those parks will be regulated. It is my intention, as I have said before, to see more multi-use of these marine parks, to not have them as places that are simply locked up when there could be some low-impact activities that are permitted in those areas.

**Mr JUSTIN FIELD:** Minister, you would acknowledge that our existing marine parks are multi-use, though, wouldn't you?

**Mr ADAM MARSHALL:** Yes.

**Mr JUSTIN FIELD:** What is the percentage of sanctuary protections in New South Wales coastal waters that are so-called "locked up", according to your language?

**Mr ADAM MARSHALL:** I could not give you that percentage off the top of my head. I would have to take that on notice, Mr Field.

**Mr JUSTIN FIELD:** Minister, it is about 6 per cent. The Commonwealth Government signed up to the global initiative for 30 per cent protection by 2030. Why is the New South Wales Government so far behind?

**Mr ADAM MARSHALL:** I do not think it is far behind, Mr Field. We have some excellent people within the Department of Primary Industries that work very hard to look after those marine parks.

**Mr JUSTIN FIELD:** Minister, you said in your media release this morning that up until now marine parks have been managed by political decisions around lines on maps, but the draft plan is about making evidence-based solutions.

**Mr ADAM MARSHALL:** Yes.

**Mr JUSTIN FIELD:** A couple of years ago you went down to Batemans Bay and announced the removal of sanctuaries and an amnesty for illegal fishing in five sanctuary areas in Batemans Marine Park. That was a political decision, right?

**Mr ADAM MARSHALL:** It was an election commitment.

**Mr JUSTIN FIELD:** It was a political decision based on no evidence?

**Mr ADAM MARSHALL:** What has been the evidence since that change was made? Sorry, that was a rhetorical question. Essentially, the sky has not fallen in on Batemans Marine Park. The Department of Primary Industries, in allowing the Government to make that decision, did apply some scientific rigour and did analyse it. That is the whole purpose of the next phase of the marine park estate network plan. It is to get down to the nitty-gritty and retrofit the scientific and evidence-based approach. I am not making any partisan comments, but some of those marine parks were definitely created as a political deal that was done in the day. There was not much scientific rigour put to it. We are essentially using this opportunity to go back and apply that. It may well be that the parks are absolutely fine and there does not need to be any changes, but I suspect in a lot of cases that we could see a lot more use of those marine park estates.

**Mr JUSTIN FIELD:** Minister, has the Marine Estate Management Authority or the expert knowledge panel provided any comment on the draft network management plan?

**Mr ADAM MARSHALL:** Yes, they have. They were the ones who considered the draft management plan, before providing it to both me and to Minister Keane with advice to approve its release for public comment.

**Mr JUSTIN FIELD:** I understand they are required to provide their advice on the website. I cannot see it. Could you provide that on notice?

**Mr ADAM MARSHALL:** Yes, sure.

**Mr JUSTIN FIELD:** I turn now to private native forestry data. Minister, what is the volume—

**Mr HANSEN:** Apologies, Mr Field. There were a couple of comments made about nothing done since 2011. I know I will have a group of staff watching this who would like me to revisit it with you. Can we do it this afternoon?

**Mr JUSTIN FIELD:** I am happy to revisit it, Mr Hansen. We shall, indeed, do that. Minister, I turn now to private native forestry. What is the volume of timber that has come out of private native forestry operations in New South Wales in the past 12 months?

**Mr ADAM MARSHALL:** In the past 12 months?

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**CORRECTED**

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**Mr JUSTIN FIELD:** Yes.

**Mr ADAM MARSHALL:** Mr Witherdin might be able to give a figure, otherwise I could take it on notice.

**Mr JUSTIN FIELD:** Just if you have a figure, Mr Witherdin?

**Mr WITHERDIN:** Certainly. What I have to hand for 2020, for that calendar year, is 2,000 cubic metres.

**Mr JUSTIN FIELD:** That is 2,000 cubic metres of private native forestry logging in the past 12 months. Where did you get that information from, Mr Witherdin?

**Mr WITHERDIN:** It was provided to me by my team, the PNF team.

**Mr JUSTIN FIELD:** I have asked questions and we have had conversations about this point in the past, Mr Witherdin. Previously that sort of data has not been available, it seems. Have you started receiving reports from PNF licence approval holders of their logging activities?

**Mr WITHERDIN:** You may have asked this question last week in the Environment portfolio. That requirement is for those annual returns to go through to the EPA. That is the current requirement. But many of them also come to us and we then pass them on to the EPA. That is where that information comes from. It is the notifications from landholders as part of their annual returns.

**Mr JUSTIN FIELD:** I might ask some specific questions about that this afternoon. The EPA took over that role in 2018. The head of the EPA, Ms Mackey, said last week:

As I said, we have been repeatedly seeking that information for a matter of years.

...

I have had commitments for it to be provided, and we have had trouble getting the breadth and depth of information that we need as a result of those commitments.

...

I do not know why you would have to ask Local Land Services.

What has been the delay in providing that information to the EPA?

**Mr ADAM MARSHALL:** Mr Field, I think it is a requirement that the person who has a PNF plan approval provides that information direct to the EPA and not to LLS. Is that correct, Mr Witherdin?

**Mr WITHERDIN:** That is what is supposed to happen. In error sometimes it is provided to us. Anything we receive, those notifications are sent directly to the EPA. There has certainly been no delays on our end in terms of providing data. Up until April 2018 the EPA were both the approvals for PNF and compliance. Then approvals came to us and we have had a process in place as those approvals are done, certificates are issued, and they go back to the EPA. There is now a process in place where there is automatic forwarding of information through our updated IT program. There should be absolutely no doubt that the EPA has got all the information it needs in relation to any certificates issued by Local Land Services for private native forestry.

**Mr JUSTIN FIELD:** Minister, Ms Mackey, CEO of the EPA, said last week in regard to this data that they had just received a data dump.

**The CHAIR:** Mr Field, your time has elapsed. You just got in your last question.

**The Hon. MICK VEITCH:** Minister, I want to return to the agricultural workforce series of questions that I was asking. Have you given any consideration to the agricultural workforce 10-point plan from NSW Farmers?

**Mr ADAM MARSHALL:** Yes, this one.

**The Hon. MICK VEITCH:** That is it. Have you spoken to the NSW Farmers about that document and its implementation?

**Mr ADAM MARSHALL:** Yes, on a number of occasions.

**The Hon. MICK VEITCH:** So they will be in your diary no doubt for this quarter which will go up soon?

**Mr ADAM MARSHALL:** Should be, yes.

**The Hon. MICK VEITCH:** I am an avid reader of diaries.

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**CORRECTED**

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**Mr ADAM MARSHALL:** I know. You could just come and have a chat to me.

**The Hon. MICK VEITCH:** No.

**The CHAIR:** That would be another meeting.

**The Hon. MICK VEITCH:** Yes, that would be another meeting. Minister, with regard to the suggestions from NSW Farmers, how many of those have you implemented?

**Mr ADAM MARSHALL:** The 10-point plan? We have implemented or significantly implemented the vast majority. For some of them some of the time has passed. Would you like me to go through them sequentially?

**The Hon. MICK VEITCH:** No, that is okay. Minister, I want to talk to you about the area of longer-term planning. We have the immediate issue, as we have been talking about now with this bumper harvest. Hopefully we can get the crop in and, as I explored with Mr Hansen at the last estimates, hopefully the price does not go through the roof for some of our produce come Christmas time. We do not want to be paying a lot of money for fruit and veg because it has been left rotting on the ground.

**Mr HANSEN:** Just be clear, we are happy for it to go through the roof at point of sale at farm gate, right?

**The Hon. MICK VEITCH:** Yes, I am happy for that end.

**Mr HANSEN:** Right, so we are agreed on that.

**The Hon. MICK VEITCH:** It is the other end. We do not want it rotting on the trees or on the ground.

**Mr HANSEN:** Yes.

**The Hon. MICK VEITCH:** Minister, what are you doing to train shearers and harvest operators going forward? As much as it is good to bring in Pacific Islanders to pick our fruit and veg they cannot hop off the plane, go through the quarantine arrangements and then walk into a shearing shed and shear a sheep: Would you agree?

**Mr ADAM MARSHALL:** Absolutely, I agree.

**The Hon. MICK VEITCH:** What are you doing as the agricultural Minister to try to address the shortfall in shearers and harvest operators?

**Mr ADAM MARSHALL:** One of the initiatives, which started in October last year, was the new AgSkilled 2.0, a \$15 million program. That provides funding through Training Services NSW and TAFE NSW, to a number of registered training organisations [RTOs], including Tocal College, which is operated by the DPI. Tocal on its own has graduated over 1,100 students in the past 12 months alone.

**The Hon. MICK VEITCH:** In shearing?

**Mr ADAM MARSHALL:** In a variety of courses.

**The Hon. MICK VEITCH:** I am statistically looking at shearers and harvest operators.

**Mr ADAM MARSHALL:** I will have to take that aspect on notice, because I do not have in front of me the details of the graduates from TAFE or the other training providers. That is there and it is able to be accessed by industry bodies as well as registered training providers to run those courses.

**The Hon. MICK VEITCH:** If you can take that on notice. Also, of the funding that you have announced as at today's date, how much of that has been spent?

**Mr ADAM MARSHALL:** Yes, absolutely.

**The Hon. MICK VEITCH:** Can you take that on notice?

**Mr ADAM MARSHALL:** Yes. Most of those courses, just so you are aware, are covered—in fact all of them—under Smart and Skilled. They are heavily subsidised if not fully subsidised.

**The Hon. MICK VEITCH:** How many accredited shearing instructors are there in New South Wales that you would be using with those RTOs and TAFE?

**Mr ADAM MARSHALL:** I will have to take that on notice.

**The Hon. MICK VEITCH:** That would be good. Minister, I would not mind in the time that we have left, exploring and reviewing a few matters around western New South Wales. Again, reading your diary, if we had not had that Western Division out at Broken Hill you may not have got to too many. Minister, on the very sad

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**CORRECTED**

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issues with Wilcannia recently during Delta, what involvement did you have, if any, in trying to rectify the issues that very quickly became front-page news?

**Mr ADAM MARSHALL:** As Minister for Western New South Wales, I have been participating on weekly and sometimes twice-weekly teleconferences with all of the frontline agencies—NSW Health, New South Wales police, the army has been on those a lot of the times, Resilience NSW, as well as a few other government agencies.

**The Hon. MICK VEITCH:** So you have been going to meetings?

**Mr ADAM MARSHALL:** Yes, absolutely.

**The Hon. MICK VEITCH:** Minister, prior to the Delta outbreak in Wilcannia, what did you do to raise some of the issues that have been concerning people in Wilcannia?

**Mr ADAM MARSHALL:** Prior to the pandemic I had not had any issues brought to my attention.

**The Hon. MICK VEITCH:** Housing, health, water?

**Mr ADAM MARSHALL:** Not in relation to the pandemic.

**The Hon. MICK VEITCH:** So nothing has been raised with you in your capacity as Minister for Western New South Wales?

**Mr ADAM MARSHALL:** No, typically they would go straight to the portfolio Minister. I have regular contact with Central Darling Shire Council that has raised with me—

**The Hon. MICK VEITCH:** But nothing as the Minister for Western New South Wales?

**Mr ADAM MARSHALL:** They have come to me as Minister for Western New South Wales raising a number of issues and I have then sought to make representations on their behalf to the responsible portfolio Minister.

**The Hon. MICK VEITCH:** You refer them on. You triage the issues. Essentially, you triage.

**Mr ADAM MARSHALL:** Yes.

**The Hon. MICK VEITCH:** I have an interest in what happens in the shearing industry of course, but when that team of shearers outside Wilcannia—or further out than Wilcannia—had their exposure to Delta become quite public, what role did you play either as the agriculture Minister or the Minister for Western New South Wales?

**Mr ADAM MARSHALL:** My role was to talk to the department to make sure that they had reached out to them, and they had reached out to those people already and tried to assist them.

**The Hon. MICK VEITCH:** Minister, did you flag at any stage issues with the mobility of this workforce and the problems it may cause for New South Wales?

**Mr ADAM MARSHALL:** The mobility of?

**The Hon. MICK VEITCH:** The shearing industry.

**Mr ADAM MARSHALL:** Yes, and that is why very early on in the pandemic we were very keen for and actively pursued and eventually got exemptions both for 2020 and throughout this year for people involved in the agricultural industry to have free movement throughout New South Wales.

**The Hon. MICK VEITCH:** Minister, when did you raise concerns about the mobility of this workforce and who did you raise it with?

**Mr ADAM MARSHALL:** The mobility of the agricultural workforce?

**The Hon. MICK VEITCH:** This is a transient workforce.

**Mr ADAM MARSHALL:** The concerns were raised back in 2020, if I recall, when the Government first went down the path of introducing lockdown measures to essentially restrict people moving. I remember several meetings and conversations with Mr Hansen and his team, with the former Deputy Premier and his office, with Minister Hazzard and his office and a range of other people. Essentially, we were arguing that whilst the Government was not declaring essential workers, I was firmly of the view that we had to keep the wheels of agriculture turning and to keep workforce, whether it is shearers or whether it is contract harvesters, agronomists or even farmers that were having to go from property to property to check on stock and to water stock.

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**CORRECTED**

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**The Hon. MICK VEITCH:** But Minister, the issue here, which has been highlighted by the shearing team in Wilcannia, is that if someone has contracted Delta, the fact that they work two or three days or two or three weeks in the one spot and then they move on, they could quite easily transfer Delta from one part of the State to another part of the State before it is picked up, could they not?

**Mr ADAM MARSHALL:** Yes, they could, as it could be the case for anyone who works in the agricultural sector or the freight industry or many other industries that have been allowed throughout the pandemic to continue their work in a COVID-safe way because of the value that we put as a society on those industries that they work in because we need those people to keep doing their vital work.

**The Hon. MICK VEITCH:** Did you agitate the Minister to expedite immunisation programs for that transient agricultural workforce?

**Mr ADAM MARSHALL:** I think I am on the public record as advocating for everyone to get vaccinated and to get more access to vaccinations—absolutely.

**The Hon. MICK VEITCH:** Did you reach out to this particular shearing team or did you get the department to reach out to them?

**Mr ADAM MARSHALL:** No, the department reached out to them.

**The Hon. MICK VEITCH:** As the Minister for Western New South Wales, you did not reach out to this particular team.

**Mr ADAM MARSHALL:** No, I did not.

**The Hon. MICK VEITCH:** You asked the department to do it for you.

**Mr ADAM MARSHALL:** The department reached out to the team, yes.

**The Hon. MICK VEITCH:** Minister, with the issues that happened at Wilcannia when you were triaging to other Ministers, did you reach out to anyone in Wilcannia?

**Mr ADAM MARSHALL:** Any—

**The Hon. MICK VEITCH:** Anyone at all in Wilcannia during the Delta outbreak.

**Mr ADAM MARSHALL:** I had a number of phone conversations with people out at Wilcannia, but I would have to take that—

**The Hon. MICK VEITCH:** But you would know. Did you personally reach out to anyone at all in Wilcannia during that Delta outbreak?

**Mr ADAM MARSHALL:** Yes, I had phone conversations with a number of people from Wilcannia.

**The Hon. MICK VEITCH:** Which you created?

**Mr ADAM MARSHALL:** Yes.

**The Hon. MICK VEITCH:** Minister, issues around driver licences and learners in particular have been explored at a number of budgets estimates hearings. As the Minister for Western New South Wales, have you received any correspondence from anyone at all raising or flagging issues around the difficulties that people have been having in getting appointments for their Ls?

**Mr ADAM MARSHALL:** Off the top of my head, I cannot recall. I may have; I may not have. I would have to check and come back.

**The Hon. MICK VEITCH:** I am happy for you to take that on notice.

**Mr ADAM MARSHALL:** I will take it on notice if you do not mind.

**The Hon. MICK VEITCH:** Minister, the dog fence, is that on track and on budget?

**Mr ADAM MARSHALL:** It is definitely on budget. I might ask Mr Witherdin to clarify the details I might miss, but it is slightly delayed and that is because we have had some difficulties negotiating the planning system. The 742 kilometres—

**The Hon. MICK VEITCH:** Have you triaged that to the planning Minister as well?

**Mr ADAM MARSHALL:** Do you want me to answer the question or do you just want to take cheap shots all day?



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**CORRECTED**

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**The Hon. MICK VEITCH:** I am just asking what—

**Mr ADAM MARSHALL:** Okay, good.

**The Hon. MICK VEITCH:** Minister—

**Mr ADAM MARSHALL:** If I can answer it—

**The Hon. MICK VEITCH:** It is running late.

**Mr ADAM MARSHALL:** Yes, it is. The intention was to have it completed by the end of this term of government. It still could be but is most likely not to be. We now have the planning approvals in place for the Queensland border portion of it, and we are waiting for approval for the South Australian border. There was an issue, I believe, with negotiation with the Department of Planning around biodiversity offsets, which Mr Witherdin might be able to update us on. I believe we are almost across the line with that, and then we were waiting on one last council on the Queensland side to give development approval for a stretch of the fence which is built in Queensland and not in New South Wales.

**The Hon. MICK VEITCH:** What was the problem with the biodiversity offsets?

**Mr ADAM MARSHALL:** Mr Witherdin can take you through the details.

**The Hon. MICK VEITCH:** You are not sure. You do not know or—

**Mr ADAM MARSHALL:** No, I do know, but the detail—Mr Witherdin.

**The Hon. MICK VEITCH:** I can talk to Mr Witherdin this afternoon. It would be nice—

**Mr ADAM MARSHALL:** The issue is there that with any project there must be some offsets, particularly when you have to remove some native vegetation to build a physical piece of infrastructure, and so that was the issue with the Department of Planning, getting them to agree to an offsets plan that we could then submit as part of the environmental impact statement to enable that project to proceed to assessment and approval.

**The Hon. MICK VEITCH:** Did that add extra costs to the project that was not included in the original budget?

**Mr ADAM MARSHALL:** I am hoping it will not if the negotiations are successful.

**The Hon. MICK VEITCH:** You are hoping, but you cannot tell us quite yet.

**Mr ADAM MARSHALL:** I cannot pre-empt what another department will do, Mr Veitch, but my view is that it is a \$37.5 million commitment and it is being built to protect the biodiversity of this State. That is something I think that should weigh very heavily on the minds of the people assessing this application. Plus, it is a government commitment and it is one that is welcomed by virtually everyone who lives and works in the Western Division, particularly, as you would know, on farm. The takedown rate of wild dogs, particularly with sheep, is phenomenal, costing \$24 million or \$25 million in productivity.

**The Hon. MICK VEITCH:** Hence I am asking why it is running late or projected to be a bit late.

**Mr ADAM MARSHALL:** Unfortunately, it is for the reasons I have just said.

**The Hon. MICK VEITCH:** Minister, at the last estimates we had the public servants with us and they did very well in answering our questions, and Mr Hansen answered a question of mine regarding the 2,000 Pacific Islanders who came into New South Wales at about that time and the breakdown of which industries they were going to. It would appear that the majority of them were going into abattoirs or the meat industry and in fact not to assist in the seasonal agricultural work at the time. As Mr Hansen was able to provide that breakdown at that time, why are you not able to tell me how many we need now?

**Mr ADAM MARSHALL:** I can give you the same breakdown; it is 2,500. There is another 700 coming in the next couple of months and—

**The Hon. MICK VEITCH:** Where are they going to?

**Mr ADAM MARSHALL:** The majority of the latest ones since March are actually not going into the meatworks industry and are going into the horticultural space. In terms of the exact numbers, we have got them here now.

**The Hon. MICK VEITCH:** Mr Hansen has got the numbers to hand.

**Mr ADAM MARSHALL:** So, horticulture, 1,302; meat processing, 1,314—so almost a fifty-fifty split.

**The Hon. MICK VEITCH:** About a fifty-fifty split.

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**CORRECTED**

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**Mr ADAM MARSHALL:** Yes.

**Mr HANSEN:** To your question, though, Mr Veitch, we can get the numbers about how many applications have been lodged by approved employers for workers to come in. Even the work that is being commissioned by the Commonwealth to get Ernst & Young to have a look, even in the horticulture sector, just in horticulture alone they have a range in terms of necessity of workforce from 11,000 through to 24,000 per annum, and that is based on four different scenarios. So to try to get a number for all industries—that is one of the biggest gaps we have got.

**The Hon. MICK VEITCH:** Yes, which we really do need to lock away and have a much greater handle on, would you not agree?

**Mr HANSEN:** Yes.

**Mr ADAM MARSHALL:** Absolutely.

**The Hon. MICK VEITCH:** Did you look at financial incentives, Minister, as a part of this package of trying to encourage even our own domestic workforce into some of these industries?

**Mr ADAM MARSHALL:** Yes. We have got a skilled migration program, the \$10,000 grants. I also had a fairly lengthy—

**The Hon. MICK VEITCH:** Do you know how many have taken those up?

**Mr ADAM MARSHALL:** I do not know. We do not administer those. Mr Barnes might be able to answer that—

**The Hon. MICK VEITCH:** I am going to pursue that this afternoon.

**Mr ADAM MARSHALL:** —or take it on notice.

**The Hon. MICK VEITCH:** Anyway, if you could take it on notice, it would be nice to have the numbers.

**Mr ADAM MARSHALL:** Yes. The other thing is that I had a lot of discussion at the time, when we were considering a range of ideas, with my counterpart in Victoria who has now moved on to be the Attorney-General but was the agriculture Minister at the time. Because they had not long implemented an incentive scheme where they were paying for city Victorians to go out to the regions. I think they pay them a mileage rate and then they help subsidise their accommodation. I was asking her about the success of that scheme and she actually gave me some very, very negative feedback on that scheme. On the basis of that and being able to put our money perhaps towards other initiatives that would have a greater impact—

**The Hon. MICK VEITCH:** So it sort of helped shape the packages for New South Wales.

**Mr ADAM MARSHALL:** Yes, like subsidising quarantine. So it was definitely something that I thought about and looked at.

**The Hon. MICK VEITCH:** I think I am running out of time here. Minister, rural financial counsellors—a really important program.

**Mr ADAM MARSHALL:** Absolutely.

**The Hon. MICK VEITCH:** I do not think there is anyone in regional New South Wales who would disagree that we need rural financial counsellors on the ground, and a number of them, not just in times of drought but for a range of other issues. I think the large-scale mouse breeding event in the Central West would have highlighted the need for financial counsellors. I put a question on notice to you around rural financial counsellors and the response was:

The NSW Government is working directly with the Rural Financial Counselling Service to understand the needs of the organisation and its estimated future funding requirements.

Has that work now finished? Do we have a contract in place for the Rural Financial Counselling Service across regional New South Wales?

**Mr ADAM MARSHALL:** That work is ongoing. We obviously have a funding—there is an arrangement between the Commonwealth and States about the way rural financial counsellors are funded. I agree completely with everything you said. Their work is vital for pastoral care, counselling but also helping farmers in times of need navigate through application processes at a State and Commonwealth level. You will not get an argument from me. It is an organisation I want to see us as a government continue to support.

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**CORRECTED**

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**The Hon. MICK VEITCH:** Will you guarantee they get security and funding, rather than having to fight on this cyclical nature of contracts so that they actually have some surety and security around their funding so they can actually undertake the work without fear that they will either have reduced numbers or—

**Mr ADAM MARSHALL:** I do not want to pre-empt any financial deliberations, but can I say that is my fervent hope that that is where we get to, yes. That is what I am aiming for.

**The Hon. MICK VEITCH:** You cannot tell me, but I am going to ask: Does that include an increase in the numbers of rural financial counsellors across the State?

**Mr ADAM MARSHALL:** It could, but I would have to negotiate that with the Commonwealth because the Commonwealth contribute a significant amount of money to that program. If we as a State were to up ours, that might have some financial implications for the Commonwealth. So that would be part of the ongoing work, some negotiation and discussion with them. Because the Commonwealth have a national-wide program and we are just one of the participants.

**The Hon. MICK VEITCH:** Absolutely. We need to make sure the people of New South Wales have an absolute guarantee—

**Mr ADAM MARSHALL:** No doubt. I am probably being too nice a guy in trying to look after the Commonwealth a bit as well and not spring anything on them.

**The Hon. MICK VEITCH:** Yes. I wouldn't.

**The Hon. SAM FARRAWAY:** That is unlike you.

**Mr ADAM MARSHALL:** Yes. I wouldn't do it for the member for Calare.

**The Hon. MICK VEITCH:** Minister, this Committee has been provided a confidential document by Mr Barnes. I can refer to it by name, I think, or loosely. In very broad terms it arises from a previous estimates hearing. Mr Barnes had undertaken that he would provide a probity report to this Committee. Minister, have you actually seen this document?

**Mr ADAM MARSHALL:** Yes, I have got it just here in my manila folder.

**The Hon. MICK VEITCH:** When did you get the document?

**Mr ADAM MARSHALL:** I got the document shortly after I requested to see a copy of the document.

**The Hon. MICK VEITCH:** When did you request to see the document?

**Mr ADAM MARSHALL:** Last week.

**The Hon. MICK VEITCH:** Why did it take you till last week to request to obtain this very important document, when it had been discussed at the previous budget estimates hearings of this Committee?

**Mr ADAM MARSHALL:** I asked for a copy because I mistakenly assumed that I had already been provided with a copy. When I discovered that I hadn't, I asked for a copy.

**The Hon. MICK VEITCH:** Thank you.

**The CHAIR:** Thank you, Minister—

**The Hon. MICK VEITCH:** I didn't get us into trouble, did I?

**The CHAIR:** No. We will find out.

**Mr ADAM MARSHALL:** I am happy to talk about it.

**The CHAIR:** Minister, you would appreciate there was significant investment made by recreational anglers regarding the Botany Bay recreational fishing haven.

**Mr ADAM MARSHALL:** Sorry, can you repeat that? I was still discussing something with Mr Veitch.

**The CHAIR:** You would agree that there was significant investment made by recreational anglers in the creation of the Botany Bay recreational fishing haven.

**Mr ADAM MARSHALL:** If you say there was, I will take your word at it, Mr Banasiak, but I cannot say.

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**CORRECTED**

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**The CHAIR:** These recreational fishing havens were set up and paid for by the Recreational Fishing Trust. What actions are you taking as the Minister to protect that recreational fishing access and sensitive fishing habitat that is going to be lost under Scomo's ferry to nowhere, La Perouse to Kurnell?

**Mr ADAM MARSHALL:** I am happy to pass to Mr Sloan for some of the detail, but I am aware of the concept and the proposal. I have definitely asked DPI Fisheries to be aggressive, if you like, in their participation in any consultation process.

**The CHAIR:** DPI rejected it initially.

**Mr ADAM MARSHALL:** Yes, that is right.

**The CHAIR:** Are you being aggressive with your respective Minister as well?

**Mr ADAM MARSHALL:** Well, I have conversations all the time with various colleagues, but on this particular proposal obviously DPI is not a consent authority nor a proponent but will definitely be making quite clear its views and therefore giving advice to me in terms of protection of recreational fishing access and also the protection of marine and aquatic life as well.

**The CHAIR:** Mr Sloan, have you got anything to add? Can you also address what offsets you are in negotiation with via, I guess, Transport for NSW in negating any negative impacts?

**Mr SLOAN:** Yes, thank you, Chair. Just to confirm what the Minister has just stated in terms of the views and the feedback that DPI Fisheries has provided into the process, we have made it very clear that the area is an important recreational fishing area for New South Wales recreational anglers. We have offered a number of different suggestions about how the two can coexist. The best example would be the programs that we have in place for enabling access in and around Sydney Harbour and where the ferries operate, and our programs to enable recreational fishing in all of the different wharves and structures in and around Sydney Harbour. That is the sort of thing that we are suggesting, that there should be some way of enabling coexistence.

**The CHAIR:** I might just switch to harvest strategies, Minister. On 19 October you as Minister released a press release on harvest strategies. You said:

Harvest strategies give all stakeholders, including fishers, the government and the community, certainty about how fisheries will be managed and provide transparency in decision making.

With that in mind, why didn't you go to a harvest strategy for dusky flathead and eastern rock lobster that you have just recently released for consultation?

**Mr ADAM MARSHALL:** In terms of—

**The CHAIR:** Why didn't you go to a harvest strategy in terms of managing those two species? Rather than just putting out proposed slot limit changes and reducing catch, why didn't you go to a more comprehensive harvest strategy?

**Mr ADAM MARSHALL:** I guess relation to those two, I have received numerous requests and proposals from participants in the fishing sector. I referred those requests and proposals to, I think, no less than three or four of my fishing advisory committees, and they have provided advice that I have decided to put out on public exhibition to see what people have to say. Can I say, though, Chair, that the harvest strategies are important because they will help guide the deliberations that the independent panel does every 12 months to design the total allowable catch for each category. As you know, under the legislation, I do not have the ability to refuse the decision of the total allowable catch committee; I only have the ability to ask them to review it again. But what we can do is introduce harvest strategies that look at the economics, not just the simple viability of the fish stock, and that will be something that the total allowable catch committee has to take into account when coming to its determination.

**The CHAIR:** Given that this is a fairly vexed issue, I am perplexed as to why you did not go to a complete harvest strategy so you could get all the views. It is already receiving a lot of negative feedback on social media.

**Mr ADAM MARSHALL:** Particularly on your page, I think.

**The CHAIR:** I have not even posted it on my page yet, but I will. I will generate discussion.

**Mr ADAM MARSHALL:** Haven't you? Well, I will wait for the tag.

**The CHAIR:** The recreational fishing council—

**The Hon. SAM FARRAWAY:** The taggers.

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**CORRECTED**

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**Mr HANSEN:** Mr Sloan—sorry.

**The CHAIR:** I am just conscious of time. I will get to it.

**Mr ADAM MARSHALL:** Yes.

**The CHAIR:** The recreational fishing councils, the advisory councils, that you have sent them to, how many of them declared conflicts of interest? I am aware that the recreational fishing council has members on it that are both recreational fishing and charter operators. Obviously this proposal, particularly for the dusky flathead, will have significant benefits for them in their charter operations. How many of them declared a conflict of interest before discussing these issues?

**Mr ADAM MARSHALL:** I do not know, but I would expect any member on those committees to declare their interest in line with the policies and government requirements. Maybe Mr Sloan knows the answer.

**The CHAIR:** Perhaps they might need to take it on notice.

**Mr ADAM MARSHALL:** Yes, happy to take it on notice. Did you have any comments?

**Mr SLOAN:** Thank you, Minister. What I can say is that the Recreational Fishing NSW Advisory Council keeps a register for the interests of its members and any of those interests that may present a conflict are dealt with through the governance arrangements that are managed through those meeting processes. If you like, I can add a little bit of context as well to the harvest strategy discussion that you were just having.

**The CHAIR:** My time has just elapsed. I am just conscious of you guys getting out of here.

**Mr ADAM MARSHALL:** Do you want to pick it up in the afternoon?

**The CHAIR:** We will pick it up in the afternoon. Thank you. I will pass to Ms Hurst.

**The Hon. EMMA HURST:** We were talking about Murray River Council before. Obviously there are many more councils—and I understand what you are saying about the planning Minister being responsible for dealing with what councils can and cannot do in regard to development applications—but a lot of these councils are very concerned about the animal welfare issues and that is where the community backlash is coming from. Councils are terrified to put up development applications around puppy farms because they get petitions with 30,000 signatures on it and thousands of objection submissions. What are you doing to address this issue, considering there is such a big issue amongst councils and the community?

**Mr ADAM MARSHALL:** It is a difficult issue for councils, particularly those that have had no involvement in the commercial breeding of companion animals industry or do not have any current facilities in their local government area. I guess the simple answer to your question is that there is nothing that can be done to stop any proponent putting forward an application to build anything, no matter how abhorrent it may be. The planning system, as I understand it, allows an applicant to lodge an application that may be completely inappropriate and then it is for the consent authority to either reject, accept—

**The Hon. EMMA HURST:** But obviously that is why these councils are now writing to you to talk about bringing out animal welfare laws. At the moment, people are allowed essentially to have 600 female dogs being bred for their entire lives, shot if they are no longer wanted, no staff ratios, no "fit and proper person" test. You can see why there is community concern that a facility like this would just lead to an animal welfare disaster, right?

**Mr ADAM MARSHALL:** There are two separate issues there, Ms Hurst, that you are conflating. One is a land use planning issue of a development application being lodged, and then the second issue is the actual operation of that facility. Now, POCTAA controls the actual operation of the facility but POCTAA is not a land use planning—

**The Hon. EMMA HURST:** But POCTAA does not address many of the issues that I listed just then.

**Mr ADAM MARSHALL:** Neither does local government.

**The Hon. EMMA HURST:** That is right.

**Mr ADAM MARSHALL:** Councils' involvement is as the consent authority and they perform the consent authority role under the Environmental Planning and Assessment Act 1979.

**The Hon. EMMA HURST:** But council is being targeted by the community, who are distressed about the increasing puppy farming issue in New South Wales, and council is writing to you as the Minister to say, "Can you bring in some animal welfare laws so that we are not being hamstrung by the current planning laws?"

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**CORRECTED**

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**Mr ADAM MARSHALL:** But animal welfare laws will not change anything to do with the land use planning system. Maybe I am not being clear enough. It is an issue of getting approval to build a structure and then, once it is built in accordance with the consent, how is that facility operated. POCTAA kicks in once a facility is being operated, not prior to that when it is in the consent phase.

**The Hon. EMMA HURST:** Surely, Minister, you would not be applying to have 600 dogs if under POCTAA you were not allowed to have 600 dogs; they would still have to be complying with the current laws.

**Mr ADAM MARSHALL:** Yes. Well, the current laws make no cap on the number of—

**The Hon. EMMA HURST:** That is what I am saying. So the current laws—there are no caps.

**Mr ADAM MARSHALL:** That is correct.

**The Hon. EMMA HURST:** As I said, you can have 600 females that can be bred for their entire lives. They can be shot if they are no longer wanted.

**Mr ADAM MARSHALL:** No—

**The Hon. EMMA HURST:** There are no staff ratios. There is no "fit and proper person" test. What I am saying is, and what the councils are saying is, that the laws are deficient and I am asking you what are you doing in this space?

**Mr ADAM MARSHALL:** Okay. The reason why POCTAA and the breeding code at the moment does not put a limit on the number of dogs is that is there is—

**The Hon. EMMA HURST:** But it is not just the limit on the number of dogs, Minister. It is all of those things in combination where you can see that it is very chaotic. I have been speaking with many small breeders and I have been speaking with breeding organisations, DOGS NSW, and they say that the current legislation is just so broad that it does allow for intensive puppy farming to occur in New South Wales.

**Mr ADAM MARSHALL:** The legislation, as it does in every other State, does allow for the commercial breeding of companion animals, yes.

**The Hon. EMMA HURST:** Of course, but we are not talking about stopping the commercial breeding of companion animals. We are talking about the intensive factory farming of dogs.

**Mr ADAM MARSHALL:** Well, where do you draw the limit?

**The Hon. EMMA HURST:** Obviously I have put up my legislation. We might debate on where that limit is, and that is a discussion that I am more than happy to have with you, but what I am asking is: Why is there no legislation in New South Wales that provides any kind of framework or limitations to ensure that, similar to Victoria—obviously Victoria has introduced their own caps and their own limitations. We can have an argument about whether they are effective or not or whether those numbers need to move, but my question is at the moment there is nothing in New South Wales and that is what these councils are crying out about.

**Mr ADAM MARSHALL:** The reason there is nothing is that numerous inquiries in the past, including one that your colleague Mr Pearson participated in, resolved—

**The Hon. EMMA HURST:** But I would also say that you chaired that inquiry and none of the recommendations have even been put into place.

**Mr ADAM MARSHALL:** Can I finish my answer, Mr Chair?

**The CHAIR:** Yes, please do.

**Mr ADAM MARSHALL:** Thank you. The reason, Ms Hurst, why there is no limit—there is a number of reasons but primarily it is numerous inquiries and expert evidence from—

**The Hon. EMMA HURST:** Sorry, my question was not about the limit. As I said, my question was about all of the aspects. So it was about the fact that there is no limit on the number of dogs, there is no limit on—

**Mr ADAM MARSHALL:** Well, I was answering that.

**The Hon. EMMA HURST:** Yes, that is one of the aspects. The other aspects are there is no staffing ratio, there is no "fit and proper person" test, there is no limit on the number of litters that each dog can have, and this is problematic. It is the combination of all of those things.

**Mr ADAM MARSHALL:** The reason there is no limit, as I was saying, on the number of dogs and no staffing requirements is that the POCTAA and the breeding code—it is not about blunt instrument of numbers; it is about if you can comply with the strict animal welfare standards, we are not going to limit how many animals

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**CORRECTED**

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you have or how many staff you have. The test is, "Are you caring for those animals in strict accordance with the animal welfare laws of this State?" If you are, then it does not matter whether you have 10 or a hundred dogs if they are all being looked after.

**The Hon. EMMA HURST:** It would matter if you have got a hundred if you have only one staff member.

**Mr ADAM MARSHALL:** How can one staff member then comply? How can they achieve the animal welfare outcomes that POCTAA applies?

**The Hon. EMMA HURST:** They could shoot all the dogs, I guess, that are not fitting. Are you saying, Minister, just as a final question, that you are not taking any action in this space at the moment?

**Mr ADAM MARSHALL:** No, I am not saying that at all.

**The CHAIR:** I might throw to Mr Field, if you are there.

**Mr JUSTIN FIELD:** I am, Chair. Thank you. Minister, I would like to go back, if I could, to my questions on PNF reporting—and possibly for you, Mr Witherdin, but jump in, Minister, if you have got an answer to start with. Just to confirm, in last week's estimates hearing with Minister Kean and the EPA, Ms Mackey said in regard to the PNF data:

We have sought it in a range of fora that we have—at an officer level, and a senior officer level, at CEO-to-CEO meetings. We have also put in formal requests; we have written to them. It is not that we have not sought this information. We think it is quite critical to the way in which we are able to regulate the space.

Clearly the EPA does not feel that the information it needs to do its job and regulate PNF has been provided at an adequate level, up until very recently, by LLS. I am wondering why.

**Mr WITHERDIN:** I am wondering why too. Thanks for the question. I am really concerned about the reputation of my operational staff here in the PNF space, who go absolutely above and beyond. I will point to what we have in place in terms of regular monthly meetings with LLS, EES, EPA and DPI in the plantations area. There are monthly operational meetings where we discuss issues. I point to the fact that the EPA, despite their concerns, have not attended one of these meetings since 1 June 2021. I sort of make that clear. I have not had a meeting with Ms Mackey this year. What I will point out, or take you through in detail, is the schedule of our reporting. There are three categories: There is automated reporting, fortnightly reporting and quarterly reporting. In terms of the automated reporting, there is notification of PNF plans approvals, including the landholder name, the lot, the section, the development plan [DP] and address. That is something that happens as soon as that is uploaded, our system pushes it across to there. Fortnightly there is collated and geo-referenced PNF plans that are deposited in a shared SharePoint file, and with that the commencement—

**Mr JUSTIN FIELD:** Mr Witherdin, I might get you to go through that this afternoon. I have very limited time. I will give you a chance to do that because I think it is very important and it is entirely conflicting.

**Mr WITHERDIN:** I am really happy to.

**Mr JUSTIN FIELD:** That would be great. Last year I asked you about annual reporting coming from PNF holders. There seemed to be concern or confusion around the email address that PNF approval holders were directed to send reports to. I believe you had received, or LLS had received, three reports. That was it in the entire year. Just to confirm, that 2,000 cubic metres you provided to me before, how many reports was that based on and what level of confidence do you have that that is the entire PNF harvest in New South Wales in the past 12 months?

**Mr WITHERDIN:** I will take on notice the number of reports. That is based on reports that we have received. You would need to address that question to the EPA, who are supposed to be receiving all of those reports. They should have that data. We have got a reference there on our website to their email address for depositing those reports as well. And as I said, any that we receive we pass over to the EPA as well.

**Mr JUSTIN FIELD:** That 2,000 is not a whole-of-government position. That 2,000 is largely meaningless. You do not know what percentage of actual harvesting that represents at all. That is from the reports that you have received and they are not even technically supposed to come to you. So what does that even mean, that 2,000 cubic metres?

**Mr WITHERDIN:** The EPA, as the regulator, should have all that information available.

**Mr JUSTIN FIELD:** Just to confirm, what level of confidence do you have that that 2,000 cubic metres reflects total PNF extraction in the past 12 months?

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**CORRECTED**

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**Mr WITHERDIN:** I would not expect it does. What I have said is that is the best available information that we have received. It would not be in its entirety, because of what should be going to the EPA. They should be able to provide that.

**Mr JUSTIN FIELD:** There is no shared view between the agencies that co-regulate this space about the level, the volumes of PNF harvesting in the past 12 months. It is unknown, really.

**Mr WITHERDIN:** As I have said, you would need to address that question to the EPA, because that is where the annual returns should be going.

**Mr JUSTIN FIELD:** We are no further advanced than we were eight or nine months ago, Mr Witherdin, which is very disappointing. I shall take it up with the Ministers in another forum. Minister, why did a DPI official participate in a Land and Environment Court conciliation meeting on behalf of Verdant Earth Technologies over its proposal to earn up to a million tonnes a year of native forest biomaterial in the Redbank power station?

**Mr ADAM MARSHALL:** I do not know, Mr Field, but Mr Hansen does.

**Mr HANSEN:** We have a pre-eminent scientist in the area of carbon footprint who acted as an expert witness in the Land and Environment Court. It was not on anyone's behalf but as an expert witness to provide information on Verdant's proposal.

**Mr JUSTIN FIELD:** Before you go on, Dr Cowie was specifically invited by Verdant Earth Technologies. She was providing evidence on their behalf, invited by them, in opposition to another witness called by Singleton Council. How can you claim it was independent?

**Mr HANSEN:** Dr Cowie acted in accordance with the expert witness code of conduct which provides that an expert witness is not an advocate for a party and has a paramount duty overriding any duty to the party to the proceedings or other person retaining the expert witness to assist the court impartially on matters relevant to the area of expertise of the witness. There is an important point here about the availability of public servant experts to be able to be called by a party to give expert testimony to help the court impartially arrive at an outcome on matters relevant to that area of expertise. That is what Dr Cowie was doing.

**The Hon. MICK VEITCH:** Minister, I have a few biosecurity questions in the short time that I have. I have been advised that we had a serious issue with one of our ports where some raccoons escaped from containers. Are you aware of this?

**Mr ADAM MARSHALL:** Vaguely, yes.

**The Hon. MICK VEITCH:** It highlights the very serious issue of biosecurity in this State and the funding that is required to fight essentially incursions from weeds and pests from other hemispheres.

**Mr ADAM MARSHALL:** Other countries.

**The Hon. MICK VEITCH:** There was a Hendra virus outbreak at Newcastle recently. Minister, what work are you doing in regard to climate change and its impact on how weeds and pests will move in New South Wales?

**Mr ADAM MARSHALL:** Can I just say as an introductory comment, that the cheapest form of biosecurity is good quarantine at our borders. And it continues to be a frustration that I have with the Commonwealth about the fact that the States are continually dealing with more and more of this stuff that we do not have in the country getting into the country through quarantine and then it becomes an issue for our balance sheet.

**The Hon. MICK VEITCH:** Raccoons.

**Mr ADAM MARSHALL:** Yes. Khapra beetle, and I could go on. To your substantive point, yes, the Department of Primary Industries within its research program is doing a lot of dedicated work on climate change. Indeed we have a funding program to work with a number of landholders and farming industries to look at innovation in that space, to reduce energy consumption and to increase productivity. We are working with universities around the reduction of methane in cattle production, and all that sort of stuff.

**The Hon. MICK VEITCH:** I am going to explore that this afternoon.

**Mr ADAM MARSHALL:** Good.

**The Hon. MICK VEITCH:** The raccoon issue, could you take that on notice and get the details for the Committee? All jokes aside, it is pretty serious.

**Mr ADAM MARSHALL:** I know I should not joke about it, but the raccoons escaping.



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**CORRECTED**

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**The Hon. MICK VEITCH:** Davy Crockett.

**Mr ADAM MARSHALL:** Yes, that is right.

**The Hon. MICK VEITCH:** Minister, I refer to the issue of climate change and weeds and pests. Pests that are currently on the North Coast of New South Wales that do not come down south—cane toads, tick.

**Mr ADAM MARSHALL:** I was thinking of cane toads the moment you mentioned it.

**The Hon. MICK VEITCH:** They will be coming further south.

**Mr ADAM MARSHALL:** They are coming further south.

**The Hon. MICK VEITCH:** Because of climate change.

**Mr ADAM MARSHALL:** Because the weather is becoming more temperate for them.

**The Hon. MICK VEITCH:** You agree. That is the body of work that I am asking about. I know my time is nearly up. Mr Hansen, I want to know how much we are spending on this and what plans are being put in place. Those are the sorts of things I want to talk about this afternoon. It is correct: climate change is causing these things to change across New South Wales.

**Mr ADAM MARSHALL:** Yes, and lax quarantine does not help either.

**The Hon. MICK VEITCH:** That is right.

**Mr HANSEN:** If I can, Minister, there are two pathways here. The first one is the changing climate, which means that in some cases—and let us use blowflies as an example—there is not necessarily the winter hiatus that allows populations to drop off if temperatures stay up. The second thing is the changing nature of crops and the fact that we have now got crops in new areas of the State that would not be there previously. Not only do they bring new pests to a district but they actually act as a pathway for those pests to maybe join up and link up to other production areas that they could not previously. For example, this is something that we are dealing with nationally—and I am happy to talk to you after the break—because there is now a mosaic of opportunity for pests from our very northern borders of Northern Territory and northern Queensland all the way down.

**The Hon. MICK VEITCH:** You would have liked the raccoon question.

**The CHAIR:** I did. Just one quick question on notice before I pass to the Government for its questions. There was a tender for manufacturing insulation fish screens that closes tomorrow. On notice, what is the budget for it and will it be coming out of the Recreational Fishing Trust Fund?

**Mr HANSEN:** We will take that on notice, thanks.

**The CHAIR:** Over to the Government.

**The Hon. SAM FARRAWAY:** I think you have covered it well, Minister. I do not think we have any questions.

**The Hon. TAYLOR MARTIN:** I want to know more about the raccoons.

**The CHAIR:** You do not want to ask about his diary?

**The Hon. SAM FARRAWAY:** No, the diary is fine.

**Mr ADAM MARSHALL:** Read on notice; it will be on notice.

**The CHAIR:** That concludes our time with you, Minister. Thank you for your time.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**The CHAIR:** Welcome back to the afternoon session of budget estimates for Agriculture and Western New South Wales.

**The Hon. MICK VEITCH:** This is the calmer, more detailed session of estimates. Thank you for those attending who can provide us with calmer, more detailed information. Thank you all. I just want to go back on to mice, and there were a number of things that we explored with the Minister this morning. If I could, Mr Hansen, I want to refer back to your email that I was citing this morning. In all seriousness, you were raising an issue about the announcement for the research into the breeding. In the end, what has happened there? The Minister said something about the money being there, but can you provide us with the details? Where is that at now?

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**CORRECTED**

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**Mr HANSEN:** I can, and if I can also just reflect that I had a chance to review that email over the break and I note the fact that it was not actually an email from me to the Minister at 10.30 p.m. It was actually an email from me to a number of staff and not to the Minister.

**The Hon. MICK VEITCH:** I still like the moonshine; it is a great phrase.

**Mr HANSEN:** Yes. What has happened since then is we did have available to us out of the funding for mice \$1.8 million which we have co-invested with other partners in an accelerated research program into genetic biocontrol of mice. It is actually led by the University of Adelaide because, as I flagged in that email to my staff, the challenge with research is you cannot just turn it on and off. A decision had been made a number of years ago about ensuring that there was no duplication in terms of research capability and that we were keeping critical masses in certain locations; CSIRO kept that critical mass in mice research. The University of Adelaide also had a strong group in the genetic manipulation for biocontrol for animals, and so we are utilising them as a lead but including others in that partnership. We have got a \$1.8 million three-year research program that is looking at a longer-term solution to mice plagues. It obviously was not available last season and if we do not have a clean harvest this time, there is a chance that numbers will build up again and it will not be available then. We are hoping that by the end of three years we will start to have some new technologies that allow us to control plague populations.

**The Hon. MICK VEITCH:** It is \$1.8 million—

**Mr HANSEN:** From us over three years.

**The Hon. MICK VEITCH:** It is not \$1.8 million each year; it is \$1.8 million over three years.

**Mr HANSEN:** Over three years, and as I said we are only part of the partnership that we have been able to bring together into that.

**The Hon. MICK VEITCH:** Yes, it does take a while for some of this research to finish and then materialise into something that is effective on the ground. Does that \$1.8 million come out of the \$150 million package that has been announced?

**Mr HANSEN:** That is correct.

**The Hon. MICK VEITCH:** With regard to the research, is there quarterly or six-monthly feedback or reporting on how that is progressing? Or are you going to wait the three years and at the end of the research—

**Mr HANSEN:** No, there will be periodic reporting throughout the period of the research. I cannot tell you off the top of my head, but John Tracey who is online probably can, what the frequency of reporting is.

**The Hon. MICK VEITCH:** Also, has it commenced now and how many reportings have we had?

**Mr HANSEN:** I might throw across to Dr Tracey.

**Dr TRACEY:** I think that we are looking at annual reporting at least. In terms of the commencement of the project, that has kicked off. The advantage of this program is that it is targeting the rate of increase, and obviously for mice that is the bit that really drives those populations up high. It has got a lot of promise. It is not going to be a short-term solution, but it has got big potential long term. The contracts have been signed. We have got an Adelaide university recruitment researcher now on board and commenced. We have got permits secured also for the X-chromosome strategy, which is the first part of that program, and permit applications in trade in place.

**The Hon. MICK VEITCH:** Mr Hansen?

**Mr HANSEN:** Sorry, Dr Tracey, I was just going to clarify, those two permits are because we needed both Animal Ethics Committee approval plus the Office of the Gene Technology Regulator approval for the research. They are the permits to which Dr Tracey was referring.

**The Hon. MICK VEITCH:** Dr Tracey, do you have anything else to add?

**Dr TRACEY:** No, that is about it, thanks.

**The Hon. MICK VEITCH:** Mr Hansen, I know we explored the issue around zinc phosphide imports a little bit in the last estimates hearing, but we had to secure supply to make sure we had enough in case there was another large mouse breeding event—I think that was the phrase used in the SO52 order for papers. Some say mice plague, others say mouse plague or plague of mice; I am not sure. I will leave that to Hansard; they are the grammatical experts. Did we secure sufficient zinc phosphide imports?

**Mr HANSEN:** Yes.

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**CORRECTED**

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**The Hon. MICK VEITCH:** We did. Were there any problems getting it out of India?

**Mr HANSEN:** There was always a risk around just-in-time supply. It was not so much around manufacturers; it was around transport and delivery. We are aware that in some regional locations there were regional supply logistics issues that sort of meant that it was tight in areas. But we recently have had conversations with all of the suppliers and they have all said that they have the stocks on hand. They have had the stocks all the way through. So the supply chain at the moment is secured, yes.

**The Hon. MICK VEITCH:** There was funding allocated for this—

**Mr HANSEN:** That is right.

**The Hon. MICK VEITCH:** —for the import process or securing the import and logistics. How much has been expended to date?

**Mr HANSEN:** I think in total it has been \$105,000. We have only had one claim to date. All five of the ZP 50 manufacturers have actually signed up to the scheme. They only make their claim once all the claim paperwork is completed, including proof of delivery to their manufacture site in Australia and so forth. We have had one of those manufacturers that has completed the process and made their claim. We are aware of others that have product en route that we expect will likely make a claim also.

**The Hon. MICK VEITCH:** Okay. I will get this pronunciation wrong—bromadiolone.

**Mr HANSEN:** Bromadiolone, yes.

**The Hon. MICK VEITCH:** That is it. I will stick to your version. How much did the department spend on bromadiolone before the application was refused by the Australian Pesticides and Veterinary Medicines Authority [APVMA]?

**Mr HANSEN:** I will just grab the figure. I think we ended up paying less than half a million dollars. I do have the accurate number here.

**The Hon. MICK VEITCH:** You can take it on notice if you want and get back to us. That is okay.

**Mr HANSEN:** No, sorry, people will be annoyed if I do not get this right, given the fact they have made the effort to find it for me. There was \$575,000 of pre-purchases of bromadiolone.

**The Hon. MICK VEITCH:** How much stock did that actually get?

**Mr HANSEN:** That was enough stock—and I might throw to Dr Tracey—to make sure that we had early access should the permits be granted. At that stage we also had pre-registered producers who might want to access a site to be able to get their grain treated. I think we had over 600 producers pre-register that they would turn up to get their grain treated for perimeter baiting with it. We did not want that to be the case and then not have enough product. As you know, that chemical is widely used in a range of other baits as well, in terms of household baits and so forth. So there are alternative uses for it. We secured the stock in advance. When the permit was not approved, we started discussions with the manufacturers in terms of returning and selling back that product to manufacturers who could use it. That is what we have been able to do.

**The Hon. MICK VEITCH:** Dr Tracey, did you have anything else you wanted to add there?

**Dr TRACEY:** Yes, we secured 5,000 litres initially from an overseas supplier and then another 2,000 litres from a local supplier.

**The Hon. MICK VEITCH:** After the APVMA refused the application, what did we do with our supplies? What has happened to those?

**Dr TRACEY:** Those supplies have now been returned to the manufacturers.

**The Hon. MICK VEITCH:** So we have got the full \$575,000 back then.

**Dr TRACEY:** We did not get the full amount back.

**The Hon. MICK VEITCH:** How much of the \$575,000 did we get back?

**Dr TRACEY:** I think that is still to be finalised, but the majority we probably will not get back. Part of the contingency for us is that we were looking to make sure we had that supply ready in the event of a successful APVMA application. So the good news on—

**The Hon. MICK VEITCH:** When will we know how much we are going to get back?

**Dr TRACEY:** I can follow up on that pretty quickly, I think. I can take that on notice for you.

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**CORRECTED**

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**The Hon. MICK VEITCH:** If you can take that on notice and come back to us a bit later, I would appreciate that, Dr Tracey. So we are going to get some back, but not all.

**Mr HANSEN:** Yes, that is right. There have been some costs in securing access to that material. Obviously, when I say "some costs", we have been able to secure and make sure that we actually had some lots of bromadiolone brought into the country specifically for this program. That is actually available and widely being used now for manufacturing other bait compilations, whether it be household baits also forth. So it is there. It is a bit like, as you would be aware, Mr Veitch, with pest locusts we regularly keep a store of chemical on hand so that there is ready and quick deployment when needed.

We actually touch wood and pray that we do not get to use it and then we actually have to find and wear the cost of dumping it and/or disposing of it, having it recycled and buying new lots. It is about having some of those key ingredients that are needed for pest control in a timely fashion available to the industry. Normally this is an area in which the supply chains work really well. It was just purely that added disruption of the COVID interruption of normal shipping, as well as airfreight, that put at risk the active ingredient component, which is why we had to intervene and make sure that there was a supply chain there so that it was available.

**The Hon. MICK VEITCH:** With regards to the \$150 million—sorry, Dr Tracey?

**Dr TRACEY:** I was just going to add that I guess the advantage that we had was that bromadiolone is a commonly used concentrate for household bait. I think the Director General has covered that. This allowed us to actually put it back into the supply chain.

**The Hon. MICK VEITCH:** Thank you. With regard to the \$150 million program, how many rural LGAs were excluded from the program? Do we know? Maybe another way of asking is: How many rural LGAs were included in the program?

**Mr HANSEN:** We use Local Land Services regions for the descriptions, so we might have to come back to you. There is the Central Tablelands, Central West, Western, Northern Tablelands, North West, Riverina, Murray. When we got to the Hunter we actually broke it into a number of LGAs for the Hunter, so that was Upper Hunter, Singleton and Muswellbrook. In the South East we did the same: It was Hilltops, Upper Lachlan and Yass Valley LGAs. Whatever that compilation of Local Land Services regions adds up to in terms of LGAs would be the listings.

**The Hon. MICK VEITCH:** I am being told there are some places that were affected or impacted upon by the large number of mice but were not eligible for the program. I am guessing this comes down to lines on the map or if it is an LLS region, maybe. I am not sure. Were there many areas where there was an impact of mice but they were not included in the program, Mr Hansen?

**Mr HANSEN:** I am just trying to think through. If you think through the map thereof, from the Northern Tablelands, North West, Western, Central West, Central Tablelands, Riverina, Murray and then parts of the Hunter and South East, I am sure there probably were particular areas that were excluded, but I could not think of an LGA area that was significantly impacted that was not picked up in that. If there are people in that situation, it would be good to hear.

**The Hon. MICK VEITCH:** Okay. I will work through that. I might come back to that. There is a series of questions I asked the Minister in my question on notice around FTEs and the department on 1 July. So not 30 June, but 1 July—I am sure you would understand and appreciate the subtle difference here, end of financial year as opposed to beginning of financial year. As you would be aware, based on my application under GIPAA and the documents provided, I went to the floor with a censure motion based on those documents. Subsequent to lodging the censure motion, a document that should have been included in the GIPAA was presented to me, which would have seriously changed the whole approach I would have taken to this information. Mr Hansen, I want to get an understanding of how the GIPAA process works within the department. Is it the Department of Regional NSW that has responsibility here or is it DPI?

**Mr HANSEN:** We all have responsibility. Each and every one of us has responsibility for the searches to meet the GIPAA requirements. But it is consolidated centrally at the Department of Regional NSW for packaging off and then that will normally go to the Minister's office for final submission.

**The Hon. MICK VEITCH:** Okay. Then it is sent to us?

**Mr HANSEN:** That is my understanding, yes. I do not know whether Mr Barnes wanted to add anything to that process.

**Mr BARNES:** That is correct, Mr Hansen.

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**The Hon. MICK VEITCH:** Speaking of FTEs—and this may be a question to Mr Barnes—how many FTEs are then engaged in your GIPAA department, all those responsible for processing the GIPAAAs and getting them off to the Minister's office?

**Mr BARNES:** I would have to come back to you on that, Mr Veitch, but it would be a small number of people in the governance area of the corporate part of my department that expressly look at Standing Order 52s, GIPAAAs and any other information with integrity agencies. I will take that on notice and come back to you.

**The Hon. MICK VEITCH:** Okay. Thank you for that. Just recently the NSW Ombudsman found the former NSW Department of Planning and Environment had filled a senior executive vacancy under emergency provisions in 2018 when there was no emergency. Essentially they hired an executive staff member as a contractor who was paid up to \$80,000 more than the normal salary for the position. Mr Hansen, has that arrangement occurred in DPI?

**Mr HANSEN:** I am aware that we may have, over the course of the last five or six years, appointed someone directly in to fill a vacancy and then gone through the recruitment process once we bought ourselves time, with someone sort of leaving. I cannot think of a situation of recent times, and I certainly cannot think of a situation that would have that discrepancy between incoming salary and the pay band that they would be coming in on.

**The Hon. MICK VEITCH:** In light of this report, have you sought to review the engagement of individuals in the department to make sure the Ombudsman's concerns do not apply to the Department of Primary Industries?

**Mr HANSEN:** We certainly have a very strict regime whereby at times—for example, if a staff member takes a job somewhere else and moves either within government or outside of government and leaves us with a vacancy that we need to fill—we will make temporary appointments into those roles. Those appointments can only be for a fixed period of time before they have to be competitively assessed and advertised and recruited to. That is something that we do stick very stringently to and the corporate services team within Department of Regional [DR] NSW act as our sort of reminder bell on our check on that.

**The Hon. MICK VEITCH:** When you engage someone on that basis, what is the process for identifying the individual? Do you go to headhunter companies? Do you go to recruitment agencies? What is the process for identifying a contractor that you would put into a role, or is it dependent on the role itself and what skill sets are required?

**Mr HANSEN:** Dependent on the role itself and more times than not—like a vast majority—it would be a sideways deployment or a deployment of someone from a grade below up into that role, someone that we know and we can have start immediately, because it is typically bound by a time-sensitive need to fill a gap kind of thing.

**The Hon. MICK VEITCH:** So secondment arrangements of that nature?

**Mr HANSEN:** Yes.

**The Hon. MICK VEITCH:** Okay.

**Mr HANSEN:** We have a number of those arrangements between LLS and DPI, for example, in our biosecurity space.

**The Hon. MICK VEITCH:** Okay. Thank you. That would apply to LLS as well, then? It is the same sort of arrangement where they need skills brought in for a specific role?

**Mr WITHERDIN:** Yes, absolutely. But where it pertains to senior executives, that delegation sits wholly with the secretary to make any appointment through that.

**The Hon. MICK VEITCH:** Okay. So Mr Barnes?

**Mr WITHERDIN:** We would recruit through the DR NSW recruitment team and be advertised on "I work for NSW", and then I would need to make a recommendation to the secretary for his endorsement around appointments, salary, the whole lot.

**The Hon. MICK VEITCH:** So I can be satisfied there are checks and balances in place that ensure what the Ombudsman is talking about here is not happening in the Department of Primary Industries and LLS?

**Mr WITHERDIN:** Or LLS. Absolutely, yes.

**Mr HANSEN:** Yes.

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**CORRECTED**

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**The Hon. MICK VEITCH:** Mr Barnes, are you satisfied, as it relates to DPI, that that is the arrangement?

**Mr BARNES:** Yes, I am. The appointment of contractors into senior executive positions should be the exception, not the rule. Our preference—and I believe that all agencies within the department are following it—is that we go through proper public service recruitment processes, and I have certainly got my corporate services team looking very closely at that, Mr Veitch.

**The Hon. MICK VEITCH:** Okay. Thank you, Mr Barnes. My time is up. I will come back in the next 20 minutes.

**Mr BARNES:** Mr Veitch, just before you move on, I have got an answer to the question that you asked in relation to Service NSW.

**The Hon. MICK VEITCH:** Yes.

**Mr BARNES:** Should I give that to you now?

**The CHAIR:** Yes.

**The Hon. MICK VEITCH:** The Chair is nodding, so, yes, Mr Barnes.

**Mr BARNES:** Okay. You asked a question about how many funding programs through the department. The only funding program through our department has been the one around mouse control, household and small business rebates. My understanding is that—and that is in the last two years.

**The Hon. MICK VEITCH:** Yes.

**Mr BARNES:** My understanding is that the general rule of thumb for an administrative fee to build the network infrastructure for the program and then to apply a start to it generally is a cost of no more than 5 per cent of the total budget allocated to a program. In this case, the administrative services that had been charged to us had been 3.8 per cent of the total and to date we have been invoiced for \$238,456.

**The Hon. MICK VEITCH:** Thank you, Mr Barnes.

**Mr BARNES:** That is quite typical across all State, Territory and Federal governments when additional funding programs are stood up. In fact, the Commonwealth often charges a lot more than 5 per cent.

**The CHAIR:** Through you, Mr Hansen, I might just throw to Mr Sloan some of the questions about Botany Bay. I just want to get this correct: When you were talking about how you planned to mitigate the ferry service and the recreational fishing haven, you were pointing to ways that you had done it in the past with other wharfs in that obviously if a ferry has come in, the fishermen have to pull up their rods and essentially step back so the ferry can unload and load. Is that what you were alluding to, Mr Sloan, as the approach?

**Mr SLOAN:** I think that broadly captures it. The main sort of point that we have made is that those ferries and their activities should be able to coexist with ongoing access by recreational fishers. It is just a matter of how that access is facilitated in a safe way and in a way that makes sure that ferries can operate and recreational fishers can conduct their activities.

**The CHAIR:** What about the issue that we see on other wharfs, particularly Walsh Bay wharf, where there is a conflict between recreational fishermen and residential and commercial residents and essentially the residential and commercial residents do not want the recreational fishermen out there spoiling their view? How do you plan to manage that conflict which will invariably arise with this development, because it does have commercial enterprises as part of it?

**Mr SLOAN:** Look, we have got those issues in various parts particularly around Sydney where there are heavily populated areas. The emphasis that we place, one is around communicating with recreational fishers to make sure that they are following good practices, good behaviours, making sure that when they are fishing at times in the evening, for example, that they are not making excessive noise. We regularly put out communications to recreational fishers through various mediums just to remind fishers of those responsibilities and the emphasis is around maintaining their access to those areas. We will continue to do that and also just continue to raise those issues when proposals like the ferry wharf one comes up.

**The CHAIR:** Just jumping to the dusky flathead and rock lobster changes, you put up a post on your Facebook page, which, from memory, has around 62,000 followers. Perhaps on notice, how many of those followers are actually in New South Wales? Additionally—we maybe talk about it now—how are you planning to reach the other 940,000 anglers to get the message out to them about this proposed change?

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**CORRECTED**

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**Mr HANSEN:** Just before I throw across to Mr Sloan to talk about the consultation broader, let me just say I do not know taking it on notice is going to be any better an answer for you about how many of the followers on Facebook are New South Wales based—

**The CHAIR:** I just know on a page you can actually dissect and go into the insights and actually see where people, essentially, originate from.

**Mr HANSEN:** Can I just test the amount of effort versus reward on this. If the point is that, obviously, not all 60,000 are New South Wales based, we can take that as a given. In terms of what we are doing to reach out to the rest, I am just conscious of poring over every one of our followers to interpret whether they are in New South Wales and at what point in time they are New South Wales based or not. It might be a bit difficult.

**The CHAIR:** I accept that.

**Mr HANSEN:** Mr Sloan?

**Mr SLOAN:** We do have a newscast service that we push out to about half a million recreational fishers, anybody that has got a recreational fishing licence and has given us their details, email addresses et cetera. We have them on database. We regularly push out information to those fishers. So we can reach broad numbers of recreational fishers. In this instance, with the consultation paper on flathead and rock lobster, we were running a full public consultation process. Obviously, that is open for public feedback. We have got recreational fishers completing a survey. So far the vast majority of fishers are supporting the proposals. I should add as well that we had this advice come through our recreational fishing advisory council, which has a group of experts from the recreational fishing community as members. But we also received a petition, which came from grassroots recreational fishers in New South Wales, with nearly 10,000 signatures on it, calling for this change to flathead. There is broad support for the type of thing that we propose.

**The CHAIR:** Going to the 500,000 that you have on email, have you done a link to this consultation with those 500,000 yet?

**Mr SLOAN:** Yes, we have. It is about 500,000 on that list. We use that newscast to update recreational fishers on a whole range of things that are happening for recreational fishers in New South Wales. Just to pick up on one of your earlier comments in the earlier session on this one, around harvest strategies—we have harvest strategies being developed at the moment for a number of species. Rock lobster is one of those. We do have a draft harvest strategy that will come out soon for public consultation as well and, obviously, this bag limit change, which for rock lobster is a proposal to change the current bag limit from two lobster per recreational fisher per day to three. That is in recognition that the stock for lobster—the biomass has increased and so the stock is in a healthier position. We have been through an exercise through our independent Total Allowable Fishing Committee to have the total allowable catch for commercial fishery increased. This move to increase the bag limit for rock lobster for recreational fishers is to match that and make sure that there is fair and equitable sharing of the resource.

**The CHAIR:** That is the bell for me. So I will pass to Ms Hurst.

**The Hon. EMMA HURST:** Thank you. Mr Hansen, I am just going to do a bit of clean-up and jump all over the place with a few questions now. We were just talking this morning about the discussion paper for the Animal Welfare Action Plan. The submissions for that have closed. Are you able to give us an update on what work has been undertaken since those submissions have closed?

**Mr HANSEN:** I can. If it is okay, can I also do a bit of a clean-up? I, unfortunately, gave you misleading information this morning about who we consulted in that targeted consultation. In fact, it might have been to you, Chair.

**The CHAIR:** I think it was, yes.

**Mr HANSEN:** Apologies. What should be the list of stakeholders that we consulted with—the list I gave is a group that we consulted with on the breeder code amendments, as opposed to the—

**The Hon. EMMA HURST:** I thought it seemed a bit cat and dog heavy.

**Mr HANSEN:** Yes. RSPCA NSW; Animal Welfare League NSW; Veterinary Practitioners Board; Animal Research Review Panel; the Exhibited Animals Advisory Committee; the Animal Welfare Advisory Council; NSW Farmers; Animal Care Australia; Dogs NSW; Australian Veterinary Association; New South Wales police; Department of Communities and Justice; Department of Premier and Cabinet; LLS; Department of Planning, Industry and Environment; Office of Local Government; Office of Racing; and the Greyhound Welfare & Integrity Commission. That was the list that we had consulted with on the reform piece, which still goes to your

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point about were there any specific fisher or shooter organisations represented in that list. It is still no, but I gave the wrong list previously. Apologies.

Since the submissions have come in, we have, obviously, been analysing the submissions. Plus also it would be fair to say we had started thinking about what a draft skeleton of legislation would need to look like. So we are working concurrently with the submissions and what we have received as well as framing up a draft piece of legislation that we can then take back to the Minister and, we expect, that the Minister will probably share with fellow Cabinet colleagues.

**The Hon. EMMA HURST:** Do you have your own sort of time line as to how long that draft legislation will take to put together?

**Mr HANSEN:** It is very tight. Yes. We have our time line. We are aware of the Minister's—

**The Hon. EMMA HURST:** Can you share an idea of that time line?

**Mr HANSEN:** We are aware of the time frame that the Minister reiterated this morning. So we are working backwards from that to be able to meet his expectations but at the same time realising that there is multiple parties that we need to bring along on that journey on our way.

**The Hon. EMMA HURST:** I think the Minister said there was about 5,000 submissions this morning.

**Mr HANSEN:** That is right.

**The Hon. EMMA HURST:** Have you finished going through all of those? Or is that also part of that process that is ongoing?

**Mr HANSEN:** We have got through the vast majority. Obviously, when it comes to 5,000 submissions, one submission might be from one organisation of 10,000 people and be very detailed in terms to consider, where you might get 1,000 that are just form letters all saying the same set of words.

**The Hon. EMMA HURST:** Or one line or something.

**Mr HANSEN:** Yes. Five thousand shows you a degree of interest, not necessarily the complexity that are in them. I guess the fact that we have had two large tranches over the course of this year, both in consultation around the discussion paper and then around the issues paper and then the most recent round of community discussion—we are still analysing the full suite, but we have most of the main elements of what the pros and cons are coming out. It will now be for a decision of the Minister and his colleagues about pathways on certain ones of those.

**The Hon. EMMA HURST:** I do not think the Minister answered this this morning about an exposure of the draft. Do you have a hard deadline that the Minister has asked at least for that draft from you, an actual date?

**Mr HANSEN:** We know, working backwards, when the Minister needs to have that, yes.

**The Hon. EMMA HURST:** When would that be? Working backwards from—

**Mr HANSEN:** Let us just say it is a very close date to this.

**The Hon. EMMA HURST:** One week? Two weeks? Tomorrow?

**Mr HANSEN:** I am not sure I can—obviously, the path from there then will revolve around how comfortable the Minister is with the draft that gets presented, about—

**The Hon. EMMA HURST:** I understand, obviously, that does not necessarily mean a date for when the legislation will go out for public consultation because there could be many other steps after that. But I am just trying to get a bit of an idea. Maybe it is something you can take on notice if you are not willing to give it.

**Mr HANSEN:** I would be a lot more comfortable taking that one on notice. Thank you very much.

**The Hon. EMMA HURST:** Moving on. I have got another question about the Animal Research Review Panel talking about the panel doing a review of those two controversial experiments. Maybe this is something on notice as well. Can you provide an update on where the consultation is up to and when it is actually expected to conclude?

**Mr HANSEN:** I might see if either Dr Filmer or Suzanne Robinson want to address that.

**The Hon. EMMA HURST:** That would be fantastic. I think you are on silent, Dr Filmer.



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**CORRECTED**

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**The CHAIR:** I think you are still on silent, Dr Filmer. It must be from our end. We are not receiving you.

**The Hon. EMMA HURST:** Maybe Ms Robinson might have an answer.

**Ms ROBINSON:** I do not think you can hear Dr Filmer down there.

**Ms ROBINSON:** The feedback was due by the end of October. We are seeking a bit of extra information over the next week. So we are hoping that we will have feedback, which was voluntary feedback, provided in the next week or so with the intent that that will be considered by the Animal Research Review Panel at the next meeting, which is in early December.

**The Hon. EMMA HURST:** Sorry, was that early December?

**Mr HANSEN:** Early December, yes.

**Ms ROBINSON:** Yes, early December.

**The CHAIR:** Thank you. That is your time, Ms Hurst. I will throw to Ms Boyd.

**Ms ABIGAIL BOYD:** I want to ask you a question about the Gwydir shire puppy farm. If you recall, this is a puppy farm that got quite a lot of media attention in 2015 because of the appalling conditions that had been exposed. In late 2020 the same puppy factory again received media attention when it was again attended by the RSPCA following some whistleblower allegations, and around 60 dogs were removed by the RSPCA on animal welfare grounds. Can you confirm how many interim inspections were undertaken by the relevant agencies between 2015 and 2020?

**Mr HANSEN:** I do not have that with me. I do not know whether either Kim Filmer or Suzanne Robinson has that. Otherwise it would actually be information that would be held by the relevant inspection agencies, which would be either the RSPCA or Animal Welfare League NSW. So we would have to take that on notice and try to get that information for you.

**Ms ABIGAIL BOYD:** If you could, that would be very useful.

**Mr HANSEN:** I might just make sure I am not taking on notice something if someone has got information to hand.

**Ms ROBINSON:** Yes, that would be held by those enforcement agencies. That case, I understand, is currently still before the courts.

**Ms ABIGAIL BOYD:** If you could find that for us, that would be fantastic. Also could you tell us the status of the dogs and puppies that were removed by the RSPCA in 2020 and the status of those who remain at the puppy factory? Thank you. I am aware that the RSPCA undertook an investigation into Bourke Shire Council shooting dogs and puppies. Are you able to advise the extent of the RSPCA investigation into Bourke Shire Council and whether it included an inspection of actual pound and noncompliance issues?

**Mr HANSEN:** I might go to Dr Filmer, if she has connection? And if not, to Ms Robinson. No? What I know is that the RSPCA's review was looking at whether there were any offences under the Prevention of Cruelty to Animals Act. The advice that I have got is the fact that they did find no breach of the Prevention of Cruelty to Animals Act. I also know that the Office of Local Government has been carrying out its own investigations and has issued updated advice and guidance to all New South Wales councils to assist in the operation of pounds. But I know that that does not specifically address the question you asked of how broad was that investigation by RSPCA, other than the fact that obviously it covered "Did the council meet all of its requirements under the Prevention of Cruelty to Animals Act?" So that scope was as broad as what the Act allows them, as compliance agencies, to carry out.

**Ms ABIGAIL BOYD:** I understand. Did they have the powers to inspect more generally to check whether the pound was in compliance with other rules?

**Mr HANSEN:** They do. Well, provided those rules are other rules within the Prevention of Cruelty to Animals Act, yes, they have those powers.

**Ms ABIGAIL BOYD:** Are you able to find out if they in fact did inspect the council's general compliance?

**Mr HANSEN:** I can.

**Ms ABIGAIL BOYD:** Thank you. Moving swiftly along, in July we were advised by the Minister that New South Wales, along with all other States and Territories, would be giving consideration to the draft standards

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and guidelines for poultry once an independent panel had presented them. I understand that happened a couple of months ago. Are you able to give us an update on where we are at with those standards and whether New South Wales will be phasing out the so-called conventional cages?

**Mr HANSEN:** There are two questions in there. In the first piece, the independent group has finalised a draft standards and guidelines. That has been circulated to all States' and Territories' agencies, with a request from the Federal Government for feedback on any elements of those. Bear in mind—and this comes to your second part—the standards and guidelines are far broader than purely caged eggs and, as such, there are questions in there about a whole range of technical pieces for all poultry production. I know that all the States and Territories have been given a deadline of, I think it was, last week or the week before in terms of feedback on those draft standards. The volume of that feedback will then determine the length of time to rework or to analyse those and provide feedback, before a final set gets presented to Ministers for their decision. At that point in time, accompanied obviously by a regulatory impact statement, which would need to be done about any changes that were being proposed, the Ministers will make a decision. That decision, whilst on a national standard, it is then up to each jurisdiction to work out how it implements it.

**Ms ABIGAIL BOYD:** Did New South Wales provide feedback last week?

**Mr HANSEN:** Yes.

**Ms ABIGAIL BOYD:** Was feedback given in relation to caged eggs?

**Mr HANSEN:** Feedback was given with regards to the poultry standards and guidelines on a range of matters, including on some of the assumptions in the cages pieces, yes.

**Ms ABIGAIL BOYD:** Okay. Thank you. I think that is all I have for now.

**The CHAIR:** There was only one minute left, so I will throw straight to the Opposition.

**The Hon. MICK VEITCH:** Thank you. Everyone will roll their eyes here, knowing that it is budget estimates and I am going to start asking some questions about weeds and pests.

**The CHAIR:** Mr Weeds.

**The Hon. MICK VEITCH:** Mr Hansen, has any work been undertaken by the department on the annual cost of the impact of weeds and pests to the New South Wales economy?

**Mr HANSEN:** Yes, there has been. In fact, on weeds alone, the direct costs—so, to the New South Wales economy, weeds cost \$1.8 billion per annum in lost productivity and direct control costs. Of that \$1.8 billion per annum, \$1.3 billion is borne by the farming sector. So the remainder is, obviously, outside of the farming sector. Combine that with pests—and I do not have a rounded figure for all pests, both exotic and endemic. I do not know whether Dr Tracey has one. But just off the basis of that alone, I mean, it is almost a \$2 billion cost to the industry just out of weeds alone.

**The Hon. MICK VEITCH:** But you do not have one for pests?

**Mr HANSEN:** Not that I am aware of. I do not know whether—

**The Hon. MICK VEITCH:** You can take that on notice.

**Mr HANSEN:** Dr Tracey?

**Dr TRACEY:** If I can take that on notice. We would have some information, I just do not have it on hand. I am sorry. But I can come back to you on that.

**The Hon. MICK VEITCH:** If you take that on notice, I just want the current figures. Because it is a pretty significant constraint on State productivity. Even if you look at, say, \$2 billion per annum, if there was a \$2 billion bushfire we would be throwing coordinators at it and there would be government action. I know there is a bit of activity around weeds and pests from the Government level. I personally do not think it is anywhere near enough to address a \$1.8 billion to \$2 billion hit on our State productivity. Mr Hansen, are you able to break down then what the DPI itself spends on weeds and pests each year?

**Mr HANSEN:** I will start and then I will hand over to Dr Tracey. You would have seen the recent announcement by the Minister for a \$24.2 million funding boost?

**The Hon. MICK VEITCH:** Yes.

**Mr HANSEN:** A key component of that is actually the Weeds Action Program, which is \$12.6 million of that. So that has 11 regional subprograms and, importantly, it is actually a partnership approach, which means

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that we leverage those dollars up to get a bigger bang for our buck. I might throw to Dr Tracey to run through some of the key pieces of that—a break up of that Weeds Action Program.

**The Hon. MICK VEITCH:** This is directly DPI expenditure?

**Mr HANSEN:** Yes, so the money comes through us. But in terms of our expenditure, one of the largest recipients of funding is actually the boots on the ground teams that Mr Witherdin manages within LLS—also, local councils, as well as some research and biocontrol activities. We might distribute, but we do not necessarily spend it all ourselves.

**The Hon. MICK VEITCH:** I would not mind if you took that on notice because I would like to get the full list—

**Mr HANSEN:** Yes.

**The Hon. MICK VEITCH:** —but also the funds spent to date, if I could, against those programs just so we have a clearer picture about what is being allocated. I would like to know a bit more about the racoons, Mr Hansen. First of all, did we get all of the racoons? Are we certain we got all the racoons? I know the Minister was pretty keen to put the boots into his Federal colleagues around lax quarantine but this is actually a pretty serious issue. How often does this sort of thing occur at our ports?

**Mr HANSEN:** It is a serious issue. There were two racoons and the Federal Government got all the racoons. So it was a vessel in June 2020 that sailed from California, berthed at Auckland and then came across to Australia. The Commonwealth was advised that there was either a racoon or a possum on board and the Federal department then undertook a surveillance and an activity to catch or to remove the animals. They were found. They were shot by contractors under the supervision of biosecurity staff from the Greater Sydney Local Land Services—sorry, it was not under that supervision. It was with the Federal Government. We found out about it via Greater Sydney Local Land Services, which had been advised by the contractor and by the department.

In terms of how often these things happen, it is easier when it is an animal the size of something you can see. What we are seeing at the moment is a significant increase in incursions. That is due to a couple of features, one being that COVID disruption of trade routes has meant that containers that would normally just ply our normal trade routes, for which we have known biosecurity risks and known protocols and known activities, the disruption is meaning we are having containers coming from strange places on infrequent ships, and so we have got vessels coming from ports that we would not normally have arrangements with. That is leading to an increased challenge for the Commonwealth in terms of its border surveillance. The pleasing thing is that it has responded. You would have seen announcements recently about increase in funding in Federal border surveillance activities, including new technologies like environmental DNA technology that allows us—a bit like the learning from what happened during the COVID period. We were doing COVID surveillance testing in sewerage to be able to give us early indicators as to whether something was prevalent in a community.

**The Hon. MICK VEITCH:** Yes.

**Mr HANSEN:** We were able to do the same with containers to see whether a pest had been in that container during the recent period. That is allowing to find and get on top of a number of the outbreaks, including some recent khapra beetle outbreaks that the States and Territories have all worked together to quash.

**The Hon. MICK VEITCH:** I am going to leave the racoons. The shooters are pretty keen to know what happened, how many there were and where they went.

**The Hon. MARK BANASIAK:** How many made it into hats?

**Mr HANSEN:** There were only two and they did not get far.

**The Hon. MICK VEITCH:** Excellent news. I also explored with the Minister the issue around the Hendra virus in Newcastle and the potential for climate change to impact where our weeds and pests are going to turn up as opposed to where they are now. How much work is the department doing on the impacts of climate change on weeds and pest populations in New South Wales and Australia? What are the threats? Do you have a team of people set aside to do this work or is it a more ad hoc arrangement based on research, for instance?

**Mr HANSEN:** I might lead off and then see if Dr Tracey wants to add anything. At a State level we have a dedicated program looking at mitigation on climate change and that mitigation is not only changes to production capacity, whether that is opportunities or risks, but it is also looking at the biodiversity risks that are presented or, conversely, biosecurity risks that get decreased because of changing climate as well. In that piece of work we have everything from endemics to exotics. We mentioned briefly before, most of the State relies pretty heavily on a cold enough winter to give a break from flies to enable a reset, if you like, of fly population rather

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than a constant, gradual build-up. Certain seasons in the last five years have meant that that break has not come and that the populations have just built.

We have research going into what you do in response to that. Is there an alternative mechanism for fly control that removes the necessity just purely to rely on those winter snaps? The same can be said for Queensland fruit fly or Mediterranean fruit fly and the risks posed by that and the seasonal variability. For some of the already known vulnerabilities, we have research programs underway. We also have work going on trying to identify where the next round of challenges come from. But at the end of the day, this is ultimately something we need to work on collectively as a nation through the Commonwealth. Dr Tracey is our representative on the National Biosecurity Committee, which has had this on their radar for a while, so I might just throw over and see if he wants to add anything.

**The Hon. MICK VEITCH:** Yes, I am very keen to hear what Dr Tracey has to say.

**Dr TRACEY:** I think there are considerations for climate change for sure. For example, for animal biosecurity we may be seeing increased likelihood of any vector-borne diseases. That includes some of our big-ticket ones that we are concerned about—lumpy skin disease, Bluetongue, African horse sickness—so, anything that has got a vector's potential, and potentially impacted by climate change. Another area that we are looking at is in the aquatic biosecurity space so, given that water temperature is obviously affected by climate change. That is also a key area of focus for us.

I guess, in addition to that there is an example that we have been working on with parthenium weed as well. There is some work that is being done by us in conjunction with the University of Queensland and the United States Department of Agriculture [USDA] on parthenium and some of that work is showing that there may be increased toxicity as a result of that atmospheric carbon level. You can see they are some examples but it is a focus area for the National Biosecurity Committee [NBC] and it is a focus area for us. Being able to predict spread is a key way in which we prevent biosecurity risks, not only in managing existing ones but, importantly, in trying to predict what is coming next in New South Wales and getting on the front foot for that.

**The Hon. MICK VEITCH:** Mr Hansen, is the \$1.8 billion for weeds you spoke about the most current number that we have got with regard to impact is that like an annual number that has been in place? I remember reading a 2014 or 2015 report from one of the grain associations and they cited \$1.8 billion.

**Mr HANSEN:** That is a regularly quoted analysis piece of work in terms of costs to the New South Wales economy. Dr Tracey, do you know the year in which that work was done? Obviously when you look at that economic cost it comes down to what is the lost opportunity in terms of—what is the loss of productive capacity as well as what does the cost of sprays or treatment take? Whilst it would vary year on year, once you get to that \$1.8 billion stage it is sort of rounding at the edges in terms of it being a significant impact.

**The Hon. MICK VEITCH:** You took that on notice but what is the most current amount, so I have an idea about the numbers you cite in the response? When were they first being used because I know there has been a bit of time that lapsed?

**Mr HANSEN:** Yes.

**The Hon. MICK VEITCH:** What is the coordination across other agencies around weeds and pests? There are a number of other landholder agencies in government—Crown Land, Forestry Corporation come to mind.

**Mr HANSEN:** Yes.

**The Hon. MICK VEITCH:** What is the cross-agency coordination on weeds and pests programs in New South Wales? Are the agencies left to run their own programs sort of in silos in isolation?

**Mr HANSEN:** There is certainly collaboration across agencies. I might just throw to Dr Tracey to comment on that.

**Dr TRACEY:** Yes, absolutely. Good question. I think the key for biosecurity is to making sure we take a shared responsibility approach. The Department of Primary Industries is the lead agency but obviously Local Land Services is right in there assisting. We have a State Weed Committee to help drive that out. Local Government are big players in weeds. I guess the Weeds Action Program is a really good example of driving that State priority through into regions through LLS into Local Government to see some really good actions happening for weeds across the State. So the advantage of that one is that you are targeting that high risk end as well as the endemics. You are focusing that investment on the high-risk pathways on those weeds that have not yet established, that are moving into new areas. That way you are getting really good returns on investment there and addressing some significant issues for weeds across the State. But is that partnership approach that makes it work.

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**CORRECTED**

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**The Hon. MICK VEITCH:** Dr Tracey, that was weeds. Does that same sort of coordination apply to pests? I am thinking wild pig, goats, down my way, deer.

**Mr WITHERDIN:** Look, I might add to that, if that is okay.

**The Hon. MICK VEITCH:** Yes.

**Mr WITHERDIN:** Look, each of the Local Land Services, 11 regions, has a regional weeds strategy and a regional pest strategy. For example, they have a committee—

**The Hon. MICK VEITCH:** In that community?

**Mr WITHERDIN:** —which is set up as a committee advisory group under that board within that region.

**The Hon. MICK VEITCH:** In each region?

**Mr WITHERDIN:** Yes. There is a State weeds plan, a State pests plan and State committees that sort of look after that and then, at the regional scale, they have those committees and they are made up of a broad cross-section of people and other agencies as part of that. They each have their own five-year plans. The pest plans are from 2018 to 2023 at the moment. They determine the priority species for focus in that region for both weeds and pests.

**The Hon. MICK VEITCH:** That is very good. Thanks, Mr Witherdin. In regard to the State plans and interagency collaboration or coordination, do we know what each agency is expending on an annual basis towards weeds and pests, or is it just within their budgets and no-one knows?

**Dr TRACEY:** I do not have current figures on that. There has been some work done in the past to try to sort of tease that out, but it is a difficult one. I guess what you are dealing with is agencies that are taking a sort of proactive approach on your front end of the invasion curve as well as those agencies that are having to bear the cost, as the community does, in terms of weed and pest management. So you have the combination of those things happening. Another thing in terms of the collaborative approach is that the focus on endemics is made a lot better because of the national work that we do as well. There are some sort of national programs that we are able to pick up and drive benefits for so I think working nationally is a key way and I think we have heard some of the comments earlier about that importance to look at what risks are coming to our borders.

**The Hon. MICK VEITCH:** Yep, so my view—

**Dr TRACEY:** But that way you are driving best benefits for universities, for Cooperative Research Centres, for cutting-edge research and technology through to landholders of New South Wales.

**The Hon. MICK VEITCH:** Thanks, Dr Tracey. My view on this is: If there was a \$2 billion hit on the State economy, just a one-off hit, the State would be throwing everything at it to try to work out how we will address that issue. But you are talking about a \$2 billion hit every year on the State economy and what we have is sort of collaboration. It sounds to me like some pretty good work has been done at the LLS level but we do not know what each of the agencies is spending or committing towards what is a pretty serious economic issue for New South Wales. If you said to an economist, "There is a \$2 billion hit here. You can take that out of that", they would want to know how you are going to fix it.

Weeds and pests, everyone rolls their eyes, but is a \$2 billion hit—and it could be more—to the State economy every year. I just think we need greater transparency around what each of the agencies is committing towards this serious issue on an annual basis. I have been asking questions about this now for approximately 15 years. Some agencies take it quite seriously—LLS, DPI, and probably the regionally based departments. Roads have started working on a line item in their budget. They are starting to do it. Crown Lands cannot tell you. Other agencies, Transport, cannot tell you. I think it should be a line item and I think there should be a report every year tabled in Parliament, in my view, around this very serious issue. For the bushfire inquiry recommendations, the quarterly report is tabled in the Parliament. I am making a statement here because, essentially, we have to do more. I appreciate you are doing a lot, but we have to do more. Mr Hansen, if you could just give us the most current figures on what the hit is to the State economy, that would be good and, if we can get a breakdown of those programs that you were talking about I would appreciate that as well. I have four minutes. Mr Witherdin, I am going to come to you just for a bit more—

**Mr HANSEN:** Sorry, just before you finish up, the only bit I would roll into your statement—

**The Hon. MICK VEITCH:** Sorry about that.

**Mr HANSEN:** No, no. The only bit that I would roll into it is that \$1.8 billion lost productivity and direct costs, and \$1.3 billion of that to the farming sector, what is not counted on that flipside is the single largest investor in weed control, which is private landowners. When we are considering this suite, which is somewhat

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**CORRECTED**

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different to some of the others that the Government spends on disaster and response, what is not captured in this suite is the fact that probably—well, you know—for every dollar we spend there is a magnitude of that being spent by private landowners in controlling weeds and in terms of reducing that weed burden across the landscape in New South Wales.

**The Hon. MICK VEITCH:** Yes. It is quite a serious issue. Mr Witherdin, with regard to those LLS regions and their committees, where does that work go? It clearly informs at that region and that is then fed up to the State's weed and pest committees. Is that what happens?

**Mr WITHERDIN:** Yes. There is a process of linking up there. Each of their regional strategic plans, they are all available on our website as well for people and then they set the priorities for each of the regions in terms of their budget spend. They sort of align with their regional strategic pest plan and they will direct funds in accordance with the priorities that are set up there. That is sort of one of the benefits of the LLS model in that they do things that are relevant to that individual region. So there is sort of statewide consistency but, you know, regional relevancy in terms of what they do.

**The Hon. MICK VEITCH:** Does that include the climate change work that we were discussing as well earlier?

**Mr WITHERDIN:** No, we do not do that. I guess our role is more about the on-ground implementation of it. You know, the research and development clearly sits with DPI as sort of the State policy lead in that space.

**The Hon. MICK VEITCH:** The current plans finish in 2023.

**Mr WITHERDIN:** Yes.

**The Hon. MICK VEITCH:** When does the work start on developing and building the next plan?

**Mr WITHERDIN:** Well, that will start a good 12 months in advance of that. So I think we would look to reset those committees around that time, do a review of how effective the implementation of those plans has been and then reset for 2023 and beyond. That is really the first time that has been done with LLS sort of only being around for—we are in our eighth year now, so, yes.

**The Hon. MICK VEITCH:** Thank you.

**Mr HANSEN:** Can we make sure we come back to your question on shearers before the end of the afternoon?

**The Hon. MICK VEITCH:** Absolutely.

**Mr BARNES:** Chair, just two further responses to questions that we took on notice from Mr Veitch, if I could please? It will not take long.

**The CHAIR:** Yes, sure.

**Mr BARNES:** There are four FTEs whose job it is to look at and undertake processing of GIPAAAs that come through. That does not include managerial staff or people in agencies and work groups who do that. The tabling of the annual report for the 2020-21 year will be tabled I think within a month of 31 October. So it will be tabled in Parliament shortly.

**The Hon. MICK VEITCH:** Thank you. Thanks a lot.

**The CHAIR:** Just noting for everybody that we are trying to work on fixing the issue with Dr Filmer's connection, but it may mean that we have to do it in the break so she may not be able to answer questions for us until then. Just going back to you, Mr Sloan, on some of those figures in the emails that you were sending out. There is an estimated one million anglers. You said you have the ability to send out emails to 500,000. Noting that that 500,000 is still a fairly decent result for a government agency, how do you reach the other remainder?

**Mr SLOAN:** Thanks, Chair. Yes, the 500,000, they represent those that are licensed. As part of the process of becoming licensed, we gather contact details for those recreational fishers. The other roughly 500,000 would be people that are under the age requiring a licence, or pension card holders. Everybody else we generally have the contact details for. So in terms of reaching the wider community, we have the social media channels. We have public releases. We have our website. We generally reach anybody with an interest in what we are doing to manage and support enhancement of recreational fisheries. We have a way of reaching them.

**The CHAIR:** In terms of anglers, they are a fairly culturally diverse group. Do you collect the data in terms of what language is spoken at home, or any of that data? How would you then tailor this message about dusky flathead, which is a great table fish. The majority of culturally diverse backgrounds that fish for fish for the table. How are you going to tailor this message to them?

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**CORRECTED**

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**Mr SLOAN:** When recreational fishers apply for their fishing licences, we do gather information that is relevant. We can collect that information. We also have moved, as a lot of other jurisdictions have, down the path of having signage out around the State that does not refer specifically to words but uses diagrams and pictorial information so that people can pick up what the rules are. When it comes to flathead, these are an inshore species, so they are largely caught in estuaries and those near-shore environments. They are one of the most popular species, and so we expect there to be high levels of interest in catching them and also managing them sustainably. When we move to make a change like the one that we have, it is well considered. It has been through an extensive process with our Recreational Fishing NSW Advisory Council and is ultimately seeking to improve the situation for recreational fishers when it comes to accessing that species.

**The CHAIR:** Can I just go to the question: Where is the line in the sand or the threshold for when we do a harvest strategy and when we do not? This is a sustainable species, or it is listed as sustainable under the current data. We have estuary cockle, which in questions on notice you said is susceptible to local depletion. It is obviously clearly a vexed issue in the Illawarra, which we are all aware of, but we are not doing a harvest strategy on that. We are going to do one on mulloway, which I understand. But we are not doing one on dusky flathead, which is creating some concerns in the community in that dispute between commercial fishers and rec fishers, and also sports fishers and people that fish for the table. Where is the line in the sand in terms of when we do a harvest strategy and when we do not?

**Mr SLOAN:** Look, thanks for the question. That is a good question. I guess first of all, just to explain briefly what a harvest strategy is, it is essentially a decision-making framework. Fishery managers, scientists and fishers all think about how we would respond to the different situations that might arise with a fish stock. It could be that fish stocks are increasing and the biomass is increasing and catches can increase or fish are more available, or it could mean that the biomass is decreasing and we need to tighten up the controls on the way that the fish stock is being managed.

A harvest strategy essentially documents all of the decision rules around how you will respond to an increasing or decreasing or static fish population, so that everybody knows where the goalposts are. We have that policy in place now, and the rules around how we develop harvest strategies. We have working groups underway for a number of key species. We have the trawl whiting fishery, which is predominantly a commercial species. That harvest strategy has been developed and is out for public consultation at present; in fact, I think it just finished up at the end of October.

That working group that is made up of all the different stakeholder groups—commercial, recreational, and Aboriginal cultural—will then move on to the other important trawl fishery species once they have dealt with trawl whiting. We have the working group for mulloway, which is one of those shared-access fisheries equally important to commercial and recreational fishers, and Aboriginal cultural fishers. We have a working group underway for the spanner crab fishery and for the eastern rock lobster fishery. The reality is that we cannot do them all at once, so we are working through them in priority order. There will be, I believe—once we have dealt with mulloway, which is one of those coastal species—the opportunity to move to other inshore, shared-access species like flathead. We are trying to prioritise those species where most of the issues are. As you can appreciate with mulloway, which is currently classified as depleted stock, we are trying to focus on those important species first.

**The CHAIR:** Yes, sure. I will pass to Ms Hurst.

**The Hon. EMMA HURST:** Thank you. Going back to Mr Hansen, we were talking before about the Exhibited Animals Protection Act and the fit and proper person test. Can I just clarify with that? You were talking about that the authority holder or the licensee would be the person that would fall under the fit and proper person test, and that they are then responsible in regards to the staff and other people working in that business. If somebody was the licensee but they employed people who you would consider unfit to be working with animals—for example, someone that was charged with serious animal cruelty—would the authority holder potentially lose their licence under the fit and proper person test? Or is there absolutely no oversight from the DPI in regards to the staff underneath that person?

**Mr HANSEN:** Just before we go to Ms Robinson or Ms Filmer on this, someone being charged would not trigger—

**The Hon. EMMA HURST:** I am not talking about the particular case.

**Mr HANSEN:** No, no. But, in any case, someone being charged—

**The Hon. EMMA HURST:** I am just talking more in general, or if somebody was charged. If somebody was found guilty—

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**CORRECTED**

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**Mr HANSEN:** "Found guilty" is the burden of proof that they—that is a different category. Someone who was found guilty—as I said, our issuing of licence considers the appropriateness. I know—

**The Hon. EMMA HURST:** I mean somebody that doesn't have the licence. Somebody that works for someone.

**Mr HANSEN:** That's right. You're asking about the staffing. I might ask either Ms Filmer or Ms Robinson if they can add anything to, if I am clear, what insight we have about who employs—so, we have visibility of the licence holder. What visibility do we then have of any short-term, casual, contract staff or permanent staff that they might bring on?

**The Hon. EMMA HURST:** Yes, any of the staff that they would be hiring in. If they hired somebody that had been found guilty of animal cruelty, is that something that would be flagged with the DPI? If it was flagged, is there anything within your power to do anything about it?

**Mr HANSEN:** I might just see if Ms Filmer or Ms Robinson might be able to—

**The Hon. EMMA HURST:** I think we still do not have Ms Filmer, but maybe Ms Robinson might have something.

**Ms ROBINSON:** Staff of exhibitors also fall under the Prevention of Cruelty to Animals Act. If there was an animal cruelty breach under there, they can be potentially convicted for an offence under that Act. We also have orders available under that Act, interim orders and disqualification orders. If someone is convicted, it is a matter for the courts. The magistrate would be able to determine that person not to be able to be responsible for animals. There is the ability for that under POCTAA. In terms of the Exhibited Animals Protection Act, my understanding is that the fit and proper person primarily is related to the licence holder, so it would be falling primarily on POCTAA. In terms of looking at people responsible for animals under that, it is mainly, I understand, around having appropriately trained and competent staff to care for the animals. But any offence would likely be a POCTAA offence, and then that could be considered under the exhibited animals licensing.

**The Hon. EMMA HURST:** So essentially there is a bit of a loophole there where somebody could be charged for animal cruelty, found guilty and still get a job at an exhibited animals facility if the licensee—as long as they do not have an interim order laid against them, they could still get a job.

**Mr HANSEN:** Or provided the court, in finding them guilty, has not placed a restriction on them in terms of—

**The Hon. EMMA HURST:** That is what I mean, yes. As long as there is no interim order, somebody that is found guilty of animal cruelty could still be working at one of these facilities or get a job if the licensee wants to hire them.

**Mr HANSEN:** Yes.

**The Hon. EMMA HURST:** Thank you. I also have some follow-up questions about the shark nets. As we said, the DPI ran a survey for New South Wales residents and coastal councils earlier this year about the shark nets and other aspects of the shark management program. Do you know when the results of this survey will be made public?

**Mr HANSEN:** No, I will have to take that on notice.

**The Hon. EMMA HURST:** Do you know if it will be made public?

**Mr HANSEN:** I do not know.

**The Hon. EMMA HURST:** Will you take that on notice as well?

**Mr HANSEN:** Yes.

**The Hon. EMMA HURST:** Thank you. Just a few weeks ago a migrating juvenile humpback whale became entangled in a shark net off Whale Beach on the northern beaches and it took several hours to free the whale from the net. Was the DPI notified of this event?

**Mr HANSEN:** Yes.

**The Hon. EMMA HURST:** According to media reports, Marine Rescue, the Water Police, Surf Life Saving New South Wales, the organisation for the rescue and research of cetaceans in Australia, and the New South Wales National Parks and Wildlife Service were all involved. Why were not DPI personnel or DPI shark net contractors involved in the efforts to free the whale?



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**CORRECTED**

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**Mr HANSEN:** I might go across to Mr Sloan in a moment for details on this one. I would say that we do joint training with the National Parks and Wildlife Service with regard to entanglement and freeing up of whales that are entangled. It then comes down to who has people available in what region. So what time to be able to quickly get there and respond? It is sort of all-hands-on-deck, provided they have had the training to be able to do so. I might see if Mr Sloan wants to add anything on that.

**Mr SLOAN:** First of all the whale was released alive and well so that was a positive outcome. In New South Wales National Parks takes the lead on responding to any whale entanglements so that was the case this time. A number of agencies provide logistical and sort of on-water support and DPI does that. As a general rule we do not get our contractors involved because they do not have that specialist training to release whales.

**The Hon. EMMA HURST:** Is the DPI doing anything to reduce the catch of migrant humpback whales in shark nets other than the work that you do with the New South Wales National Parks and Wildlife Service to rescue them once it has already happened? Is anything being done in that prevention space?

**Mr SLOAN:** First of all, we remove the nets during the main migration period for whales. We also use what we call acoustic pingers on the net so that is a deterrent to keep any cetaceans away. Because of their unique echolocation capacity the pingers essentially warn them away from the net structures.

**Mr JUSTIN FIELD:** Mr Witherdin, I want to come back to the status of the LLS code review. The Minister said we are going to get the dates specifically and very recently the Minister wrote to the environment Minister suggesting that the LLS code review be rolled into the statutory review. Will you confirm if I heard that correctly?

**Mr WITHERDIN:** Yes, that is correct.

**Mr JUSTIN FIELD:** I understand that you have been involved directly engaging with EES on the development of the terms for some time now. At what point was the EES aware that this was the direction that LLS was seeking to go with the code review?

**Mr WITHERDIN:** Yes, I will talk you through a little bit more detail. One of the recommendations of the NRC trigger review, and you would be aware that there were three things—the Audit Office review, the NRC trigger review and a Legislative Council inquiry as well. Three of those were actually rolled into a draft terms of reference. One of the recommendations of the NRC review was to form a land management and biodiversity conservation board with both Dr Grimes and myself as co-chair. We have been undertaking since its formation work there in terms of the NRC report, the Government's response to those recommendations. I think all of the Audit Office recommendations are closed out.

Things we are looking at: so we are not waiting for the terms of reference to be approved here because the Government has made a response. We are getting on with that work. Things like unexplained clearing, improved reporting frameworks, how to deal with new CEECs and viability tests there. Also, part of the framework here is around the Biodiversity Conservation Trust as well. We have sort of have to look at both sides of that. There are opportunities there. I think what forms that view around sort of moving what was purported as a three-year review into a five-year statutory review is it is actually a really limited evidence bank in what has been implemented in terms of certificates. We have issued a host of certificates over that time and just over 3 per cent of those have actually been implemented on ground in terms of management. It is a tiny amount. This came into play—

**Mr JUSTIN FIELD:** Mr Witherdin, we knew all of this in March 2021. That board had already been established. You made quite an explicit, optimistic and hopeful explanation about the formation of that board. "We are getting the terms of reference for this three-year review to the Ministers. We hope to start work on it." It seemed like that view was considered a good approach dealing with the NRC, the Audit Office and the Legislative Council inquiry outcomes. I am asking: When did that change? We did not get any of these responses from EES last week.

**Mr WITHERDIN:** That work is continuing under the LMBC board. It is not a three-year review but in terms of the Audit Office review and the NRC recommendations we are continuing to work on that without a final terms of reference—looking at the six-month reporting. We meet regularly. I think we have met probably every two months as part of that board. There is a working group which sits under that. We absolutely are making really good progress on this.

**Mr JUSTIN FIELD:** That is fine, Mr Witherdin. It seems to me you might be making the suggestion, "We are doing this anyway. By the time we get around to the five-year review maybe we consider that all of the concerns raised in those various other reports and reviews have effectively been dealt with." And then the five-year statutory review just ends up being a review of the Act and the LLS codes never go through a formal review

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**CORRECTED**

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process. I am concerned about that. What assurances can you give the Committee that the issues that were supposed to be dealt with in the three-year code review, all of the different types of coppice clearing, is dealt with substantively as part of the statutory review?

**Mr WITHERDIN:** Yes, I think is a matter for Ministers to determine. Certainly the undertaking I can give the Committee is that the LMBC board will continue to work through the recommendations of the NRC trigger review. Beyond that, it is for Ministers to determine that.

**Mr JUSTIN FIELD:** We kick the can down the road and you guys are dancing a bit to this. Very good decisions; I appreciate the challenge that you have. I think we are all a bit clearer about the view of government when it comes to this review. I would like to go to the issue of Private Native Forestry clearing. I am not sure but it might have been you, Mr Witherdin who referred to the 2,000 cubic metres of PNF volume.

**Mr WITHERDIN:** Yes.

**Mr JUSTIN FIELD:** How many annual reports from PNF approval holders make up that 2,000 cubic metres that you reported?

**Mr WITHERDIN:** I do not have that data on hand. I do take your point here that there is a real gap in terms of really clear transparency in what is coming out of there. What we have got in terms of the PNF codes are what we inherited from the Environment Protection Authority in 2018. We are working through. We have been through all the public consultation around the introduction of new codes. There is an explicit requirement in there for pre- and post-harvest notification against all plans. And that will address what is a clear gap there at the moment.

**The CHAIR:** Your time has expired Mr Field. I will pass to the Opposition for five minutes before our next break.

**Mr HANSEN:** Just while Mr Field is still on screen, I have a follow up to a question he asked before about vacancies on the marine park. If that is okay?

**The CHAIR:** I think it was my question actually.

**Mr HANSEN:** Sorry. I keep taking questions away from you, Chair.

**The CHAIR:** No. That is all right.

**Mr HANSEN:** My apologies. Overall, there are six member vacancies across the parks. It shows the bias, I think, about who is asking questions, right? Apologies, Chair.

**The CHAIR:** No. That is all right.

**Mr HANSEN:** There are six member vacancies across the parks so there is one in the Solitary Islands park, there is one in Port Stephens-Great Lakes, and there are three at Batemans. They are the vacancies that we have currently.

**The CHAIR:** Okay.

**Mr HANSEN:** We have 44 alternate member vacancies. As I was saying, they are the ones that are alternates, these members, and so they are spread right across from eight in Cape Byron, 10 in Solitary Islands, five in Port Stephens, nine in Jervis Bay, five in Batemans and seven in Lord Howe. So only a very small number of vacancies, six vacancies in actually the members of the marine park advisory committee. For the alternate members, we have a much bigger gap. Recruitment processes are underway or in process for those.

**The CHAIR:** Okay. Thank you.

**The Hon. MICK VEITCH:** Thanks, Mr Hansen. My next set of questions is for Mr Witherdin. They relate to *Budget Paper No. 4* for 2021-2022. At [6 - 11] Local Land Services, Mr Witherdin, the "employee related" costs in the revised budget for 2020-2021, \$123,242 million, and the budget allocations for 2021-2022, \$126,280 million. What is the difference there? Why has the revised amount gone up? Is it that you are recruiting? The issue I have is that the actual budgeted allocation at the start of 2020-2021 was \$130,378 million. There is movement in the numbers there. What is causing that?

**Mr WITHERDIN:** Yes. Look, I imagine—I would need to take on notice the exact detail of it. We had a range of additional programs that come in. They sometimes have or generally will have a labour expense cap attached to them.

**The Hon. MICK VEITCH:** Yes.

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**CORRECTED**

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**Mr WITHERDIN:** That is why you will get a progressive adjustment through the cycle in terms of that. But, you know, I can certainly go to our overall staff numbers which—

**The Hon. MICK VEITCH:** I am happy for you to take it on notice and just get to it.

**Mr WITHERDIN:** Yes. Okay.

**The Hon. MICK VEITCH:** It relates to the numbers that were in the budget so it is pretty easy to go back and have a look at.

**Mr WITHERDIN:** Yes.

**The Hon. MICK VEITCH:** But I just want to know what the fluctuations are, why they happened and what is the story?

**Mr WITHERDIN:** There has certainly been no substantive movement in staff numbers from year to year.

**The Hon. MICK VEITCH:** Thank you. On the same page, if you go down to "Revenue: Retained Taxes, Fees and Fines", the budget allocation in 2020-2021 was \$526,000, and then the 2021-2022 budget is talking about \$47,237 million. That is a substantial increase: \$526,000 to \$47,237 million. Is that the reintroduction of LLS fees post-drought?

**Mr WITHERDIN:** That is what I suspect that will be because those rates will come back in in January 2022.

**The Hon. MICK VEITCH:** Okay.

**Mr WITHERDIN:** So, we have sort of had to—

**The Hon. MICK VEITCH:** Do you just want to take that on notice—

**Mr WITHERDIN:** Yeah, but I will take it on notice—

**The Hon. MICK VEITCH:** —and check for sure that that is the case.

**Mr WITHERDIN:** —to ensure that exactly, yes.

**The Hon. MICK VEITCH:** And if it is not, I would really like you to take it on notice and explain why there is a substantial difference in those retained taxes, fees and fines because I would hate to think it is fines.

**Mr WITHERDIN:** Well, I can assure you it is not that.

**The Hon. MICK VEITCH:** I am sort of hoping that is not where it is going to go. How much longer have I got?

**The CHAIR:** About one minute.

**The Hon. MICK VEITCH:** I think I might just leave it there, if that is okay.

**The CHAIR:** Right.

**The Hon. MICK VEITCH:** I have a bit more detail to go into.

**The CHAIR:** All right. That is a good time to stop.

**(Short adjournment)**

**The CHAIR:** I will throw back to the Opposition for the remaining 17 minutes.

**The Hon. MICK VEITCH:** Thank you, Chair. Mr Hansen, I believe before we went to the break you had a response to my shearing question?

**Mr HANSEN:** Yes. You had a couple of questions. The first one was with regards to the number of contract trainers.

**The Hon. MICK VEITCH:** Yes.

**Mr HANSEN:** So we are aware that Australian Wool Innovation [AWI] has got 15 shearer-trainers contracted. TAFE has six or seven trainers. There is a private provider by the name of Australian Agricultural Training that has four trainers. There is, in addition, roughly a 50 per cent wool handler trainers compared to shearers and, those trainers, from September 2022 August 2021, there have been 745 people trained at AWI's

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**CORRECTED**

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wool harvesting workshops. In addition to that AWI trainers have provided in-shed coaching support for 459 shearers and 204 wool handlers.

**The Hon. MICK VEITCH:** Sorry. How many shearers?

**Mr HANSEN:** Four hundred and fifty-nine and 204 wool handlers. Dr Tracey advises me that just further to another question of yours, the Natural Resources Commission estimates pest animals at \$170 million per annum for New South Wales, so that is on top of the \$1.8 billion.

**The Hon. MICK VEITCH:** Thanks. Following on from that, the weeds, pests and biosecurity expenditure from DPI since 2015, you are able to take that on notice and provide it to us, or do you have that there?

**Mr HANSEN:** If you can just give me one second, I know that I actually have this here so just bear with me for one second and I will get it for you. I have got visibility across both LLSs and DPIs.

**The Hon. MICK VEITCH:** Yes.

**Mr HANSEN:** I have 2016 as my starting year.

**The Hon. MICK VEITCH:** Okay.

**Mr HANSEN:** That is important because that is also the Intergovernmental Agreement on Biosecurity base year.

**The Hon. MICK VEITCH:** Okay.

**Mr HANSEN:** In the Intergovernmental Agreement on Biosecurity all States and Territories have agreed to not let their funding drop below this level.

**The Hon. MICK VEITCH:** Yes.

**Mr HANSEN:** For ours, it was \$146,479,000. That is combined Local Land Services and DPI.

**The Hon. MICK VEITCH:** Yes.

**Mr HANSEN:** In 2017-18 that number was \$200,507,000.

**The Hon. MICK VEITCH:** Yes.

**Mr HANSEN:** In 2018-19, that was \$209,432,000.

**The Hon. MICK VEITCH:** Yes.

**Mr HANSEN:** In 2019-2020, \$176,365,000.

**The Hon. MICK VEITCH:** Yes.

**Mr HANSEN:** And, in 2020-21, \$225,600,000. The important thing there is that that is compared to—well, one of the important factors is that in relation to the Intergovernmental Agreement on Biosecurity, our agreement at that stage, with CPI increases, was to stay above \$155 million. Obviously, with the \$225 million there is significant head space between where all States and Territories had agreed their share of lifting and doing the heavy work in biosecurity versus what New South Wales taxpayers have been doing.

**The Hon. MICK VEITCH:** Okay, and that is the biosecurity.

**Mr HANSEN:** That is right.

**The Hon. MICK VEITCH:** Mr Hansen, across other departments for weeds and pests, are you able to take on notice—I do not expect you to have this at hand—but do you have information on what other agencies within New South Wales spend on weeds and pests?

**Mr HANSEN:** No, not all of them but, obviously, with some of them such as Forestry Corp, we have visibility on them.

**The Hon. MICK VEITCH:** How about you take that on notice whatever you can get, sort of a collect-all?

**Mr HANSEN:** Okay.

**The Hon. MICK VEITCH:** Thank you. If I could, just ask a quick question on research and development. The Department of Primary Industries is, as I understand it, the largest provider of agricultural research and development in Australia. I believe that is correct.

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**CORRECTED**

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**Mr HANSEN:** Correct.

**The Hon. MICK VEITCH:** In fact, I think the former Minister for agriculture or primary industries, Niall Blair, used to skite to me about that over our cups of coffee—that he was the biggest provider of agricultural research in Australia. What is the current level of investment being made by the New South Wales Government into research and development to support the agricultural sector to meet its 2030 goals?

**Mr HANSEN:** We are the largest provider of agricultural research. We can give you a breakdown of that investment across the portfolios but our largest piece of work is in the plant production research area, in which we have \$160 million invested. Of that, \$51 million is actually our contribution and \$84 million is from partners, and there is an additional \$25 million in partner in-kind contribution—so where they are not putting in cash but putting in their in-kind contributions. That research is obviously—Tamworth and Wagga Wagga are our big hubs for our plant-based research. Our livestock productivity research is the second biggest and it has a \$53 million budget—\$15 million from us and \$36 million from partners—then fisheries with a \$44 million portfolio and forestry with \$6 million. We do have 22 projects worth \$25 million in the natural resource productivity area. We have \$52 million in biosecurity risk mitigation research. We have \$5 million in projects in market access research. Climate resilience research has \$37 million in it, and plant protection—plant biosecurity—has \$136 million in contributions.

**The Hon. MICK VEITCH:** Climate change resilience research and development?

**Mr HANSEN:** Yes, 10 projects worth \$37 million. Our contribution is \$7 million in that and we have \$30 million from partners.

**The Hon. MICK VEITCH:** So those numbers you are quoting are not just DPI numbers. They are dollars coming from partners as well.

**Mr HANSEN:** That is right. There are very few projects that we have which are purely taxpayer funds; in fact, the vast majority of what we try to do is leverage up.

**The Hon. MICK VEITCH:** Yes. I just want to go back to the ag workforce issues. There was a hotel quarantine subsidy?

**Mr HANSEN:** There was.

**The Hon. MICK VEITCH:** Yes. As I understand, there is now no quarantine. How much was expended on that program? Do you know?

**Mr HANSEN:** Yes, I do. Sorry, let me just—

**Mr WITHERDIN:** While Mr Hansen is finding that, I might just come in and follow up on those questions earlier. There was one there around the increase—it was grants, fines and so on. I said it was in relation to the reintroduction of rates, and that is true. The other one in relation to the changes in employee-related expenses—I think the original budget was 130, then it moved to 123 and then back to 126. The reason for that was that there was employee-related funding we had there. It did not end up going in that. It was expensed in terms of operating and grants to support the bushfire response, so that is why it dropped to 123. Then we had that uplift of about \$3 million in the revised budget. That was following a Treasury approval relating to soil conservation services there. There was an uplift there in our control limit, which was offset by our revenue to support that.

**The Hon. MICK VEITCH:** Okay, thank you.

**Mr HANSEN:** It was \$2.1 million in 2021 at the end of the financial year. The remainder of that total budget, which was \$9 million, got rolled into 2021-22. To date, \$3.9 million of that has been spent, but obviously I am not sure that we have counted all final invoices or payments, as it is only today that the necessity for that has ceased.

**The Hon. MICK VEITCH:** Mr Hansen, how many workers did it bring in? Do you know what industries they came in for?

**Mr HANSEN:** In financial year 2020-21, which is the only completed set of numbers, it was 1,465 workers. I am not sure if I have immediately available what that split between horticulture or meat processing would be.

**The Hon. MICK VEITCH:** Is it possible to find that out?

**Mr HANSEN:** Yes.

**The Hon. MICK VEITCH:** How many producers participated in the program?

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**CORRECTED**

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**Mr HANSEN:** Not producers but approved employers—

**The Hon. MICK VEITCH:** Okay, approved employers.

**Mr HANSEN:** Because one approved employer might have 100 clients that are primary producers, right? There were 63 applications that were received and approved.

**The Hon. MICK VEITCH:** I am just doing those sums. There is a bit of money left over in that program, even though I do not think it has been fully acquitted. You have not really had a chance to do that.

**Mr HANSEN:** No.

**The Hon. MICK VEITCH:** If there are extra funds or funds unexpended, what will happen to those funds? Can they be rolled into any other programs?

**Mr HANSEN:** It could be, and that is typically what will happen. They will be identified or earmarked to go against other programs that are needing a boost or needing additional funding, or for new initiatives that are required to be started.

**The Hon. MICK VEITCH:** Okay, thank you. Mr Hansen, earlier with the Minister I raised the issue of the NSW Farmers 10-point plan. I think the Minister said he was a fair way along the way of implementing those 10 points of the 10-point plan. I dare say you have had conversations with NSW Farmers around this 10-point plan and ag workforce issues. Are there any of the 10 points that we are nowhere near implementing?

**Mr HANSEN:** I do not think any of them actually do not have something that we can put in the box alongside. In fact, I know we can put something alongside all of them. It is just their interpretation of what that might be versus what we have. For example, when they talk about creating and deploying a harvest-ready training and upskilling program, we, of course, turn to the AgSkilled program and the \$15 million investment that the Minister was talking to. Whether that is the full gambit—because obviously that picks up grains, cotton and horticulture.

**The Hon. MICK VEITCH:** Yes.

**Mr HANSEN:** In each of the categories we have significant pieces of work underway; it is just whether it is the full piece of work that NSW Farmers would be looking for. That is the same across the board. For some of those, such as localised incentives, the Government had the Regional Skills Relocation Grant of up to \$10,000 for businesses in New South Wales regional areas to assist with relocation costs of eligible skilled workers. I am not sure if that is what NSW Farmers particularly have in mind, but it is what is trying to be done in localised areas to try to incentivise. There is a direct line of sight on all of them. Probably the one thing that has been outstanding—and it comes through in the 10-point plan—has been the discussion around potential for a quarantine station or a quarantine facility, which obviously a number of States have chosen to go down the path of. That was investigated early on in the process. Instead, the subsidisation of the hotel quarantine, to provide both the level of confidence around maintaining a strict control over COVID outbreaks from international arrivals whilst at the same time providing it at a cost-effective mechanism, was the arrived-at solution.

**The Hon. MICK VEITCH:** Regional coordinators? Do you look at regional coordinators, for instance?

**Mr HANSEN:** Yes. That is another really good example of where they will talk about a coordinator to assist when, in fact, we have had a whole series of people on a COVID concierge line that have been able to work as those coordinators and those assistants. We have staff who have been working with individual employers who will ring and say, "I need access to 20 workers." They are able to say, "Actually, I know an approved employer who is looking to bring 70 in. A full plane is anywhere from 140 to 170. We will put you in contact with them to see if we can join you up." They have actually been doing that across borders. There is a flight due to arrive on 16 November which is actually one that we have put together of a number of employers' requirements here in New South Wales, plus with a number in Victoria, to make up a charter flight to make it worthwhile for those workers to come out. That has been happening behind the scenes. It is probably not as visible to NSW Farmers. But we are certainly working closely with the horticultural industry groups and the meat industry groups. That is where those workers are being put together and brought in.

**The Hon. MICK VEITCH:** Okay, thank you. This harvest leave proposal—if someone takes the five days off, are you going to be required to backfill that position, or are you going to leave it vacant?

**Mr HANSEN:** That will be on a case-by-case basis. First and foremost, their line manager—this will have to be approved at a director level, which is where the secondary employment director approvals need to be at. They will need to check that the job is able to be left for five days and that there is suitable either backfill or cover for that role, but that is no different to recreational leave or any other form of leave that they might choose to take at any point in time.

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**CORRECTED**

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**The Hon. MICK VEITCH:** Do you envisage that there will be some activities within the department—not all of them. Are there some activities that this may put pressure on for the period of the harvest?

**Mr HANSEN:** We would certainly try to avoid that. In terms of trying to avoid it, our biggest research area is in the plant production, as I just said. They are in a really busy time of the year at the moment, but by the time we get through to March there will be some space in front of them, and their ability to swing across to assist in horticultural harvesting, for example, is appropriate. At the same time our livestock teams are pretty busy at the moment as well but they have a period coming up in which they will have gaps in front of them in which they can swing across to southern crop harvest. We are just trying to make sure that we line it up. We do not want to add pressure to the workforce. In fact, this is an opportunity for them to stretch their legs out of the COVID confines for the last couple of months and actually get out there and reconnect. It is an opportunity for them to see on the ground what is happening potentially in a different industry than what they are working in to try to give them a broader view of primary industries.

**The Hon. MICK VEITCH:** There is clearly a range of different skillsets required for different jobs to get a harvest in. Is any work being done around the skillsets that are available and then connecting with producers? How is this being coordinated?

**Mr HANSEN:** We are trying to keep a very light touch on the coordination piece for a number of reasons. Largely this will be staff reaching out to people they know, staff being contacted by industry development officers that we have across the State and already there is a little of jostling about whether everyone should go to Batlow to help pick apples or should go to Coffs Harbour to help pick blueberries. Our industry development officers are really keen to use this as a chance of showcasing their region, their produce and their producers as well. They are reaching out to the department to say, "This is the kind of work that is available. This is the kind of work you could expect to be doing", to try to make sure that there is a marrying up of skill and capability.

**The CHAIR:** I am looking at some of the data collection on fishing fee receipts. When a person applies on line they are asked to say whether they fish for abalone or rock lobster. Do you have any data on that over the last, say, three years of how many people have answered that question? You can take that on notice, if needed.

**Mr HANSEN:** I might see if Mr Sloan has that available, otherwise I will take it on notice.

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

**The CHAIR:** No problems. Is some of that data on rock lobsters going to be used as part of your current consultation on the eastern rock lobster? I note on the website it states it is used for research statistics only. Will you factor that in?

**Mr SLOAN:** Every two years we do a comprehensive survey of the level of recreational catch and effort across all the major recreational species, so that is how we gather up the data or the information on what has been caught and where. That is where we collect the viewing information for recreational catch and effort. This consultation will be simply focused on—through our management practices over the last decade, the rock lobster resource biomasses has increased substantially. We have been able to increase the quota for commercial fishery and this proposal for the bag limit increase from two to three is in recognition that there is more lobster to share. So there is more lobster for all and that is what the proposal is in this case. That is the one we are consulting on at the moment.

**The CHAIR:** Have you done any data collection on the age breakdown of our anglers? I have had several correspondence from the amateur fishing association concerned about fishing infrastructure that is suitable for the aged and fishing infrastructure suitable for the disabled, and they cannot seem to get any sense out of the three Ministers that potentially this intersects with. Has the department collected any data on those demographics of age and disability? Perhaps on notice you might be able to provide some.

**Mr SLOAN:** That is a good question. Our surveys that happen every two years do collect information on those sorts of details. When those reports are finalised are published and made public. We can provide that information. Just picking up on your earlier question on how we reach all the recreational fishers of all the different backgrounds, in addition to the 525,000 people that we reach through our news cast, which is the ones that we have the contact details for, we also have about 280 Fishcare volunteers who are out and about. Obviously they have been restricted through COVID restrictions recently but they reach about 60,000 contacts every year. Our fisheries offices do the same. For the most recent year, over 50,000 client contacts have occurred with our fisheries officers as well, so there is a number of ways beyond just using social media and websites so that we can reach stakeholders.

**The CHAIR:** You will probably need to take this one on notice: The Eco huts, which seem to be a collaboration between DPI and national parks but it looks like DPI has primary responsibility, do you have any

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**CORRECTED**

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data about how well it is being patronised, particularly with the recreational anglers? I know that they can put in a code or they put in their fee receipt number and they get a discount. Can you provide any data on how well they are being utilised?

**Mr SLOAN:** We certainly can. I will have to take it on notice and give you the exact details. I know that that initiative has been very successful and has seen an increase in use in recent times, obviously with COVID being the outlier there.

**The CHAIR:** Is there any consideration to that being expanded into our State forests for recreational hunters? I know that has often been played as a potential endeavour that we could look at.

**Mr HANSEN:** There is certainly a body of work going on at the moment that is looking at what are the opportunities for increased recreational activity within State forests.

**The Hon. EMMA HURST:** I have some questions for you, Dr Filmer. I am glad you are back. The animal use statistics for calendar year 2020 have still not been released. Given it is November, are you able to give any indication as to when they will be published?

**Dr FILMER:** The animal use statistics are submitted to us in about March and then they undergo a fairly thorough examination, cross-referencing and checking to make sure that the statistics are accurate and that all of the institutions have provided the statistics that are needed. That takes a little bit of time. Then the statistics have to go to the Animal Research Review Panel [ARRP]. The next ARRP meeting is on 2 December so they will be going to ARRP. Once they are approved by ARRP they will move up through the Minister and then they are published. You might be excited to hear that next year the timing of these should be quicker because we are implementing a digital live system to gather the data. We are hoping we should be able to get them out in a timely and quicker manner in the future.

**The Hon. EMMA HURST:** That is useful to know. Remaining on the topic of animal research, I obtained a document under a Standing Order 52 order that I would like to ask some questions about. The document talks about a course organised by the New South Wales DPI in 2017 called "Production animal pathology for New South Wales field veterinarians". It was running for many years without animal ethics approval. An investigation found the course involved killing 12 sheep by cutting their throats without prior stunning. The sheep were described by participants as being near death before the throat cutting and several of them had been used in smoke inhalation experiments earlier that day as well. Are you aware of this incident?

**Mr HANSEN:** That training course, whilst using our facility, was actually a training course that was jointly arranged and run by the University of Sydney and Charles Sturt University. The University of Sydney and Charles Sturt University were not only course content owners but also it was delivered by their staff. We provide facilities for them to utilise at the Elizabeth Macarthur Agricultural Institute [EMAI]. Our EMAI Animal Ethics Committee undertook an investigation. They reported that the veterinary pathology course had not been approved by our Animal Ethics Committee, so this came down to a University of Sydney animal ethics committee which commenced its own internal investigation into it. Its preliminary finding was that there appeared to be no animal ethics approval for the course. The course leader was immediately suspended and prevented from engaging in further animal research pending the outcome of the university's investigation.

Our investigation showed that there was a breakdown in internal systems with the University of Sydney and Charles Sturt University independently investigating and taking disciplinary action against their staff. They have given the Animal Research Review Panel the outcome of those investigations and the steps they have taken to prevent similar incidents from occurring in the future.

**The Hon. EMMA HURST:** On page 12 of the documents in regards to this incident there is a range of recommendations. The last one talks about a report on the response of the recommendations provided by 1 August 2018. Are we able to get a copy of that report?

**Mr HANSEN:** I do not see why not.

**The Hon. EMMA HURST:** Thank you. Moving on, but still on the topic of animals used in experimentation, either Dr Filmer or Mr Hansen may be aware of a story that was published on news.com.au on 16 October about a tick experiment performed on dogs and there was a flag of a potential biosecurity risk. The DPI responded to the story saying, "NSW DPI investigated the complaint and found the project presented a low biosecurity risk and no breach of biosecurity was involved." Why do you think that the person who raised the complaint was so concerned that they had actually flagged it as a biosecurity risk?

**Dr FILMER:** I think they were probably concerned about the fact that paralysis ticks do not normally occur in the Armidale region, but you would know that that particular type of tick, ixodes holocyclus,



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**CORRECTED**

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predominantly exists in sclerophyll forests and rainforests in coastal areas. So it was out of place, but they like to live in that area so they are likely to survive in coastal areas and not inland dry areas.

**The Hon. EMMA HURST:** Why did the DPI conclude that there was not a biosecurity risk in this incident?

**Dr FILMER:** Because, as I have just explained, that type of tick has a predilection to living in a coastal environment. So it would survive in an environment that it is suited to, not in an environment that it is not suited to.

**The Hon. EMMA HURST:** Sorry. In the media the DPI said that they investigated the complaint and that there was no breach of biosecurity involved. I am just wondering where is that discrepancy. The person that put in the complaint said, yes, that there was a risk in a particular area of the tick surviving where the tick did not already exist but the New South Wales DPI concluded that there was no breach of biosecurity. I am just wondering where the discrepancy has come from and why the DPI concluded that there was no breach.

**Dr FILMER:** Because those types of ticks survive in a coastal environment, not in an inland environment, so the biosecurity risk—or the risk of them spreading and surviving in that environment—is negligible because they are not an inland tick. There is a different type of tick that can survive in that climate, but not the one that was used in this experiment.

**The Hon. EMMA HURST:** Okay. So the ticks may have escaped but you think it was unlikely that they would survive.

**Dr FILMER:** That is right because different types of tick, like *Rhipicephalus sanguineus*, which is the brown dog tick, will survive in inland areas but the one that was used in this experiment was *Ixodes holocyclus*, which is the paralysis tick, and it has a predilection and survives in coastal environments, so sclerophyll forests and rainforests on the coast.

**The Hon. EMMA HURST:** Are you aware if any action was taken by the facility where the research took place to stop any further breaches of this nature or other breaches within other experimentations?

**Dr FILMER:** I cannot comment on that.

**The Hon. EMMA HURST:** You do not know, or you cannot comment?

**Dr FILMER:** I do not know.

**The Hon. EMMA HURST:** You do not know. Okay. Are you aware if the tick experiment is still running at the facility, or if similar experiments have continued to be approved at this facility?

**Dr FILMER:** I do not have that information, sorry.

**The Hon. EMMA HURST:** Could I put that on notice?

**Mr HANSEN:** Just on that one, I am aware that no further work has been undertaken on that project and therefore no further work in that space.

**The Hon. EMMA HURST:** Okay. Thank you.

**The CHAIR:** I will throw to Mr Field.

**Mr JUSTIN FIELD:** Mr Hansen, I have some questions for you, if I could, about annuity hardwood plantations. How many annuity hardwood plantations are there in New South Wales?

**Mr HANSEN:** Chair, could I—is this a question for Wednesday, Mr Field?

**The CHAIR:** Potentially.

**Mr JUSTIN FIELD:** It actually has to do with DPI's involvement. As I understand it, you effectively enforce the regulations and the code with regards to these private plantations which were established, sometimes 20 or 30 years ago.

**Mr HANSEN:** Yes. I might have to take that on notice. Our forestry group and our plantations team within our forestry group, we are set for a robust day on Wednesday.

**The CHAIR:** Always!

**Mr JUSTIN FIELD:** Yes. I understand that. So DPI Forestry you consider to be under the remit of the—

**Mr HANSEN:** Forestry Minister.

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**CORRECTED**

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**Mr JUSTIN FIELD:** —Department of Regional NSW.

**Mr HANSEN:** Under the remit of the forestry Minister, yes.

**Mr JUSTIN FIELD:** They are DPI staff who are working on forestry?

**Mr HANSEN:** Yes.

**Mr JUSTIN FIELD:** We should do that on Wednesday, should we?

**Mr HANSEN:** That is right. So DPI—

**Mr JUSTIN FIELD:** That might be a bit difficult.

**Mr BARNES:** No. They definitely report up to through to Deputy Premier Toole.

**Mr JUSTIN FIELD:** Maybe if we could just clarify then, if we have got a situation where DPI Forestry are the regulators for Forestry Corporation's involvement in harvesting of annuity hardwood plantations, are you saying that, effectively, that staff, who all report to the same Minister, are both responsible for the administration and enforcement of the rules around the harvesting and managing of annuity hardwood plantations? Is that what that effectively means?

**Mr BARNES:** I will leave that one to you, Mr Hansen.

**Mr HANSEN:** Sorry, Mr Field. Could you ask that question again?

**Mr JUSTIN FIELD:** The suggestion then was that all those staff, DPI Forestry staff, Forestry Corporation staff, report through to Minister Toole. My question was does that mean—

**Mr HANSEN:** No, sorry. Forestry Corporation staff do not report through to Minister Toole.

**Mr JUSTIN FIELD:** I appreciate what you are saying, but DPI Forestry staff report through to Minister Toole. Is that the case?

**Mr HANSEN:** That is correct.

**Mr JUSTIN FIELD:** And Minister Toole is also the Minister responsible for forestry and ultimately the Forestry Corporation. I recognise that there are shareholder Ministers so my question, which is relevant to you as the Director-General of DPI, is does that mean, given DPI enforces the rules around the harvesting operations of annuity hardwood plantations that, effectively, staff reporting through either Forestry Corporation or the forestry Minister are responsible for both the harvesting activities and the regulation of harvesting of annuity hardwood plantations?

**Mr HANSEN:** We are not involved in the harvesting. We are involved with the licensing under the Plantations and Reafforestation Act and, in terms of the auditing against that licensing, yes, in plantations.

**Mr JUSTIN FIELD:** And you are saying that staff involved with that auditing and licensing report through to Minister Toole as forestry Minister. Is that right?

**Mr HANSEN:** That is correct.

**Mr JUSTIN FIELD:** So you would be agreeing, then, that staff reporting to the Minister are responsible for enforcing the rules of how Forestry Corporation operates in annuity hardwood plantations.

**Mr HANSEN:** That is correct.

**Mr JUSTIN FIELD:** That seems a bit of a conflict, wouldn't you agree?

**Mr HANSEN:** Again, the forestry Minister does not have responsibility for Forestry Corporation. In fact, the Forestry Corporation reports to its shareholder Ministers, who are the Treasurer/Minister for the Environment and Energy.

**Mr JUSTIN FIELD:** I understand that but the policy settings for forestry in New South Wales clearly come from the forestry Minister. We have copious amounts of evidence in Standing Order 52s to demonstrate that fact.

**Mr HANSEN:** Forestry agreements around how forestry will operate between New South Wales and the Commonwealth in terms of the Regional Forestry Agreements are definitely with the forestry Minister. The agreement around operation in terms of integrated forestry operations agreements, however, are between the environment Minister and the Forestry Corporation directly. Forest Corp report to shareholder Ministers, who do not include the forestry Minister.

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**CORRECTED**

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**Mr JUSTIN FIELD:** But I am talking about annuity hardwood plantations here. Mr Hansen, are you aware of complaints to the DPI by Todd and Samantha Smith about their annuity hardwood plantation in Clunes and their concerns about DPI's involvement in effectively regulating Forestry Corporation's activities on their site?

**Mr HANSEN:** Yes.

**Mr JUSTIN FIELD:** I have emails on the public GIPAA record from DPI staff to Forestry Corporation staff talking about how the plantation footprint on that site was remapped, Forestry Corporation staff asking for it to be remapped and DPI staff acknowledging that in order to effectively allow Forestry Corporation to use the plantation code to dictate how they operated on that property around drainage lines, creek lines, road movements and the like. Do you agree that it is the role of DPI staff to make those changes?

**Mr HANSEN:** The way you described it just there, no. But I would say that I am going to have to take that on notice, Mr Field, and be prepared for the conversation about forestry, Forestry Corporation and the forestry Minister's activities on Wednesday at his hearing.

**Mr JUSTIN FIELD:** We will come back to it, then.

**The CHAIR:** Thanks, Mr Field. That is your time. I will throw it back to the Opposition.

**The Hon. MICK VEITCH:** Thank you. I have a series of questions now for Mr Quinlivan. Mr Quinlivan will come onto the screen; I am certain. If I could, Mr Quinlivan, your land use report—has that been completed? You are not coming through, Mr Quinlivan. No, you are still not coming through.

**Mr BARNES:** We can hear Mr Quinlivan. It must be the same issue that previously we had with one of the other online participants.

**The Hon. MICK VEITCH:** I will ask some other questions, if the secretariat can sort out Mr Quinlivan's issues.

**The CHAIR:** Can I just ask Mr Quinlivan to leave the meeting and rejoin to see whether that fixes the issue?

**The Hon. MICK VEITCH:** Whilst we are doing that, Mr Hansen, I want to go back to the Intergovernmental Agreement on Biosecurity. You kindly gave us the numbers for a number of financial years from DPI, but that agreement, I am certain, would involve a contribution from the Federal Government.

**Mr HANSEN:** Yes. It is meant to hold all States, Territories and the Federal Government to a base level of the 2016 financial year, to ensure that we built upon, not eroded away, our collective investment in biosecurity.

**The Hon. MICK VEITCH:** Okay, thank you. Would those Commonwealth contributions for those financial years be available somewhere? Do you have them?

**Mr HANSEN:** They would be, yes. I do not have them available here now, but they would be available.

**The Hon. MICK VEITCH:** Can you take it on notice and get them to us?

**Mr HANSEN:** Yes.

**The Hon. MICK VEITCH:** That would be good, thank you. Whilst we are still waiting for Mr Quinlivan, the Recreational Fishing Trusts—

**The CHAIR:** He's back on.

**The Hon. MICK VEITCH:** Are you there, Mr Quinlivan?

**Mr QUINLIVAN:** Yes. I will just check whether you can hear me now.

**The Hon. MICK VEITCH:** Excellent. Yes, we can. It would be a shame for you to sit there all day and then not be able to get on because of technology. Mr Quinlivan, my question was: Has the land use report been completed?

**Mr QUINLIVAN:** Yes, it was completed and submitted to the Government in mid-July.

**The Hon. MICK VEITCH:** And do we know when it will be released to the public? Is it going to be released to the public?

**Mr QUINLIVAN:** I think it has been. I think it was posted yesterday.

**The Hon. MICK VEITCH:** That'd be right. Okay, thank you. As a matter of interest, is the department recommending that your role—and maybe Mr Hansen here—as ag commissioner will be extended once the term is complete?

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**CORRECTED**

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**Mr QUINLIVAN:** I have a two-year arrangement. We are halfway through that period. The substance of the question is one for Mr Hansen.

**Mr HANSEN:** In fact, the two-year arrangement that we have with Mr Quinlivan—by the end of that, the Government will have considered the recommendations in Mr Quinlivan's report. In those recommendations are a series of pieces that would be logical next steps. That report will be considered by Government and, depending on Government's preferred option in terms of progressing that—will be what comes after the initial two-year piece.

**The Hon. MICK VEITCH:** Okay, thank you. Mr Quinlivan, I have not had a chance to read the document that was made public yesterday, unfortunately. I was busy driving here to come and do this today. I, along with a number of other members of Parliament, have had representations over the last 12 to 18 months regarding what is referred to as the HumeLink corridor. This is about electricity infrastructure and a corridor that is required for that infrastructure. In your report, do you in any way address the issue around these land use conflicts that arise from the implementation of this electricity infrastructure?

**Mr QUINLIVAN:** Not specifically. We have looked at issues of land use conflict generally, and I have got a series of recommendations that I believe will improve the situation. But we did not look specifically at the particular set of issues around either energy generation facilities or transmission, although I have been involved in discussions with the New South Wales agencies on this, and I have also had representations to me from quite a number of landowners and representative groups who have concerns about both power generation and transmission. I have transmitted those concerns to the Government, but they were, of course, already well aware of them. Those concerns are well known within the Government.

**The Hon. MICK VEITCH:** Mr Quinlivan, you may not be able to answer this. The Government's response to all of your recommendations—is there a time frame upon which I should wait for those?

**Mr QUINLIVAN:** I can't help you there. I think the Minister has indicated that he is favourably disposed towards most of our proposals, but he is only just starting the consultation process with his colleagues. I am briefing other members of the Government pretty much from now on. It will be a challenge to have the package considered by Cabinet before the end of this year because there are only a couple of Cabinet meetings left and the agendas are already fairly congested. I think it is more likely to be in the first quarter of next year than before Christmas.

**The Hon. MICK VEITCH:** Okay, thank you. Mr Hansen, the Recreational Fishing Trusts—is it possible to get a breakdown of the expenditure since 2016 for that particular fund? If I could get the total expenditure, specifically what I am after is how much of that funding goes towards departmental research or departmental programs.

**Mr HANSEN:** That should be available. I think we have prepared it for previous questions.

**The Hon. MICK VEITCH:** I waited all day. I thought Mr Banasiak might have been all over it.

**The CHAIR:** I have already asked a question on notice for the latest data.

**Mr HANSEN:** Yes.

**The Hon. MICK VEITCH:** Well, let's bundle it all together and get it in one go. That would be great.

**Mr HANSEN:** Fantastic.

**The Hon. MICK VEITCH:** Thank you. I want to go to drought reform, if I could. It sort of relates to climate change. Just recently there was an article by Jamieson Murphy on FarmOnline where he talked about the need for the Government to develop a national drought policy. There was a two-year inquiry and a number of recommendations, but that is essentially what that is recommending. Mr Hansen, what work has the department been doing around preparing for drought? Because there will be another drought.

**Mr HANSEN:** Yes, and the best time to be preparing for it is now.

**The Hon. MICK VEITCH:** Right now.

**Mr HANSEN:** Look, there are a couple of pieces in play. The first one is the evaluation of all of the measures and all of the pieces that were put in play in the previous drought assistance. So, working out what worked well, what we need to refine and what pieces need to be considered for next time as a result of that. The second piece is an investment in our tools for forecasting, as well as giving an indication of which areas are approaching drought, in drought and in severe drought, so that we know where to target assistance and what to do on that front.

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We have the report that we commissioned through the National Farmers' Federation with regards to risk mitigation or risk management financial tools that we are also presenting to the Commonwealth and our colleagues in other States to say that this needs to work collectively across our broader landscape than just purely New South Wales. So we are working with them on that literally as we speak. There is a future drought strategy that is being considered and being built that takes into account both our primary industries sector and the regional community sector. Obviously all of the water work that is going on in consultation at the moment has built into it those forward projections around what-ifs around drought conditions. We are hoping that all that comes together, before the next drought eventuates, into a package that will be able to be taken forward to government.

**The Hon. MICK VEITCH:** Okay, so Mr Hansen—

**Mr BARNES:** Mr Veitch, it is Gary Barnes here. The last one that Mr Hansen was talking about, Future Ready Regions, has been to Cabinet and money has been allocated on the basis of the things that we learnt through the last iteration. As Mr Hansen said, it is more than just what has happened on the farm. It also goes to what has happened with small business in communities themselves and has an element of preparation beyond the farm for the next inevitable sort of drought that comes along. I am happy to give you a briefing offline, if you like, Mr Veitch, on the elements of that package.

**The Hon. MICK VEITCH:** Yes, I would like that. Thanks, Mr Barnes. Maybe after Wednesday we can organise a time to have that conversation.

**Mr BARNES:** No problem.

**The Hon. MICK VEITCH:** Thank you. One of the things that has been raised in this review is the fact that ad hoc arrangements across different States on measures actually undermine drought resilience measures, which I think is pretty important because a part of what should be happening now is putting in place measures to ensure farmers are as drought resilient as they can possibly be—whatever "resilient" really means in this context. Our learnings post the last drought for New South Wales clearly inform what we take to the Federal level as well. Is that consistent with what our learnings are from the last drought?

**Mr HANSEN:** Yes, it certainly is and it is certainly what the Commonwealth has been working with all the States and territories on in terms of trying to come up with a national agreement, or at least a national framework for what should be considered in the toolkit for each State, recognising the fact that each State will respond depending on circumstance and the situation it finds itself in both in terms of the assistance needed and their capacity to provide that assistance. So ensuring that there is a consistent set of rules, one side of an invisible line versus the other to stop perverse outcomes, is definitely one of the things that is captured in the national drought discussions and the National Drought Agreement.

**Mr BARNES:** And again, Mr Veitch, both the Farm Business Resilience Program and Regional Drought Resilience Planning are to support both communities and small business and industry as a part of the Future Ready Regions package that we will brief you on. You might want to ask Fiona Dewar on Wednesday because she coordinated effort right across all of the government agencies in pulling that piece of work together.

**The Hon. MICK VEITCH:** Thank you. I will see how I go. I have got a fair bit for Wednesday. We will see how we go. The other thing I would like to talk about here is one of the issues that was raised with me consistently by farmers during the drought was filling in applications and the fact that each program had a separate application process. This national committee recommended simplifying and streamlining the form process where information populates the form if it is already known. With a lot of the stuff we are doing with COVID we have developed and refined our processes. Are we looking here at how we can do this? Because it was a serious frustration for the farming fraternity during the last drought.

**Mr HANSEN:** It is certainly one of the things we have been very focused on. To the RAA's credit, it has taken a significant step forward in the fact that its database of customers now basically have a customer number. That customer we know has been verified through checks and balances with regards to eligibility criteria and so forth. So we quite regularly will not only be able to communicate directly with them when new programs open up but also just get them to tick a box to recommit to the previous advice that they provided to us or reconfirm that all those conditions still apply.

Where we run into some of the challenges and some of the difficulties, which is what we are trying to work through with the Commonwealth and our other State partners, is the fact that quite often the funding and the assistance we are providing will have a matching component from the Commonwealth. And then it is about that consistency of eligibility criteria. The definition of a "primary producer" might vary between a number of States, or between the Commonwealth and a number of States, because they are applying it generically across, so what do they come up with? If there is any slight variation away from what we otherwise would use as that definition,

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we go through the painful process of having to get someone to re-submit documentation to prove eligibility for the Commonwealth funding.

As I said, we are trying to strip all that away and we have been very successful in discussions with the Commonwealth over the last series of packages to be able to say, "If you pass muster here then you pass muster there." Therefore, we can streamline the online process for them. That has helped us significantly. But in terms of a number of the assistances programs, I think we have made good progress at a State level and we are now working with the Commonwealth to try to lock that in for the future. We are always going to have to have a duty of care around testing the capacity of someone to repay loans to make sure we are not getting them into further problems by being negligent in actually that test up-front. We will continue to have to ask for paperwork around that to get them to demonstrate their capacity to make repayments so they are not getting themselves into a worse situation than what they might otherwise find themselves in.

**The Hon. MICK VEITCH:** The repayment of the loans, particularly the no-interest loans through the Farm Innovation Fund—I would be keen to see the repayment processes there and whether people have started that process. Hopefully after this bumper season we can start getting some of those loans being repaid. Do we break those down into small farms, medium farms, large farms or very large farms? Is there a categorisation so that if you were to interrogate the data you would have an idea about farm size to better understand who has got the capacity to repay?

**Mr HANSEN:** I am not sure that we have an automatic categorisation. We would probably be able to go through the data and rework back out. The Drought Assistance Fund loans, which were the smaller loans and the interest-free, repayment-free, they kick back in in February next year. So the first of the repayments fall due then.

**The Hon. MICK VEITCH:** They should start.

**Mr HANSEN:** I am not sure that we actually have categorised the client base at RAA into size of category. If we have, I will find out and get back to you before the end of today.

**The Hon. MICK VEITCH:** If there were some categories, that would be interesting to find out what they were. I am sort of worried about the drought readiness of the farming sector in New South Wales. On page 13 of the *National Drought Agreement Annual Report 2019-20* it says one in three farmers are ready for the next drought, so 33 per cent, and that 33.7 per cent agreed that "on our farm, we have a plan in place for the next drought". These are low numbers when you consider we know there is going to be a next drought. We probably do not know how severe it is going to be. But those numbers concern me around drought preparation on farm. What body of work are we doing on that? Is this a part of what Mr Barnes talked about with the programs?

**Mr HANSEN:** It is certainly part of. The Farm Business Resilience Program is one of the new initiatives in this space. It is one of the areas funded under the Commonwealth's Future Drought Fund with co-investment from New South Wales. The program commenced this financial year and it has three key delivery areas. Coaching of farm businesses using private consultants, so that is 150 farm businesses that have begun this process, using 21 business coaches to try to build that preparedness, build that planning. We have got 60 events that have been delivered across New South Wales by Local Land Services in terms of connecting farmers back together and also with the access to information that they need and farm benchmarking aimed at creating tools to enable farm businesses to improve their decision-making. So that is a program for which we have got \$5.5 million provided by the Australian Government. We are investing \$4.3 million in this financial year. It is targeting 4,000 farmers in the program to try to get them prepared and to increase that preparedness in time for the next drought.

**The Hon. MICK VEITCH:** Thank you. Mr Hansen, I just want to go back to the announced funding before my time runs out. You have provided the breakdown of the expenditure previously for us so it is farms, small businesses and households who received funding to date. Are you able to just clarify for me those numbers again, thanks? You can come back later if needs be.

**Mr HANSEN:** Yeah, sure. I know I have got them here. I just have to find them again for you.

**The Hon. MICK VEITCH:** Okay, thank you. I think it was \$5 million for farmers but I just want to clarify that. That is me for this round. I think we are on the 20 or it must be pretty close.

**The CHAIR:** All right. I might just fire off a couple. Some of them you may take on notice, Mr Hansen. I asked a question of the Minister around the draft comment assessment for Murray crayfish and the answer came back that said that that was sent to the Commonwealth Threatened Species Scientific Committee for review and comment. Do we have an estimated time of arrival as to when they are going to get back to us on an approval or endorsement of that draft assessment?

**Mr HANSEN:** I do not, but I do not know if Mr Sloan has.

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**The CHAIR:** Mr Sloan?

**Mr SLOAN:** Thank you, Chair. I do not have an exact time frame but can say or confirm that it is with the Commonwealth, so we are waiting on hearing back from them and then we will be able to go from there.

**The CHAIR:** Okay, sure. In another written question regarding fines for fishing offences over the last three years, you came back and said there was close to \$3.2 million or \$3.1 million issued in fines via the Fisheries Management Act and the Marine Estate Management Act and that goes to consolidated revenue. Has the department done any work in better utilising that \$3.1 million and turning it towards investment in fishing infrastructure or greater fisher compliance, or anything like that? I am citing US models where they take those fines and reinvest them back into conservation and improve facilities for fishermen. Has the department done any work in that space?

**Mr HANSEN:** We are constantly looking into that space. I might get Mr Sloan to make some further comment.

**Mr SLOAN:** Yes. I agree with the comment from Mr Hansen. We are constantly looking at trying to improve what we are doing in this space but to give you some sort of specifics I think I will need to take it on notice and come back to you with some of the details.

**The CHAIR:** Sure. Just one final question then to Mr Witherdin. I asked some supplementary questions during the last estimates around aerial culling. I particularly want to ask some follow-ups on the cost of ammunition. Looking at the 2018 figures, I have worked this out based on a median price range for ammunition, it seems that it was costing you \$1.50 a shot in 2018. That quickly rose in 2019 to \$5 a shot. In 2020 it was \$6 per shot. If you are looking at the average price or median prices for the shotgun ammunition, which you utilise, it is around \$3 a shot. I just wanted some clarification as to what has happened over those years. Why in 2018 was it half the average price and then it jumped to \$5 and then in 2020 it was almost double, or close to double, the average price. You are either buying the ammunition at a really ridiculous price or your aerial cullers are taking too many shots.

**Mr WITHERDIN:** Look, I will have to take that one on notice. I do not have those details at hand.

**The CHAIR:** Yes, sure.

**Mr WITHERDIN:** But I am happy to follow up and come back to the Committee.

**The CHAIR:** No problems at all. That is all from me.

**The Hon. EMMA HURST:** Great. Thank you. I saw in the Local Land Services web page that there was a paddock shade and shelter project running in 2019 but I am not sure if that program is still ongoing.

**Mr WITHERDIN:** Yes. I would have to take that on notice as well, but I imagine what we are talking to is sort of a guide there, sort of a best practice guide there, for landholders. I will follow that up.

**The Hon. EMMA HURST:** I think there were some grants available for people as well.

**Mr WITHERDIN:** Okay.

**The Hon. EMMA HURST:** Could I also ask you to respond on notice how much funding was distributed as part of that program when it ran? Are there any other grant programs available to ensure that farmers can get shade for their animals on their property?

**Mr WITHERDIN:** Not that I am aware of directly. I mean, indirectly there would be a number through, like, the Catchment Action NSW Program and various sorts, and probably a national Landcare program as well, but it is more likely to be a by-product of revegetation rather than specifically about that.

**The Hon. EMMA HURST:** Okay.

**Mr WITHERDIN:** I will follow-up.

**The Hon. EMMA HURST:** Thank you for that. Mr Hansen, I want to talk about calf roping. In the New South Wales code of practice for animals used in rodeo events, which has not been updated since 1988—30 years ago—I assume that there has been no review or update of this code since we last discussed it at budget estimates in 2019.

**Mr HANSEN:** No.

**The Hon. EMMA HURST:** Is any review or update anticipated in the next 12 months?

**Mr HANSEN:** Not that I am aware of, but I will see if either Dr Filmer or Ms Robinson want to add?

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**Dr FILMER:** There is none planned in the next 12 months, given that we have got an Act and regulation to concentrate on at this stage. The codes and standards will be looked at after that.

**The Hon. EMMA HURST:** Thank you. Mr Hansen, I previously asked you about calf roping which under the code was meant to be phased out by 1989 but still continues in New South Wales under the Ropersmate device. Are you able to point me to any independent studies that show that the Ropersmate device works on calves being roped and prevents the abrupt stopping of calves, as required by the code?

**Mr HANSEN:** I would have to take that on notice.

**The Hon. EMMA HURST:** I am happy for you to do that, thank you. As the DPI itself ever carried out any research or studies on the Ropersmate device to determine the impact on the animals involved?

**Mr HANSEN:** Not that I am aware of.

**The Hon. EMMA HURST:** Could you take that one on notice as well, just to clarify?

**Mr HANSEN:** Sure.

**The Hon. EMMA HURST:** Could still be a breach of the code using one of these devices if it showed that it still causes cruelty by abrupt stopping of calves?

**Mr HANSEN:** I might see if either Dr Filmer or Ms Robinson want to answer that.

**Dr FILMER:** Yes. If the calves are abruptly stopped, one of the rules of rodeos is that the person that causes that to happen is disqualified. That is in place at the moment as a safety mechanism in that space.

**The Hon. EMMA HURST:** So if it was proven that the Ropersmate device was doing that, then the people would be disqualified. Would it still be a cause of animal cruelty as considered under the code?

**Dr FILMER:** Yes, it could be. The idea of the Ropersmate is that it is like a shock absorber. I guess that is probably the closest thing to describe it as. When the calf is on the end of the rope and it reaches the end of the rope, instead of it being abruptly stopped, the Ropersmate device actually allows a bit of give in the system so that the rope gradually stops the animal rather than suddenly stopping the animal.

**The Hon. EMMA HURST:** Thank you, Dr Filmer. Mr Hansen, in a number of other jurisdictions including New Zealand and Canada there have been legal challenges to holding rodeos on the basis that they cause animals unnecessary suffering. Was a ban on rodeos something that was considered at all under the animal welfare discussion paper, or different aspects of the code?

**Mr HANSEN:** Not that I am aware of, no.

**The Hon. EMMA HURST:** I wanted to ask you as well about the puppy farming task force—the RSPCA puppy farming task force.

**Mr HANSEN:** Yep.

**The Hon. EMMA HURST:** Are you able to advise how long the task force has been funded for?

**Mr HANSEN:** Sorry. Let me just—

**The Hon. EMMA HURST:** That is all right.

**Mr HANSEN:** I will see if I can find that. I do not know whether Dr Filmer or Ms Robinson has that ready to hand?

**Dr FILMER:** I have some statistics here that between 1 August and 30 September, audits were undertaken by the RSPCA task force. So the first records we have got are from 1 August 2020.

**The Hon. EMMA HURST:** And that program has completed?

**Dr FILMER:** No. It is an ongoing function of the RSPCA at the moment.

**Mr HANSEN:** In terms of the funding, I will have to take that on notice. I just cannot find it here in front of me in terms of when that supplementary funding for the program from government may finish. We will get an answer to that in a minute.

**The Hon. EMMA HURST:** Thank you. If you could, take that on notice. Will there be an evaluation of the success of the task force once that funding has run out?

**The CHAIR:** Who are you directing that to?



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**CORRECTED**

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**The Hon. EMMA HURST:** I don't mind. Whoever is best to answer it.

**Mr HANSEN:** In which case you had better ask that again to make sure I heard you.

**The Hon. EMMA HURST:** Will there be an evaluation of the success of the task force once that funding has completed?

**Mr HANSEN:** I don't know. Ms Filmer, have we got a planned evaluation or would it just likely be an end-of-project evaluation?

**Dr FILMER:** I have not heard specifically of there being one, but I am pretty sure they are keeping tabs on what they have been able to achieve in that program. We are being kept up to date with statistics about it, so I think it is being evaluated as it goes along. I think it would be likely there would be an end-of-time evaluation as well.

**The Hon. EMMA HURST:** You mentioned, Dr Filmer, that as it has been running you have been getting statistics and evaluation. What aspects is it actually considering as the program is running?

**Dr FILMER:** We get statistics on the actual numbers of audits that have been undertaken, the number of revisits required, information about prosecutions that may have been initiated under that program, how many offences have been detected, how many 24N POCTAA notices have been issued, the penalty infringement notices [PINs], and the total number of animals that are involved or have been inspected during that process.

**Mr HANSEN:** We get that information on a monthly basis, and then a running tally since it was established in August 2020. The total number of animals inspected since 2020 is 4,823. The number of new inspections or first-time inspections was 209, with 139 revisits to facilities. There were 122 24Ns.

**The Hon. EMMA HURST:** Sorry, 124 what?

**Mr HANSEN:** The 24N notices. There were 47 PINs issued and three prosecutions initiated. We do not get breakdown by number, but the anecdotal is that the PINs were largely for breaches around bedding, vaccinations, cleaning—basically, breaches of the code of practice.

**The Hon. EMMA HURST:** And so that is a full running record since 1 February 2021?

**Mr HANSEN:** No, August 2020, upon the establishment of the task force.

**The Hon. EMMA HURST:** Thank you for that. My colleague from Labor has talked a lot about the mouse population boom. There was \$1.8 million in funding specifically for genetic control of mice, specifically looking at gene drive technology. I was just wondering if there were updates on how that specific funding has been spent.

**Mr HANSEN:** Yes, sure. This is a three-year investment with the University of Adelaide and others, with the University of Adelaide leading, and its aim is to identify fast-acting gene drives to try to spread an inherited characteristic for population control. As we have talked about, the progress so far is the fact that contracts have been signed. Researchers have been recruited. There has been approval gained by the University of Adelaide from both the Animal Ethics Committee and the Office of the Gene Technology Regulator for the gene technology that they are wanting to trial, so they are starting work on that at the moment.

**The Hon. EMMA HURST:** Do you know if the results of that research will be made public at completion?

**Mr HANSEN:** Yes.

**The Hon. EMMA HURST:** It will be? Great. And is there a time line around when that particular project will be finalised?

**Mr HANSEN:** On 31 July 2024 is when the final report is due to be delivered.

**The Hon. EMMA HURST:** Great. Thank you very much.

**The CHAIR:** I will pass to the Opposition.

**The Hon. MICK VEITCH:** Excellent, thank you. Mr Hansen, the last time I was the shadow Minister for Primary Industries there was a fair bit of fanfare about the herpes virus being released for the carp populations in our waterways. You may recall. I wouldn't mind an update as to where that is that.

**Mr HANSEN:** That is a blast from the past. Maybe Dr Tracey might want to give you an update on where the Carpinator is up to.

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**Dr TRACEY:** The Carpinator—I am just seeing if I can find my notes on that. That one was a national program that was funded through the Centre for Invasive Species Solutions. I am just trying to find a few more notes on it.

**Mr SLOAN:** Just while Dr Tracey is finding his notes, I can possibly provide a few details. My understanding is that there was some additional research that was being done that was being led by the Commonwealth, and that research, when it was finalised, was going to be made available to agencies to review. And then, from there, policy decisions would be made. To date, to my knowledge, we haven't seen the outcomes of that additional research.

**The Hon. MICK VEITCH:** So we are still waiting, essentially, and we haven't released the herpes virus into our waterways?

**Mr SLOAN:** No.

**Dr TRACEY:** I am sorry. I will have to take that on notice—any additional info.

**The Hon. MICK VEITCH:** Yes, please. Thank you for doing that. Staying with fish, the lessons that we learned from the massive fish kills in 2019—what are we doing now to replenish those fish stocks, particularly the Murray cod, in the Darling-Baaka?

**Mr HANSEN:** That is one I know that Mr Sloan would like to talk to, because it has been one of the really popular success stories of that fish rescue and recovery program.

**Mr SLOAN:** Thanks for the question. We are very fortunate that the system has returned to quite a good state of health. There is water flowing all the way down into Menindee Lakes at present. From what I understand, it is at 90 per cent capacity across those catchments, which is great news. We have seen not only the return of water but also some signs of natural fish spawning events in those systems, which is really what we want to see. The fish that we rescued from the system—we have returned a lot of the adult fish back into those waterways, but we have also been breeding those fish and releasing fingerlings back into the system as well. I can provide some specific details on the exact numbers, but essentially we have restocked the brood stock that we rescued. We have restocked fingerlings that we bred from those waterways. In terms of how we build resilience into the system for the future, as you are probably aware, we have a major fish passage infrastructure strategy. We are under constant progress to develop that infrastructure right across New South Wales, in partnership with WaterNSW.

**The Hon. MICK VEITCH:** I wouldn't mind you taking that on notice and providing a more detailed response, mainly because I did mention Murray cod, but there were other fish species as well. I think it was the Narrandera facility that did a lot of work around this, so I would be pretty keen to get that detail. With regard to the Narrandera facility, I know there was an expansion of that facility announced. Where is that up to? Is it completed? What were the total funds that have been expended on that expansion? What does it actually mean they will now be able to do?

**Mr HANSEN:** Just let me get the numbers on that, unless—Mr Sloan, have you got it?

**Mr SLOAN:** Sorry, I do not have that information right at my fingertips but I can easily provide that in a few moments.

**Mr HANSEN:** Basically the upgrade is both for our breeding facility as well as for additional ponds. The earthwork is largely completed from what I have seen. I do not know, but I thought we were not too far off the completion of the breeding equipment. Again, I will try to find it for you.

**The Hon. MICK VEITCH:** One of my last questions is: Have there been any asset sales within DPI or in any of the arms of DPI, including LLS, in the last 12 months? What is the dollar value? How many parcels of land, in particular, of asset sales?

**Mr HANSEN:** Can we narrow that down? We have had a couple of clearing sales on farms to get rid of fence posts and strainers and so forth.

**The Hon. MICK VEITCH:** No, I do not want to know that.

**Mr HANSEN:** So those assets are okay. In terms of land, none from us. Sorry, no, we might have one or two old houses in locations.

**The Hon. MICK VEITCH:** Will you take it on notice and come back to me with an answer?

**Mr HANSEN:** Yes.

**The Hon. MICK VEITCH:** Have there been any cuts to the provision of services from the Soil Conservation Service?

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**Mr WITHERDIN:** Yes, I will take that. It sits under us. There are certainly no cuts at all. They are self-funded in terms of the work they do and growing significantly in terms of staff numbers and revenue.

**The Hon. MICK VEITCH:** Is Treasury eyeing that off at all?

**Mr WITHERDIN:** I hope not, but it is a real success story over 80 years, and getting stronger.

**The Hon. MICK VEITCH:** It is an outstanding success story. It is a great idea, even more so if it is in public hands. I do not want Treasury eyeing it off.

**Mr WITHERDIN:** You and I both. As the current Soil Conservation Commissioner, yes, I am very keen to see it continue for another 80 years.

**The Hon. MICK VEITCH:** Mr Hansen, the single desk for rice, does that come under DPI or is it more an issue for Treasury?

**Mr HANSEN:** It comes under DPI and it is also an issue for Treasury and the New South Wales Productivity Commission. But the responsibility for the rice marketing sits with us, yes.

**The Hon. MICK VEITCH:** The issue around the rice single desk and vesting powers, where is that up to at the moment?

**Mr HANSEN:** Currently we are in the process of putting together the review of the vesting powers. We have done the industry consultation. We are doing some economic modelling at the moment. We expect that we will be providing a report through to the responsible Minister, who is actually the Deputy Premier. The Deputy Premier will no doubt consider that report and work out when and how he wants to take that forward.

**The Hon. MICK VEITCH:** Is there a time frame upon which this decision must be made by?

**Mr HANSEN:** There is, because 30 June 2022 is the current expiry of those vesting powers. Obviously the Government needs to make a decision and communicate that to industry well in advance of that deadline.

**The Hon. MICK VEITCH:** That wraps me up.

**Mr HANSEN:** Sorry, 810 phosphide applications from producers worth \$5.03 million.

**The Hon. MICK VEITCH:** They are farmers?

**Mr HANSEN:** That is right. That is the application for the 50 per cent subsidy.

**The CHAIR:** We have about 10 minutes before we hand over to the Government for its interrogation. Does your team want to clear the decks on so they do not have to take it on as homework?

**Mr HANSEN:** I am sure there would be.

**Mr SLOAN:** I thought I could provide that detail on the fish stockings question that was asked. In total in the last financial period 2020-21, we have stocked 5.3 million fish into New South Wales. That is the total numbers of fish but when it comes to maybe native fresh water fish, we have stocked 1,763,868 native species and that includes Trout cod, Murray cod, Australian bass, golden perch and estuary perch. We have stocked 98,468 small and large bodied native species as well. There have been 536,386 native species and that includes golden perch, Murray cod and Australian bass released under the community-based Dollar for Dollar Native Fish Stocking Program. We had 500 Murray cod released under independent community events and they were again carried out during the course of the last 12 months.

**Mr HANSEN:** Mr Chair, I do not know if Mr Field is still here. He made a comment about nothing happening in the marine parks space since 2011.

**The CHAIR:** Yes, please enlighten us.

**Mr HANSEN:** In 2012 there was the independent scientific audit of marine parks. That came up with the fact the Government needed to take an evidence-based approach regarding management. As a result out of that, the Government announced its response, which included the creation of the Marine Estate Management Act, which was introduced in 2014. The Marine Estate Management Authority was tasked in 2014 to a pretty hectic work program that started, some of you will remember, looking at the future of line fishing from ocean beaches and headlands in 30 mainland marine parks. Based on that independent scientific advice, environmental, social and economic considerations put in place amnesties at 10 sites, which were permanently rezoned to allow that activity.

In 2015-16 they did an assessment of the Hawkesbury Shelf marine bioregion looking at what opportunities were in there to improve protections. In 2017 it completed a statewide marine estate threat and risk

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assessment, which identified all the threats and risks to the communities' benefits that they saw in the New South Wales marine estate and was able to actually quantify for the first time where those risks sat—water quality, habitats, biodiversity—as opposed to where some of the previous lines on maps had been drawn to take into account what was perceived to be higher level threats.

The draft Marine Estate Management Strategy was developed in 2017 and funded in 2018, which was a \$45.7 million funding for the first stage of implementation of that 10-year Marine Estate Management Strategy, which is one of the biggest single investments in improving the marine estate and addressing those threatened risk assessments that came out of that previous report. In the meantime they have been working on pilots in Batemans Marine Park. As you all know, they have been working on a network management plan for the remaining marine parks. I think for it to be characterised as though nothing has really happened since 2011 is very unfair to the staff who have been working in this space. They have to manage a portfolio that includes four clusters and two Ministers, as well as delivering on the ground during circumstances that include drought, fire, flood and COVID. I reckon they are probably one of the hardest working groups we have got in the department, and I could not today go without finishing on them.

**The CHAIR:** Fair enough. Managing two Ministers is probably a big enough job in itself.

**The Hon. MICK VEITCH:** I do not know: One does not seem to do too much.

**The CHAIR:** As long as you are not managing their meetings. If there are no other updates I will throw to the Government if they want to ask any follow-up questions.

**Dr TRACEY:** Chair, I can give an update on the carp plan, if you like.

**The CHAIR:** Yes.

**The Hon. MICK VEITCH:** Yeah. Herpesvirus.

**Dr TRACEY:** Yes. It is a really good program. At present at the EMAI we are actually undertaking some virus transition mission studies to provide key data that is going to be fed into the plan before that is finalised. That data will be used to assess the practicality of a virus release and help to set up the release strategy going forward. That is all expected to be finalised by early next year. That is the latest update on that, thank you.

**Mr HANSEN:** At Narrandera, the \$6 million upgrade, the new hatchery there, that is meant to be completed in February next year. The refurbishment of an existing hatchery has been completed. It was completed in September in time to breed the trout cod but the final works are meant to be finished in February.

**The CHAIR:** Thanks a lot. Mr Sloan, was that you with another follow-up?

**Mr SLOAN:** Yes, Chair. Thank you. Earlier today there was a question asked—I think it was your question—about an expression of interest that was run for fish screens.

**The CHAIR:** Yes.

**Mr SLOAN:** I have a response to that for you. There was an EOI run, which has just closed. It was run by the Public Works Advisory, which is a group within the Department of Regional NSW. That was to establish a panel of qualified screen manufacturers and installers to support future fish screening work across New South Wales. DPI and the Public Works Advisory will now go through an evaluation process of all the submissions and after that will run tender processes to effectively bring contractors on board. There was no money from the recreational trust used to do that exercise. That is all geared around accessing Commonwealth funds that have been provided to assist with fish screens being deployed across New South Wales. What the recreational fishing trust has funded are two separate projects, the first of which was a \$500,000 project for the New South Wales Department of Primary Industries to develop a set of guidelines for designing fish screens. That project is still underway. That has effectively been the catalyst for us to be able to access Commonwealth funds to the tune of nearly \$20 million over the course of forward estimates.

**The CHAIR:** Okay. Thank you for that.

**Mr SLOAN:** The separate project that we also had funded from the recreational trust is for \$148,000 and that is to conduct workshops with the recreational fishing sector and to develop a strategic plan around how we will work with the sector going forward. We had those workshops planned for August-September this year but because of COVID restrictions we could not run them. We have Charles Sturt University engaged as a facilitator to help run those workshops and effectively we are now in the planning stage of getting those up and running now that we are coming out of the COVID lockdown. That is it.

**The CHAIR:** Thank you very much for that.

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**Mr HANSEN:** Sorry, are you happy for us to keep going with some rapid fire ones?

**The CHAIR:** Yes. We have got two minutes.

**Mr HANSEN:** Despite what I said before, our team has done a quick analysis of the Facebook site. About 50 per cent, 29,000, state that they are from New South Wales; 34 per cent do not give us any details or any information and, short of stalking them, we would not know.

**The CHAIR:** Come on.

**Mr HANSEN:** Six per cent say they are from outside of Australia and 11 per cent say they are outside of New South Wales.

**The Hon. SAM FARRAWAY:** This is a bit like Helen Dalton's page, isn't it?

**The CHAIR:** I do not know. I do not stalk it like you do.

**Mr HANSEN:** Mr Veitch asked a question about that breakdown in this financial year about arriving workers between horticulture and meat processing because they would have been accessing subsidies.

**The Hon. MICK VEITCH:** Yes.

**Mr HANSEN:** It was 678 in the horticulture sector and 453 in the meat processing. That is the breakdown.

**The Hon. MICK VEITCH:** Thank you.

**The CHAIR:** It sounds like that might be it, so it is over to Mr Faraway. Fire away!

**The Hon. SAM FARRAWAY:** Mr Hansen has answered everything. He has done a fantastic job.

**The CHAIR:** Excellent.

**The Hon. SAM FARRAWAY:** And his team.

**The CHAIR:** That will conclude our session for today. You have taken several questions on notice although you did clear the decks a little bit. You will be given 21 days once the secretariat gets in touch with you. Once again, thank you for your time and your answers today.

**Mr HANSEN:** Thank you.

**(The witnesses withdrew)**

**The Committee proceeded to deliberate.**