



LEGISLATIVE COUNCIL

**QUESTIONS
AND
ANSWERS**

No. 134

TUESDAY 23 FEBRUARY 2010

(The Questions and Answers Paper published for the first sitting day in each week will contain, by number and title, all unanswered questions, together with questions to which answers have been received on the previous sitting and any new questions. On subsequent days, new questions are printed, as are questions to which answers were received the previous day. Consequently the full text of any question will be printed only twice: when notice is given; and, when answered.)

Notice given on date shown

Publication of Questions	Answer to be lodged by
Q & A No. 125 (Including Question Nos 3803 to 3816)	15 December 2009
Q & A No. 126 (Including Question Nos 3817 to 3838)	16 December 2009
Q & A No. 127 (Including Question Nos 3839 to 3855)	17 December 2009
Q & A No. 128 (Including Question Nos 3856 to 3868)	29 December 2009
Q & A No. 129 (Including Question Nos 3869 to 3876)	30 December 2009
Q & A No. 130 (Including Question Nos 3877 to 3888)	31 December 2009
Q & A No. 131 (Including Question Nos 3889 to 3920)	05 January 2010
Q & A No. 132 (Including Question Nos 3921 to 3961)	06 January 2010
Q & A No. 133 (Including Question Nos 3962 to 3986)	07 January 2010
Q & A No. 134 (Including Question Nos 3987 to 4033)	30 March 2010

10 NOVEMBER 2009

(Paper No. 125)

*3803 CLIMATE CHANGE AND THE ENVIRONMENT—DEPARTMENTAL RECORDS—Mr Cohen asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

(1)

- (a) Are internal documents within the Department of Environment, Climate Change and Water ever marked 'not for file'?
- (b) If so, where are documents marked 'not for file' maintained and stored?

(2)

- (a) Has there ever been a practice of department documents being marked as 'not for file'?
- (b) If so, where have documents marked 'not for file' been maintained or stored?

(3) If there is a practice of marking documents as 'not for file':

- (a) Are documents marked 'not for file' considered for release when requested under Freedom of Information applications?
- (b) On what grounds would a document be marked as 'not for file'?
- (c) Who within the department, has the authority to declare information or a document 'not for file'?

Answer—

I am advised:

- (1) - (3) The Department of Environment, Climate Change and Water does not, and has not previously had, a policy of marking documents as 'not for file'. When Freedom of Information applications are received, all documents that may fall within the scope of the request are sought from across the agency.

*3804 TRANSPORT—CITY RAIL EASY ACCESS PRIORITY RANKINGS—Mr Cohen asked the Treasurer representing the Minister for Transport, and Minister for the Illawarra—

Please provide the current City Rail Easy Access Priority rankings for all New South Wales City Rail stations.

Answer—

I am advised:

The Easy Access Program to 2016 currently includes Clyde, Dapto, Edgecliff, Lawson, Marrickville, Museum, Waterfall, Broadmeadow, Burwood, Central (SE only), Martin Place, Picton, St James, Sydenham and Windsor.

The priorities for upgrading post 2016 are however being reassessed due to changes in land use planning, changes to announced infrastructure projects (some of which will provide station upgrades), and changes to Commonwealth disability discrimination legislation.

There are 307 stations on the CityRail network and of these 38.4% of stations are accessible. These 118 stations serve 76.6% of passengers on the network.

*3805 HEALTH—BUNDEENA MULTI-PURPOSE EMERGENCY BUILDING—Mr Ajaka asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Deputy Premier, and Minister for Health—

- (1) What is the current agreement between the Government and Sutherland Council concerning the building of a new multi-purpose emergency building in Bundeena that was announced by the Member for Heathcote in October 2008?
- (2) Why has there been no progress on the development and building of this emergency facility in the last twelve months since this announcement?

- (3) Following the Member for Heathcote's announcement to the Bundeena Ambulance Action Group that the construction of the building was budgeted for the Rural Fire Service for the 2008/09 financial year:
- Why did the Government fail to construct the multi-purpose emergency building in 2008/09?
 - Was this funding redirected back into emergency services in Bundeena and the Royal National Park?
- (4) Will the multi-purpose facility provide a 24/7 ambulance service in Bundeena?
- (5) How will the Government fulfil its duty of care to Bundeena and Maianbar residents seeking emergency health care and aid?

Answer—

I am advised:

(1) - (3) These questions should be directed to the Minister for Emergency Services.

(4) - (5) The NSW Government is committed to ensuring that the community has proper access to emergency care. Access to emergency medical care for Bundeena and Maianbar residents is best achieved through the arrangements the Ambulance Service of NSW currently has in place.

Ambulance services to the Bundeena and Maianbar area are provided 24 hours a day, seven days a week from Caringbah and Engadine Ambulance stations. This is supported by the on-call services of three Ambulance paramedics who live in Bundeena and have access to two ambulance vehicles.

To enhance coverage for the Bundeena area and to support the on-call paramedics, the Ambulance Service established a First Responder program in partnership with the NSW Fire Brigades which commenced operating in August 2008. First Responders provide timely clinical intervention for patients while the nearest Ambulance crew is travelling to the scene. First Responders are trained and authorised to use a number of Ambulance Service protocols and treatments and are provided with clinical support, equipment and ongoing training by the Ambulance Service.

*3806 LOCAL GOVERNMENT—LOCAL COUNCILORS—Mrs Pavey asked the Minister for Lands representing the Minister for Local Government, and Minister Assisting the Minister for Health (Mental Health and Cancer)—

- (1)
- How many local councils in New South Wales currently have less than nine councilors?
 - Which councils are they?
 - How many councilors do each of these currently have?

Answer—

(1)

- Twenty-two.
- and (c)

Bellingen Shire Council 7

Berrigan Shire Council 8

Blayney Shire Council 7

Botany Bay City Council 7

Burwood Council 7

Conargo Shire Council 8

Coonamble Shire Council 7

Glen Innes Severn Council 7

Gundagai Shire Council 8

Guyra Shire Council 6

Harden Shire Council 7

Hay Shire Council 8

Hunters Hill Municipal Council 7
 Jerilderie Shire Council 7
 Liverpool Plains Shire Council 7
 Murrumbidgee Shire Council 6
 Strathfield Municipal Council 7
 Tumbarumba Shire Council 8
 Tumut Shire Council 7
 Tweed Shire Council 7
 Wakool Shire Council 6
 Walcha Council 8

*3807 PREMIER—NSW FIRE BRIGADE ICAC REPORT—Mrs Pavey asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Premier, Minister for the Arts, and Minister for the Central Coast—

- (1) When will the report of the Independent Commission Against Corruption (ICAC) investigation into corruption and travelling rorts in the New South Wales Fire Brigade be finished and made public?
- (2) Have any retirement packages been sought from individuals investigated as part of the ICAC processes?

Answer—

The ICAC is an independent statutory office which reports directly to the Parliament. The Government cannot, nor should it attempt to, direct the ICAC in the exercise of its functions.

*3808 HEALTH—PORT MACQUARIE BASE HOSPITAL—Mrs Pavey asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Deputy Premier, and Minister for Health—

How many times has an access block occurred at the Port Macquarie Base Hospital in the last six months? Please provide a breakdown of figures on a per month basis.

Answer—

I am advised:

Access block is a superseded term and it has been replaced nationally by a measure of Emergency Admission Performance (EAP). EAP is the measure of time from when a patient is first seen by a clinician in the emergency department to when a patient is admitted to the hospital.

Emergency Admission Performance for Port Macquarie Base Hospital for the past six months was as follows:

May 2009 - 74%

June 2009 - 72%

July 2009 - 73%

August 2009 - 76%

September 2009 - 73%

October 2009 - 69%

*3809 EMERGENCY SERVICES—FIRE HAZARD REDUCTION ACTIVITIES - BLACKTOWN—Mrs Pavey asked the Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

- (1) What bush fire hazard reduction activities have taken place in the Blacktown Local Government Area (LGA) in the following years? Please specify locations and dates.
 - (a) 2004?
 - (b) 2005?

- (c) 2006?
- (d) 2007?
- (e) 2008?
- (f) 2009?

Answer—

(1) and (6)

None.

(2) to (5)

Answers have been provided as a schedule. Copies are available from the Legislative Council Procedure Office.

*3810 EMERGENCY SERVICES—FIRE HAZARD REDUCTION ACTIVITIES - PENRITH AND HAWKESBURY—Mrs Pavey asked the Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

- (1) What bush fire hazard reduction activities have taken place in the Penrith and Hawkesbury Local Government Areas (LGA) in the following years? Please specify locations and dates.
 - (a) 2004?
 - (b) 2005?
 - (c) 2006?
 - (d) 2007?
 - (e) 2008?
 - (f) 2009?

Answer—

Answers have been provided as a schedule. Copies are available from the Legislative Council Procedure Office.

*3811 EMERGENCY SERVICES—FIRE HAZARD REDUCTION ACTIVITIES - SUTHERLAND—Mrs Pavey asked the Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

- (1) What bush fire hazard reduction activities have taken place in the Sutherland Local Government Area (LGA) in the following years? Please specify locations and dates.
 - (a) 2004?
 - (b) 2005?
 - (c) 2006?
 - (d) 2007?
 - (e) 2008?
 - (f) 2009?

Answer—

Answers have been provided as a schedule. Copies are available from the Legislative Council Procedure Office.

*3812 POLICE—SLEAZE BALL 2009—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police—

- (1) Of those persons detained by police at the Sleaze Ball event, 14 were issued with court notices over drug possession. Of the 14:
 - (a) How many were found guilty at court?
 - (b) How many were found not guilty at court?

- (2) How many penalty notices (if any) were issued?
- (3) How many times were drugs found on a person? Please also itemise what drugs were seized.
- (4) What was the largest quantity of drugs seized?
- (5) Were any persons strip-searched by police at Sleaze Ball?
- (6)
 - (a) Were police dogs in or around the medical tent area?
 - (b) If so, why?
- (7)
 - (a) How many Sleaze Ball tickets were confiscated from persons?
 - (b) Under what law was this action taken?
- (8) Did police supply arrest reports in a timely manner, prior to court appearances, for all those arrested and required to appear in court?
- (9)
 - (a) Were all police officers displaying identification during the operation?
 - (b) If not, why not?
 - (c) If not, what measures have been taken to ensure police comply with the regulations regarding wearing identification?
- (10) What was the estimated cost of the Sleaze Ball policing operation?
- (11) What was the total value of fines issued as a result of the operation?

Answer—

The NSW Police Force has advised me:

- (1) Court outcomes are a matter for the Attorney General.
- (2) 14 Field Court Attendance Notices and four Cannabis Cautions were issued. Penalty notices are not applicable for the offence of possession of prohibited drugs.
- (3) Drugs were found on 17 occasions and included cannabis, ecstasy and GHB.
- (4) 11.6 grams of GHB.
- (5) Police conducted strip searches in accordance with the Law Enforcement (Powers and Responsibilities) Act 2002, which involved asking people to remove some outer clothing. No person was asked to completely remove all clothing at once and no search was conducted in a public area.
- (6) A drug detection dog approached the entrance to the medical tent. This was within the area covered by the warrant. The dog indicated the presence of prohibited drugs in the area, but did not enter the tent.
- (7) A number of tickets were seized by police following a request by security personnel to seize tickets from people detected in possession of prohibited drugs, as this breached the conditions of entry.
- (8) Police prepared and submitted all necessary documents prior to the matters being heard in court.
- (9) All police on duty wore ID badges in accordance with NSW Police Force policy, however some were covered by wet weather gear. All offenders were provided with the name of the officer issuing a notice or caution.
- (10) All officers on the drug detection dog operation were paid in accordance with normal rostered shifts. All other police at the event were paid for by the venue and event organisers under the User Charges policy.
- (11) Police did not issue fines at this event (see answer to (2) above).

*3813 POLICE—NEWTOWN FESTIVAL 2009—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police—

- (1) How many police officers and drug detection dogs were stationed at the top of the steps at Newtown Railway Station on 9 November 2009?

- (2) How many police and drug detection dogs were present at the Newtown Festival area and its surrounds throughout the day?
- (3) As a result of the use of drug detection dogs at and around Newtown Festival and the surrounding area including the Newtown Railway Station, how many incidences were there of:
 - (a) Arrest?
 - (b) Charge?
 - (c) Caution?
 - (d) False identification by drug detection dog (ie nothing found)?
- (4) How many incidences of possession were there of:
 - (a) Marijuana?
 - (b) Cocaine?
 - (c) Other?
- (5) What was the largest quantity of drug found on any one person?

Answer—

The NSW Police Force has advised me :

(1) and (2) A total of three drug dogs and 34 police were deployed at the Newtown Railway Station during the Newtown Festival on Sunday 8 November 2009. A total of 72 officers were deployed at the Festival.

(3) Four Field Court Attendance Notices and 24 Cannabis Cautions were issued in relation to the drug operation. Out of 77 people searched, 28 were found to be in possession of prohibited drugs and a further 43 admitted recent possession of prohibited drugs.

(4) and (5) 27 people were found in possession of cannabis in amounts of up to 13.3 grams and one person was found in possession of two MDMA tablets.

*3814 POLICE—DRUG DETECTION DOG OPERATIONS IN 2009—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police—

- (1) What bars on King Street do police visit with drug detection dogs on Friday nights?
- (2) What bars or clubs in the Sydney CBD do police visit with drug detection dogs on Friday nights?
- (3) Do police use drug detection dogs regularly in 'upmarket' venues such as:
 - (a) Ivy?
 - (b) The Slip Inn?
 - (c) If yes, when was the last date on which drug detection dogs were deployed at these venues?
- (4) Out of all drug detection dog operations from January 2009 until 10 November 2009, what percentage of positive identifications, where drugs were found on a person, were for:
 - (a) Cocaine possession?
 - (b) Marijuana possession?
 - (c) Other?

Answer—

The NSW Police Force has advised me:

(1) It is unclear to which location this refers as there are a number of King Streets in Sydney, as well as elsewhere.

(2) and (3) All licensed hotels and clubs in the Sydney CBD, including those nominated by the Member, are patrolled by police. The deployment of drug detection dogs to specific licensed premises is determined by Local Area Commands and is based on recent intelligence. As an example, drug detection dogs were deployed at the Ivy bar on 31 October 2009.

(4) Regarding positive searches from drug detection dog operations in the Central Metropolitan Region in 2009, 11% were for cocaine possession, 48% were for marijuana possession and 41% were for possession of other drugs.

*3815 CORRECTIVE SERVICES—LONG BAY CORRECTIONAL CENTRE—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) On 5 March 2009, I asked the Minister for Corrective Services questions about an escape from Long Bay Correctional Centre. The Minister's response was that the matter had been referred to the Independent Commission Against Corruption (ICAC) and that he was unable to comment.
- Has the ICAC investigated the incident?
 - Has the ICAC reported its findings to the Minister?
 - If so, will the Minister make those findings public?
 - If not, why not?

Answer—

I am advised:

- (1) Corrective Services NSW has not been advised of the outcome of its referral to the ICAC.

*3816 CORRECTIVE SERVICES—TRANSPORTATION OF PRISONERS—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1)
- Is Mannus Correctional Complex a minimum-security periodic detention centre?
 - Are Mannus detainees held there for breaching community service orders?
 - Are Mannus detainees employed primarily on community projects?
- (2)
- On Tuesday 25 August 2009, were three inmates transported from Silverwater Correctional Complex to Parramatta Correctional Centre, held there overnight and then transported to Bathurst Correctional Complex, held there overnight, and then transported, with six other inmates, almost 400 kilometres to the Mannus Correctional Complex?
 - If so, what opportunities were provided to the inmates from Silverwater to shower or change their clothes between 25 and 27 August 2009?
- (3)
- Did the holding cell in which the prisoners were held in Bathurst awaiting transport to Mannus contain a toilet or water tap?
 - If not, what access to these facilities did they have?
- (4)
- Did two of the prisoners in the holding cell inform the nurse on duty that they were on daily medication?
 - If so, did the nurse provide that medication?
 - If not, why not?
- (5)
- Did one of the prisoners on daily medication complain of chest pains before being strip searched?
 - If so, did the strip search proceed?
 - Was the prisoner subsequently examined by any medical staff in relation to the chest pain?
 - If not, why not?
- (6)
- Were eight prisoners placed in the middle section of the transport vehicle?
 - How many prisoners were in the other compartments of the transport vehicle?
- (7) What water, food or toilet breaks were provided to these prisoners in the course of the six-hour trip to Mannus Correctional Complex?
- (8) Did the transport vehicle stop at Cootamundra to refuel?

- (9)
- (a) Did the prisoners ask the transport driver for water at Cootamundra?
 - (b) If so, was this request granted?
 - (c) If not, why not?
- (10)
- (a) Did the prisoners also request that the air-conditioning system of the vehicle be turned on?
 - (b) If so, was this request granted?
 - (c) If not, what provision was made for fresh air to enter the prisoner compartments of the vehicle?
- (11) Did the prisoner who had complained of chest pains before leaving Bathurst collapse during transportation?
- (12) For how long, and how often did prisoners attempt to attract attention of the driver or people in the street concerning the condition of the prisoner in the vehicle? Did they bang on the walls of the transport vehicle, yell or call for help and assistance?
- (13) How do prisoners communicate with the driver of the transit vehicle?
- (14)
- (a) How do Correction Services staff monitor prisoner compartments in escort vehicles when in transit?
 - (b) Are prisoners monitored constantly or intermittently?
 - (c) If intermittently, how frequently?
 - (d) Can the monitor be switched off by the transport officers?
 - (e) If so, why would this be done?
 - (f) Is switching the monitor off a breach of departmental guidelines?
- (15)
- (a) On arrival at Mannus, did the escort officers refuse to release prisoners from the van until any noise or commotion had ceased?
 - (b) If so, how long after arrival at Mannus was it before all prisoners were released from the transport vehicle?
 - (c) Where were the prisoners then placed?
- (16)
- (a) Did a prisoner, who was to be detained at Mannus Correctional Complex for breach of a community service order, die during the transit?
 - (b) If so, when did it become known by Corrective Services officers that the prisoner had died?
 - (c) How long did it take for an ambulance to arrive at the scene?
 - (d) Did the prisoner remain on the ground, covered by a sheet, until detectives from Albury arrived?
- (17)
- (a) What counselling or other assistance is provided to detainees who experience such incidents while in transit?
 - (b) Are alternative arrangements made available to such detainees if they are required to undertake further transportation?
- (18)
- (a) Was the family of the deceased contacted?
 - (b) If so, when and how were they contacted?
 - (c) If not, why not?
- (19) What changes to practices, procedures and regulations have been implemented or will be implemented since 27 August 2009 to prevent transit deaths in custody?
- (20) How many deaths of prisoners in custody have occurred in transport vehicles while in transit in each year since 2000?

Answer—

(1)

- (a) Mannus Correctional Complex contains Mannus Correctional Centre, Mannus Periodic Detention Centre and the surrounding grounds. Mannus Correctional Centre is a minimum security facility.
 - (b) Inmates and detainees are placed in correctional centres according to their classifications and case management plans.
 - (c) Mannus Correctional Centre is located within Mannus State Forest, and the primary inmate employment there is forestry. However, considerable work is also undertaken in the community, including a willow removal program at Tumbarumba and a landscaping program at Khancoban.
- (2) - (20) It is inappropriate for me to answer or comment until the coroner conducts an inquest. All deaths in custody are subject to a coronial inquest.

11 NOVEMBER 2009

(Paper No. 126)

*3817 EDUCATION AND TRAINING—PRIVATE SCHOOL FUNDING 2006-07—Dr Kaye asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Minister for Education and Training—

- (1) For the school year 2006-07:
- (a) How much was paid per student, in non-government schools per capita allowances in the following private school funding categories:
 - (i) Category One?
 - (ii) Category Two?
 - (iii) Category Three?
 - (iv) Category Four?
 - (v) Category Five?
 - (vi) Category Six?
 - (vii) Category Seven?
 - (viii) Category Eight?
 - (ix) Category Nine?
 - (x) Category Ten?
 - (xi) Category Eleven?
 - (xii) Category Twelve?
 - (b) What was the total amount paid, in non-government schools per capita allowances to schools in the following private school funding categories:
 - (i) Category One?
 - (ii) Category Two?
 - (iii) Category Three?
 - (iv) Category Four?
 - (v) Category Five?
 - (vi) Category Six?
 - (vii) Category Seven?
 - (viii) Category Eight?
 - (ix) Category Nine?
 - (x) Category Ten?
 - (xi) Category Eleven?
 - (xii) Category Twelve?
 - (c) What was the total amount paid, in interest rate subsidies to all schools in the following private school funding categories:
 - (i) Category One?
 - (ii) Category Two?
 - (iii) Category Three?
 - (iv) Category Four?
 - (v) Category Five?

- (vi) Category Six?
- (vii) Category Seven?
- (viii) Category Eight?
- (ix) Category Nine?
- (x) Category Ten?
- (xi) Category Eleven?
- (xii) Category Twelve?

Answer—

(a)

1 January 2007 to 30 June 2007		
FUNDING CATEGORY OF SCHOOLS	PRIMARY RATES \$	SECONDARY RATES \$
1	361.65	486.21
2	470.14	632.07
3	542.47	729.31
4	578.63	777.93
5	614.80	826.55
6	650.96	875.17
7	687.13	923.80
8	723.29	972.42
9	759.46	1021.04
10	795.62	1069.66
11	831.79	1118.28
12	952.33	1219.58

1 July 2006 to 31 December 2006		
FUNDING CATEGORY OF SCHOOLS	PRIMARY RATES \$	SECONDARY RATES \$
1	349.36	475.38
2	454.17	617.99
3	524.04	713.07
4	558.98	760.61
5	593.92	808.14
6	628.85	855.68
7	663.79	903.22
8	698.72	950.76
9	733.66	998.30
10	768.60	1045.83
11	803.53	1093.37
12	918.91	1191.08

(b)

Per Capita Allowances		
Category	Primary	Secondary
1	\$6,110,091.41	\$14,548,570.64
2	\$2,018,820.69	\$6,312,679.78
3	\$9,072,667.07	\$18,556,221.77
4	\$1,255,768.67	\$651,669.59
5	\$1,022,378.60	\$3,002,722.99
6	\$4,247,997.86	\$12,497,910.95
7	\$3,959,875.20	\$6,119,787.36
8	\$7,559,150.16	\$12,197,857.80
9	\$12,103,491.23	\$29,151,485.81
10	\$214,325,096.47	\$220,009,500.09
11	\$6,833,031.31	\$20,297,080.18

12	\$10,001,394.17	\$9,071,970.11
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(c)

Category	Interest Subsidy
1	\$1,232,768.80
2	\$565,859.41
3	\$2,746,523.40
4	\$417,798.68
5	\$149,931.60
6	\$2,020,236.93
7	\$697,277.21
8	\$1,300,512.58
9	\$5,399,279.42
10	\$44,408,879.55
11	\$2,553,048.06
12	\$916,463.06

*3818 EDUCATION AND TRAINING—PRIVATE SCHOOL FUNDING 2007-08—Dr Kaye asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Minister for Education and Training—

(1) For the school year 2007-08:

(a) How much was paid per student, in non-government schools per capita allowances in the following private school funding categories:

- (i) Category One?
- (ii) Category Two?
- (iii) Category Three?
- (iv) Category Four?
- (v) Category Five?
- (vi) Category Six?
- (vii) Category Seven?
- (viii) Category Eight?
- (ix) Category Nine?
- (x) Category Ten?
- (xi) Category Eleven?
- (xii) Category Twelve?

(b) What was the total amount paid, in non-government schools per capita allowances to schools in the following private school funding categories:

- (i) Category One?
- (ii) Category Two?
- (iii) Category Three?
- (iv) Category Four?
- (v) Category Five?
- (vi) Category Six?
- (vii) Category Seven?
- (viii) Category Eight?
- (ix) Category Nine?
- (x) Category Ten?
- (xi) Category Eleven?
- (xii) Category Twelve?

(c) What was the total amount paid, in interest rate subsidies to all schools in the following private school funding categories:

- (i) Category One?
- (ii) Category Two?
- (iii) Category Three?

- (iv) Category Four?
- (v) Category Five?
- (vi) Category Six?
- (vii) Category Seven?
- (viii) Category Eight?
- (ix) Category Nine?
- (x) Category Ten?
- (xi) Category Eleven?
- (xii) Category Twelve?

Answer—

(a)

1 January 2008 to 30 June 2008		
FUNDING CATEGORY OF SCHOOLS	PRIMARY RATES \$	SECONDARY RATES \$
1	382.01	511.24
2	496.61	664.62
3	573.01	766.87
4	611.21	817.99
5	649.41	869.11
6	687.62	920.24
7	725.82	971.36
8	764.02	1022.49
9	802.22	1073.61
10	840.42	1124.74
11	878.62	1175.86
12	1005.80	1283.14

1 July 2007 to 31 December 2007		
FUNDING CATEGORY OF SCHOOLS	PRIMARY RATES \$	SECONDARY RATES \$
1	368.78	494.14
2	479.41	642.39
3	553.16	741.21
4	590.04	790.63
5	626.92	840.04
6	663.80	889.46
7	700.67	938.87
8	737.55	988.29
9	774.43	1037.70
10	811.31	1087.11
11	848.18	1136.53
12	971.38	1239.36

(b)

Per Capita Allowances		
Category	Primary	Secondary
1	\$ 6,547,872.08	\$ 15,476,476.60
2	\$ 2,122,054.68	\$ 6,569,505.01
3	\$ 9,350,774.48	\$ 19,179,471.49
4	\$ 1,353,810.39	\$ 697,153.33
5	\$ 1,068,607.68	\$ 3,083,337.03
6	\$ 4,455,216.94	\$ 12,135,328.96
7	\$ 4,493,637.43	\$ 7,191,987.60
8	\$ 7,962,981.48	\$ 12,752,246.66

9	\$ 12,910,297.55	\$ 30,560,276.83
10	\$226,001,391.53	\$231,179,172.15
11	\$ 7,662,038.36	\$ 21,418,968.43
12	\$ 11,323,275.44	\$ 9,945,964.96

(c)

Category	Interest Subsidy
1	\$ 1,211,676.88
2	\$ 381,204.74
3	\$ 2,288,370.26
4	\$ 554,678.44
5	\$ 431,665.53
6	\$ 1,346,607.83
7	\$ 682,320.53
8	\$ 1,487,816.52
9	\$ 5,899,625.82
10	\$46,635,996.22
11	\$ 2,519,687.26
12	\$ 1,548,964.89

*3819 EDUCATION AND TRAINING—PRIVATE SCHOOL FUNDING 2008-09—Dr Kaye asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Minister for Education and Training—

(1) For the school year 2008-09

(a) How much was paid per student, in non-government schools per capita allowances in the following private school funding categories:

- (i) Category One?
- (ii) Category Two?
- (iii) Category Three?
- (iv) Category Four?
- (v) Category Five?
- (vi) Category Six?
- (vii) Category Seven?
- (viii) Category Eight?
- (ix) Category Nine?
- (x) Category Ten?
- (xi) Category Eleven?
- (xii) Category Twelve?

(b) What was the total amount paid, in non-government schools per capita allowances to schools in the following private school funding categories:

- (i) Category One?
- (ii) Category Two?
- (iii) Category Three?
- (iv) Category Four?
- (v) Category Five?
- (vi) Category Six?
- (vii) Category Seven?
- (viii) Category Eight?
- (ix) Category Nine?
- (x) Category Ten?
- (xi) Category Eleven?
- (xii) Category Twelve?

(c) What was the total amount paid, in interest rate subsidies to all schools in the following private school funding categories:

- (i) Category One?
- (ii) Category Two?
- (iii) Category Three?
- (iv) Category Four?
- (v) Category Five?
- (vi) Category Six?
- (vii) Category Seven?
- (viii) Category Eight?
- (ix) Category Nine?
- (x) Category Ten?
- (xi) Category Eleven?
- (xii) Category Twelve?

Answer—

(a)

1 January 2009 to 30 June 2009		
FUNDING CATEGORY OF SCHOOLS	PRIMARY RATES \$	SECONDARY RATES \$
1	394.05	528.67
2	512.27	687.28
3	591.08	793.01
4	630.48	845.88
5	669.89	898.75
6	709.29	951.61
7	748.70	1004.48
8	788.10	1057.35
9	827.51	1110.22
10	866.91	1163.08
11	906.32	1215.95
12	1038.41	1328.34

1 July 2008 to 31 December 2008		
FUNDING CATEGORY OF SCHOOLS	PRIMARY RATES \$	SECONDARY RATES \$
1	388.00	517.93
2	504.41	673.31
3	582.01	776.90
4	620.81	828.69
5	659.61	880.49
6	698.41	932.28
7	737.21	984.07
8	776.01	1035.87
9	814.81	1087.66
10	853.61	1139.45
11	892.41	1191.25
12	1022.25	1299.34

(b)

Per Capita Allowances		
Category	Primary	Secondary
1	\$ 6,940,094.96	\$ 16,155,316.36
2	\$ 2,168,263.07	\$ 6,788,120.58
3	\$ 9,446,174.98	\$ 19,484,621.23
4	\$ 1,396,995.71	\$ 721,523.35
5	\$ 1,119,517.98	\$ 3,166,762.11

6	\$ 4,566,481.18	\$ 12,479,018.60
7	\$ 5,043,979.01	\$ 7,348,449.87
8	\$ 8,264,507.76	\$ 13,209,024.41
9	\$ 13,781,281.93	\$ 31,816,047.97
10	\$233,208,188.44	\$239,512,886.31
11	\$ 8,148,226.12	\$ 22,473,522.43
12	\$ 12,325,881.60	\$ 10,802,193.02

(c)

Category	Interest Subsidy
1	\$ 1,068,110.04
2	\$ 382,918.83
3	\$ 2,101,962.97
4	\$ 552,319.94
5	\$ 245,474.42
6	\$ 1,202,544.99
7	\$ 482,829.20
8	\$ 1,182,449.72
9	\$ 5,615,202.52
10	\$ 49,935,548.85
11	\$ 3,285,596.56
12	\$ 1,444,780.75

*3820 EDUCATION AND TRAINING—PRIVATE SCHOOL FUNDING 2009-10—Dr Kaye asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Minister for Education and Training—

(1) For the school year 2009-10 (If this data is not available, please provide data for the half year ending December 2009):

(a) How much was paid per student, in non-government schools per capita allowances in the following private school funding categories:

- (i) Category One?
- (ii) Category Two?
- (iii) Category Three?
- (iv) Category Four?
- (v) Category Five?
- (vi) Category Six?
- (vii) Category Seven?
- (viii) Category Eight?
- (ix) Category Nine?
- (x) Category Ten?
- (xi) Category Eleven?
- (xii) Category Twelve?

(b) What was the total amount paid, in non-government schools per capita allowances to schools in the following private school funding categories:

- (i) Category One?
- (ii) Category Two?
- (iii) Category Three?
- (iv) Category Four?
- (v) Category Five?
- (vi) Category Six?
- (vii) Category Seven?
- (viii) Category Eight?
- (ix) Category Nine?
- (x) Category Ten?

- (xi) Category Eleven?
- (xii) Category Twelve?
- (c) What was the total amount paid, in interest rate subsidies to all schools in the following private school funding categories:
 - (i) Category One?
 - (ii) Category Two?
 - (iii) Category Three?
 - (iv) Category Four?
 - (v) Category Five?
 - (vi) Category Six?
 - (vii) Category Seven?
 - (viii) Category Eight?
 - (ix) Category Nine?
 - (x) Category Ten?
 - (xi) Category Eleven?
 - (xii) Category Twelve?

Answer—

This data will not be available until August 2010.

*3821 EMERGENCY SERVICES—BUNDEENA MULTI-PURPOSE EMERGENCY BUILDING—Mr Ajaka asked the Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

- (1) What is the current agreement between the Government and Sutherland Council concerning the building of a new multi-purpose emergency building in Bundeena that was announced by the Member for Heathcote in October 2008?
- (2) Why has there been no progress on the development and building of this emergency facility in the last twelve months since this announcement?
- (3) Following the Member for Heathcote's announcement to the Bundeena Ambulance Action Group that the construction of the building was budgeted for the Rural Fire Service for the 2008/09 financial year:
- (4) Why did the Government fail to construct the multi-purpose emergency building in 2008/09?
- (5) Was this funding redirected back into emergency services in Bundeena and the Royal National Park?
- (6) Will the multi-purpose facility provide a 24/7 ambulance service in Bundeena?
- (7) How will the Government fulfil its duty of care to Bundeena and Maianbar residents seeking emergency health care and aid?

Answer—

Initial discussions involved a proposal to build a joint New South Wales Fire Brigade/Rural Fire Service facility at Bundeena. Sutherland Council had identified a potential site which was large enough to accommodate a multi purpose emergency service complex. However, planning considerations rendered this site unsuitable.

Discussions are currently underway between the two fire services and Sutherland Council to examine the feasibility of a redevelopment of the Fire Services facilities at their current sites on Bundeena Road.

The 2008/09 Rural Fire Fund allocation of \$300,00 has been carried over and will remain committed toward this project.

*3822 PLANNING—SEA LEVEL RISE PLANNING GUIDELINES—Ms Hale asked the Minister for Lands representing the Minister for Planning, and Minister for Redfern Waterloo—

- (1) Will the Minister be issuing a ministerial directive to New South Wales coastal councils to prevent them from making inappropriate planning decisions on land situated in the immediate coastal hazard zone and other areas of low lying land at risk of tidal inundation or regular flooding?
- (2) Is it the case that Ballina Shire Council is looking at rezoning disused cane farms at West Ballina for new residential and industrial estates and that this land is flood prone, less than one metre above sea level and on Ballina Island at the mouth of the Richmond River?
- (3)
 - (a) If Ballina Council submits a rezoning application on this land, would this comply with the Planning departments draft guidelines?
 - (b) If not, will the department advise the council that the development application may not be compliant with the guidelines?

Answer—

- (1) The matter will be considered following the finalisation of the draft NSW Coastal Planning Guideline: Adapting to Sea Level Rise.
- (2) I am not aware of a specific rezoning request before Ballina Council.
- (3)
 - (a) No. There is no current rezoning application being considered.
 - (b) Not Applicable.

*3823 PLANNING—CALLAN PARK LAND USE PLAN 2008—Ms Hale asked the Minister for Lands representing the Minister for Planning, and Minister for Redfern Waterloo—

- (1) Are the appendices to the Callan Park Land Use Plan 2008 publicly available?
- (2) If so, where can they be accessed from?
- (3) If not, when will they be available?

Answer—

The draft Callan Park Land Use Plan is available at www.shfa.nsw.gov.au.

*3824 EDUCATION AND TRAINING—HIGHER SCHOOL CERTIFICATE SPECIAL EXAMINATION PROVISIONS 2009—Dr Kaye asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Minister for Education and Training—

- (1) How many applications did the Board of Studies receive for Special Examination Provisions in respect to the Higher School Certificate (HSC) exam in 2009?
- (2) How many applications did the Board of Studies approve for Special Examination Provisions in respect to the HSC exam in 2009?
- (3) How many students sat for the HSC in 2009?

Answer—

As at 20 November 2009:

- (1) 4817
- (2) 4595 applications were fully or partially approved
- (3) 68 570 students entered for at least one HSC course in 2009. Of these, 66 909 students entered for at least one HSC exam, and were eligible to apply for special examination provisions.

*3825 EDUCATION AND TRAINING—HIGHER SCHOOL CERTIFICATE SPECIAL EXAMINATION PROVISIONS 2009 GOVERNMENT SCHOOLS—Dr Kaye asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Minister for Education and Training—

- (1) How many applications did the Board of Studies receive for Special Examination Provisions in respect to the Higher School Certificate (HSC) exam in 2009 for students enrolled at government Schools?

- (2) How many applications did the Board of Studies approve for Special Examination Provisions in respect to the HSC exam in 2009 for students enrolled at government schools?
- (3) How many students enrolled in government schools sat for the HSC in 2009?

Answer—

As at 20 November 2009:

- (1) 2230
- (2) 2134 applications were fully or partially approved
- (3) 40 430 students entered for at least one HSC course in 2009. Of these, 39 009 students entered for at least one HSC exam, and were eligible to apply for special examination provisions.

*3826 EDUCATION AND TRAINING—HIGHER SCHOOL CERTIFICATE SPECIAL EXAMINATION PROVISIONS 2009 CATHOLIC SCHOOLS—Dr Kaye asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Minister for Education and Training—

- (1) How many applications did the Board of Studies receive for Special Examination Provisions in respect to the Higher School Certificate (HSC) exam in 2009 for students enrolled at Catholic Schools?
- (2) How many applications did the Board of Studies approve for Special Examination Provisions in respect to the HSC exam in 2009 for students enrolled at Catholic schools?
- (3) How many students enrolled at Catholic schools sat for the HSC in 2009?

Answer—

As at 20 November 2009:

- (1) 865
- (2) 829 applications were fully or partially approved
- (3) 10 976 students entered for at least one HSC course in 2009. Of these, 10 881 students entered for at least one HSC exam, and were eligible to apply for special examination provisions.

*3827 EDUCATION AND TRAINING—HIGHER SCHOOL CERTIFICATE SPECIAL EXAMINATION PROVISIONS 2009 INDEPENDENT SCHOOLS—Dr Kaye asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Minister for Education and Training—

- (1) How many applications did the Board of Studies receive for Special Examination Provisions in respect to the Higher School Certificate (HSC) exam in 2009 for students enrolled at independent Schools?
- (2) How many applications did the Board of Studies approve for Special Examination Provisions in respect to the HSC exam in 2009 for students enrolled at independent schools?
- (3) How many students enrolled at independent schools sat for the HSC in 2009?

Answer—

As at 20 November 2009:

- (1) 1722
- (2) 1632 applications were fully or partially approved
- (3) 17 164 students entered for at least one HSC course in 2009. Of these, 17 019 students entered for at least one HSC exam, and were eligible to apply for special examination provisions.

*3828 EDUCATION AND TRAINING—SPECIAL EXAMINATION PROVISIONS BY SCHOOL—Dr Kaye asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Minister for Education and Training—

For each of the following schools:

- (1) Abbotsleigh School WAHROONGA

- (2) Ascham School EDGECLIFF
- (3) Cranbrook School BELLEVUE HILL
- (4) Frensham School MITTAGONG
- (5) German International School Sydney RYDE
- (6) Gib Gate School MITTAGONG
- (7) Green Valley Islamic College GREEN VALLEY
- (8) Hills Montessori School WEST PENNANT HILLS
- (9) Kambala ROSE BAY
- (10) Knox Grammar School WAHROONGA
- (11) Newington College STANMORE
- (12) Pittwater House Grammar School MANLY
- (13) Ravenswood School for Girls GORDON
- (14) Saint Joseph's School NOWRA
- (15) SCEGGS Darlinghurst DARLINGHURST
- (16) SCEGGS Redlands CREMORNE
- (17) Sherwood Cliffs School GLENREAGH
- (18) St Andrew's Cathedral School SYDNEY SQUARE
- (19) Sydney Church of England Grammar School NORTH SYDNEY
- (20) Sydney Grammar School DARLINGHURST
- (21) The French School MAROUBRA
- (22) The International Grammar BROADWAY
- (23) The Italian Bilingual School FIVE DOCK
- (24) The King's School PARRAMATTA
- (25) The Scots College BELLEVUE HILL
- (26) Trinity Grammar School SUMMER HILL
- (27) Tudor House MOSS VALE bb. Barker College HORNSBY
- (28) Meriden School STRATHFIELD
- (29) Pittwater House Girls College MANLY
- (30) Presbyterian Ladies College CROYDON
- (31) Pymble Ladies College PYMBLE
- (32) Sydney Japanese School TERREY HILLS
- (33) Wenona School NORTH SYDNEY
- (34) Arden Anglican School BEECROFT
- (35) Blue Mountains Grammar School WENTWORTH FALLS
- (36) Central Coast Grammar School ERINA HEIGHTS
- (37) Claremont College RANDWICK
- (38) Danebank Anglican School for Girls HURSTVILLE
- (39) Glenaeon School for Steiner MIDDLE COVE
- (40) Hunter Valley Grammar School EAST MAITLAND
- (41) Kincoppal-Rose Bay School ROSE BAY
- (42) Kinma School TERREY HILLS
- (43) Masada College LINDFIELD
- (44) Masada College High School ST IVES
- (45) Methodist Ladies College BURWOOD

- (46) Moriah War Memorial College BONDI JUNCTION
 (47) Newcastle Grammar School NEWCASTLE
 (48) Oxley College BOWRAL
 (49) Queenwood School MOSMAN
 (50) Reddam House BONDI JUNCTION
 (51) Roseville College ROSEVILLE
 (52) St Catherine's School WAVERLEY
 (53) St Ignatius' College LANE COVE
 (54) St Luke's Grammar School DEE WHY
 (55) St Paul's Anglican Choir School GEORGES HALL
 (56) Tara Anglican School for Girls NORTH PARRAMATTA
 (57) The Athena School NEWTOWN
 (58) The Emanuel School RANDWICK
 (59) The Hills Grammar School ROUND CORNER
 (60) The Illawarra Grammar School FIGTREE
 (61) The Scots School - Albury ALBURY:
- (a) How many students sat the Higher School Certificate in 2009?
 (b) How many students were granted Special Examination Provisions?

Answer—

Students sitting the Higher School Certificate in 2009 is taken to mean "students sitting at least one HSC examination in 2009". As at 20 November 2009:

SCHOOL	2009 HSC Exam Students	2009 Special Provisions Approvals
Abbotsleigh School WAHROONGA	140	17
Ascham School EDGECLIFF	89	3
Cranbrook School BELLEVUE HILL	174	24
Frensham School MITTAGONG	53	14
German International School Sydney RYDE	0	0
Gib Gate School MITTAGONG	0	0
Green Valley Islamic College GREEN VALLEY	0	0
Hills Montessori School WEST PENNANT HILLS	0	0
Kambala ROSE BAY	104	15
Knox Grammar School WAHROONGA	236	22
Newington College STANMORE	170	9
Pittwater House Grammar School MANLY	39	3
Ravenswood School for Girls GORDON	113	16
Saint Joseph's School NOWRA	0	0
SCEGGS Darlinghurst DARLINGHURST	126	20
SCEGGS Redlands CREMORNE	128	15
Sherwood Cliffs School GLENREAGH	0	0
St Andrew's Cathedral School SYDNEY SQUARE	212	35
Sydney Church of England Grammar	195	23

S C H O O L N O R T H S Y D N E Y		
Sydney Grammar School DARLINGHURST	263	13
The French School MAROUBRA	0	0
The International Grammar BROADWAY	88	10
The Italian Bilingual School FIVE DOCK	0	0
The King's School PARRAMATTA	180	15
The Scots College BELLEVUE HILL	159	27
Trinity Grammar School SUMMER HILL	212	14
Tudor House MOSS VALE	0	0
Meriden School STRATHFIELD	100	8
Pittwater House Girls College MANLY	19	0
Presbyterian Ladies College CROYDON	169	14
Pymble Ladies College PYMBLE	238	28
Sydney Japanese School TERREY HILLS	0	0
Wenona School NORTH SYDNEY	103	10
Arden Anglican School BEECROFT	47	10
Blue Mountains Grammar School WENTWORTH FALLS	75	5
Central Coast Grammar School ERINA HEIGHTS	84	12
Claremont College RANDWICK	0	0
Danebank Anglican School for Girls HURSTVILLE	106	18
Glenaeon School for Steiner MIDDLE COVE	24	10
Hunter Valley Grammar School EAST MAITLAND	84	15
Kincoppal-Rose Bay School ROSE BAY	110	17
Kinma School TERREY HILLS	0	0
Masada College LINDFIELD	0	0
Masada College High School ST IVES	63	12

Methodist Ladies College BURWOOD	116	8
Moriah War Memorial College BONDI JUNCTION	153	20
Newcastle Grammar School NEWCASTLE	89	13
Oxley College BOWRAL	57	12
Queenwood School MOSMAN	80	6
Reddam House BONDI JUNCTION	77	11
Roseville College ROSEVILLE	98	7
St Catherine's School WAVERLEY	88	7
St Ignatius' College LANE COVE	305	24
St Luke's Grammar School DEE WHY	75	5
St Paul's Anglican Choir School GEORGES HALL	0	0
Tara Anglican School for Girls NORTH PARRAMATTA	78	14
The Athena School NEWTOWN	0	0
The Emanuel School RANDWICK	63	10
The Hills Grammar School ROUND CORNER	116	13
The Illawarra Grammar School FIGTREE	124	9
The Scots School - Albury ALBURY	85	9

*3829 PLANNING—CALLAN PARK CONTAMINATION REPORT—Ms Hale asked the Minister for Lands representing the Minister for Planning, and Minister for Redfern Waterloo—

(1)

- (a) When will the contamination report on Callan Park Lands, commissioned by the Sydney Harbour Foreshore Authority be completed?
- (b) When will the report be released?

Answer—

The report is being finalised and will then be forwarded to Leichhardt Council.

*3830 PLANNING—TWEED SHIRE DEVELOPMENTS—Ms Hale asked the Minister for Lands representing the Minister for Planning, and Minister for Redfern Waterloo—

- (1) Does the Minister have plans to visit the Tweed Shire to discuss sustainability issues in the Greenfield developments and to view the sites, proposed to cater for approximately 25,000 people which are currently under part 3A consideration?
- (2) Why has Leda Holdings refused to conduct any public meetings for Kings Forest or Cobaki Lakes, besides addressing Residents Association meetings, cutting out environmental groups and any coordinated community consultation?
- (3)
 - (a) Will the Minister provide opportunities for community consultation with the people of Tweed regarding the creation of these developments and specifically into making them wildlife-friendly and with environmentally sustainable design features?
 - (b) If no, why not?
 - (c) If so, when?
- (4) What actions has the Minister taken following the submission from the Tweed Shire Council on the Kings Forest development to preserve the Cudgen Heathlands for koala and biodiversity?
- (5)

- (a) Has the Minister given consideration to the development of the Kings Forest site for either a koala sanctuary or for tourism purposes?
- (b) If so, what is the outcome of these considerations?
- (c) If not, why not?

Answer—

- (1) I am advised the previous Minister for Planning was intending to visit the Tweed Shire to discuss these issues.
- (2) I am advised Leda Holdings has conducted public consultation on both these proposals. I am advised they have written to a number of environment and wildlife groups as well as community groups and resident associations inviting enquiries and have been available to address meetings on request. Several Residents Associations have taken up Leda's offer to address their meetings.
- (3) The Tweed community has had a substantial opportunity to comment on these proposals during the extended public exhibition early this year. Kings Forest received 1385 public submissions and 11 agency submissions during the exhibition period. Cobaki received 42 public submissions and 17 agency submissions during the exhibition period. Tweed Shire Council made submissions on both of these proposals. The Department of Planning allowed Council an extension of time to finalise its submissions. The Department of Planning will take all issues raised into account during their assessment. Impacts on wildlife and the environmental sustainability of both of these proposals are key issues for assessment. In addition, the community has previously had a number of opportunities to comment on these proposals. Public consultation was undertaken during the drafting of the Far North Coast Regional Strategy which identified both the Kings Forest site and the Cobaki site as areas for future housing. Also in 2006 the Department exhibited a Site of State Significance (SSS) study for the Kings Forest site, allowing public comment on proposed re-zonings.
- (4) Tweed Shire Council made a submission for these proposals. Impacts of the proposal on biodiversity are a key issue for the assessment of these proposals. The Council has also been invited to make further comments on the Preferred Project Reports that Leda submitted to the Department in its response to submissions.
- (5) The Department will assess the project as proposed by Leda Holdings on its merit and within the framework of the existing land use zonings for the site. It is not the Department's or my role to suggest particular development proposals for the site.

*3831 PLANNING—LOWER HUNTER REGIONAL STRATEGY—Ms Hale asked the Minister for Lands representing the Minister for Planning, and Minister for Redfern Waterloo—

- (1)
 - (a) Has the Lower Hunter Regional Strategy been affected yet by the recent decision of the Land and Environment Court which declared any decisions made in accordance with Memorandums of Understanding invalid?
 - (b) If so, what changes have resulted from the Land and Environment Courts decision?
 - (c) If not, how will the Minister approach the Lower Hunter Regional Strategy Memorandums of Understanding which were signed between property development companies and the then Minister for Planning Frank Sator, specifically in regards to the Huntlee and Catherine Hill Bay locations?

Answer—

I am advised the Lower Hunter Regional Strategy remains valid. If any developments are to proceed as envisaged under the Lower Hunter Regional Strategy, any proposals (including land offsets) will be dealt with on their merits in accordance with the provisions of the Environmental Planning and Assessment Act 1979.

*3832 POLICE—CHAPLAINCY OF THE NEW SOUTH WALES POLICE FORCE—Mr Colless asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police—

- (1) What are the guidelines and/or requirements for appointment to the Chaplaincy of the New South Wales (NSW) Police Force?

(2)

- (a) Are there any religious denominations excluded from being appointed to the Chaplaincy of the NSW Police Force?
- (b) Please list the religious denominations excluded, and give the reasons why they are excluded from appointment to the Chaplaincy of the NSW Police Force.

Answer—

The NSW Police Force has advised me that appointments to the Chaplaincy are governed by the NSW Police Force Chaplaincy Policy, which stipulates, among other requirements, that appointed Christian clergy must come from a denomination having official status with the National and/or NSW Council of Churches, and/or the NSW Ecumenical Council. No denominations are specifically excluded.

*3833 POLICE—APPLICATION FOR THE CHAPLAINCY OF THE NEW SOUTH WALES POLICE FORCE—Mr Colless asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police—

- (1) Has the New South Wales (NSW) Police Force received an application for appointment to the Chaplaincy of the NSW Police Force from the Reverend Dr David Logan of the Australian Christian Churches (Assemblies of God)?
- (2) Was this application refused on the basis that his affiliation is not recognised by the NSW Police Force?
- (3) Why is the Australian Christian Churches (Assemblies of God) affiliation not recognised within the terms of the Chaplaincy Policy document?
- (4) Will there be a review of the NSW Police Force Chaplaincy Policy to rectify the exclusion of the Australian Christian Churches (Assemblies of God) affiliation and to re-assess the Reverend Dr David Logan's application?

Answer—

The NSW Police Force has advised me :

- (1) Yes.
- (2) Yes.
- (3) Appointments to the Chaplaincy are governed by the NSW Police Force Chaplaincy Policy, which stipulates, among other requirements, that appointed Christian clergy must come from a denomination having official status with the National and/or NSW Council of Churches, and/or the NSW Ecumenical Council. The Australian Christian Churches (Assemblies of God) does not have official status with these bodies.
- (4) No review of the policy is planned. The requirement outlined above provides a level of accountability, firstly through the head of the denomination and secondly, to the NSW Police Force through the Senior Chaplains Conference.

*3834 CLIMATE CHANGE AND THE ENVIRONMENT—KINGS FOREST—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) Is it the case that the Tweed Shire is an internationally significant biodiversity hotspot that has more biodiversity than Kakadu National Park?
- (2)
 - (a) What actions has the Minister taken following from the Tweed Shire Council on the Kings Forest development to preserve the Cudgen Heathlands for koala and biodiversity?
 - (b) Have discussions taken place with the Minister for Planning regarding this issue?
- (3) Has the Minister given consideration to the development of a koala sanctuary in the Tweed Shire Area?
- (4)

- (a) Were any wildlife surveys carried out after the Repco Rally, which extended beyond the immediate vicinity of the road, to determine if there were any injured or distressed animals in the bush?
 - (b) If so, how far did the surveys extend beyond the road into the forest?
- (5) Will more rigorous research be required for any future car rallies, including assessing any effects of stress on the wildlife caused by the Repco Rally in these biodiversity hotspots, including into these National Parks and between these World Heritage corridor areas?

Answer—

- (1) The Tweed Shire is part of the Border Ranges region which was one of 15 biodiversity hotspots identified nationally in 2003.
- (2)
- (a) I am advised that the Kings Forest development is the subject of a proposal under Part 3A of the Environmental Planning and Assessment Act 1979, which is being considered by the Department of Planning. The Department of Environment, Climate Change and Water has an advisory role in relation to the protection of biodiversity on the property.
 - (b) I am advised that there have been discussions between the Department of Environment, Climate Change and Water and the Department of Planning in relation to the proposal.
- (3) The Department of Environment, Climate Change and Water's conservation reserves in Northern NSW are managed for multiple species, including the Koala. At this stage, there is no intention to establish a specific koala sanctuary in the Tweed Shire.
- (4)
- (a) No.
 - (b) Not applicable.
- (5) The level and nature of ecological assessments required for any future car rallies in the area will be the subject of ongoing refinement.

*3835 STATE DEVELOPMENT—REPCO RALLY IN TWEED SHIRE—Ms Hale asked the Minister for Primary Industries, Minister for Mineral Resources, Minister for State Development—

- (1) Will more rigorous research be required for any future car rallies, including assessing any effects of stress on the wildlife caused by the Repco Rally in these biodiversity hotspots, including into these National Parks and between these World Heritage corridor areas?
- (2) How much national and international media coverage of the rally specifically related to showing the natural scenic aspects of this national iconic landscape?
- (3)
- (a) What was the taxpayer contribution to this event?
 - (b) When will these figures be released?

Answer—

- (1) No.
- (2) Events NSW have advised that the final figure for the international viewing audience is expected to be in excess of 40 million.
- (3)
- (a) Events NSW's investment in the event is commercial-in-confidence.
 - (b) Refer to answer (a).

*3836 LOCAL GOVERNMENT—GROW DUBBO—Ms Hale asked the Minister for Lands representing the Minister for Local Government, and Minister Assisting the Minister for Health (Mental Health and Cancer)—

- (1) Is the Department of Local Government inquiring into the relationship between Grow Dubbo and Dubbo City Council?
- (2) Is Dubbo City Council required to tender out the operation of functions performed by Grow Dubbo?

- (3)
- (a) Has Ministerial approval been sought to approve the relationship between Grow Dubbo and Dubbo City Council?
 - (b) If so, what requirements exist on Dubbo City Council for this relationship to be open and transparent to the people of Dubbo?
- (4)
- (a) Have there been any legislative changes to arrangements like that which exists between Dubbo City Council and Grow Dubbo?
 - (b) If so, how have Dubbo City Council been directed to act in response to changes in legislative requirements?
- (5)
- (a) Does Dubbo City Council have a controlling interest in Grow Dubbo?
 - (b) If so, what issues have arisen in the relationship between Dubbo City Council and Grow Dubbo?
- (6) What are the requirements of councillors where they are appointed to a body funded by their council?
- (7)
- (a) Do the same conflict of interest provisions apply to councillors for their service on boards as would apply to their actions in council?
 - (b) If so, do the same conflict of interest requirements apply to non-councillors appointed to the boards of local government funded organisations?
 - (c) If so, what are the requirements?
 - (d) If not, why not?

Answer—

I provide the following details in response to your questions:

- (1) No.
- (2) A Council is not required to invite tenders unless it will be entering into a contract that gives rise to a tendering obligation pursuant to section 55 of the Local Government Act 1993. It should be noted however that the general principles of openness and transparency apply to all council dealings.
- (3)
- (a) No.
 - (b) Council dealings should always be as open and transparent as possible. In situations where a council contracts out services that gives rise to a tendering obligation, pursuant to section 55 of the Local Government Act 1993, an open and competitive tender process needs to be followed.
- (4)
- (a) Section 355 of the Local Government Act 1993 stipulates how a council may exercise its functions, section 356 deals with whether a council can financially assist others and section 358 stipulates restrictions on the formation of corporations and other entities by councils. Section 55 contains provisions in relation to the tendering of contracts. All of these sections have been subject to amendment since the Act was first enacted.
 - (b) The Council has not been subject to a direction from the Division of Local Government, Department of Premier and Cabinet in relation to the amendments.
- (5)
- (a) No.
 - (b) Not applicable.
- (6) Councillors must comply with the applicable provisions of their council's code of conduct when carrying out their functions as council officials. Specific conduct requirements may also be imposed on Councillors appointed by council to sit on separate bodies as council representatives.
- (7)
- (a) No. Some of the same requirements may apply.

- (b) No.
- (c) Not applicable.
- (d) Members of such boards may not be council officials or delegates. Accordingly, these individuals behaviour is not subject to the same conflict of interest requirements of councillors or council delegates.

*3837 TRANSPORT—MACARTHUR STATION COMMUTER CARPARK—Ms Hale asked the Treasurer representing the Minister for Transport, and Minister for the Illawarra—

- (1) Has the Transport Infrastructure Development Corporation proposed to locate a commuter car park at the corner of Stowe Avenue and Tailby Street, Campbelltown?
- (2) Will access to the car park be via Tailby Street off Menangle Road and Stowe Avenue, or only off Menangle Road?
- (3) Was this site also marketed by Stockland as the location for an additional residential development?
- (4) Is the proposed car park located 500 metres from Macarthur Station?
- (5) Will an adequate walking path also be constructed so that commuters will not have to cross a roundabout and a main intersection to get to Macarthur Station?
- (6)
 - (a) Has consideration been given to alternative sites for the car park, such as land on the western side of Macarthur station bordering the University of Western Sydney Campbelltown campus, which would service rail passengers travelling from Campbelltown who drive down from the Narellan, Camden and Mt Annan areas?
 - (b) Has consideration also been given to making the temporary car park, which is only 100 metres from the Station at Bolger Street permanent?
 - (c) If these sites have been considered, have they been rejected?
 - (d) If so, why have they been rejected?
- (7) What consultation has been undertaken with affected residents?
- (8) What wider traffic management options have been considered in relation to this proposed project, in particular diverting traffic from Menangle Road under Narellan Road via a short underpass to exit at existing traffic lights near Campbelltown Library?
- (9) Would peak hour traffic congestion be alleviated if the car park were located near the University of Western Sydney and providing an off ramp from Gilchrist drive south bound to pass under Gilchrist road at the railway and exit near the station and the car park?

Answer—

I am advised:

- (1) - (9) Information regarding site selection, consultation with the community and stakeholders and impacts of construction and operation of the proposed car park is contained within the Review of Environmental Factors for the Macarthur 2 Commuter Car Park. Information on the Review of Environmental Factors is available on the Transport Infrastructure Development Corporation website.

*3838 CLIMATE CHANGE AND THE ENVIRONMENT—REBATE REIMBURSEMENTS—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) What is the average length of time it took for people who received the NSW hot water system rebate to be reimbursed?
- (2) What is the average length of time it took for people who received the NSW rainwater tank rebate to be reimbursed?
- (3) What is the average length of time it took for people who received the NSW washing machine rebate to be reimbursed?
- (4) What is the average length of time it took for people who received the NSW ceiling insulation rebate to be reimbursed?

Answer—

- (1) I have been advised that the increase in the Australian Government solar hot water rebate resulted in a large number of applications to the NSW hot water system rebate program. Therefore the average length of time for reimbursement is 84 days. The Department of Environment, Climate Change and Water is working to reduce this timeframe.
- (2) 48 days, well within the 60 days advised on the Department of Environment, Climate Change and Water website.
- (3) 24 days.
- (4) 71 days. The ceiling insulation rebate finished, as scheduled on 30 June 2009. I am advised that all applications have been satisfied.

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*3839 POLICE—TASER USAGE AND ATTESTATION FROM GOULBURN COLLEGE—Mr Gallacher asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police—

- (1)
 - (a) Between 12 November 2009 and March 2011 how many classes are scheduled to attest (graduate) from the New South Wales (NSW) Police College at Goulburn?
 - (b) On what date are each of these classes scheduled to attest?
 - (c) What is the projected initial intake of each of these classes?
 - (d) What is the final attesting number for each of these classes?
- (2)
 - (a) What is the name of the NSW Police officer currently tasked to review video footage from tasers?
 - (b) How many files have been forwarded to this officer for review?
 - (c) How many files have been viewed by this officer?
 - (d) Of the video files forwarded for review, how many have been unable to be viewed because of the quality of the recording?
 - (e) Of the video files forwarded for review, how many have been unable to be viewed because of problems with the computer file or memory disk?
 - (f) Of the video files forwarded for review, how many have been unable to be viewed because of an obstruction of the camera?
 - (g) What is the average length of each video sent for review?
 - (h) How many video files have been deleted or destroyed since they were received?

Answer—

The NSW Police Force has advised me:

- (1) There are four proposed attestations planned before March 2011. The initial and final numbers of students expected to participate in each attestation will be subject to change for planning reasons and due to student attrition during police training.
- (2)
 - (a) to (c) Deputy Commissioner Field Operations, Commander of the Public Order and Riot Squad and Region Commanders are authorised to review taser footage. The Deputy Commissioner has viewed footage of all taser deployments since 3 October 2008 when the taser roll out commenced.
 - (d) and (e) Precise figures are unable to be ascertained, however I am advised these instances are few in number.
 - (f) 14 as at 23 November 2009.
 - (g) The length of video footage depends on the type of incident and time taken to resolve it.

(h) None.

*3840 POLICE—NEW SOUTH WALES POLICE FORCE RESOURCES—Mr Gallacher asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police—

- (1) How many four wheel drive vehicles are currently owned by the New South Wales (NSW) Police Force?
- (2)
 - (a) What is the total strength of the Counter Terrorism Command?
 - (b) What is the authorised strength of this command?
- (3)
 - (a) How many police officers are attached to the NSW Police Family and Domestic Violence Unit?
 - (b) How many of these officers are attached to the strategic unit targeting repeat offenders?

Answer—

The NSW Police Force has advised me:

- (1) Ten.
- (2) There are 381 positions attached to the Counter Terrorism Command.
- (3) There are five police positions attached to the Domestic and Family Violence Team. All of the Team's officers, as well as all the specialist Domestic Violence officers attached to Local Area Commands, carry out work relating to repeat offenders.

*3841 CORRECTIVE SERVICES—JUNEE CORRECTIONAL CENTRE—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1)
 - (a) Has The GEO Group Australia Pty Ltd transferred trained staff from Junee Correctional Centre to Parklea Correctional Centre?
 - (b) If so, has this resulted in Junee Correctional Centre being understaffed?
- (2)
 - (a) Did The GEO Group Australia Pty Ltd offer only one three hour shift every six weeks at minimum pay to casual staff?
 - (b) If so, have residents of Junee consequently declined to accept casual employment?

Answer—

- (1)
 - (a) I refer the Member to the answer of former Minister the Hon. John Robertson MLC to her question without notice "Parklea Correctional Staffing" on 11 November 2009.
 - (b) No. Junee Correctional Centre has sufficient additional resources to ensure the centre is manned in accordance with the staffing plan required by the management contract.
- (2)
 - (a) No.
 - (b) When Junee Correctional Centre undertakes recruitment of officers on a casual basis, prospective recruits are advised that employment is on a casual basis and may be subject to variation in work available and offered. However, the number of casual employees is managed to provide (to the greatest possible extent) between 24 and 36 hours work per week.

*3842 CORRECTIVE SERVICES—PARKLEA CORRECTIONAL CENTRE—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) Since The GEO Group Australia Pty Ltd assumed management of Parklea Correctional Complex on

1 November 2009, how many lockdowns have there been?

(2) What has been the duration of each lockdown?

Answer—

I am advised:

- (1) Between 1 November 2009 and 12 November 2009, there were 2 lockdowns at Parklea Correctional Centre. Each lockdown was for staff training.
- (2) All inmates were secured in their cells for an additional 3 hours in each lockdown, but were escorted to medical, dental and legal appointments where necessary.

*3843 LANDS—KILLALEA COASTAL INVESTMENTS LTD—Ms Hale asked the Minister for Lands—

- (1) On 1 September 2009, Mariner informed the Australian Stock Exchange that it was selling its stake in Killalea Coastal Investments Ltd to a third party.
 - (a) Has the sale proceeded?
 - (b) If so, who is the purchaser?
 - (c) Are the terms of sale of Mariner's interest in Killalea Coastal Investments Ltd consistent with the deed of agreement it entered into with the Killalea State Park Trust?
- (2) What is the current status of the Killalea State Park Trust deed of agreement with Killalea Coastal Investments Ltd?
- (3) On 2 September 2009, the Minister for Lands informed the Parliament that "the company provided money under the agreement, and that money has been used to build the road [to the beach].
 - (a) How much money was provided?
 - (b) When was it provided?
 - (c) What was the cost of construction of the road?
 - (d) When was the road completed?
- (4) A report in the Illawarra Mercury of 1 September 2009 quoted Killalea Trust Chair Ed Gilmore as saying "We've had discussions with [Mariner] and are expecting to get a report back".
 - (a) Has the Trust received a report from Mariner or from Killalea Coastal Investments Ltd?
 - (b) If so, when was the report received?
 - (c) Will the report be made public?
 - (d) If so, when?
 - (e) If not, why not?
- (5) Is the Part 3A development application for the proposed tourist facility within Killalea State Park still proceeding or has it lapsed?

Answer—

- (1) Mariner has advised the Trust that it has not sold its interest in Killalea Coastal Investments Ltd.
- (2) The Development Agreement is still current and legally binding on the parties. Although the Trust has granted a number of extensions of time to obtain planning approval, the sunset date for the commencement of construction remains at 31 March 2011.
- (3)
 - (a) \$585,000
 - (b) 30 April 2007
 - (c) \$350,000
 - (d) February 2008
- (4)
 - (a) Yes
 - (b) 22 September 2009
 - (c) No
 - (d) N/A

- (e) The report was initially verbal but later confirmed in writing on 30 October 2009. In that letter Mariner advised the Trust that the proposed sale was not proceeding; that it had not entered into any legally binding agreement to sell shares in Killalea Coastal Investment; that it intends to keep the development agreement on course until expiry; and that it would notify the Trust prior to entering into any binding agreements regarding the sale of any shares.

(5) As far as the Trust is aware the Part 3A development application is still proceeding.

*3844 PLANNING—FAIRFIELD CITY FARM—Mr Lynn asked the Minister for Lands representing the Minister for Planning, and Minister for Redfern Waterloo—

- (1) Will the Fairfield City Council be renewing its lease with the Western Sydney Parklands Trust to keep the Fairfield City Farm open and running for the benefit of the community?
- (2) Has Fairfield City Council approached you or your Department to request the funds necessary to keep Fairfield City Farm open?
- (3) What is being done to ensure Fairfield City Farm stays open?

Answer—

This is a matter for the Minister for Western Sydney.

*3845 CLIMATE CHANGE AND THE ENVIRONMENT—FAIRFIELD CITY FARM—Mr Lynn asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) Will the Fairfield City Council be renewing its lease with the Western Sydney Parklands Trust to keep the Fairfield City Farm open and running for the benefit of the community?
- (2) Has Fairfield City Council approached you or your Department to request the funds necessary to keep Fairfield City Farm open?
- (3) What is being done to ensure Fairfield City Farm stays open?

Answer—

This matter falls within the portfolio responsibilities of the Minister for Western Sydney, the Hon. David Borger MP.

*3846 PLANNING—LOCAL GOVERNMENT LEGAL SECURITY—Ms Hale asked the Minister for Lands representing the Minister for Planning, and Minister for Redfern Waterloo—

- (1) What actions are being undertaken to provide councils with legal security with regard to development planning controls, and where approval may be given to complying developments in areas affected by sea level rise and estuarine foreshore erosion?
- (2) What action will be taken to provide legal support to Development Control Plans that seek to prevent development of land, which may be affected by predicted 90cm sea level rise over the next 90 years?
- (3)
- (4)
 - (a) Will councils be exempt from liability from decisions made by private certifiers, Joint Regional Planning Panels and the Minister herself under Part 3A of the EP&A Act that allow the development of land in areas identified as being subject to sea level rise over the next one hundred years?
 - (b) If so, will the Minister Legislate to protect Council's?

Answer—

- (1) As per section 733 of the Local Government Act 1993, a council does not incur any liability in respect of any advice furnished in good faith by the council relating to the likelihood of any land in the coastal zone being affected by a coastline hazard or the nature or extent of any such hazard. Further, a council does not incur any liability for anything done or omitted to be done in good faith by the council in so far as it relates to the likelihood of land being so affected. The Government is considering enhancements to these provisions. New houses and alterations and additions to existing

houses cannot be carried out as complying development on land that is identified as a coastal erosion hazard, a foreshore scenic protection area, or within a protected area under an existing environmental planning instrument.

- (2) The legal support of a DCP lies in its connection to and consistency with the underlying LEP.
- (3)
 - (a) Councils are not liable for decisions made by private certifiers or the Minister for Planning. Joint Regional Planning Panels act as council, and the liability protection provided by Section 733 of the Local Government Act 1993 applies.
 - (b) Not Applicable.

*3847 PLANNING—SERVICE PROVISION IN THE SYDNEY OLYMPIC PARK AUTHORITY AREA—Ms Hale asked the Minister for Lands representing the Minister for Planning, and Minister for Redfern Waterloo—

- (1) Why did the Independent Pricing and Regulatory Tribunal recommend that Sydney Olympic Park Authority (SOPA) duplicate services already provided by Auburn City Council and then seek reimbursement for the cost of these services from the rates collected by Auburn City Council within the SOPA area?
- (2) Why is there a separate Act that excludes SOPA from the general Auburn local government area?
- (3)
 - (a) Will Auburn Council continue to provide Human Services, the community centre, library, parks, car park support at large events and undertake food inspections at the Royal Easter Show?
 - (b) If so, what services will be provided by SOPA?

Answer—

This is a matter for the Minister for Western Sydney.

*3848 TREASURER—SOLAR GROSS FEED IN TARIFF SCHEME—Ms Cusack asked the Treasurer—

- (1) Is Treasury opposed to the Solar Gross Feed in Tariff Scheme announced by Premier Rees this week?
- (2) Does the Treasurer support the scheme?

Answer—

I'm advised:

NSW Treasury was a member of the Taskforce set up by the Government to advise on the design of a feed-in tariff for NSW. The Taskforce was charged with making recommendations on the design of a feed-in tariff that would: support consumers who wish to generate renewable energy locally; build the state's green collar job sector; and expand the visibility of renewable energy technologies.

The Taskforce report, representing the views of all Taskforce members including Treasury, is publicly available and can be accessed on the Industry and Investment NSW website (<http://www.industry.nsw.gov.au/energy/sustainable/renewable/solar/solar-scheme>).

The 60 cents gross feed-in tariff as an important tool in helping to meet the Government's commitment to support the clean energy industry and growth in green jobs.

The feed-in tariff will provide certainty to NSW families who want to do their part to generate renewable energy locally, and will encourage more families to make this valuable investment.

*3849 POLICE—RANGE LICENCE FOR THE SOUTHERN HIGHLANDS REGIONAL SHOOTING COMPLEX INC—Ms Rhiannon asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police—

- (1) In relation to the Range, Firearms and Events licence issued to the Southern Highlands Regional Shooting Complex Inc (SHRSCI) for the 800m range on 29 August 2007, did the Firearms registry check that the licence complied with S86.3(d) of the Firearms Regulations 2006, confirming that it had "control" of the range?

- (2)
- (a) What is the definition for "control" as in paragraph 86 3(d) of the Firearms Regulations 2006?
 - (b) Does the definition mean they had to hold the "development consent" or be listed as a club having permission to shoot at the range?
- (3)
- (a) Did the takeover of the Range licence and related transfer of the range approval to the SHRSCI in August 2007 result in the Southern Highlands Rifle club continuing operation under the cancelled Development Consent without any licence to do so from August 2007 to July 2008?
 - (b) If so, what effect does that have on the Registry's approval of the licences issued to SHRSCI on 27 August 2007 and under which the range is now operating?

Answer—

The NSW Police Force has advised me:

- (1) Yes.
- (2) Any organisation which auspices a shooting range must conform to all relevant state legislation, as well as Local Government approval processes and other relevant control mechanisms, before a Range Approval is issued. The NSW Police Firearms Registry was satisfied that the SHRSCI met its obligations in this regard.
- (3) No.

*3850 POLICE—SOUTHERN HIGHLANDS REGIONAL SHOOTING COMPLEX INC PERMIT CONDITIONS—Ms Rhiannon asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police—

- (1) Does the Firearms Licence issued to the Southern Highlands Regional Shooting Complex Inc. (SHRSCI) in 2007 permit the use of the following weapons:
 - (a) Air rifles?
 - (b) Shotguns?
 - (c) Muzzle loading pistols to 19mm?
 - (d) Muzzle loading rifles to 19mm?
 - (e) Centre fire rifles and pistols to 12.5mm?
 - (f) SR98 rifles for use by recreational target shooters?
 - (g) SR 25 (as listed for use in the Department of Sport application for the complex)?
 - (h) SR98 7.6mm high velocity long-range sniper rifles?
 - (i) 338's?
 - (j) 50 cal BMG rifles that use machine gun bullets?
- (2) Does the licence allow for an expansion of types of competition events that can be staged at the range?
- (3) Under the licence granted on 29 August 2007 and in regard to live ammunition:
 - (a) at what distance from homes and public roads and areas accessible to children and the public is live ammunition permitted to be shot?
 - (b) what types and calibres of weapons are able to be used?
- (4) Under the licence what is the longest range of any permissible firearm and ammunition combination licensed at the range?
- (5) Which of the licensed firearms are permitted for use on unfenced public ranges where surrounding lands are open to the public specifically public roads and national parks where the public could be within 100m of firing points and where they can freely access range safety template areas due to no perimeter fencing?

Answer—

The NSW Police Force has advised me:

- (1) Not all of the firearms listed are permitted on the SHRSCI's current Range Approval. Permitted

firearms are as follows:

- Air rifles up to a calibre of 5.6mm (.22)
 - Shotguns up to 12 gauge o Muzzle loading blackpowder pistols to 19mm (.75)
 - Muzzle loading blackpowder rifles to 19mm (.75)
 - Centrefire rifles up to .50 calibre
 - Centrefire pistols up to a calibre of 11.43mm (.45)
 - Air rifles up to a calibre of 5.6mm (.22)
 - Shotguns up to 12 gauge o Muzzle loading blackpowder pistols to 19mm (.75)
 - Muzzle loading blackpowder rifles to 19mm (.75)
 - Centrefire rifles up to .50 calibre
 - Centrefire pistols up to a calibre of 11.43mm (.45)
- (2) Yes, providing an application to vary the existing Shooting Range Approval is approved by the Firearms Registry.
- (3)
- (a) This is a matter for the local council.
- (b) See (1) above.
- (4) The highest military safety standards were used to develop the safety template for the Hilltop Range. The theoretical maximum range would never be achieved as only low angle trajectories (under 12.5°) are allowed.
- (5) The firearms listed in (1) above, provided that all Range Approval and legislative conditions are met, the perimeters of the safety template observed and local club rules followed.

*3851 MINERAL RESOURCES—MONARO COAL—Ms Rhiannon asked the Minister for Primary Industries, Minister for Mineral Resources, Minister for State Development—

- (1) Why was EL3771 re-tendered in February 2009?
- (2) Were 10 other remnant coal deposits also re-tendered as part of this process?
- (3) Which companies subsequently contacted the Department of Primary Industries after the invitation to tender went out to complain they had been left out?
- (4) What was the rationale behind reopening the tender process?
- (5) Which companies applied for EL3771 when it was first tendered?
- (6) Which companies applied for EL3771 when it was re-tendered in February 2009?
- (7) Was Monaro Coal able to advertise its successful application in the local press?
- (8) Was Monaro Coal selected as the preferred bidder either in the first or second round of tendering?
- (9) Were these rights as the preferred bidder ultimately transferred to Cascade Coal or Mt Penny Coal?

Answer—

- (1) None of the 11 Coal Release Areas were re-tendered in February 2009. Prior to the original closure of the Expression of Interest process on 24 November 2008, the Department of Primary Industries (now Industry and Investment NSW) had been approached by additional small to medium sized companies that had not previously been contacted by the Department and as such had not been invited to express an interest in the eleven areas. Based on probity advice from an independent probity auditor the EOI was subsequently re-opened to allow these additional small to medium sized companies an opportunity to submit an Expression of Interest. Expressions of Interest in the 11 Coal Release Areas closed at midday on 16 February 2009.
- (2) See answer to question (1).
- (3) See answer to question (1).
- (4) See answer to question (1).
- (5) When the EOI for the 11 Coal Release Areas originally closed on 24 November 2008, EOIs for the Mt Penny coal area were submitted by The Jain Group and Monaro Mining NL.

- (6) When the EOI for the 11 Coal Release Areas subsequently closed on 16 February 2009, EOIs for the Mt Penny coal area were submitted by the Jain Group, Monaro Mining NL, Cascade Coal Pty Limited and Breakspheare Coal Mines Ltd.
- (7) Monaro Mining NL (through its partner Loyal Coal Pty Limited) withdrew its Expression of Interest over the Mt Penny Coal Release Area.
- (8) No. See answer to question (7).
- (9) No.

*3852 SPORT AND RECREATION—FIREARMS REGISTRY LICENCE - SOUTHERN HIGHLAND REGIONAL SHOOTING COMPLEX—Ms Rhiannon asked the Minister for Primary Industries, Minister for Mineral Resources, Minister for State Development representing the Minister for Gaming and Racing, and Minister for Sport and Recreation—

- (1) Are you aware of a statement by your predecessor on 10 May 2007 where he said "no application for a firearms registry licence for full bore or high powered military rifles to be used on this site had occurred?
- (2) Did the consortium of shooting clubs named the Southern Highlands Regional Shooting Complex Inc. (SHRSCI) lodge an application with the NSW Police Firearms Registry, an application which was approved on 29 August 2007, cancelling the existing licence held by the Southern Highlands Rifle Club for the existing Hill Top Range and resulting in a considerable expansion of the types and calibres of firearms permitted to be used on the 800m Hill Top Range?
- (3) Does the current Firearms Licence for the Range issued to SHRSCI in 2007 permit the use of the following weapons:
 - (a) Air rifles?
 - (b) Shotguns?
 - (c) Muzzle loading pistols to 19mm?
 - (d) Muzzle loading rifles to 19mm?
 - (e) Centre fire rifles and pistols to 12.5mm?
 - (f) SR98 rifles for use by recreational target shooters?
 - (g) SR 25 (as listed for use in the Department of Sport application for the complex)?
 - (h) SR98 7.6mm high velocity long-range sniper rifles?
 - (i) 338's?
 - (j) 50 cal BMG rifles that use machine gun bullets?
- (4) Does the licence allow for an expansion of types of competition events that can be staged at the range?
- (5) Under the licence granted on 29 August 2007 and in regard to live ammunition:
 - (a) at what distance from homes and public roads and areas accessible to children and the public is live ammunition permitted to be shot?
 - (b) what types and calibres of weapons are able to be used?
- (6) Under the licence what is the longest range of any permissible firearm and ammunition combination licensed at the range?
- (7) During Budget Estimates, the Minister advised that the Department of Sport would administer and manage the Hill Top Shooting Complex. What is the administration and management model that will be implemented and what aspects of the complex will be staffed, controlled and managed by the Department of Sport?
- (8) Will the SHRSCI staff, administer, control activities and manage the \$6m taxpayer funded complex as an Incorporated Association and that the Department of Sport will licence the Complex and its overall management to the SHRSCI?
- (9)
 - (a) Will any aspect of the complex be managed by the SHRSCI?
 - (b) If so, which aspects?
- (10)

- (a) Were specific requirements with regard to the management model used (i.e. a model answerable to Australian Securities and Investments Commission ASIC) required to be used by the Eastern Creek Drag Strip management group?
- (b) If not, what management model is used?
- (11) Why has the SHRSCI not been required to run under a management model answerable to ASIC?
- (12) What other taxpayer funded major sporting or recreational facilities developed by the Government are run only under an Inc. Association model?
- (13)
 - (a) Will this State Government funded major sporting facility deliver any new and ongoing paid jobs to NSW taxpayers?
 - (b) If so, how many, and what types of jobs?
- (14) Will the Minister for Sport provide the full detailed itemised Quantity Survey documents that supported the Southern Highlands Regional Shooting Complex application?

Answer—

- (1) Yes. The statement was made on 10 May 2007 in the NSW Legislative Council by the Hon Ian Macdonald MLC, then Minister for Primary Industries, representing the Minister for Sport and Recreation. It was in response to a question from the Hon Robert Brown, MLC in respect to claims that the Hill Top range was to be used by the Army for artillery practice.
- (2) Yes. At the instigation of the then NSW Sport and Recreation in order to regularise the 'Licence Holder' authority and for the Southern Highlands Rifle Club to comply with a condition of the Shooting Range Approval then in force.
- (3)
 - (a) Yes.
 - (b) Yes.
 - (c) Yes.
 - (d) Yes.
 - (e) Pistols No; Rifles Yes.
 - (f) No.
 - (g) No.
 - (h) No (Military use only).
 - (i) No (Military use only).
 - (j) No.
- (4) Yes, including pistol events (four) and air rifle events (two) which are not feasible on the 800m range and are not conducted.
- (5)
 - (a) Detail of that nature is not included in the Shooting Range Approval, but relevant provisions of the Firearms Act 1996 and the Firearms Regulation 2006 apply.
 - (b) As per Shooting Range Approval issued to the Approval Holder.
- (6) The Shooting Range Approval for the 800m rifle range assessed by the Chief Range Inspector provides only for those firearms and events that can safely be used by reference to the Range Danger Area within the bounds of Lot 100, DP 1088254.
- (7) The Complex will be leased to the Southern Highlands Regional Shooting Complex Inc (SHRSCI) for an agreed period to operate the club-houses and range facilities for the purpose of sporting and recreational shooting. The land management obligations beyond the range facilities will be controlled by Communities NSW, Sport and Recreation division.
- (8) Yes, with the exception of land management obligations beyond the club-house and range facilities. The complex range and club-house facilities will be offered to the SHRSCI on a long-term lease basis.
- (9)
 - (a) Yes.

- (b) The operation of the approved ranges subject to the Shooting Range Approval/s, the Firearms Registry Range Users Guide (2008) and provisions of the Firearms Act 1996 and the Firearms Regulation 2006.
- (10)
- (a) No.
- (b) Best practice corporate governance.
- (11) The SHRSCI is a 'not for-profit' organisation.
- (12) Many facilities operate under this model.
- (13)
- (a) No. SHRSCI functions with volunteers.
- (b) Not applicable.
- (c) Yes.

*3853 EDUCATION AND TRAINING—ENMORE BOYS HIGH SCHOOL ANNEXE SITE—Dr Kaye asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Minister for Education and Training—

- (1) Did the Minister received correspondence from the Community Childcare Co-op in relation to the direct sale of the former Enmore High School Annexe site at Metropolitan Road, Enmore?
- (2) Was an offer made by the Community Childcare Co-op to purchase the former Enmore High School Annexe site at Metropolitan Road, Enmore?
- (3) Why was direct sale of the site was not considered given there was a willing community childcare provider interested in purchasing the site?

Answer—

- (1) Yes.
- (2) Not that I am aware, however the Co-operative may have attended the auction.
- (3) For probity reasons and in accordance with the NSW Government Total Asset Management Guidelines, the Department of Education and Training cannot consider the direct sale of a property prior to the property being submitted to the open market.

*3854 LOCAL GOVERNMENT—SOUTHERN HIGHLANDS REGIONAL SHOOTING COMPLEX—Ms Rhiannon asked the Minister for Lands representing the Minister for Local Government, and Minister Assisting the Minister for Health (Mental Health and Cancer)—

- (1)
- (a) Did the Wingecarribee Shire Council request that the Southern Highlands Regional Shooting Complex Inc cease use of the Hill Top Range prior to July 2008 because they were not party to the consent?
- (b) If so when did this happen?
- (2) Did the Southern Highlands Regional Shooting Complex Inc mislead the Wingecarribee Shire Council (WSC) by claiming, in their application to WSC dated November 2007 "the ownership of land has passed through various departments and ministers of state government with no change to the permitted usage and range approval issued by the NSW Police Firearms Registry."?
- (3) Was for the Range, Firearms and Events at the 800m Hill Top range transferred to the Southern Highlands Regional Shooting Complex Inc. prior to her rezoning of the site and/or her Department's planning assessment's completion for the complex application and her approval of the Part 3a project application in February 2009?
- (4)
- (a) Will investigations into both the State and Local Government applications pertaining to the Hill Top Rifle Range and Southern Highlands Regional Shooting Complex approval be undertaken in regard to what further statements provided by the Southern Highlands Regional Shooting Complex Inc, have been relied upon by the Local Council and the Minister for Planning when determining both the Council and State government applications?

- (b) If not, why not?
- (5) What penalties can be applied to applicants if they provide purposely misleading/untruthful information to support Local Government development applications or State Government Major Project applications ?
 - (6) What costs of remediation of lead and other contamination of the existing range and all costs of future decontamination and remediation of all ranges over the life of the complex are included in the Capital Cost figure of \$5.6 million provided by the Department of Sport officers as a requirement of the Director General of Planning, in the Environmental Assessment and subsequently relied upon by the Minister in making her determination to approve the Complex?
 - (7) How much of that funding has been allocated in NSW budgets to date?
 - (8) Has the NSW Department of Environment and Climate Change Environmental Protection Authority (EPA) been formally notified and involved in the contamination issues and undertaken a formal investigation and examination of the contamination and the remediation methods proposed for the 800m range in line with State and Environmental Planning Policy 55 requirements and related legislation, particularly an approved EPA site audit?
 - (9) Was the approval condition on US EPA Best Management Practices (BMP) for Lead at Outdoor Shooting Ranges requirements for building, management and contamination mitigation being met?
 - (10) Does the site at Hill Top meet BMP criteria in relation to locating outdoor shooting ranges in that they should be developed on low lying lands of non environmental significance with low conservation values without protected species, in low rainfall, low fire danger, low wind, non water catchment lands i.e. old quarries and sites surrounded by natural noise buffers, not adjoining national parks or residential homes or where they adversely affect public schools?
 - (11)
 - (a) Have all the approval conditions required prior to use of the Southern Highlands Regional Shooting Complex been met?
 - (b) If not, which conditions have yet to be met?
 - (12) Does the ongoing and continuing use of the Hill Top range by the Southern Highlands Regional Shooting Complex Inc constitute a breach of the planning consent in the event that all the approval conditions for the use of the complex have not been met?

Answer—

I provide the following details in response to your questions:

The powers conferred on councils in regard to planning and development matters are derived from the Environmental Planning and Assessment Act 1979.

These questions should therefore be directed to the Minister for Planning.

*3855 MINERAL RESOURCES—CASCADE COAL—Ms Rhiannon asked the Minister for Primary Industries, Minister for Mineral Resources, Minister for State Development—

- (1) When did the Minister become aware that the Obeid family had purchased land at Cherrydale Park?
- (2)
 - (a) Has the Minister visited Cherrydale Park?
 - (b) If so, when did the Minister visit this area?
- (3) What involvement has the Minister had with the exploration process in Cascade Coal's proposed exploration area, near Bylong?
- (4)
 - (a) Has the Minister discussed with Mr Obeid the coal exploration process in this area or any other areas?
 - (b) If so when where these discussions held and what was discussed?
- (5) Were preliminary drilling results from the Mt Penny exploration area available at the time Mr Obeid was Minister for Mineral Resources?

Answer—

I am advised:

The assessment and allocation of successful Expressions of Interest for the 11 Coal Release Areas was wholly managed by Industry & Investment NSW. The competitive evaluation of the EOI's was overseen by an external independent probity auditor to ensure the highest levels of consistency, fairness and probity.

Within the Mt Penny expression of interest area, the department has not drilled any exploration holes. Holes were drilled within the area in the early 1980s by a private coal company that held an exploration licence over the area at the time.

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*3856 TRANSPORT—ROADS AND TRAFFIC AUTHORITY PINCH POINT PROGRAM—Mr Mason-Cox asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1) Of the \$100 million allocated for the Pinch Point program;
 - (a) How much has been spent so far?
 - (b) How much has been spent on traffic modelling?
 - (c) How many projects have been completed?
- (2)
 - (a) What guidelines have been used to rank the various projects?
 - (b) Could the guidelines result in a project that may have the best benefit cost ratio, being dropped in favour of a number of smaller projects that may cost the same but have lower benefits?
- (3)
 - (a) Has the RTA budgeted for the ongoing maintenance of the Pinch Point projects?
 - (b) In particular does this include the operation of tidal flow schemes?

Answer—

I am advised:

- (1)
 - (a) The RTA has spent \$27.5 million to date.
 - (b) \$2.1 million
 - (c) 36 Note also that Spit and Military Road, while on a corridor that has been nominated in the Pinch Point program, has been allocated separate funds for projects to be implemented along this corridor.
- (2)
 - (a) – (b) The Governance of the Pinch Point program is based on a Steering Committee that oversees the planning, prioritisation and approval of projects. The Steering Committee includes representatives of the RTA and NSW Transport & Infrastructure. The Steering Committee utilises the following methodology in project decision making:
 - Each corridor was prioritised based on its average travel speeds, traffic volumes, crash rate and other externalities (e.g. the effect of recently completed works or other planned works).
 - Road links within each corridor were then ranked using travel time data (i.e. the worse performing links were rated higher than those performing at a higher level).
 - Potential improvement projects were identified for poorly performing links. The projects were ranked primarily on Benefit Cost Ratio (BCR). However, in some instances other criteria were also considered to achieve the best overall outcome for the community (i.e. simple low cost projects with high operational benefits, such as extending existing right turn bays along a route).
 - Projects that cannot be funded in the Pinch Point program will be considered as candidate projects for future programs and assessed against other projects at the time.
 - Each corridor was prioritised based on its average travel speeds, traffic volumes, crash rate and other externalities (e.g. the effect of recently completed works or other planned works).

- Road links within each corridor were then ranked using travel time data (i.e. the worse performing links were rated higher than those performing at a higher level).
 - Potential improvement projects were identified for poorly performing links. The projects were ranked primarily on Benefit Cost Ratio (BCR). However, in some instances other criteria were also considered to achieve the best overall outcome for the community (i.e. simple low cost projects with high operational benefits, such as extending existing right turn bays along a route).
 - Projects that cannot be funded in the Pinch Point program will be considered as candidate projects for future programs and assessed against other projects at the time.
- (3)
- (a) - (b) The RTA has budgeted for the ongoing maintenance of the Pinch Points projects under its normal maintenance program. No tidal flow schemes have been implemented so far but when/if tidal flows are implemented appropriate ongoing allocations will be budgeted for.

*3857 TRANSPORT—HARBOUR BRIDGE TOLLING—Mr Mason-Cox asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1) Did the RTA recommend the Government should adopt time of day tolling on the Harbour Bridge and Tunnel prior to the announcement in the Government's 2008 mini-budget?
- (2) What traffic modelling had the RTA undertaken on time of day tolling prior to the Government announcement?
- (3) What traffic modelling has the RTA undertaken on time of day tolling since the Government announcement?
- (4) Did the RTA consult with the Sydney Harbour Tunnel in regards to time of day tolling prior to the announcement?
- (5) Did the RTA consult with other toll road operators prior to the announcement, particularly those directly impacted by this decision, namely the Eastern Distributor, Cross City Tunnel and Lane Cove Tunnel?
- (6) Did the RTA consider the impact of time of day tolling on the traffic volumes and business models of the owners of the Lane Cove Tunnel and the other toll roads directly adjacent to the Harbour crossings the Eastern Distributor and the Cross City Tunnel.

Answer—

I am advised:

- (1) Yes.
- (2) The RTA modelled the changes to traffic that would result from time of day tolling in the peak period, based on traffic demand elasticity for different toll levels.
- (3) The RTA has undertaken ongoing analysis of Bridge and Tunnel traffic volumes, and has performed monthly reviews of traffic volumes by time of day period since the introduction of time of day tolling.
- (4) No. The toll for the Sydney Harbour Tunnel is set by the Sydney Harbour Tunnel Company. Under the Deed, the maximum the Company can charge is the value of the toll on the Sydney Harbour Bridge.
- (5) No. This is because changing the toll for the Sydney Harbour Tunnel does not directly affect the Eastern Distributor, Cross City Tunnel or Lane Cove Tunnel.
- (6) The RTA considered that Time of Day tolling would not have an impact on the traffic volumes and business models of the owners of the Lane Cove Tunnel, Eastern Distributor and the Cross City Tunnel for the reasons given in (5) above.

*3858 TRANSPORT—SPEED LIMIT REDUCTION ON THE NEWELL HIGHWAY—Mr Mason-Cox asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1) What date was the Speed Zone Authorisation signed to reduce the speed limit on the Newell Highway?
- (2) On what date was it known within the RTA that the date for implementing the speed limit reduction

would be 1 December?

- (3) When were the new 100km/h speed limit signs ordered by the RTA?
- (4) On what date was the public to have been informed of the change to the speed limit on the Newell Highway?
- (5) How many community meetings have been arranged by the RTA to brief communities along the length of the Newell Highway about the speed limit change?

Answer—

I am advised:

- (1) The authorisation was signed on 30 November 2009.
- (2) The implementation details were discussed internally with the RTA during October 2009, leading to the media release on 5 November 2009.
- (3) The RTA ordered the signs on 23 October 2009.
- (4) The speed limit reduction was made public on 5 November 2009. The recommendation was publicly available in the report in April 2009.
- (5) The Newell Highway Taskforce was briefed at a meeting in Parkes on 21 November 2009. Councils in Wagga Wagga and Deniliquin were also briefed during October 2009.

*3859 TRANSPORT—EASY ACCESS SCHEME UPGRADES AT NARWEE AND ON THE AIRPORT LINE—Mr Ajaka asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1)
 - (a) Does Narwee train station fulfil the criteria, outlined under the Easy Access Scheme, for the installation of an elevator?
 - (b) If so,
 - (i) Have funds been earmarked under the Easy Access Scheme, or any other project budget, for the installation of an elevator at Narwee train station?
 - (ii) What is the estimated date of completion for this installation?
 - (c) If not, what other measures will the Minister take to address the concerns of the local residents and commuters who have signed a petition calling on the Government to install an elevator at Narwee train station?
- (2) Do train stations on the Airport line have a priority status for the installation of facilities, such as elevators to assist passengers in transporting their luggage?

Answer—

I am advised:

- (1)
 - (a) – (c) Easy Access upgrades are prioritised based a number of weighted criteria, including (but not limited to): patronage; strategic importance to the network; potential growth; bus services; car parking; shopping; walking access; access to medical facilities; access to educational facilities; tourism; rail interchanges/termination within and between lines; and proximity to alternative accessible stations. RailCorp considers Easy Access Upgrades on a network-wide basis. Lifts have been installed at Padstow, Riverwood, Beverly Hills & Kingsgrove, the four stations immediately surrounding Narwee. Nearby Penshurst Station on the Illawarra Line is also accessible. Disabled and elderly passengers from the Narwee area can access the CityRail Network via either Beverly Hills Station or Riverwood Station, both of which have lifts and accessible car parking spaces.
- (2) All stations on the Airport Line are currently equipped with elevators to assist passengers in joining or alighting from CityRail services. An accessible path exists from the platform level to the station entrance. These lifts were provided at the time these stations were constructed. Under the terms of the Disability Discrimination Act 1992, all new stations must be fully accessible.

*3860 EMERGENCY SERVICES—REPORT ON THE INQUIRY INTO THE 2001/02 BUSHFIRES RECOMMENDATION 1.2 2—Mr Colless asked the Minister for Primary Industries, Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

(1) The Report on the Inquiry into the 2001/02 Bushfires conducted by the Joint Select Committee on Bushfires and presented to the NSW Parliament in June 2002 contained Recommendation 1.2 2:

"That by 30 March 2003, all state land management agencies should prepare schedules, identifying those areas within their tenures where hazard reduction activity has been planned but postponed in the previous 36 months."

- (a) Has this recommendation been implemented, in particular have those schedules been prepared each fire season since?
- (b) If not, why not?

Answer—

(1)

- (a) Yes. There are 68 Bush Fire management Committees (BFMC) throughout the state comprising representatives from fire fighting authorities, local government and land managers. One of the primary responsibilities of the BFMC is the preparation of a strategic bushfire management plan. Each BFMC produces an annual agreed hazard reduction works program. Any outstanding works from previous years are included in that plan and given a high priority.
- (b) Not applicable.

*3861 EMERGENCY SERVICES—REPORT ON THE INQUIRY INTO THE 2001/02 BUSHFIRES RECOMMENDATION 1.2 7—Mr Colless asked the Minister for Primary Industries, Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

(1) The Report on the Inquiry into the 2001/02 Bushfires conducted by the Joint Select Committee on Bushfires and presented to the NSW Parliament in June 2002 contained Recommendation 1.2 7:

"That implementation of the Government's strategy to streamline the approval process for hazard reduction be evaluated by December 2003 by a review panel convened by the Commissioner of the NSW Rural Fire Service "

- (a) Has this recommendation been complied with?
- (b) If not, why not?
- (c) If so, what were the findings and conclusions of that review panel?
- (d) What further reviews into approval processes for hazard reduction have been conducted since the 2001/02 bushfires?

Answer—

(1)

- (a) Yes.
- (b) Not applicable.
- (c) The findings and conclusions of the review panel resulted in a fully revised Bushfire Environmental Assessment Code being gazetted in February 2006.
- (d) In 2009 amendments were made to the Rural Fires Act 1997 confirming the New South Wales Rural Fire Service as the primary body responsible for managing hazard reduction on private lands. Additionally, the issuing of hazard reduction certificates and management of complaints has been streamlined following agreement with the Local Government and Shires Association.

*3862 EMERGENCY SERVICES—REPORT ON THE INQUIRY INTO THE 2001/02 BUSHFIRES RECOMMENDATION 1.4 14—Mr Colless asked the Minister for Primary Industries, Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

(1) The Report on the Inquiry into the 2001/02 Bushfires conducted by the Joint Select Committee on

Bushfires and presented to the NSW Parliament in June 2002 contained Recommendation 1.4 14:
 "That the Commissioner of the NSW Rural Fire Service arrange for an audit of the adequacy of the strategic fire trail networks across the tenures of all state land management agencies, including an assessment of the security and condition of each trail, in accordance with a Strategic Audit Plan to be approved by the Minister of Emergency Services and the Ministers responsible for each agency."

- (a) Has this audit been implemented?
- (b) If not, why not?
- (c) Is the Strategic Audit Plan publicly available?
- (d) If so, where can it be obtained?

Answer—

The Strategic Audit Plan was prepared and approved in 2003 by the Minister for Emergency Services with the concurrence of the Minister for the Environment, Minister for Lands and the Minister for Agriculture. Auditors were assigned to conduct audits in accordance with the Strategic Audit Plan.

Audits were undertaken of fire trail registers and Bush Fire Risk Management Plans (BFRMP's).

There are currently 20 audits scheduled for fire trails in the 2009/10 reporting period.

The audit plan has been incorporated into the standard audit cycle. It is an internal management document and is not publicly available.

*3863 EMERGENCY SERVICES—REPORT ON THE INQUIRY INTO THE 2001/02 BUSHFIRES RECOMMENDATION 1.4 16—Mr Colless asked the Minister for Primary Industries, Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

(1) The Report on the Inquiry into the 2001/02 Bushfires conducted by the Joint Select Committee on Bushfires and presented to the NSW Parliament in June 2002 contained Recommendation 1.4 16:

"That maps of fire trails within their land holdings be updated by the land management agencies and submitted to the local Bushfire Management Committee, with changes of condition, or any closures and additions to the network notified annually by 30 August each year."

- (a) Has this recommendation been implemented each year as recommended?
- (b) If not, why not?

Answer—

(1)

- (a) Yes.
- (b) Not applicable.

*3864 EMERGENCY SERVICES—REPORT ON THE INQUIRY INTO THE 2001/02 BUSHFIRES RECOMMENDATION 1.4 17—Mr Colless asked the Minister for Primary Industries, Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

(1) The Report on the Inquiry into the 2001/02 Bushfires conducted by the Joint Select Committee on Bushfires and presented to the NSW Parliament in June 2002 contained Recommendation 1.4 17:

"That a Statewide system of identifying, mapping and marking of registered fire trails be developed by the Bushfire Coordinating Committee."

- (a) Has this recommendation been implemented?
- (b) If not, why not?
- (c) If so, where can maps showing registered fire trails be viewed or obtained?

Answer—

The Bush Fire Coordinating Committee (BFCC) has a policy that requires land management agencies and Bush Fire Management Committees (BFMC) to register their fire trail networks in a spatial fire trail database.

The Executive Officer of each Bush Fire Management Committee (BFMC) maintains a register of fire trails for each rural fire district.

*3865 EMERGENCY SERVICES—REPORT ON THE INQUIRY INTO THE 2001/02 BUSHFIRES RECOMMENDATION 1.6 1—Mr Colless asked the Minister for Primary Industries, Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

(1) The Report on the Inquiry into the 2001/02 Bushfires conducted by the Joint Select Committee on Bushfires and presented to the NSW Parliament in June 2002 contained Recommendation 1.6 1:

"That the Audit of streamlined approval process for hazard reduction burning to be carried out by December 2003 specifically examine the number, extent and reasons for any delays in executing an approved burn."

- (a) Was this recommendation implemented?
- (b) If not, why not?
- (c) Have subsequent audits been carried out?
- (d) If so, what were the results?

Answer—

A panel of stakeholders evaluated the effectiveness of the streamlined environmental code after two years of operation. As a result, improvements were made and a new code was gazetted in February 2006.

Each Bush Fire Management Committee produces an annual agreed hazard reduction works program. Any outstanding works from the previous years are included in that plan and given a high priority.

*3866 EMERGENCY SERVICES—REPORT ON THE INQUIRY INTO THE 2001/02 BUSHFIRES RECOMMENDATION 6.2 2—Mr Colless asked the Minister for Primary Industries, Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

(1) The Report on the Inquiry into the 2001/02 Bushfires conducted by the Joint Select Committee on Bushfires and presented to the NSW Parliament in June 2002 contained Recommendation 6.2 2:

"That the State's firefighting agencies and authorities adopt a Statewide approach be agreed upon to include, but not be limited to:

- an agreed interagency protocol for the use of aircraft;
 - good indicators on when to stand down aircraft; and
 - a coordinated approach to the distribution of available aircraft across agencies when conditions deteriorate suddenly."
- (a) Was this protocol ever developed?
 - (b) If not, why not?
 - (c) Where can this protocol be viewed or obtained?

Answer—

A State Air Desk has been developed that allocates and coordinates aviation assets to address the identified risk across the State. Agencies are represented on the State Air Desk and its operation is managed through an inter-agency aviation working group. The State Air Desk liaises directly with the Major Incident Controllers, Districts and Incident Management Teams regarding their needs for aviation support based on fire risk.

The operation of aviation assets and the State Air Desk is governed by a number of internal management documents i.e. "Standard Operating Procedures" (SOP's) and the State Aviation Assistance Plan. These documents are not publicly available.

*3867 FAIR TRADING—DEVELOPMENT OF THE POINT RETIREMENT VILLAGE—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Fair Trading, Minister for Citizenship, and Minister Assisting the Premier on the Arts—

- (1)
- (a) Is the owner or operator required to disclose that there is litigation challenging the development consent afoot in relation to the development in Hastings Point know as "The Point", when marketing, selling or leasing dwellings to prospective buyers or lessees in a retirement village?
 - (b) If so, what steps are being taken to advise the owner and operator of "The Point" retirement village that;
 - (i) It must disclose to prospective purchasers and lessees of dwellings that development consent in respect of the development is subject of challenge in legal proceedings?
 - (ii) It must not misrepresent the status, nature or conduct of the legal proceedings?
- (2)
- (a) Is insurance required by the owner and operator of a retirement village in respect of damage as per s. 97 of the Retirement Villages Act?
 - (b) Does this insurance for damage cover the risk of demolition or remediation should an order for demolition or remediation of the development or part thereof be made by the Court or decision-making authority?
 - (c) If so, has the Minister provided advice;
 - (i) To the owner and operator of "The Point" retirement village that it must acquire insurance to cover this risk while it exists?
 - (ii) To the owner and operator of "The Point" retirement village that it must not sell, operate or allow occupation of dwellings in the development until such insurance has been acquired?
 - (iii) To the Tweed Shire Council that it must not issue an occupation certificate for any dwellings in "The Point" development until insurance for this risk is acquired or alternatively, until the risk is eliminated by a decision of the Court and/or a decision making authority?

Answer—

- (1)
- (a) NSW Fair Trading advises me that there is no such requirement under the Retirement Villages Act 1999.
 - (b)
 - (i) and (ii) In the event that there are any allegations about legislative breaches, they should be brought to the attention of the Director General of the Department of Services, Technology and Administration who has powers under the Act to investigate such allegations.
- (2)
- (a) Fair Trading advises that the operator is required to insure the village to full replacement value, and the insurance must cover damage.
 - (b) Fair Trading advises that the insurance must cover costs incidental to the reinstatement or replacement of insured buildings, and must provide for the reinstatement of property to its condition when new.
 - (c) (i), (ii) and (iii) Such matters are the responsibility of the developer and Tweed Shire Council.

*3868 TRANSPORT—MOOREBANK INTERMODAL—Ms Hale asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1) In relation to the meeting held by Chartered Institute of Logistics and Transport on 16 November 2009 where the Minister for Juvenile Justice was a speaker, were details given of the scope of the planned Moorebank Intermodal?
- (2) Have the plans for the Moorebank Intermodal been finalised?
- (a) If so, was the State Government party to the planning process?
 - (b) If so, was there a consultation process as part of the planning of the Moorebank Intermodal?
 - (c) If so, what was the scope of the consultation and discussion with:
 - (i) Local residents?
 - (ii) Liverpool Council?

- (iii) The Upper Georges River Urban Sustainability Project?
 - (iv) Georges River Combined Councils Committee?
 - (v) The River Keeper?
 - (vi) Other local organisations?
- (d) If not, why not?
- (e) If not, when will a consultation process begin?
- (3) What public information is available on the proposed inter-modal?
- (4)
- (a) Will 7000 jobs be created at the site?
 - (b) If so, what modelling has been done by the State Government on the local traffic effects of 7000 commuters to this site?
- (5)
- (a) Will the capacity of the operation be 1,000,000 Twenty Foot Equivalent Units (TEU) containers per year?
 - (b) If so, what modelling has been done by the State Government on the local traffic effects of trucks moving 1,000,000 TEU containers pre year from the site?
- (6) What measures are being taken to separate the residential areas of Wattlegrove and Moorebank from the very large increase in road and rail traffic this project will generate?
- (7) What measures or road networks will be in place to prevent trucks 'rat running' through residential areas gaining access to the inter-modal from Heathcote Road, Newbridge Road and the Hume Highway?
- (8) Are there any plans to build another road bridge over the Georges River at Moorebank to accommodate the increase in truck movements due to the current heavy use of the M5 Motorway?
- (9)
- (a) What will be the noise impact of rail movements, truck movements, and site operations on Liverpool area residents?
 - (b) What steps will the Government take to protect residents from this noise pollution?
- (10)
- (a) What is the likely impact of massive increases in diesel particulate pollution in the area that may be caused by the location of the proposed inter-modal at Moorebank?
 - (b) What steps will the Government take to protect residents from the associated health risks?
- (11) The State Government has discussed plans for Liverpool to be one of several so-called "River Cities".
- (a) Is the Government committed to locating an inter-modal at Liverpool?
 - (b) If so, what will be the environmental impact of a large industrial undertaking bordering the Georges River?
 - (c) What steps will the State Government take to ensure that the river is protected?
 - (d) Is public access to the river to be maintained?
 - (e) If so, how much land will be set aside for public use and the protection of the natural environment?
 - (f) What measures will be in place to protect the Georges River from pollution from the operation of an inter-modal?
- (12)
- (a) What plans are in place to provide the proposed development with the increased demand for electricity and services that will be required to support this proposal?
 - (b) What impact will this increase in demand have on the security of the local electricity supply?
- (13) When does the Government expect the proposed development at Moorebank will be completed and fully operational?
- (14)
- (a) What financial contribution is expected from private users of the proposed inter-modal?

(b) Will users of the site be expected to contribute to construction costs?

(15) Who will own and operate the facility in the long term?

Answer—

The FIAB report Railing Port Botany's Containers released in July 2005 recommended that the NSW Government regard Moorebank as a key component in meeting Sydney's intermodal capacity needs. This site offers a number of strategic advantages, including its proximity to key transport arteries including the Southern Sydney Freight Line, the M5 and M7 motorways.

The development of the site is being progressed by the Commonwealth Government and is at a preliminary stage. I understand the Commonwealth is currently clarifying the timing of the relocation of defence operations from the School of Military Engineering site. Any future development of the site for intermodal use would be subject to the Environmental Planning and Assessment Act 1979.

25 NOVEMBER 2009

(Paper No. 129)

*3869 WATER—OBERON WATER SUPPLY—Mr Colless asked the Minister for Primary Industries, Minister for Lands representing the Minister for Water, and Minister for Regional Development—

- (1) What contingency plans are in place to source emergency water supplies for Oberon residents should the Oberon Dam fall below acceptable potable standards? Please provide the details of the plans.
- (2) What research has been conducted into the proportion of water remaining in Oberon Dam that is of potable quality?
- (3) What discussions has the Government had with neighbouring Local Government authorities to broker water sharing plans or a water carting service should Oberon's town water supplies become critically low and the water quality falls below acceptable potable standards?

Answer—

- (1) The NSW Office of Water is working closely with Oberon Council and State Water to ensure the continued security of Oberon's town water during the current drought. Oberon has a modern membrane filtration plant capable of treating water from Oberon Dam.
- (2) Oberon Dam is at its lowest level since the dam was constructed. I am advised that State Water does not consider the drop in water quality in the remaining storage volume would become a problem for the filtration plant in producing potable water. This view is supported by the NSW Department of Services, Technology and Administration report commissioned in June 2009 to investigate water quality issues of water supplied from the Fish River Water Supply. The report concluded that the filtration plant is working satisfactorily producing good quality potable water.
- (3) I am advised that there is over 18 months water in storage for the Oberon town water supply. State Water's drought management plan for Oberon Dam includes water sharing arrangements at differing dam levels.

*3870 COMMERCE—CONTRACT 100 CONTINGENT WORKFORCE SUPPLIER—Mr Pearce asked the Treasurer, Minister for State Development representing the Minister for Commerce, Minister for Tourism, Minister for the Hunter, and Minister for Science and Medical Research—

- (1)
 - (a) What cost savings have been achieved as a result of Contract 100 Contingent Workforce Supplier?
 - (b) What are the projected savings over the budget estimates period?
- (2) How many full time positions have been removed from NSW government agencies as a result of the new Contract 100 system?
- (3) How many C100 contractors offered "cost saving suggestions" as per the deed of contract? Please provide a list of these contractors and the savings suggestions?
- (4) Who were successful through tender for C100 contracts?

- (5)
- (a) Have any C100 vendors incurred penalties under the new contracts?
 - (b) If so, who are these contractors.
 - (c) If so, what are the penalties?

Answer—

I am advised:

- (1)
- (a) Data available for the quarter from the commencement of the C100 contract on 20 April 2009 until 30 June 2009 indicates the savings achieved on Contract 100 are estimated at approximately \$1.2 million.
 - (b) It is anticipated that the new contract will deliver savings ranging from 26 to 46 per cent when compared to previous state contract margins.
- (2) This information is not available to the Department of Services, Technology and Administration.
- (3) The contract has been in place since 20 April 2009. Schedule 3 of the Deed of Agreement provides for suppliers to apply reductions to their margins based on "benchmarking, discounts innovation initiatives and any other cost saving structures".
- (4) The details of the successful suppliers are in the Contract 100 contract guide available at www.nswbuy.com.au.
- (5)
- (a) - (c) No Contract 100 vendors have incurred penalties.

*3871 PLANNING—WEST DAPTO URBAN RELEASE AREA—Mr Pearce asked the Treasurer, Minister for State Development representing the Minister for Planning, Minister for Infrastructure, and Minister for Redfern Waterloo—

- (1) Is the 2009 Regional Strategy Update in its statement that "West Dapto is the priority new release area to cater for regional housing demand in the Illawarra. Planning work and investigations for developing the West Dapto urban release area is well underway"?
- (2) What progress has been made in relation to the gazettal of the local environmental plan?
- (3) What matters require resolution prior to gazettal of the plan?

Answer—

- (1) The statement relating to the status of the West Dapto release area remains current – it remains the priority new release area for the region and planning for its development is well underway.
- (2) Rezoning of the initial stages of the West Dapto land release (approximately 6,600 dwellings and 324 ha of employment lands) is expected in the near future.
- (3) Finalising the drafting of the instrument and maps into Standard Instrument LEP format and resolution of potential noise impacts arising from the continuing operation of Wongawilli Colliery.

*3872 PLANNING—CALDERWOOD URBAN DEVELOPMENT PROJECT—Mr Pearce asked the Treasurer, Minister for State Development representing the Minister for Planning, Minister for Infrastructure, and Minister for Redfern Waterloo—

What is the current status of the investigation of the State Significant Site (SSS) Listing of the Calderwood Urban Development Project which was declared a potential SSS by Ms Keneally on 16 April, 2009?

Answer—

Calderwood is identified on the Illawarra Urban Development Program as a potential development area for up to 8,000 dwellings. The Illawarra Regional Strategy (2006-2031) states that West Dapto is the priority new release area. However, Calderwood provides an opportunity for an additional new release area should demand arise for additional housing supply because population growth in the Region is beyond projections and other identified development areas such as West Dapto are unable to satisfy that demand.

In 2008, the Growth Centres Commission was engaged by Wollongong Council to review the West Dapto Release Area plan. The GCC review concluded there may be some merit in an early release of Calderwood to create dual development fronts, thereby increasing the overall dwelling production rate. This may have benefits for housing affordability by putting downward pressure on house prices.

The Delfin Lend Lease proposal covers approximately 700 ha of the Calderwood area. On 16 April 2009, the previous Minister for Planning declared it a potential State Significant Site. The previous Minister also declared it a Part 3A major project and authorised the submission of a Concept Plan.

The proponent is currently preparing detailed technical studies in support of its application and to address the Department's study requirements. It is anticipated that the State Significant Site Study and Part 3A Concept Plan will be submitted in 2010. Once it has been received by the Department, it will be publicly exhibited for a minimum of 30 days.

*3873 PLANNING—SOUTHERN REGIONAL JOINT REGIONAL PLANNING PANEL—Ms Hale asked the Treasurer, Minister for State Development representing the Minister for Planning, Minister for Infrastructure, and Minister for Redfern Waterloo—

In a media release dated 16 June 2009, the Minister for Planning stated that Joint Regional Planning Panels would determine development applications where "the council is the proponent or has a potential conflict of interest". In light of this statement:

- (1)
 - (a) At its meeting in Shellharbour on 19 November 2009, why did the Southern Region Joint Regional Planning Panel (SRJRPP) consider an item 'JRPP No. Item 1 (2009STH006) - Shellharbour DA 251/2009' concerning the Shell Cove development of which Shellharbour City Council is the owner?
 - (b) Were the Administrator of Shellharbour City Council, Mr David Jesson, and former Shellharbour Senior Development Assessment Officer, Graham Mitchell, members of the SRJPP and participants in consideration of the item?
- (2) Has Mr Jesson ever indicated to the government his support for the Shell Cove project or made public statements to this effect?
- (3)
 - (a) Has Mr Jesson or Council official's acting on his behalf ever requested the Government to provide funds to assist with the Shell Cove development?
 - (b) If so, when was that request made?
 - (c) If so, what was the outcome?
- (4) Has Mr Mitchell, as the Senior Development Assessment Officer of Shellharbour Council, ever had active involvement in assessing the Shell Cove development?
- (5)
 - (a) Did either Mr Jesson or Mr Mitchell as members of the SRJRPP indicate a conflict of interest, whether pecuniary or non-pecuniary, in relation to the Shell Cove application?
 - (b) If so, what disclosures of pecuniary or non-pecuniary conflicts of interest were made?
- (6) If Shellharbour City Council is the owner of the Shell Cove project, why were Mr Jesson and Mr Mitchell permitted to participate in the determination of the Shell Cove application?
- (7) What payment is Mr Jesson entitled to receive as a member of the SRJRPP?
- (8) What payment is Mr Mitchell entitled to receive as a member of the SRJRPP?

Answer—

- (1)
 - (a) The application was referred to the Regional Panel because it fell within the criteria listed in the Major Development State Environmental Planning Policy.
 - (b) Yes.
- (2) - (4) These questions should be directed to Shellharbour City Council.
- (5)
 - (a) Yes.

(b) At the briefing meeting held on 24 September 2009, Mr Jesson advised he is the Administrator of the Council and Mr Mitchell advised that he had worked for the Council previously and at that time dealt with previous Shell Cove development applications. Mr Mitchell's declaration was recorded in the minutes of meeting on 19 November 2009. The minutes of the meeting can be found at: www.jrpp.nsw.gov.au.

(6) Mr Jesson is not involved in the assessment of the development application. Mr Mitchell is not working for the Council now.

(7) - (8) These questions should be directed to Shellharbour City Council.

*3874 POLICE—PROCEDURES OF ARRESTS IN NARRABRI—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police, and Minister for Finance—

- (1) Why are persons who are arrested in Narrabri frequently taken to lockups in Moree or Inverell and bailed there when Narrabri has a large police station and lock up, and a regularly functioning local court?
- (2) If a person has been bailed, what assistance is given to enable them to return safely to the town in which they reside?

Answer—

The NSW Police Force has advised me:

- (1) Within the Barwon Local Area Command, only Narrabri and Moree police stations are designated charging and custody stations. Moree police station operates on a 24 hour basis. All bail refused adults are transferred into the custody of Corrective Services staff, located at Moree police station, for 24 hour supervision. The law requires that accused persons be put before the first available court, which may be Moree, Narrabri or Inverell. It should be noted that Narrabri Court sits only three days a month.
- (2) Bail decisions are a matter for the Court. There is no requirement for Police to assist bailed persons in getting home.

*3875 TRANSPORT—MEDICAL ASSESSMENTS OF GOVERNMENT TRANSPORT DRIVERS—Ms Ficarra asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1) What is the discrepancy in standards of medical assessment of train drivers and public passenger bus drivers in New South Wales?
- (2) Is there any difference in the risk to public passenger safety depending on whether the driver is in charge of a train or a bus?
- (3) Why is bus driving fitness assessed by general practitioners, chosen by those being assessed, when train driver fitness assessment must be made by a suitably qualified and knowledgeable health professional appointed to conduct the assessments such as an Authorised Health Professional?
- (4)
 - (a) Is the use of general practitioners as bus driving fitness assessors national best practice?
 - (b) If not, has the government considered implementing the ACT model where the medical assessment of applicants for bus driving positions must be conducted by an occupational physician?
- (5) Is the minimum GP medical assessment of potential bus drivers based on interview and examination alone? Are several significant elements in the assessment applicable to train drivers, the Safety Critical Worker Health Assessment, not used in the assessment of bus drivers?
- (6)
 - (a) Does the potential prohibition on driving encourage bus drivers, during their assessment, to deceive practitioners about their health history?
 - (b) What measures are being implemented to ensure that bus drivers are unable to conceal their health history from examiners?
- (7)

- (a) Are the standards that govern the health assessment of New South Wales bus drivers those prescribed in *Assessing Fitness to Drive (Commercial and Private Vehicle Drivers) 2003*, a document based on epidemiological evidence not including any published in recent years and a document described by its publisher, Austroads as overdue for revision?
- (b) If so, will these standards be reviewed?
- (8) Are the health assessments of bus drivers sufficient to ensure passenger safety?

Answer—

I am advised:

- (1) - (2) Bus drivers and Train drivers operate in different risk environments, therefore the risk profiles are different due to the very nature of the operational environments.
- (3) Bus drivers are usually assessed by their own GP who is normally familiar with the applicants overall health. When a medical condition is identified and noted on the medical form, the form is referred to NSW Transport and Infrastructure's consultant occupational physician for review.
- (4) The practice established at NSW Transport and Infrastructure is considered to be national best practice in assessing the fitness of a bus driver to hold public passenger vehicle driver authorisation.
- (5) Current GP medical assessment for bus drivers is based on interview and examination.
- (6)
- (a) Legislation requires that drivers must advise NSW Transport and Infrastructure of any permanent or long-term injury or illness that may affect their safe driving ability. In the case of requested medical examinations drivers have a duty to declare truthfully their health status to the examining health professional.
- (b) If the operator of a public passenger service becomes aware of any apparent change in the physical or mental condition of a driver of a public passenger vehicle that may detrimentally affect the driver's ability to drive public passenger vehicles safely, the operator must furnish NSW Transport and Infrastructure with the apparent change within 48 hours after becoming aware of it.
- (7) The standards on which the health assessments of bus drivers are based, are those detailed in "Assessing Fitness to Drive Commercial and Private Vehicle Drivers 2003". This document is currently under review and a revised edition is expected in late 2010.
- (8) The current procedure employed by NSW Transport and Infrastructure comprises of a Medical Assessment by the GP, and/or relevant specialist with oversight by an occupational physician.

*3876 HOUSING—NATIONAL RENTAL AFFORDABILITY SCHEME—Ms Hale asked the Minister for Regulatory Reform, Minister for Mineral Resources representing the Minister for Housing, Minister for Western Sydney, and Minister Assisting the Minister for Transport—

- (1)
- (a) Has the National Rental Affordability Scheme (NRAS) helped fund the construction of 10,500 dwellings, only 23 of which are in New South Wales?
- (b) If so, why?
- (2) Where are the New South Wales NRAS properties located, by suburb, in New South Wales?
- (3) What briefings has Housing NSW given to local government on NRAS? Please provide details.
- (4) Has Housing NSW sought donations of land from councils that have surplus land available?
- (5) Has Housing NSW sought donations of land from other Government agencies or from LandCom?
- (6)
- (a) Will the Government adopt an overall net affordable housing target which includes all NRAS housing, all affordable housing (eg. City West) and all social housing (public, community, Aboriginal) to ensure that overall there is an accurate way of counting and increasing the total stock?
- (b) If not, why not?

Answer—

- (1) No. Incentives for more than 2,500 properties have been allocated in NSW under the program.

- (2) Details of all NRAS approvals are on the Housing NSW/Centre for Affordable Housing website.
- (3) NSW participated in joint Federal and State Government NRAS briefings, which were attended by a range of interested parties including private developers, local government and community housing providers. NSW has provided advice on NRAS to a range of organisations, including a number of local governments.
- (4) No, however local government is participating in NRAS in a number of ways including as direct recipients of the incentives and as contributors to other projects.
- (5) No.
- (6) The NSW State Plan has a target to increase the supply of affordable housing for low and moderate income households.

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(Paper No. 130)

*3877 PRIMARY INDUSTRIES—NORSKE SKOG AND FORESTS NEW SOUTH WALES—Mr Cohen asked the Minister for Primary Industries, Minister for Lands—

- (1) What is the volume of forest and plantation material sold to the Norske Skog plant in Albury?
- (2) What is the approximate total value of Forests NSW contracts with Norske Skog?

Answer—

- (1) Forests NSW have an annual commitment to Norske Skog of 130,000 tonnes.
- (2) Approximately \$3.2 million annually for timber delivered to Norske Skog at Albury.

*3878 EDUCATION AND TRAINING—WATER CONTAMINATION—Ms Rhiannon asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Minister for Education and Training—

- (1) Has the government established the cause of the 2007 water lead contamination which affected the drinking water of 35 state schools?
- (2)
 - (a) Have there been any further cases of water contamination in New South Wales state schools, in addition to the 35 schools uncovered in 2007?
 - (b) If so:
 - (i) Which schools?
 - (ii) When was each contamination discovered?
 - (iii) What was the nature of each contamination?
 - (iv) What was the cause of each contamination?
 - (v) What steps were taken by the Department of Education once each contamination was discovered?
- (3) What investigation and testing has the government undertaken to ensure that water in New South Wales state schools is not contaminated?
- (4) Will there be an investigation into possible links between reported cases of water contamination in residential areas, such as the Camberwell area near Singleton, and nearby mines?
- (5) Will the Government assist in testing residential water tanks in the areas of concern?

Answer—

- (1) Yes. Following this testing, the Department of Education and Training has since installed gutter guards on all gutters, and first-flush devices on all rain-water tanks in schools. Furthermore, more than 200 filtration systems were purchased and installed before the end of Term Two, 2008.
- (2)
 - (a) Yes.
 - (b)

- (i) Bobs Farm Public School, Booral Public School, Corinella Public School, Dunedoo Central School, Ebenezer Public School, Elands Public School, Garah Public School, Glenquarry Public School, Hannam Vale Public School, Iona Public School, Medlow Public School, Tabulam Public School, Tintinhull Public School and Wisemans Ferry Public School.
 - (ii) During regular testing undertaken in Terms 1, 2, 3 and 4, 2009.
 - (iii) E Coli contamination and lead and copper levels higher than the Australian Drinking Water Guidelines.
 - (iv) Contamination causes were bird droppings in tank water catchment area and lead and copper materials in tank water catchment area and reticulation systems.
 - (v) Remedial action was undertaken immediately in accordance with guidelines provided by NSW Health.
- (3) The Department of Education and Training conducts regular testing of potable tank water in NSW government schools to ensure that the water complies with the Australian Drinking Water Guidelines. Through the regular testing that is undertaken problems are identified and immediately rectified.
 - (4) Investigation into water contamination is a matter for NSW Health and therefore this question should be asked of the Minister for Health.
 - (5) Residential water testing is a matter for NSW Health and therefore this question should be asked of the Minister for Health.

*3879 YOUTH—YOUTHBLOCK YOUTH HEALTH SERVICE—Ms Rhiannon asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Juvenile Justice, Minister for Volunteering, Minister for Youth, and Minister Assisting the Premier on Veterans' Affairs—

- (1) When and where will the Youthblock Youth Health Service, currently operating from a temporary location, be relocated?
- (2) Which services will continue to be provided?

Answer—

The Youthblock Youth Health Service is funded through NSW Health and this question is therefore a matter for the Minister for Health.

*3880 HEALTH—YOUTHBLOCK YOUTH HEALTH SERVICE—Ms Rhiannon asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Deputy Premier, and Minister for Health—

- (1) When and where will the Youthblock Youth Health Service, currently operating from a temporary location, be relocated?
- (2) Which services will continue to be provided?

Answer—

I am advised:

- (1) - (2) On 14 December 2009, the Sydney South West Area Health Service Youthblock Youth Health Service relocated from its interim location at the King George V Building on Missenden Road Camperdown to the Brain and Mind Research Institute at 97 Church Street, Camperdown.

From 14 December 2009, all Youthblock Youth Health Services are now delivered from the Brain and Mind Research Institute site. This location is in line with the Model of Care for Sydney South West Area Youth Health Services to maximise access for priority young people to relevant services providing them with a 'one-stop shop' service model. Services will include:

- Client intake, assessment and case management
- Daily client counselling
- Twice-weekly medical and nursing clinics
- Nurse-only clinics
- Referral and support to access mainstream services

- Outreach to non-government youth services
- Health promotion programs focussed on priority health issues

A comprehensive media and marketing campaign will commence shortly to inform service providers and priority young people of the new location and how to access the service.

*3881 MINERAL RESOURCES—COBBORA COAL MINE—Ms Rhiannon asked the Minister for Regulatory Reform, Minister for Mineral Resources—

- (1) Has the Government approved an initial development budget of approximately \$170 million for New South Wales generators to develop the Cobbora coal mine, which will supply state-owned generators?
- (2) Why has the government invested this amount?
- (3) What has the \$170 million been spent on so far?
- (4) Has the Government purchased operating farmer ventures in the Cobbora Exploration Licence Area (ELA)?
- (5) Why has the Government invested in operating farming ventures in the Cobbora ELA before an environmental feasibility study has been completed on the impacts of a large open cut coal mine in the area?
- (6) What planning processes will be carried out in relation to the coal supply in the Cobbora area?

Answer—

- (1) This is a matter for the Treasurer.
- (2) See answer to Question 1.
- (3) See answer to Question 1.
- (4) See answer to Question 1.
- (5) See answer to Question 1.
- (6) This is a matter for the Minister for Planning.

*3882 PLANNING—COBBORA COAL MINE—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Planning, Minister for Infrastructure, and Minister for Redfern Waterloo—

- (1) Has the Government approved an initial development budget of approximately \$170 million for New South Wales generators to develop the Cobbora coal mine, which will supply state-owned generators?
- (2) Why has the government invested this amount?
- (3) What has the \$170 million been spent on so far?
- (4) Has the Government purchased operating farmer ventures in the Cobbora Exploration Licence Area (ELA)?
- (5) Why has the Government invested in operating farming ventures in the Cobbora ELA before an environmental feasibility study has been completed on the impacts of a large open cut coal mine in the area?
- (6) What planning processes will be carried out in relation to the coal supply in the Cobbora area?

Answer—

- (1) - (5)

These questions should be referred to the Treasurer for reply.

- (6)

The Project requires my approval under Part 3A of the Environmental Planning and Assessment Act 1979. The Department of Planning is currently preparing the Director-General's requirements for the environmental assessment of the project.

*3883 TRANSPORT—M5 EAST FILTRATION PROJECT—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1) When will the westbound M5 East filtration project be completed?
- (2)
 - (a) When will the selection process for the eastbound M5 East filtration project be completed?
 - (b) Has this been delayed?
 - (c) If so, why?
- (3) When will the eastbound M5 East filtration project be completed?

Answer—

I am advised:

- (1) Once commissioning of the plant is completed in late 2009, the 18 month filtration trial is scheduled to commence in February 2010.
- (2)
 - (a) The RTA has recently finalised its assessment of the responses received from the international registrations of interest for the trial of filtration technology in the M5 East tunnel.
 - (b) and (c) No.
- (3) A decision to proceed with the M5 East filtration trial will need to take into account the potential benefits of the trial against the financial costs of the project, as well as the impacts on tunnel infrastructure and tunnel users.

*3884 TRANSPORT—HEAVY VEHICLE TRAVEL ON THE GREAT WESTERN HIGHWAY AT MOUNT VICTORIA—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1) What action is being taken to ensure that heavy goods vehicles and B-double trucks are not permitted to park on the Great Western Highway at Mount Victoria, 24 hours a day, seven days a week, in the vicinity of the Caltex Service Station?
- (2) Is the Roads and Traffic Authority monitoring noise levels at this site?
- (3) When will a response be given to residents' requests for treatment under the Noise Abatement Program?
- (4) When will the following measures be implemented along the Great Western Highway:
 - (a) The erection of sound barriers?
 - (b) Appropriate road signage?
 - (c) The establishment of limits to parking hours?
 - (d) A requirement stipulating that refrigerated trucks and heavy B-doubles move or turn off masonry cracking vibration impact?

Answer—

I am advised:

- (1) There is no justification – on road safety or traffic management grounds – for imposing heavy vehicle parking restrictions at the Caltex Service Station on the Great Western Highway at Mount Victoria.
- (2) The RTA has not performed highway traffic noise monitoring at this location.
- (3) The RTA has received only one application from a nearby resident for treatment under the Noise Abatement Program (the program provides residences experiencing very high traffic noise on existing roads to obtain noise abatement treatments). The RTA has advised the applicant that their residence does not meet the criteria for treatment.
- (4)
 - (a) The RTA has no plans for the erection of sound barriers at this location.
 - (b) The existing signage along this section of the Great Western Highway is considered to be appropriate for road safety and traffic management purposes.

- (c) Parking restrictions are not considered to be required based on traffic flow and road safety.
- (d) Noise associated with the operation of equipment at this location is an amenity issue and a matter for Blue Mountains City Council.

*3885 TRANSPORT—SCHOOL BUS SEATBELTS—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1)
 - (a) Will the Government make regulations requiring that seatbelts are compulsory on school buses?
 - (b) If not, why not?
- (2) It was reported in "Renewed seat belt call after Heathcote bus crash", St George Leader, on 6 October 2009, that you promised to consider installing school bus seatbelts once the risks were classified for each of the rural and regional school bus routes, and the 'Environment Three' bus routes were identified.
 - (a) When is this process expected to be completed?
 - (b) When will a decision be regarding the installation of seatbelts?

Answer—

- (1) -(2) The safety of school children on public transport is paramount. Under new arrangements introduced by this Government in 2005, bus operators are required to have safety management systems in place that focus on driver training, effective maintenance and alcohol and drug testing.

The NSW Government has been looking closely at the issue of school bus safety. The work done by NSW has been instrumental in the development of National Guidelines for Risk Assessment of School Bus Routes, which have been endorsed by the Australian Transport Council.

These Guidelines are being used to identify possible risk factors along school bus routes, particularly in rural and regional areas, and to classify routes according to the overall level of risk. Risk factors include a range of road, traffic and climate conditions, including speed limits, road design and curvature, or the presence of heavy vehicle traffic. Routes containing higher risk factors are being classified as Environment Three.

I am advised NSW has almost completed this assessment process for more than 3,000 rural and regional school bus routes.

Once this is complete, NSW Transport and Infrastructure will work with operators of Environment Three bus routes and other stakeholders to develop specific mitigation strategies. Strategies that may be implemented include reducing the maximum speed of travel, changing the course of the route, providing additional training for drivers, treating other external factors (eg: level crossings) or where appropriate, installing seatbelts. Consideration also needs to be given to educating school children and other drivers about safety around school buses.

It is important that the range of mitigation strategies is considered and that the right strategy for the particular circumstance is chosen.

*3886 WATER—BARRICK GOLD MINE WATER LICENCES—Ms Rhiannon asked the Minister for Primary Industries, Minister for Lands representing the Minister for Water, and Minister for Regional Development—

- (1)
 - (a) Will you alter the water licenses available to reduce the amount of water available to Barrick Gold Mine, considering the impact of this water allocation on the communities of the Lower Lachlan Valley?
 - (b) If not, why not?

Answer—

- (1)
 - (a) and (b) I am advised the primary source of water for Barrick mine is from bores in the Bland Palaeochannel. In addition Barrick has a groundwater entitlement for their pit dewatering bores.

This highly saline groundwater from the dewatering bores is unusable for any agricultural purpose, but can be used in ore processing.

Barrick holds a Regulated River (High Security) Access Licence with 80 unit shares which, with the current Available Water Determination of 10 percent equates to 8 megalitres. The only other surface water that Barrick diverts from the Lachlan River is purchased from willing sellers.

Even if this small allocation was suspended, it would not change the current management of the Lachlan River.

*3887 PRIMARY INDUSTRIES—NSW GAME COUNCIL—Ms Rhiannon asked the Minister for Primary Industries, Minister for Lands—

- (1) How much government funding was provided to the NSW Game Council in:
 - (a) 2007/2008
 - (b) 2008/2009
- (2) How many feral animals were eradicated by shooters licensed by the NSW Game Council in:

2007/2008

2008/2009

Answer—

- (1)
 - (a) \$3,517,000
 - (b) \$2,884,000
- (2)
 - (a) 193,020
 - (b) 620,674

*3888 LANDS—ACCESS TO PUBLIC RIVERS AND STREAMS—Ms Rhiannon asked the Minister for Primary Industries, Minister for Lands—

- (1) What land has been sold from 1 June 2005 to November 2009 that provides public access to rivers and streams in New South Wales?
- (2) Is consideration given in the sale process to ensuring continued public access to affected rivers and streams?

Answer—

- (1) Whilst the Land and Property Management Authority maintains records of the various Crown land sales, the records do not specify whether the parcels involved provide access to rivers and streams.
- (2) Yes.

1 DECEMBER 2009

(Paper No. 131)

*3889 POLICE—NEW SOUTH WALES POLICE FORCE INTERNAL CUSTOMER SERVICES—Mr Gallacher asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police, and Minister for Finance—

- (1) How many staff are employed in the New South Wales Police Force's Internal Customer Services department?
- (2) How many workers' compensation claims have been lodged by employees within Internal Customer Services in:
 - (a) 2008?

- (b) 2009?
- (3) How many complaints under Equal Employment Opportunity provisions have been lodged by employees within Internal Customer Services in:
- (a) 2008?
- (b) 2009?
- (4) How many formal internal complaints were made about management issues by employees within Internal Customer Services in:
- (a) 2008?
- (b) 2009?

Answer—

The NSW Police Force has advised me:

- (1) 126.
- (2)
- (a) 8.
- (b) 8 to date.
- (3)
- (a) 1.
- (b) Nil to date.
- (4)
- (a) 2.
- (b) 2 to date.

*3890 POLICE—BRAIDWOOD POLICE STATION—Mr Gallacher asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police, and Minister for Finance—

- (1) What was the criteria used by the New South Wales Police Force for reducing the manning level of Braidwood Police Station from three Police Officers to two Police Officers?
- (2)
- (a) Will the manning level of Braidwood Police Station be regularly re-assessed?
- (b) If so, on what time scale will this be undertaken?
- (c) If so, what will be the criteria used to assess whether this manning level should be increased?

Answer—

The NSW Police Force has advised me:

- (1) Staffing levels at Braidwood police station have remained unchanged since 1996. The movement of one position from Braidwood to Bungendore police station in 1996 was made based on crime and population statistics for both locations.
- (2) The allocation of resources within a Command is a matter for the Commander. Commanders continually monitor and analyse workloads and policing data, including crime and population statistics, to ensure the most effective distribution of officers across their Commands.

*3891 POLICE—NEW SOUTH WALES POLICE UNSOLVED HOMICIDE TEAM—Mr Gallacher asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police, and Minister for Finance—

In regards to the NSW Police Unsolved Homicide Team:

- (1) How many unsolved homicide cases in New South Wales are currently more than 12 months old?
- (2) How many alleged suspects have been convicted?
- (3) How many Police Officers are currently attached to the Unsolved Homicide Team?

- (4) How many Police Officers were attached to the Unsolved Homicide Team as at 30 November 2008?
 (5) How many cases are pending review by the Unsolved Homicide Team?

Answer—

The NSW Police Force has advised me:

- (1) 526, dating back to 1970.
- (2) Court outcomes are a matter for the Attorney General.
- (3) 34.
- (4) 34.
- (5) 48 investigations are currently slated to be reviewed in the next four years.

*3892 POLICE—SPECIAL CONSTABLES—Mr Gallacher asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police, and Minister for Finance—

- (1) Has, or is a review being undertaken into the powers and responsibilities of Special Constables employed by the NSW Police Force?
- (2)
 - (a) Has this review considered designating Special Constables as "Protective Service Officers" and limiting their ability to act only while on duty and in their designated area?
 - (b) If so, what was the outcome of that consideration?
- (3)
 - (a) If restrictions were placed on Special Constables would this result in Special Constables, such as those employed at Parliament House and by Councils, not responding to incidents outside of their working hours and away from their place of work?
 - (b) If so, what are the reasons for such action being taken to limit the powers of Special Constables?

Answer—

I am advised that the Department of Premier and Cabinet is currently undertaking a review of the legislation governing Special Constables. This review will include public consultation on any proposals to change the responsibilities of Special Constables.

*3893 REGIONAL DEVELOPMENT—HUNTER ADVANTAGE FUND—Mr Gallacher asked the Minister for Primary Industries, Minister for Lands representing the Minister for Water, and Minister for Regional Development—

- (1) What are the names of each of the positions within the governing body or board of the Hunter Advantage Fund?
- (2) What are the names of the people holding each of these positions?
- (3) What is the standard length of appointment to this body or board.

Answer—

- (1) The Hunter Advantage Fund is administered by Industry & Investment NSW. It does not have a governing board or body.
- (2) N/A
- (3) N/A

*3894 WATER—HUNTER REGION GOVERNANCE—Mr Gallacher asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police, and Minister for Finance—

- (1) With respect to the Hunter Integrated Telemetry System what are:
 - (a) The names of each of the positions within its governing body or board?

- (b) The names of the people holding each of these positions?
 (c) The standard length of appointment to this body or board?
- (2) With respect to the Hunter Water Corporation Board what are:
 (a) The names of each of the positions within this Board?
 (b) The names of the people holding each of these positions?
 (c) The standard length of appointment to this Board?
- (3) With respect to the Hunter Water Corporation Board management team what are:
 (a) The names of each of the positions within the management team?
 (b) The names of the people holding each of these positions?
 (c) The standard length of appointment to this management team?
- (4) With respect to Hunter Water Australia what are:
 (a) The names of each of the positions within its governing Board?
 (b) The names of the people holding each of these positions?
 (c) The standard length of appointment to this Board?
- (5) With respect to the Hunter Central Rivers Catchment Management Authority what are:
 (a) The names of each of the positions within its governing management committee?
 (b) The names of the people holding each of these positions?
 (c) The standard length of appointment to this management committee?

Answer—

- (1)
- (a) There is no governing body for the Hunter Integrated Telemetry System (HITS), as this is a NSW Office of Water real-time data collection and dissemination system that is integral to river operations (including operation of the Hunter River Salinity Trading Scheme (HRSTS)). HITS is a major component of the HRSTS. There is an advisory board, the HRSTS Operations Committee, which reviews HRSTS operations.
- (b) The Hunter River Salinity Trading Scheme Operations Committee (HRSTS) consists of:
- a member nominated by the Hunter Central Rivers Catchment Management Authority (Wej Paradise -Chair);
 - four members to represent the interests of licence holders (Peter Bowman, Andrew Speechley, Sara Withell, John Watson);
 - a member to represent the interests of irrigators (Bruce Russell);
 - a member to represent environmental interests (Michael Clarke);
 - a member from an organisation concerned in the management of a river in the catchment (Arthur Burns); and
 - a member from the NSW Office of Water (David Hoey).
- (c) The length of appointment to the HRSTS Operations Committee is 3 years.
- (2)
- (a) - (c) The Hunter Water Corporation Board has a chairman and six non executive directors. The Managing Director is also a director on the Board. The length of appointment is as determined by the voting shareholders, but generally from 1 to 3 years. The Board composition is:
- Ron Robson (Chairman);
 - Barbara Crossley;

- Alan Chappel;
 - Gary Kennedy;
 - Professor Adrian Page;
 - Jann Gardner;
 - Jeff Eather;
 - Kevin Young (Managing Director); and
 - Stephen Phillips (Company Secretary).
- Ron Robson (Chairman);
 - Barbara Crossley;
 - Alan Chappel;
 - Gary Kennedy;
 - Professor Adrian Page;
 - Jann Gardner;
 - Jeff Eather;
 - Kevin Young (Managing Director); and
 - Stephen Phillips (Company Secretary).
- (3)
- (a) - (c) The Hunter Water Corporation Board management team comprises eight Executives, these appointments are based on a 5 year contract:
- Kevin Young, Managing Director;
 - Joanne Martin, General Manager, People and Change;
 - John O'Hearn, General Manager, Business Strategy and Communications;
 - Sharon Smith, General Manager, Business Services;
 - Stephen Phillips, General Manager, Customers and Commercial Development;
 - Chris Turnbull, General Manager, Infrastructure Delivery;
 - Peter Dennis, General Manager, System strategy and sustainability; and
 - Dean Taylor, General Manager, Systems Operations.
- Kevin Young, Managing Director;
 - Joanne Martin, General Manager, People and Change;
 - John O'Hearn, General Manager, Business Strategy and Communications;
 - Sharon Smith, General Manager, Business Services;
 - Stephen Phillips, General Manager, Customers and Commercial Development;
 - Chris Turnbull, General Manager, Infrastructure Delivery;
 - Peter Dennis, General Manager, System strategy and sustainability; and
 - Dean Taylor, General Manager, Systems Operations.
- (4)
- (a) - (c) The Hunter Water Australia Board has a Chairman, three Directors and a Company Secretary. The Managing Director of Hunter Water Corporation is also a director of Hunter Water Australia. Hunter Water Australia Directors are appointed from the Board of Hunter Water Corporation. If a HWA Director ceases to be director of HWC, then that person resigns as a Director of HWA. The Chairman of the HWC Board is also Chair of the Hunter Water Australia Board.
- Ron Robson (Chairman);
 - Kevin Young;
 - Alan Chappel;
 - Jeffery Eather; and
 - Andrea Swan (Company Secretary).
- Ron Robson (Chairman);
 - Kevin Young;
 - Alan Chappel;
 - Jeffery Eather; and
 - Andrea Swan (Company Secretary).
- (5) This is a matter for my colleague the Minister for Climate Change and the Environment.

*3895 TOURISM—NEW SOUTH WALES TOURISM HUNTER REGIONAL ADVISORY BOARD—Mr Gallacher asked the Treasurer, Minister for State Development representing the Minister for Commerce, Minister for Tourism, Minister for the Hunter, and Minister for Science and Medical Research—

With respect to the NSW Tourism Hunter regional advisory board what are:

- (a) The names of each of the positions on this Board?
- (b) The names of the people holding each of these positions?
- (c) The standard length of appointment to the Board.

Answer—

I am advised: The Hunter Regional Tourism Organisation is an independent, incorporated body established for the purpose of marketing the Hunter region and fostering the development of tourism within that region to the benefit of its members, industry and community. The Hunter Regional Tourism Organisation calls for nominations for Board Members, makes appointments and sets the Board Members' terms. As such, information on these matters should be directed to the Organisation.

*3896 HUNTER—HUNTER DEVELOPMENT CORPORATION BOARD—Mr Gallacher asked the Treasurer, Minister for State Development representing the Minister for Commerce, Minister for Tourism, Minister for the Hunter, and Minister for Science and Medical Research—

With respect to the Hunter Development Corporation Board what are:

- (a) The names of each of the positions within this body?
- (b) The names of the people holding each of these positions?
- (c) The standard length of appointment to the Board?

Answer—

The Hunter Development Corporation Board includes one Chairman and six Directors, including the Chief Executive Officer of the Land and Property Management Authority who is represented by Graham Harding. Chairman: Paul Broad. Directors: David Evans, Gary Kennedy, Ron Robson, The Hon Patricia Forsythe, Karen Howard and Graham Harding (nominated representative of the Chief Executive Officer). Generally members are appointed for a period of between 1 and 3 years.

*3897 PORTS AND WATERWAYS—NEWCASTLE PORT CORPORATION—Mr Gallacher asked the Minister for Regulatory Reform, Minister for Mineral Resources representing the Minister for Ports and Waterways—

With respect to the Newcastle Port Corporation what are:

- (a) The names of each of the positions on its governing Board?
- (b) The names of the people holding each of these positions?
- (c) The standard length of appointment to the Board.

Answer—

This information is publicly available in the Newcastle Port Corporation 2008-09 Annual report.

*3898 PREMIER—HUNTER COMMUNITY RECOVERY FUND—Mr Gallacher asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Premier, Minister for the Arts, and Minister for the Central Coast—

With respect to the Hunter Community Recovery Fund what are:

- (a) The names of each of the positions on its governing body or board?
- (b) The names of the people holding each of these positions?
- (c) The standard length of appointment to the body or board?

Answer—

With respect to the Hunter Community Recovery Fund:

- (a) The names of each of the positions on its governing board are: Chief Executive Officer Hunter Councils Inc, General Manager Cessnock City Council, General Manager Dungog Shire Council, General Manager Gloucester Shire Council, General Manager Great Lakes Council, General Manager Lake Macquarie City Council, General Manager Maitland City Council, General Manager Muswellbrook Shire Council, General Manager Newcastle City Council, General Manager Port Stephens Council, General Manager Singleton Council, General Manger Upper Hunter Shire Council.
- (b) The names of the people holding each of these positions are: Dr Barbara Penson, Mr Bernie Mortomore, Mr Craig Deasey, Mr Norm McLeod, Mr Keith O'Leary, Mr Brian Bell, Mr David Evans, Mr Steve McDonald, Ms Janet Dore, Mr Peter Gesling, Mr Steve McGrath, Mr Daryl Dutton.
- (c) The standard length of appointment to the body or board: There was no formal term of appointment established, the governing body was appointed for the allocation of the funding of \$500,000.

*3899 CLIMATE CHANGE AND THE ENVIRONMENT—HUNTER RIVER SALINITY TRADING SCHEME—Mr Gallacher asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

With respect to the Hunter River Salinity Trading Scheme what are:

- (a) The names of each of the positions on its governing body or board?
- (b) The names of the people holding each of these positions?
- (c) The standard length of appointment to the body or board?

Answer—

I am advised that:

- (a) The names of the positions of the Hunter River Salinity Trading Scheme Operations Committee are:
 - (i) one person who is a member of the Hunter Central Rivers Catchment Management Authority (CMA) and who is nominated by the Board of that Authority;
 - (ii) four persons representing the interest of Environment Protection Licence holders;
 - (iii) one person representing the interests of water users;
 - (iv) one person representing environmental interests;
 - (v) one person who is a member of a committee or other organisation concerned with management of the Hunter River (who may be an additional CMA board member or person nominated by the CMA); and
 - (vi) one employee of the NSW Office of Water.
- (b) The names of the people currently holding these positions are:
 - (i) Dr Wej Paradise – Chairperson
 - (ii) Mr Andrew Speechly, Mr Peter Bowman, Mr John Watson, Ms Sarah Withell
 - (iii) Mr Bruce Russell
 - (iv) Mr Michel Clarke
 - (v) Mr Arthur Burns
 - (vi) Mr David Hoey
- (c) All Operations Committee members are appointed for a period of three years.

*3900 PLANNING—RESIDENTIAL DEVELOPMENT IN KU-RING-GAI—Ms Hale asked the Treasurer, Minister for State Development representing the Minister for Planning, Minister for Infrastructure, and Minister for Redfern Waterloo—

- (1) The Sydney Morning Herald, on 26 November 2009 reported that in a letter to the Ku-ring-gai Residents Association, the Minister for Planning wrote, "I can confirm that the dwelling target for Ku-ring-gai is 10,000 dwellings".
 - (a) Is this report correct?

- (b) If so, does the target of 10,000 dwellings include the entire Ku-ring-gai Local Government Area or only dwellings within the proposed Ku-ring-gai town centres?
- (2) The independent audit of the Ku-ring-gai Town Centres plan prepared by Treadstone indicates that, since April 2004, 5022 dwellings have been built or approved.
- (a) Are the 700 dwellings that have been approved as state significant developments in Pymble, Gordon, and at the UTS Lindfield campus included in the 5022 dwellings nominated in the Treadstone audit?
- (b) Are the 1000 dwellings of the proposed redevelopment of the Sanitarium hospital site included in the 5022 figure?
- (c) If the author of the Treadstone audit is correct and these dwellings are not included in the audit, will they be included?
- (d) If not, why not?
- (3) The inclusion of the additional 1700 dwellings in the audit figure would result in the total number of dwellings approved or built in Ku-ring-gai since April 2004 increasing to 6722.
- (a) If the total target for new dwellings to be constructed in Ku-ring-gai is to remain at 10,000, will the Minister restrict approval of additional dwellings in Ku-ring-gai to a maximum of 3300 dwellings?
- (b) If not, why not?
- (4)
- (a) Will the Minister require the Ku-ring-gai Planning Panel to revise the draft Ku-ring-gai Town Centres Local Environment Plan to ensure that appropriate zonings are in place to ensure that this cap is not breached?
- (b) If not, how will the Minister ensure that the 10,000 target is not exceeded?

Answer—

- (1)
- (a) Yes.
- (b) The entire Ku-ring-gai Local Government Area
- (2)
- (a) All approved state significant site developments in Ku-ring-gai, including the UTS Lindfield Campus, were included in the 5,022 approved dwellings figure which was provided by Ku-ring-gai Council and included in the Treadstone Report.
- (b) No. The concept plan for the SAN hospital site is under assessment.
- (c) No.
- (d) The Treadstone report has now been finalised, whereas the SAN Hospital Concept Plan has not been finalised.
- (3)
- (a) and (b) The 10,000 dwellings target provides a framework for provision of dwellings for the next 25 years in Ku-ring-gai, it does not limit development nor cap development above a certain threshold. The final number of dwellings to be constructed under planning controls will be the result of a number of factors - including the strength of the market and dwelling size preferences.
- (4)
- (a) No. The Town Centres LEP will be reviewed by the Minister for Planning. As outlined in answer 3(a), the 10,000 dwelling target does not limit nor seek to cap development. This target will be reviewed regularly over the next 25 years.
- (b) See answer to 4(a).

*3901 TRANSPORT—WESTBUS RESTRUCTURE—Ms Hale asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1) Has Westbus cut the 755 bus route that served the area of Mount Druitt?

- (2) Will the removal of this bus route reduce accessibility to transport for the elderly, people with disabilities and access to amenities such as shops, doctors and the Leisure centre at Emerton?
- (3) When will the Minister meet with concerned residents about the restructuring of Westbus bus services?

Answer—

I am advised:

- (1) - (3) New bus contracting arrangements require operators to undertake service reviews in conjunction with NSW Transport and Infrastructure to introduce new networks and improved, more direct services that match passenger needs. A bus review was undertaken in Region 1, which includes the Mount DrUITt area.

Former route 755 was operated by Busways and new routes 674 and 780 are operated by Westbus in the same area. Former route 755 operated on Bulolo Drive, Luxford Road and Popondetta Road. New route 674 operates on Bulolo Drive, Luxford Road and Hatherton Road and new route 780 operates on Luxford Road and Hatherton Road. All of these routes link Whalan to amenities at Mount DrUITt.

I am advised that Emerton Leisure Centre is located on Jersey Road opposite Emerton Village shopping centre. Bus routes 745, 758, and 759 provide direct access to this destination from surrounding suburbs. Residents within walking distance of Belmore Avenue and Woodstock Avenue have direct access with route 758. Residents in the Luxford Road area can use routes 674 and 780 and then transfer to route 745 which operates along Popondetta Avenue. There are pedestrian underpasses on Luxford Road so people can cross safely to access these services.

The new routes and timetables will be monitored and adjustments made if necessary.

*3902 TRANSPORT—UNUSED LAND AT HELENSBURGH—Ms Hale asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1) Is the Government planning to sell, or has it sold, unused land that was set aside for the Freeway (F6) at Helensburgh/Waterfall, Lady Carrington Drive and Old Princes Highway but is no longer required for roadways?
- (2) What zoning currently applies to the above land?
- (3) What was the previous zoning?
- (4) When was the zoning changed?
- (5) Why was the zoning changed?
- (6) If the land is to be sold, what zoning will apply to that land?
- (7) If the land has been sold whom or to what company was it sold to?
- (8) Have Roads and Reserves in Helensburgh been transferred to Ensile Pty Ltd using an unstamped and unauthorised plan for 'Redefinition' (DP1105845)?

Answer—

I am advised:

(1) There are no immediate plans to sell any RTA land in the locations of Helensburgh/Waterfall, Lady Carrington Drive and the Old Princes Highway. The only RTA sale near the locations over the past 10 years is the sale of the former Helensburgh Sub Depot (Lot 2 DP 584467) located on the corner of the Princes Hwy and Parkes St at Helensburgh. This site became surplus to the RTA's operational requirements and was sold by Expression of Interest in 2005.

(2) - (3) 7D Hacking River Environmental Protection.

(4) - (6) N/A.

(7) The Helensburgh Sub Depot was sold to Durrabul Pty Limited.

(8) There are no current or former RTA landholdings within or in close proximity to the land defined by this plan.

*3903 LANDS—HELENSBURG DEVELOPMENT PLAN NUMBER 2644—Ms Hale asked the Minister for Primary Industries, Minister for Lands—

- (1) Have Roads and Reserves in Helensburgh been transferred to Ensile Pty Ltd using unstamped and unauthorised plans for 'Redefinition' (DP1105845)?
- (2)
 - (a) Has the Minister been approached by members of the community concerned that the plan has not been stamped by Council?
 - (b) If so, what has the Minister's response been?
- (3) Has a subdivision certificate been issued?
- (4) Does the plan allow for a public reserve (as identified on DP2205 Parish Map) to be subdivided and a road given a Lot number (Lot Pt 200 DP 1105845)?
- (5) Has the plan denied long-term occupiers access to their homes?
- (6)
 - (a) Has Ensile Pty Ltd made new subdivisions and significant amendments to DP2644, which was a deposited plan registered in 1890?
 - (b) Have these subdivisions and amendments to the deposited plan been accepted by the Department of Lands?

Answer—

- (1) No. Part of the residue of Certificate of Title Volume 6399 Folio 93 was redefined by DP 1105845. The subject deposited plan is a plan of redefinition and does not require a subdivision certificate pursuant to section 109J of the Environmental Planning and Assessment Act 1979. The plan of redefinition complies with all relevant Acts and Regulations.
- (2)
 - (a) This matter has been brought to the Minister's attention through a statement in the House on 3 December 2009 by Ms Sylvia Hale MLC.
 - (b) The Minister directed the Land and Property Management Authority to investigate claims made by Ms Hale. This investigation took place immediately and Ms Hale was briefed on 9 December 2009 by staff from Land and Property Management Authority on the outcome of the investigation. The investigation found no irregularities or discrepancies in processes followed by the Authority.
- (3) No, for the reason explained at 1) above.
- (4) Inspection of DP2205 discloses that no Public Reserve was created at the time of registration.
- (5) The Minister has no knowledge on this matter.
- (6)
 - (a) No. A deposited plan of subdivision was lodged on 19 December 2008 purporting to subdivide Lot 200 in DP1105845. This plan had a subdivision certificate completed by Wollongong Council.
 - (b) This plan was subsequently rejected for registration by the Land and Property Management Authority.

*3904 CLIMATE CHANGE AND THE ENVIRONMENT—EXPANSION OF PARKLANDS AT HELENSBURG—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) Has an environmental assessment of unused land that was set aside for the Freeway (F6) at Helensburgh/Waterfall, Lady Carrington Drive and Old Princes Highway been undertaken to determine the best use for the land?
- (2) Has the land been considered for inclusion in the surrounding regional park?

Answer—

I am advised:

- (1) The Department of Environment, Climate Change and Water has not carried out any such assessment.
- (2) No. The Department is not aware of any unused road corridors in the vicinity of Helensburgh or

Waterfall that would be suitable for inclusion in nearby reserves.

*3905 FAIR TRADING—BUILDERS QUICK RESPONSE COMPLETE MAINTENANCE PTY LTD—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Fair Trading, Minister for Citizenship, and Minister Assisting the Premier on the Arts—

- (1) Why has the Office of Fair Trading not responded to a letter of complaint from Mr Gary Wells dated 7 July 2009?
- (2) Will the Office of Fair Trading investigate whether the company Builders Quick Response Complete Maintenance Pty Ltd are still in business, as they have failed to respond to Mr Wells' correspondence (in writing and via email) in relation to his request that the company return to rectify defective building works at 69 Acacia Avenue Munmorah?

Answer—

I am advised that on the 4 August 2009 the Home Building Service building inspector handling this particular case contacted Mr Wells directly in relation to his correspondence dated 28 July and 31 July 2009. There is no record of any correspondence dated 7 July 2009.

Fair Trading has also responded to subsequent correspondence from Mr Wells dated 20 and 26 October 2009. I understand that there has been regular verbal and written correspondence, as recently as 8 and 9 December 2009, between Mr Wells and NSW Fair Trading in relation to Mr Wells' concerns.

I am advised that Quick Response Complete Maintenance Pty Ltd is currently registered with the Australian Securities and Investments Commission and its licence is current. I understand that Mr Wells has recently informed NSW Fair Trading that Quick Response Complete Maintenance Pty Ltd has returned to the site to rectify the building work.

*3906 FINANCE—ALLIANZ TMF—Ms Ficarra asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police, and Minister for Finance—

- (1)
 - (a) Will the Minister ensure that all issues raised in my Adjournment Speech of 22 October 2009 concerning Allianz TMF, its officers and providers are properly and independently investigated?
 - (b) If not, why not?
- (2)
 - (a) Will the Minister ensure a full independent investigation of Allianz TMF's conduct and determine whether Allianz is a fit and proper organisation to act as a WorkCover Agent?
 - (b) If not, why not?
- (3) What steps will be taken to ensure a "fair decision" in future workers compensation claims following the outcome of Police Association of NSW on behalf of Craig Clifton v NSW Police Force [2009] NSWIRComm 19, in which at paragraph 73 Justice Kavanagh states:

"In my view, using only the advice of the workers compensation insurer of the Police Force could lead to a possible unfair decision by the Panel as to the appropriate benefit to be paid. Relying solely on the Police Force's workers compensation insurer for the very important first determination is unfair and against the interest of both the Police Force and its employees. The Panel should consider obtaining medicals not only from its insurer but from the Police Officer's doctors and to obtain for itself, an independent medical opinion as to whether the injury is an "on duty" or "off duty" injury. This issue should be given consideration to ensure each decision that has to be taken before a benefit is determined is a fair decision".

Answer—

I'm advised WorkCover has undertaken an investigation into the issues raised by Ms Ficarra in her adjournment speech of 22 October 2009 and is satisfied Allianz Australia Workers Compensation (NSW) Limited for the Treasury Managed Fund has acted in accordance with workers compensation legislative requirements.

*3907 PRIMARY INDUSTRIES—GADEN TROUT HATCHERY—Mrs Pavey asked the Minister for Primary Industries, Minister for Lands—

How much money has been allocated from the recreational fishing trust in New South Wales to fund the Gaden Trout Hatchery at Jindabyne in the following financial years:

- (a) 2009-2010?
- (b) 2010-2011 (proposed funding)?

Answer—

- (1)
 - (a) \$537,821.00 (includes \$17,000 for additional tour guide staff to improve visitor outcomes)
 - (b) \$520,821.00 (proposed)

*3908 TRANSPORT—TRAFFIC LIGHTS—Ms Ficarra asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1) Has consideration been given to an improved traffic lights design that would assist sufferers of colour blindness especially the "red-green" variation?
- (2) Has consideration been given to the use of distinguishing shapes associated with red, amber and green?
- (3)
 - (a) What plans are there to accommodate improvements into the RTA budget?
 - (b) Over what timeframe will this occur?

Answer—

I am advised:

- (1) - (3) The design of vehicular traffic lights in Australia is based on international conventions that stipulate the top colour as red, the middle colour as amber and the bottom colour as green. The convention also provides for pedestrian lights to always be red on top and green on the bottom. People who have eyesight colour deficiencies use the position of the traffic light, and not the colour, to determine their right of way.

*3909 PLANNING—KU-RING-GAI PLANNING AND DEVELOPMENT—Ms Hale asked the Treasurer, Minister for State Development representing the Minister for Planning, Minister for Infrastructure, and Minister for Redfern Waterloo—

- (1) Has the Department of Planning or Minister for Planning received a copy of a report by SGS Economics and Planning entitled "Ku-ring-gai & Hornsby Subregional Employment Study" dated May 2008?
- (2) Is the report based on the original Town Centre Plan Draft Local Environmental Plan (LEP) prepared by Ku-ring-gai Council in 2006?
- (3) Has the Ku-ring-gai Planning Panel in the current Town Centres Draft LEP significantly increased zonings within the Town Centres area beyond those originally proposed by Ku-ring-gai Council in 2006?
- (4) Did the SGS Economics and Planning report conclude that the Draft Town Centres LEP plans for numerous retail / commercial centres in Ku-ring-gai, including Roseville, Turramurra and St Ives, would result in "more than ten times the supply potential to reach forecast demand" by 2031?
- (5) Why do the plans proposed by the Planning Panel further increase retail / commercial capacity beyond the plans studied by SGS Economics and Planning?
- (6)
 - (a) Did the Treadstone Report consider the report from SGS Economics and Planning?
 - (b) If not, why not?
- (7) Did the Treadstone Report consider reports from HillPDA when assessing the growth potential of the Ku-ring-gai Draft Town Centres?

- (a) If so, why did the Treadstone consider the older HillPDA Report rather than the more recent SGS Economics report?
- (8) Will the Minister commission an independent review of the retail / commercial planning for Ku-ring-gai prior to gazettal of any plans?
- (9) Will the Minister restrict approval of total retail / commercial zoning for Ku-ring-gai only to that required to meet reasonable forecast demand?

Answer—

- (1) Yes
- (2) The report makes reference to the draft Ku-ring-gai Town Centres Local Environmental Plan (LEP) prepared by Ku-ring-gai Council in 2006, as part of a discussion regarding the broad policy context. In making reference to the draft LEP, the report noted that the draft LEP was under review by the Ku-ring-gai Planning Panel.
- (3) The Ku-ring-gai Planning Panel has sought to rezone all land within the relevant town centres and provide a holistic, but graduated, series of controls. The plan proposed by Council in 2006 applied only to certain, in some cases isolated, portions of the town centres. The densities proposed by the Planning Panel are relatively consistent with the densities proposed by Council in 2006.
- (4) Yes. However, the report also notes there are several centres/precincts in Ku-ring-gai where the existing supply potential is not sufficient to meet the forecast demand.
- (5) The draft Town Centres LEP proposed by the Ku-ring-gai Planning Panel reflects the outcomes of a number of strategic studies, including, but not limited to, the findings of the SGS Subregional Employment Study.
- (6)
- (a) No
- (b) Ku-ring-gai Council supplied the Treadstone Company with all documentation it considered relevant to the review of dwelling yields in Ku-ring-gai, and the SGS Subregional Employment Study was not provided to the Treadstone Company. It is noted that the Treadstone review focused on dwelling yield analysis rather than employment lands. It is also noted that the SGS Study was a broad subregional employment study which included the Hornsby Local Government Area as well as Ku-ring-gai.
- (7) Yes
- (a) Ku-ring-gai Council supplied the Treadstone Company with all documentation it considered relevant to the review of dwelling yields in Ku-ring-gai, and the Hill PDA Ku-ring-gai Retail Centres Report 2005 was provided to the Treadstone Company.
- (8) The Ku-ring-gai Planning Panel has prepared documentation and formally submitted the draft LEP to me for my determination. I will consider whether further review of particular issues is required prior to making my determination.
- (9) I will consider such issues prior to making my determination on the LEP.

*3910 WATER—OBERON DAM INDUSTRIAL WATER USAGE—Mr Colless asked the Minister for Primary Industries, Minister for Lands representing the Minister for Water, and Minister for Regional Development—

- (1) What was the total storage level in Oberon Dam as at 30th November 2009?
- (2) Does the community of Oberon have priority usage over the water stored in Oberon Dam for domestic purposes compared to industrial uses by Delta Electricity?
- (3)
- (a) Is there a dam level at Oberon Dam at which Delta Electricity is required to draw all its water from alternate sources?
- (b) If so, at what level does this occur?

Answer—

- (1) 5,356 megalitres, which is 12.2 percent of total capacity.

- (2) Yes.
- (3)
 - (a) Yes.
 - (b) Under the current agreed drought management strategy, this occurs when the dam is 8 percent of total capacity.

*3911 WATER—OBERON DAM WATER ALLOCATION AND USAGE BY DELTA ELECTRICITY—Mr Colless asked the Minister for Primary Industries, Minister for Lands representing the Minister for Water, and Minister for Regional Development—

- (1) What is Delta Electricity's annual water allocation from Oberon Dam?
- (2) What was the total amount of water drawn by Delta Electricity from Oberon Dam during the year 1st July 2008 to 30th June 2009?
- (3) How much water has Delta Electricity drawn from Oberon Dam from 1st July 2009 to 30th November 2009?
- (4) How many megalitres of water is Delta Energy expected to draw from Oberon Dam over the next three months?

Answer—

I am advised:

- (1) The unrestricted allocation is 8,184ML/year. The current restricted allocation is 3,276ML/year.
- (2) Usage in 2008/09 was 3,356ML
- (3) Usage from 1/7/09 to 30/11/09 from the Fish River scheme was 1498ML comprising 637ML from Oberon Dam and 861ML from the Duckmaloi River.
- (4) Delta will stay within its restricted allocation.

*3912 LANDS—REVOCATION OF LAND IN BINGARA—Mr Colless asked the Minister for Primary Industries, Minister for Lands—

- (1) What is the status of a submission made by the Department of Lands officers on behalf of Bingara property owner Robert Groth for the partial revocation of adjacent lands contained within Bingara State Forest?
- (2) Given that Mr Groth first approached officers at the Moree Lands office over five years ago, what is the reason for the delays in finalising this request?
- (3)
 - (a) Has Mr Groth's application been approved by the Land and Property Management Authority, lodged with Forests NSW and simply awaiting the relevant authority within the Forests NSW Estate Branch to sign the documentation?
 - (b) If not, what stage is the documentation up to in the approval process?
- (4) Can you provide details of when this revocation application will be finalised?
- (5) What is the expected timeframe under which Mr Groth can assume control of this land?

Answer—

- (1) Mr Robert Groth submitted an application to the Department of Lands (now the Land and Property Management Authority) in late 2004 to purchase his Crown Lease 1951/12 at Bingara. The normally straight forward processing of these types of purchase applications is somewhat complicated in this instance in that the majority of the lease, which comprises some 480 hectares, is within land dedicated as Bingara State Forest. Crown leasehold lands cannot be converted to freehold title whilst they remain covered by a State Forest dedication. Investigations to date by officers from the Land and Property Management Authority (LPMA) have revealed that a significant proportion of Mr Groth's lease within Bingara State Forest includes large areas of cleared and semi-cleared productive grazing land of nominal timber value to Forests NSW. With this in mind senior officers from LPMA have in recent years been in negotiations with NSW Forests with a view to reaching agreement on those sections of Bingara State Forest that would warrant revocation to allow the processing of Mr

Groth's purchase application to go forward. Proposed new boundaries between Crown Lease 1951/12 and Bingara State Forest have now been charted by mutual agreement and I have just recently written to the Hon Ian Macdonald MLC, Minister for Mineral and Forest Resources, seeking his approval in principle under section 19 of the Forestry Act 1916 for a partial revocation of the Forest dedication.

- (2) As mentioned above leasehold tenure located within a State Forest cannot be converted to freehold title unless the covering Forest dedication is revoked. LPMA has been assisting in negotiations with Forests NSW for a partial revocation of Bingara State Forest since 2006, and has only recently been able to obtain a commitment from Forests NSW to the partial revocation sought by Mr Groth. Once the new State Forest boundary has been established by notification in the Government Gazette, LPMA will be able to proceed with Mr Groth's application to purchase his Crown Lease.
- (3)
 - (a) No. Mr Groth's application to purchase his lease cannot be approved until the process of revoking part of Bingara State Forest has been completed.
 - (b) Further progress of the approval process is currently awaiting receipt of an approval in principle from the Hon Ian Macdonald, to a partial revocation of Bingara State Forest.
- (4) No. The carriage of the revocation rests within the portfolio of Minister Macdonald and further, is reliant on the proposed revocation being unopposed following its tabling before both Houses of Parliament.
- (5) Mr Groth has always had control of the land under the terms of his Crown Lease 1951/2. However, the LPMA will be in a position to complete the final steps of the purchase application process within a relatively short period once revocation and survey action have been completed.

*3913 POLICE—OFFICER SHANE MUNT—Ms Ficarra asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police, and Minister for Finance—

- (1)
 - (a) Will the Minister ensure that all issues raised in my Adjournment Speech of 22 October 2009 concerning the alleged ongoing harassment and victimisation of Officer Shane Munt are properly and independently investigated?
 - (b) If not, why not?
- (2) On what date did Officer Munt submit his application for discharge?
- (3) When is Officer Munt's application for discharge expected to be determined?

Answer—

The NSW Police Force has advised me:

- (1) Complaints as to the conduct of police officers pursuant to the provisions of Part 8A of the Police Act 1990 may be made to the NSW Police Force, the Ombudsman or the Police Integrity Commission. Such complaints must however be made pursuant to the provisions of section 127 of the Act. I am advised that the NSW Police Force has not received the complaints as raised in the Member's adjournment speech.
- (2) - (3) Although Senior Constable Munt's solicitors enquired about medical discharge on 7 May 2009, no formal application has been proceeded with.

*3914 POLICE—ENTITLEMENTS FOR RETIRED AND DISCHARGED OFFICERS—Ms Ficarra asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police, and Minister for Finance—

- (1) In view of clause 5.3 of the Memorandum of Understanding between the Commissioner of Police and Police Association of NSW for the period 1 July 2009 to 20 June 2011 dated 13 November 2009, why has Mr Manton following his discharge not received the 4% pay rise?
- (2)
 - (a) How many other Retired or Discharged Police Officers have been informed they are not entitled

to the pay rise despite the provision of clause 5.3?

- (b) What will NSW Police do to properly inform all retired or discharged police officers of their entitlements pursuant to clause 5.3?

Answer—

The NSW Police Force has advised me:

- (1) The award is yet to be made in the Industrial Relations Commission of NSW, giving effect to the new provisions. Once this has occurred, Mr Manton's pay increase will be processed.
- (2) No officers retired or medically discharged since 1 July 2009 should have been advised they are not entitled to the pay rise. All eligible officers will have their award increases processed once the award is made.

*3915 CORRECTIVE SERVICES—DEPARTMENT OF CORRECTIVE SERVICES STAFF CONDITIONS—Ms Hale asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) Does the Department of Corrective Services have a policy of not approving requests from employees for leave without pay?
- (2) If so,
 - (a) When did this policy come into operation?
 - (b) Why was it adopted?
 - (c) When is it anticipated that the policy will be altered to permit consideration of applications for leave without pay?

Answer—

I am advised:

- (1) No. Leave without pay is granted in accordance with the Guidelines in the Personnel Handbook covering public sector employees.
- (2) Not applicable.

*3916 LANDS—AD MEDIUM FILUM VIAE RULE—Ms Hale asked the Minister for Primary Industries, Minister for Lands—

- (1) How many applications under the Ad medium filum viae rule have been made to the Land and Property Management Authority or its predecessors since 1 January 1996?
- (2) How many have been successful?
- (3) How many have been unsuccessful?

Answer—

Claims for land to the centre line of road (ad medium filum viae) are very rare and it is not possible to provide aggregated statistical information as no unique code is applied to this type of claim in the systems of the Land and Property Management Authority.

*3917 FINANCE—CLAIMS PROCESSING BY ALLIANZ TMF—Ms Ficarra asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police, and Minister for Finance—

- (1) I refer to your predecessor's letter to Mr Manton dated 5 November 2009 (ref G09/02518, WC0157609) concerning an illegal recording of a Medical Examination.
 - (a) What other action has WorkCover taken since the letter to remind the medical practitioner in question that examinations cannot be recorded unless the worker provides informed consent?
 - (b) If no action has been taken, why?
 - (c) Will WorkCover refer the practitioner's conduct to the Health Care Complaints Commission for full independent investigation?
 - (d) If not, why not?

- (2) On how many occasions has Mr Manton been required by Allianz TMF to present for independent medical examinations?
- (3) Why is Allianz TMF still subjecting Mr Manton to numerous independent medical examinations, despite the ruling that his leg injury was work related?
- (4)
 - (a) Why is Mr Manton only receiving the minimal statutory rate of pay from Allianz TMF when he was discharged from the NSW Police Force as a result of total permanent impairment, as supported by documentation from the NSW Police, Healthquest, other medical specialists, medical officers from State Super and Workcover Certificates?
 - (b) What workers compensation entitlements is Mr Manton eligible to receive?
- (5)
 - (a) Will WorkCover undertake a full review of Allianz TMF's handling of Mr Manton's workers compensation claims to ensure that Mr Manton is being paid by Allianz TMF his correction benefits?
 - (b) If not, why not?
- (6) Will WorkCover ensure a full independent investigation of Allianz TMF's conduct toward Mr Manton and determine whether Allianz is a fit and proper organisation to act as a WorkCover Agent, if not, why not?
- (7)
 - (a) Why has Mr Manton had to provide his Tax File number to Allianz TMF, despite having done so on three occasions after Allianz TMF has lost his forms?
 - (b) What processes will WorkCover introduce to ensure better record and privacy management by Allianz TMF?

Answer—

I am advised the question asked by the Honourable Member would require the disclosure of private and confidential information concerning the injured worker.

The WorkCover Guidelines on independent medical examinations and reports provide the basis for a shared understanding of the role of independent medical examinations in the management of compensable injuries in the New South Wales workers compensation system. The Guidelines outline mandatory and other obligations for the referral, conduct and reporting of independent medical examinations and complaints management.

A copy of the Guidelines is available on the WorkCover website at www.workcover.nsw.gov.au

*3918 LANDS—WOLLONGONG CITY COUNCIL AND THE AD MEDIUM FILUM VIAE RULE—Ms Hale asked the Minister for Primary Industries, Minister for Lands—

- (1)
 - (a) In how many ad medium filum viae applications lodged since 1 January 1996 with the Land and Property Management Authority or its predecessors were fee simple vested in Wollongong City Council?
 - (b) When were those applications made?
 - (c) Who made those applications made?
 - (d) How many applications were successful?
 - (e) How many were unsuccessful?
 - (f) On how many occasions did Wollongong City Council confirm evidence supplied by the applicant of the non-dedication of the road to the public?
- (2)
 - (a) In relation to these applications, on how many occasions was the land comprising the road on Old System, Limited or Qualified Title?
 - (b) In each of these applications, was the relevant claim based on a Primary Application over land defined in a new deposited plan of survey?
 - (c) In each case, did the new deposited plan of survey define the claimant's adjoining land and the

claimed ad medium filum land as one lot?

- (d) Was relevant evidence provided in support of each claim?
- (3) In each case where an application has been successful, what were the exceptional circumstances that persuaded the Registrar General to give effect to the application?

Answer—

Claims for land to the centre line of road (ad medium filum viae) are very rare and it is not possible to provide aggregated statistical information as no unique code is applied to this type of claim in the systems of the Land and Property Management Authority.

*3919 PLANNING—HELENSBURG LAND RE-ZONING—Ms Hale asked the Treasurer, Minister for State Development representing the Minister for Planning, Minister for Infrastructure, and Minister for Redfern Waterloo—

- (1)
- (a) Has an environmental assessment of unused land that was resumed for the Freeway (F6) at Helensburgh/Waterfall, Lady Carrington Drive and Old Princes Highway been undertaken to determine the best use for the land?
- (b) If not, why not?
- (c) Has the land been considered for inclusion in the surrounding regional park?
- (2)
- (a) Following the recent public exhibition of land at Helensburgh shown on the 1990 LEP as zoned 7(d) Environmental Protection Hacking River zone land at Helensburgh, Stanwell Tops and Otford and surrounds, and shown as zoned E2 in the Draft LEP 2009 did the Minister request the Administrators of Wollongong City Council to change the E2 zoning to E3?
- (b) If so, why has the Minister or the Department requested this re-zoning?
- (c) If the Minister did not request the rezoning, did Wollongong City Council request the re-zoning?
- (d) If so, what reasons did Wollongong City Council give for requesting the rezoning?
- (e) What environmental studies have been undertaken to explain and justify the change of zone and consequent environmental protection from E2 to E3?
- (3) Has the Minister considered transferring ownership of the Helensburgh land to the National Parks and Wildlife Service to ensure the conservation and protection of the land?
- (4)
- (a) Did Wollongong City Council's Manager of City Planning, David Green, inform residents at a Public meeting in Helensburgh in September 2009 that the necessary environment studies (as recommended in the Commission of Inquiry {Appropriate Land Use and Zonings in the vicinity of Helensburgh, Wollongong LGA, Dr Mark Carleton/Commission, Dec 1994} conducted by the NSW Department of Planning) would be undertaken by the Department of Planning prior to gazetting?
- (b) Did Brett Whitworth (Department of Planning Acting Regional Director - Southern Region) inform residents of Helensburgh on 24 November 2009 that the Department of Planning would not be undertaking any environmental studies prior to gazetting the E3 zone for the 7D (WCC LEP 1990) lands?
- (c) Will the Minister request the Department of Planning to undertake the recommended environmental studies?
- (d) If not, why not?
- (5)
- (a) Is the Minister aware of community concerns that Ms Gabrielle Kibble, current Administrator of Wollongong City Council, while head of the NSW Department of Planning in 1994, supported an unsuccessful proposal to rezone the Helensburgh land?
- (b) Will the Minister investigate Ms Kibble's role in the current attempts to re-zone land in the Helensburgh area?
- (c) If not, why not?

- (d) Will the Minister stand aside Ms Kibble from her role as Administrator of Wollongong City Council for the duration of any investigation of the proposed rezoning of the land?
- (e) If not, why not?
- (f) Will the Minister remove the Helensburgh component from the Wollongong LEP 2009 before gazetting while matters relating to Ms Kibble and issues relating to land titles are resolved?
- (g) If not, why not?

Answer—

- (1)
 - (a) This is a matter for my colleague the Minister for Transport and Infrastructure.
 - (b) N/A
 - (c) There is no Regional Park in this area.
- (2)
 - (a) No
 - (b) N/A
 - (c) Yes
 - (d) To maintain the status quo of development potential available under the existing 7(d) zoning.
 - (e) While I am yet to consider the plan, as the proposal maintains existing development, potential studies are unlikely to be necessary.
- (3) Insufficient information is provided to identify the lands mentioned in the question. There are significant areas of land in the vicinity of Helensburgh, some of which are in private ownership, while other lands are contained in the Garrawarra State Conservation Area, the Illawarra Escarpment State Conservation Area, the Royal National Park and the Sydney Water Catchment Special Area, which are managed by the National Parks and Wildlife Service.
- (4)
 - (a) This is a matter for Wollongong City Council.
 - (b) Yes, See also answer to (2) (e)
 - (c) No - see answer to (2) (e)
 - (d) No - see answer to (2) (e)
- (5)
 - (a) As the Director General of the then Department of Planning, Ms Gabrielle Kibble was not a proponent for any development or conservation proposal - her role was to provide advice to the Minister on rezoning proposals - to suggest otherwise is offensive to an eminent planner.
 - (b) No
 - (c) This is not within the Minister's power, nor is it appropriate.
 - (d) See answer to question (5) (c)
 - (e) See answer to question (5) (c)
 - (f) The Minister has not yet received a report from the Department of Planning.
 - (g) See answer to question (5) (f)

*3920 HEALTH—HIV/AIDS—Revd Mr Nile asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Deputy Premier, and Minister for Health—

- (1) Of the almost 30,000 Australian citizens who currently suffer from HIV/AIDS is it the case that more than 55% reside in New South Wales?
- (2) Has the annual rate of new infections risen by 51% since 1998?
- (3) Are 92% of HIV sufferers homosexual males?
- (4) What action is the New South Wales Government taking to encourage the safe practice of homosexual intercourse?

Answer—

I am advised:

- (1) According to the 2009 Annual Surveillance Report of the National Centre for HIV Epidemiology and Clinical Research, an estimated 17,444 people lived with HIV infection in Australia in 2008. It is estimated that approximately 55% of these reside in NSW.
- (2) The annual rate of new HIV infections in NSW has remained stable in NSW over the last decade at around 5.7 per 100,000 population in 1999-2003 and around 5.9 per 100,000 population in 2004-2008.
- (3) The majority of people with HIV in NSW are homosexually active men. In 2008 homosexually active men made up 75% of HIV notifications. This trend has remained consistent over the last decade.
- (4) The NSW HIV Prevention Program utilises a range of strategies including large-scale education campaigns to inform the community about behaviour associated with the risk of contracting HIV. Such strategies include individual and group education programs, outreach, and community development initiatives with populations at risk of HIV infection.

Homosexually active men continue to be the population at highest risk of acquiring HIV and therefore continue to be the priority focus for HIV prevention education. An HIV Prevention Interagency Group made up of key stakeholders continues to monitor HIV surveillance and behavioural risk data and develop programs that educate homosexually active men about HIV transmission.

The AIDS Council of NSW (ACON) and Positive Life NSW are funded by NSW Health to deliver HIV prevention education information and campaigns to homosexually active men at risk of HIV. These organisations provide a wide range of prevention resources which are aimed at homosexually active men, and the wider community.

In addition, each Area Health Service conducts HIV and Sexually Transmitted Infection (STI) prevention activities with homosexually active men and provides free and confidential testing and counselling to individuals at risk.

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*3921 PRIMARY INDUSTRIES—HEMP CULTIVATION LICENCES—Mr Cohen asked the Minister for Primary Industries, Minister for Lands—

- (1) Can the Minister indicate how many licences the Department of Primary Industries (DPI) have issued for the cultivation of low THC Hemp?
- (2) Will the Minister outline what financial and technical support DPI has provided to licensees if any?
- (3)
 - (a) Would it be appropriate for DPI to play a more active role in linking markets for hemp, including textile, construction and car manufacturing with producers?
 - (b) If not, why not?

Answer—

- (1) The Department has issued seven (7) licences for the cultivation of low THC Hemp under the Hemp Industry Act 2008.
- (2) As a result of continuing drought conditions across major irrigation regions in NSW the number of licences has been very limited. Technical information provided to licensees has been on a case by case basis and recently a number of staff have worked closely with licensees to assist them in their operations. There is no financial support provided to growers.
- (3) The Primary Industries Division of Industry & Investment NSW works with State and Regional Development and Tourism in linking possible markets for industrial hemp. However these efforts have been limited to date by lack of supply. Accordingly the Department's focus has been on assisting the industry with the agronomy associated with growing the crop.

*3922 SPORT AND RECREATION—COMBAT SPORT PARTICIPATION—Mr Cohen asked the Minister for Regulatory Reform, Minister for Mineral Resources representing the Minister for Gaming and Racing, and Minister for Sport and Recreation—

- (1) What is the minimum age for participation in Cage Fighting and Ultimate Fighting matches under the Combat Sports Regulation 2009?
- (2) What data is used to determine the minimum age for participation in cage fighting?
- (3) Can a person be registered as a combat sport combatant at the age of 14?
- (4) How many persons between 14 and 18 years of age are registered as combat sport participants?

Answer—

- (1) 18 years.
- (2) The NSW Government's policy is that an adult person can choose freely whether to be involved in Combat Sports.
- (3) No.
- (4) Nil.

*3923 CLIMATE CHANGE AND THE ENVIRONMENT—ABORIGINAL CULTURAL HERITAGE REFORM STAKEHOLDERS—Mr Cohen asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

According to a Ministerial Brief dated 21 April 2004, amendments to Section 90 of the National Parks and Wildlife Act, which related to the destruction of aboriginal places and objects, never commenced "due to concerns from the NSW Minerals Council that new strict liability offence and "due diligence" defence provisions would adversely constrain the industry's exploration activities and management of mine buffer zones".

What steps have been taken since 2004 to update the aboriginal cultural heritage reform strategy to be inclusive of all stakeholders?

Answer—

I am advised of the following:

In 2009, the Government announced new legislative proposals to strengthen the protection of Aboriginal heritage in New South Wales.

The Government is proposing amendments to the National Parks and Wildlife Act 1974, which include new provisions for Aboriginal cultural heritage, and a draft Due Diligence Code of Practice.

I am advised that the Department of Environment Climate Change and Water undertook extensive consultation with a range of stakeholders throughout 2009 on proposed amendments. The process sought the views of the key Aboriginal stakeholders, environmental groups, mining, farming and property industries. Engagement by stakeholders was very detailed and constructive, and elicited a wide range of comments on the proposed legislation and Code of Practice.

The Government is currently considering this stakeholder feedback.

*3924 PRIMARY INDUSTRIES—GM FOOD LABELING—Mr Cohen asked the Minister for Primary Industries, Minister for Lands—

On 27 November 2007, the former Minister stated in a press release relating to the lifting of a moratorium on GM food plants that; "NSW Farmers will now have a choice as to whether they want to grow GM Canola or not and customers will be able to decide whether they want to buy them this is all about informed choice"

- (1) What steps have been taken to support consumers ability to make an "informed choice" particularly in regards to the labelling of goods which include GM canola?
- (2) Is the introduction of adequate labelling laws consistent with the former Minister's press release that characterises the issue as an issue of informed choice?

Answer—

- (1) 2009 is the second season in which NSW canola growers had a choice as to whether or not they wanted to grow GM canola. This year 96 growers in NSW took the opportunity to grow GM canola to evaluate if it can make a contribution to their enterprise.

- (2) The labelling provisions of the Australia New Zealand Food Standards Code (the Code), including those for the labelling of GM food, are developed at a national level by Food Standards Australia New Zealand, with input from the Australian States and Territories and New Zealand. The process involves a rigorous safety assessment, based on the most current scientific information.

In New South Wales the labelling provisions are administered and enforced by the NSW Food Authority. The current GM labelling requirements in Australia and New Zealand remain among the most comprehensive in the world and are designed to allow consumers to make an informed choice about the food they purchase.

*3925 CLIMATE CHANGE AND THE ENVIRONMENT—NSW CLIMATE CHANGE FUND—Mr Cohen asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) Under the NSW Climate Change Fund business sector energy efficiency programs have an emission reduction cost in \$213 per tonne of CO₂ equivalent. For the household sector, the emission reduction costs is \$89 per tonne of CO₂ equivalent. Would redirecting funding to households result in an increase in New South Wales' GHG emission reductions and energy savings?
- (2) The Deputy Director General of the Department of Environment Climate Change and Water stated during Budget Estimates, with reference to business sector energy efficiency programs "work we might do with a business is to support the development of a new technology, which will then go on the market and be much more widely picked up." How is the \$27 million provided under the business sector energy efficiency component of the Fund, driving technological development?

Answer—

I am advised that:

- (1) The figures quoted in the question are incorrect. Emission reduction costs under the NSW Climate Change Fund are for savings over a 10 year period. Annual report figures for the Fund show that in 2007/2008 costs were \$21 per tonne of CO₂ equivalent for business energy funding and \$9 per tonne for household energy funding. In 2008/2009, costs were \$10 per tonne for business and \$19 per tonne for households. The Fund supports all sectors and cost effectiveness varies over time with the types of projects being implemented.
- (2) The NSW Climate Change Fund has enabled industries, including manufacturing, retail, and service industries to upgrade equipment and processes, to improve operational efficiency and reduce costs. New technologies and practices are being more widely adopted by demonstrating their practical application and stimulating the market for products and services through increased demand. The Renewable Energy Development Program under the Fund specifically supports the demonstration and early commercialisation of emerging renewable energy technologies.

*3926 HEALTH—NSW HEALTH SALARY EXPENDITURE—Miss Gardiner asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Deputy Premier, and Minister for Health—

- (1)
- (a) Did \$3 billion out of the \$7 billion spent on salaries in 2005-2006 by NSW Health go toward employing managers rather than doctors and nurses as claimed by the Centre for Independent Studies in their paper *The Past is the Future for Public Hospitals: An Insiders Perspective on Hospital Administration* and reported in *The Australian* on 8 October 2009 by Dr John Graham?
- (b) If not, what is the department's analysis of the proportion of NSW Health salaries that in 2005-2006 was spent on managers rather than on doctors and nurses?
- (2) What proportion of NSW Health salaries budget in 2008-2009 was spent on managers compared with doctors and nurses?

Answer—

For the purposes of clarity 'management positions' have been interpreted to mean executives in the Health Executive Service, on the basis that these are the positions within the public health system involving broad general management responsibilities.

- (1)
- (a) No.
- (b) The total amount spent on 'management positions' as defined above, in 2005-2006 was \$23.45 million, compared to \$4.1 billion spent on Medical (including Visiting Medical Officers) and Nursing staff costs. When allied health and other professionals and para-professionals, oral health practitioners and therapists, ambulance clinicians, scientific and technical clinical support staff are included, this figure rises to in the order of \$5.48 billion.
- (2) The total amount spent on 'management positions' as defined above in 2008-2009 was \$27.95 million, compared to \$5.1 billion spent on Medical (including Visiting Medical Officers) and Nursing staff costs. When allied health and other professionals and para-professionals, oral health practitioners and therapists, ambulance clinicians, scientific and technical clinical support staff are included, this figure rises to in the order of \$6.68 billion.

Data sources: NSW Department of Health Annual Report 2005/06, NSW Department of Health Annual Report 2008/09, payroll data extracted from Health Information Exchange and NSW Department of Health Payroll. Note –Figures exclude Visiting Dental Officers and Third Schedule Facilities. Figures at Treasury group level are unaudited and unpublished and are indicative only.

*3927 HEALTH—UNIVERSITY FUNDING FOR MEDICAL TEACHING POSITIONS—Miss Gardiner asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Deputy Premier, and Minister for Health—

- (1)
- (a) Does the government contribute half of the salaries for six positions at the University of New England School of Rural Medicine, providing partial funding for a surgeon, paediatrician, obstetrician, psychiatrist, emergency medicine specialist and indigenous health specialist?
- (b) Does the government fully fund similar positions at the University of Wollongong Graduate School of Medicine?
- (c) If so, why does the government fully fund such positions at Wollongong but provides only half the funding for University of New England positions?
- (2) What was the total dollar amount of NSW Government contributions to the University of New England School of Rural Medicine for such positions in 2008-09?
- (3) What was the total dollar amount of government contributions to the University of Wollongong Graduate School of Medicine for such positions in 2008-09?
- (4)
- (a) Does the NSW Government have any plans to adjust such contributions in any way?
- (b) If so, when and how?

Answer—

I am advised:

- (1) - (4) The Commonwealth Government is responsible for funding of universities. The NSW Government does not directly contribute towards the salaries of positions at the University of New England School of Rural Medicine, nor does the Government fully fund the salaries of clinical academics at the University of Wollongong.

The NSW Government, through Area Health Services, provides significant in-kind support for clinical teaching, including provision of facilities and ongoing supervision by senior medical staff who contribute to the teaching of students as well as providing patient care.

*3928 TREASURER—SYDNEY PARKING SPACE LEVY—Ms Ficarra asked the Treasurer, Minister for State Development—

- (1) What analysis was authorised or conducted to justify almost doubling the Central Business District (CBD) Parking Space Levy in order to collect an additional \$50million?
- (2) What consultation and research was conducted into the effect of the levy increase on:
- (a) Employment within the CBD?
- (b) Traffic flows?

(c) Demand for public transport?

- (3) Will monies raised be used to address CBD traffic congestion and improvements to public transport, or will monies raised go back to general revenue?

Answer—

I am advised:

The Parking Space Levy seeks to reduce congestion and promote the use of public transport in business areas well serviced by public transport.

Under the Parking Space Levy Act the funds collected are used for the construction and maintenance of transport infrastructure which encourages public transport use.

Levy revenue from Sydney's major commercial centres is put back into public transport infrastructure. This includes new buses for Sydney transport users and commuter car parks in Western Sydney, the Central Coast, Blue Mountains and the Illawarra.

*3929 WATER—TWEED DISTRICT WATER SUPPLY AUGMENTATION—Mr Cohen asked the Minister for Primary Industries, Minister for Lands representing the Minister for Water, and Minister for Regional Development—

- (1) Given the NSW State Weirs Policy states that "the construction of new weirs, or enlargement of existing weirs, shall be discouraged" are there plans to oppose the Tweed District Water Supply Augmentation and the proposal by Tweed Council to either raise the wall of the existing Clarrie Hall Dam or build a dam at Byrrill Creek?
- (2) Given the Tweed is a high rainfall area, what steps are being taken to ensure that Tweed Council explores alternative water management strategies that are less environmentally damaging than dams?

Answer—

- (1) and (2) The Government's guidelines require Tweed Shire Council to prepare a comprehensive Integrated Water Cycle Management Plan to examine all supply and demand management issues. Council is undertaking extensive community consultation on a number of options and a preferred solution, based on social, environmental and economic factors, will then be selected for detailed studies, including an environmental impact statement.

New or enlarged storages are part of a range of options being considered, all of which include a continued commitment to demand management and alternative water management strategies, where practical. Any option that has unacceptable environmental impacts will not be pursued.

*3930 CLIMATE CHANGE AND THE ENVIRONMENT—LOCAL RECYCLING INITIATIVES—Mr Cohen asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) How many of the millions of 15, 20 and 25 litre plastic containers that are manufactured in NSW end up in landfill?
- (2) How is the government supporting local recycling initiatives such as the attempt by the Crossroad Drum Company in Drummoyne to reduce landfill by laundering used plastic containers for reuse or granulating them for reuse in plastic manufacture?

Answer—

I am advised:

- (1) The NSW Government does not specifically measure the disposal of 15, 20 and 25 litre plastic containers to landfill.
- (2) The NSW Government supports local recycling through a number of programs and regulatory initiatives. The Waste and Environment Levy is specifically designed to make recycling opportunities more economically viable in comparison to the cost of land-filling. The Government supports the National Packaging Covenant, which encourages the recovery and recycling of all forms of packaging waste, including plastic containers. It also works with the plastics industry and other stakeholders to improve plastics recovery and develop markets for recovered plastics.

In addition, agricultural and veterinary (agvet) chemicals and their containers have been identified as wastes of concern in NSW and are listed in the NSW Extended Producer Responsibility Priority Statement. The Department of Environment, Climate Change and Water is working with AgSafe to ensure that the chemical and farming industries collect and appropriately treat unwanted agvet chemicals and their containers, including 15, 20 and 25 litre plastic containers.

AgSafe also implements the drumMUSTER program, which is a national program for the collection and recycling of agvet chemical containers. The drumMUSTER program now covers all of NSW and there are service agreements with NSW councils in rural and farming communities where 99 per cent of agvet chemicals are sold. AgSafe has advised that since the inception of the drumMUSTER program, more than 14 million containers have been collected across Australia for recycling.

*3931 CLIMATE CHANGE AND THE ENVIRONMENT—WASTE MANAGEMENT PERFORMANCE—Mr Cohen asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

(1)

- (a) Is the reinvestment rate of landfill levy monies back to Local Councils at an appropriate level?
- (b) If so, why is the low rate of 24% a responsible reinvestment of the landfill levy into waste avoidance and resource recovery?

(2) At a recent National Recycling Initiative meeting of industry, non-government sector and environment groups a comment was made that "bureaucratic inaction, destabilised portfolio leadership and poor policy development has caused NSW to fall well behind other states" on waste management. During the recent Budget Estimates Deputy Director General stated that NSW is a leader in waste management.

- (a) Is the Deputy Director General correct?
- (b) If so, on what basis did the Deputy Director General make this statement?

Answer—

I am advised:

(1)

- (a) Yes
- (b) The levy drives improvements in waste avoidance and resource recovery primarily by making waste disposal more expensive and recovery and avoidance more financially viable. As the levy increases each year until 2015, it will drive further investment in resource recovery and encourage waste generators to look for ways to avoid generating waste.

(2)

- (a) Yes
- (b) The comments made by the Deputy Director General at the Budget Estimates Committee were on the basis that NSW remains at the forefront of waste management policy in Australia. This is demonstrated, for example, by the large numbers of resource recovery facilities that are being commissioned or in operation in NSW compared to other states, and its acknowledged leadership role in advancing national extended producer responsibility schemes, such as the recently agreed national television and computer scheme.

*3932 CLIMATE CHANGE AND THE ENVIRONMENT—MARINE PARK WATER QUALITY MONITORING—Mr Cohen asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

(1) To what degree is agricultural or urban chemical run-off and pollution having an impact on New South Wales marine parks?

(2)

- (a) Has any water quality monitoring in NSW Marine Parks revealed algal blooms or excessive nutrient loading?
- (b) If so, please provide details.

(3)

- (a) Does the Department of Environment, Climate Change and Water have any evidence of a link between alleged pollution in NSW Marine Parks and health of fishing stocks in NSW Marine Parks?
- (b) If so, please provide details.
- (4) Which of the 67 estuaries that drain and flow into coastal waters have a material impact on water quality in NSW Marine Parks?
- (5) In an earlier answer the Minister stated "the estuaries in marine parks in New South Wales have been assessed to be in good condition". What information was used as basis of this assessment?

Answer—

I am advised:

- (1) Historically, monitoring of agricultural chemicals (pesticides) and metals in estuaries within or near marine parks has demonstrated that the levels which may accumulate in animals is so low as to be undetectable. The Department of Environment, Climate Change and Water is not aware of any current specific concerns relating to agricultural or urban chemical run off in estuaries or coastal waters within or near marine parks.
- (2)
 - (a) Yes
 - (b) Chlorophyll is used as an indicator of excessive nutrient loading and increased algal abundance. This indicator of estuarine condition is available for 15 out of the 67 estuaries that occur in NSW marine parks. Of these, only four have been assessed as being in very poor or poor condition and they were all previously recognised to be under stress. The Marine Parks Authority is liaising closely with relevant Catchment Management Authorities as they develop their catchment action plans.
- (3)
 - (a) No
 - (b) Only one out of the four estuaries that have been assessed as having very poor or poor chlorophyll condition is important in terms of fish stocks, and the condition of fish assemblages in this estuary has been assessed as fair.
- (4) The estuaries assessed as having very poor chlorophyll condition are Belongil Creek and Tallow Creek in Cape Byron Marine Park and Congo Creek in Batemans Marine Park. The estuary assessed as having poor chlorophyll condition is the Brunswick River in Cape Byron Marine Park.
- (5) An overall ecological condition index is applied to estuaries within the Monitoring, Evaluating and Reporting program using parameters of chlorophyll, macroalgae, turbidity, mangroves, saltmarsh, seagrass and fish. Overall, 31 estuaries within NSW marine parks have had their condition assessed, with 10 determined to be in very good condition, 12 in good condition, five in fair condition, three in poor condition and one in very poor condition, this being Tallows Creek in Cape Byron Marine Park.

*3933 CLIMATE CHANGE AND THE ENVIRONMENT—LOCOMOTIVE POLLUTION STANDARDS—Ms Rhiannon asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1)
 - (a) Are there any emission standards for locomotives operating in NSW?
 - (b) If so, what are those standards?
 - (c) If not, why are there no standards?
- (2) Are older locomotives operating in NSW more polluting than those built more recently?
- (3) What are the levels of pollution emitted by the different types of locomotives?
- (4)
 - (a) What steps are being taken to phase out the more polluting locomotives?
 - (b) Over what time frame will this phase out occur?
- (5) In what region and to what ends are the more polluting locomotives operating?

Answer—

I am advised:

- (1)
 - (a) The Department of Environment, Climate Change and Water regulates the NSW rail network operators, RailCorp and the Australian Rail Track Corporation, through environment protection licences under the Protection of the Environment Operations Act 1997. These licences prescribe noise emission limits for new locomotives operating on the network. They do not prescribe air emission limits for locomotives. National environmental standards for locomotives are currently being developed by the Rail Industry Safety Standards Board. These standards will include noise and air emission limits for locomotives across Australia.
 - (b) The environment protection licences held by RailCorp and the Australian Rail Track Corporation are available on the Department of Environment, Climate Change and Water's public register.
 - (c) Noise is the most significant community concern associated with the rail network and the Department of Environment, Climate Change and Water has therefore focussed its regulatory effort on noise emissions.
- (2) Older locomotives are likely to be more polluting than newer locomotives.
- (3) The Department of Environment, Climate Change and Water holds noise emissions data for locomotives that have been introduced to the NSW rail network since the 1990s.
- (4)
 - (a) and (b) Older locomotives are progressively phased out as they are replaced by new ones the network. This is ongoing.
- (5) This question should be referred to the Minister for Transport.

*3934 TRANSPORT—LOCOMOTIVE POLLUTION STANDARDS—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1)
 - (a) Are there any emission standards for locomotives operating in NSW?
 - (b) If so, what are those standards?
 - (c) If not, why are there no standards?
- (2) Are older locomotives operating in NSW more polluting than those built more recently?
- (3) What are the levels of pollution emitted by the different types of locomotives?
- (4)
 - (a) What steps are being taken to phase out the more polluting locomotives?
 - (b) Over what time frame will this phase out occur?
- (5) In what region and to what ends are the more polluting locomotives operating?

Answer—

I am advised:

- (1) - (5) The Department of Environment, Climate Change and Water has oversight of environmental matters and issues relevant to environmental operating licences for rail networks and questions concerning locomotive emissions standards should be directed to the Minister for Climate Change and the Environment.

*3935 PRIMARY INDUSTRIES—GAME COUNCIL STAFF EMPLOYMENT CONDITIONS—Ms Rhiannon asked the Minister for Primary Industries, Minister for Lands—

- (1)
 - (a) Does the Game Council employ any staff on individual contracts?
 - (b) If so, how many staff are employed on individual contracts?
 - (c) If so, when were these individual contracts signed?

(2) Are any staff at the Game Council employed under the Public Service Management Act?

Answer—

(1)

(a) Yes

(b) 18

(c) 12/08/2009 & 18/08/2009 , 30/09/2009 & 02/10/2009, 29/11/2009 , 09/11/2009 & 12/11/2009, 28/02/2008 & 29/02/2008 , 21/12/2007, 06/05/2009 & 07/05/2009 , 28/07/2008 & 01/08/2008, 19/09/2008 & 23/09/2008, 19/09/2008 & 25/09/2008, 31/10/2008 & 13/11/2008, 18/12/2008 & 23/12/2008, 12/05/2009 & 19/05/2009, 07/05/2009 & 12/05/2009, 06/05/2009 & 12/05/2009, 02/07/2009 & 03/07/2009 , 24/08/2009, 28/05/2009.

(2) No.

*3936 PRIMARY INDUSTRIES—NEW SOUTH WALES GAME COUNCIL RESTRUCTURE—Ms Rhiannon asked the Minister for Primary Industries, Minister for Lands—

(1)

(a) Was the NSW Game Council recently restructured?

(b) If so, what was the nature of the restructuring?

(2)

(a) Were any Game Council workers or management staff offered a redundancy package?

(b) If so, how many accepted a redundancy offer?

(c) What were the details of the redundancy package?

(3)

(a) What was the position[s] of those who accepted a redundancy offer?

(b) In what part of NSW did they work?

(4)

(a) Where any workers sacked and not offered a redundancy package?

(b) If so, in what part of NSW did these staff work?

(5) Was the restructuring of the NSW Game Council carried out in accordance with the guidelines set down for the reorganisation of statutory bodies?

Answer—

(1)

(a) Yes.

(b) Two office locations in Glen Innes and Port Macquarie (staffed by one Game Manager each) were closed and one was opened in Tamworth (one Game Manager). One of the positions was moved to Sydney. Two Game Managers, employed by the Game Council under 5-year contracts that had or were to expire, were notified that their contracts would not be renewed, as per the terms of their contracts. Suitable staff with the experience and backgrounds appropriate to the current and future needs of the Game Council were sought and recruited.

(2)

(a) Yes.

(b) One.

(c) A without prejudice offer of a voluntary redundancy payment totaling 32 weeks pay, was made. The offer was based on the elements of the NSW public sector voluntary redundancy payment under the Government's Managing Excess Employees Policy.

(3)

(a) Game Manager, Glen Innes.

(b) New England and the North West Area of NSW.

(4)

- (a) Yes, one Game Manager's contract was terminated as a result of his conduct in the period soon after he was notified that his contract would not be renewed.
 - (b) Northern Rivers and the north east of NSW.
- (5) Not applicable, these guidelines do not apply to those employed for a specific period.

*3937 POLICE—FIREARM THEFT—Ms Rhiannon asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police, and Minister for Finance—

- (1)
- (a) How many firearms were stolen in the 2008/09 financial year?
 - (b) Was this an increase on the previous financial year?
 - (c) If so, by how much?
- (2) What percentage of firearms stolen were stored in a way that complied with the requirements for safe firearm storage?
- (3) If firearms that comply with the required storage arrangements are being stolen will the government tighten these storage requirements?

Answer—

The NSW Police Force has advised me:

- (1)
- (a) 580 firearms were stolen in the 2008/09 financial year. This represents 0.08% of all firearms registered.
 - (b) Yes.
 - (c) 109.
- (2) - (3) Safe storage requirements prescribed for firearms under the Firearms Act 1996 are on par with similar requirements in other jurisdictions and anyone found to be in breach risks up to two years' imprisonment. The NSW Police Force is currently conducting compliance audits of all addresses at which firearms are registered as being held.

*3938 HEALTH—MOBILE BREAST SCREEN UNIT—Ms Rhiannon asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Deputy Premier, and Minister for Health—

- (1)
- (a) Over the past 12 months what areas of NSW have the mobile Breast Screen Units been removed from?
 - (b) For each of the areas where a mobile Breast Screen Unit has been removed what was the reason for ending this service?
- (2) Is early diagnosis of breast cancer critical to increasing a woman's chance of survival?
- (3)
- (a) Is the Health Department monitoring the levels of breast cancer in those areas no longer serviced by a mobile Breast Screen Unit?
 - (b) If so, will the report on this monitoring be publicly released?
 - (c) If not, why not?
- (4) If the Health Department is not monitoring the levels of breast cancer in those areas no longer serviced by a mobile Breast Screen Unit, will such monitoring be put in place in order to determine the impact of the removal of these units from country areas?
- (5) What work has the Health Department undertaken to ensure that women who live in areas covered by the North Coast Area Health Service that no longer receive a visit from a mobile Breast Screen Unit are able to access a medical centre where they can be screened for breast cancer?

- (6) What work has the Health Department undertaken to ensure that women who live in other areas that no longer receive a visit from a mobile Breast Screen Unit are able to access a medical centre where they can be screened for breast cancer?
- (7) Considering the lack of public transport in country and regional NSW how is the Health Department ensuring women in these areas are able to travel to a centre where they can be screened for breast cancer?

Answer—

I am advised:

(1)

(a) and (b) BreastScreen NSW operates through a network of fixed and mobile screening sites. BreastScreen NSW in partnership with Area Health Services has rolled out new fixed breast screening sites to provide a year round service for women living in areas that were previously serviced by a mobile van. The digital mammography equipment used by fixed site services improves the chances of detecting an abnormality in its early stages. Services provided by mobile screening vans in the following areas are now provided from fixed screening sites:

- Auburn is now serviced through Auburn Hospital
- Mt. Druitt and St Marys are now serviced through Mt Druitt Hospital
- Tweed Heads, Murwillumbah, Mullumbimby and Byron Bay are now serviced at Tweed Heads
- Nambucca Heads and Macksville are now serviced at Coffs Harbour
- Ballina and Casino are now serviced at Lismore.

(2) Yes

(3) and (4) Cancer Institute NSW publishes, annually, the Cancer Incidence and Mortality Report, which includes breast cancer incidence and mortality data by local government area within area health services and can be found at the website - www.statistics.cancerinstitute.org.au.

(5) The North Coast Area Health Service increased the number of fixed BreastScreen sites in 2008 and these are located at Tweed Heads, Lismore, Coffs Harbour and Port Macquarie. Women who are registered with the BreastScreen program and women wishing to access the program for the first time are invited to attend their nearest fixed site if they do not reside near a location serviced by the mobile BreastScreen Unit. The fixed sites are open all year round. Out of hours appointments are now available at some fixed screening sites. In addition, the North Coast Area Health Service Transport Unit can assist BreastScreen clients who meet the criteria for travel assistance. Information regarding this service is included in the letters sent to clients inviting them for a breast screening appointment.

(6) and (7) BreastScreen NSW with the Area Health Services have increased the number of permanent fixed screening sites across the state to ensure women in metropolitan, rural and regional areas have more access to screening services. These permanent locations operate all year round and provide more women with access to early cancer detection services. BreastScreen clients can contact their local Area Health Services to enquire about transport services for screening appointments. The North Coast Area Health Service Health Transport Unit provides non emergency health related transport for members of the community who require assistance with transport to attend medical appointments and who meet an eligibility assessment.

*3939 CLIMATE CHANGE AND THE ENVIRONMENT—KANGAROO MANAGEMENT ADVISORY BOARD—Ms Rhiannon asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

(1)

- (a) What are the names of the members of the Kangaroo Management Advisory Panel?
 (b) What organisations do they represent?

(2)

- (a) Did the Kangaroo Management Advisory Panel support the decision to expand the NSW commercial kangaroo harvest zone?
 (b) If so, what was the evidence that the Kangaroo Management Advisory Panel used to make this decision?

Answer—

- (1)
- (a) and (b) I am advised that the current panel members are: David O'Shannessy, RSPCA NSW; Dr Tony English, Australian Veterinary Association; Patrick Medway, Wildlife Preservation Society of Australia; Dick MacFarlane, Dubbo Field Naturalists and Conservation Society; Marie Russell, Livestock Health and Pest Authorities; Ray Scott, NSW Farmers' Association; Greg Markwick, NSW Industry and Investment (formerly DPI); Sandy Bright, Pastoralists' Association of West Darling; Ian Brown, Kangaroo Industries Association of Australia Inc; Greg Bates, Australian Game Meat Producers Association; John Farr, NSW Kangaroo Harvesters' Association; Nicole Payne, Department of Environment, Climate Change and Water; and Joshua Gilroy, Department of Environment, Climate Change and Water (Chair).
- (2)
- (a) Yes.
- (b) I am advised that, before making its recommendation, the panel considered the non-commercial culling history of the area, population estimates from initial aerial surveys, and the example set by the South-East NSW Kangaroo Management Zone.

*3940 CLIMATE CHANGE AND THE ENVIRONMENT—KANGAROO POPULATION STUDIES—Ms Rhiannon asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1)
- (a) What studies are being undertaken by the Department to determine what impact the expansion of the commercial kangaroo harvest zone is having on the populations of the various species of macropods that are killed during the kangaroo harvesting programs?
- (b) If there are no studies being undertaken why is that?
- (c) If studies are undertaken will they be made public?

Answer—

- (1) I am advised that regular aerial surveys will be undertaken as part of the usual harvest management procedure. Indirect monitoring from harvest statistics is also ongoing, in accordance with the provisions of the NSW Commercial Kangaroo Harvest Management Plan 2007-11.
- (2) Not applicable.
- (3) I am advised that finalised reports and information about how the surveys are conducted are publicly available on the Department of Environment, Climate Change and Water's web site at www.environment.nsw.gov.au.

*3941 MINERAL RESOURCES—PORT WARATAH COAL SERVICES FOURTH NEWCASTLE TERMINAL—Ms Rhiannon asked the Minister for Regulatory Reform, Minister for Mineral Resources—

- (1) The Newcastle Herald [13 December 2009, page 4] reported that "Port Waratah Coal Service gets land from Government to build fourth Newcastle terminal". If this information is correct, how much land has been allocated to Port Waratah Coal Services?
- (2)
- (a) Did Port Waratah Coal Services pay for this land?
- (b) If so, how much?
- (3)
- (a) Do Port Waratah Coal Services pay rates on this land?
- (b) If so, how much?

Answer—

This is a matter for the Minister for Ports and Waterways.

*3942 HUNTER—PORT WARATAH COAL SERVICES FOURTH NEWCASTLE TERMINAL—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Commerce, Minister for Tourism, Minister for the Hunter, and Minister for Science and Medical Research—

- (1) The Newcastle Herald [13 December 2009, page 4] reported that "Port Waratah Coal Service gets land from Government to build fourth Newcastle terminal". If this information is correct, how much land has been allocated to Port Waratah Coal Services?
- (2)
 - (a) Did Port Waratah Coal Services pay for this land?
 - (b) If so, how much?
- (3)
 - (a) Do Port Waratah Coal Services pay rates on this land?
 - (b) If so, how much?

Answer—

I am advised:

This question should be directed to the Minister for Ports and Waterways.

*3943 PREMIER—HEATWAVES—Ms Rhiannon asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Premier, Minister for the Arts, and Minister for the Central Coast—

- (1) What is the Government definition of a heatwave?
- (2) What groups of people has the Government identified as vulnerable in a heatwave?
 - (a) What plans are in place to inform these people that a heatwave is pending?
 - (b) What assistance is made available to these people to manage heatwave conditions?
- (3)
 - (a) Has the Government made an estimate of how many people in New South Wales are expected to die in a heatwave?
 - (b) What are the figures overall?
 - (c) What are the figures for each specific age grouping?
- (4) How does the Government intend to address heatwaves and their associated dangers this summer?
- (5)
 - (a) Does the Government have an operational heatwave strategy?
 - (b) If not, will the Government develop a heatwave plan in the interests of public health and vulnerable groups at greater risk of illness or death due to the increased severity and frequency of heatwaves as a result of climate change?

Answer—

Ms Rhiannon is referred to the response to question no. LC 3946.

*3944 PREMIER—PORT WARATAH COAL SERVICES FOURTH NEWCASTLE TERMINAL—Ms Rhiannon asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Premier, Minister for the Arts, and Minister for the Central Coast—

- (1) The Newcastle Herald [13 December 2009, page 4] reported that "Port Waratah Coal Service gets land from Government to build fourth Newcastle terminal". If so, how much land has been allocated to Port Waratah Coal Services?
- (2)
 - (a) Did Port Waratah Coal Services pay for this land?
 - (b) If so, how much?
- (3)
 - (a) Do Port Waratah Coal Services pay rates on this land?

(b) If so, how much?

Answer—

I am advised that:

(1) - (3) None. Port Waratah Coal Services has not acquired a proprietary interest in any land. However, under an Agreement for Lease between Port Waratah Coal Services, Newcastle Port Corporation and the State Property Authority, Port Waratah Coal Services has acquired the right to conduct investigations on a site on Kooragang Island for the potential development of a fourth Newcastle coal terminal.

*3945 EMERGENCY SERVICES—HEATWAVES—Ms Rhiannon asked the Minister for Primary Industries, Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

(1) What is the Government definition of a heatwave?

(2)

(a) What groups of people has the Department of Emergency Management NSW identified as vulnerable in a heatwave?

(b) What plans are in place to inform these people that a heatwave is pending?

(c) What assistance is made available to these people to manage heatwave conditions?

(3)

(a) Has the Department made an estimate of how many people in New South Wales are expected to die in a heatwave?

(b) What are the figures overall?

(c) What are the figures for each specific age grouping?

(4) How does the Department intend to address heatwaves and their associated dangers this summer?

(5)

(a) Does the Department have an operational heatwave strategy?

(b) If not, will the Department develop a heatwave plan in the interests of public health and vulnerable groups at greater risk of illness or death due to the increased severity and frequency of heatwaves as a result of climate change?

Answer—

This question should be directed to my colleague the Minister for Health.

*3946 HEALTH—HEATWAVES—Ms Rhiannon asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Deputy Premier, and Minister for Health—

(1) What is the Government definition of a heatwave?

(2)

(a) What groups of people has NSW Health identified as vulnerable in a heatwave?

(b) What plans are in place to inform these people that a heatwave is pending?

(c) What assistance is made available to these people to manage heatwave conditions?

(3)

(a) Has the Department made an estimate of how many people in New South Wales are expected to die in a heatwave?

(b) What are the figures overall?

(c) What are the figures for each specific age grouping?

(4) How does the Department intend to address heatwaves and their associated dangers this summer?

(5)

(a) Does the Department have an operational heatwave strategy?

- (b) If not, will the Department develop a heatwave plan in the interests of public health and vulnerable groups at greater risk of illness or death due to the increased severity and frequency of heatwaves as a result of climate change?

Answer—

I am advised:

- (1) The NSW Government obtains the definition of "heat wave" from the Commonwealth Bureau of Meteorology.
- (2)
- (a) - (c) In the event of a possible heat wave, NSW Health makes information available to prepare the community for extremely hot weather conditions. This advice is aimed at all members of the community, although there is a focus on the vulnerable and their carers. The advice includes information about the signs and symptoms of heat stroke and dehydration and what preventative measures should be taken. Vulnerable populations and those most at risk during a heat wave include those who:
- are over the age of 65, particularly those that are over 75 years of age
 - are mentally ill, disabled and/or homeless
 - are obese and/or physically unfit
 - have pre-existing chronic diseases, especially cardio-respiratory, renal disease,
 - take certain types of medication, especially psychiatric and cardiac drugs
 - are children
 - are outdoor workers and have a high exposure to the hot weather
 - are over the age of 65, particularly those that are over 75 years of age
 - are mentally ill, disabled and/or homeless
 - are obese and/or physically unfit
 - have pre-existing chronic diseases, especially cardio-respiratory, renal disease,
 - take certain types of medication, especially psychiatric and cardiac drugs
 - are children
 - are outdoor workers and have a high exposure to the hot weather
- (3) The NSW Department of Health does not routinely collect data on the number of people that display symptoms related to heat waves.
- (4) NSW Health is currently developing a public health campaign aimed at reducing the impact of heat waves. This campaign will feature information for the general public and will also target vulnerable groups.
- (5)
- (a) and (b) NSW takes an all hazards approach to emergency preparedness and planning. Extreme heat events are one hazard that can be responded to by NSW Health and emergency services as needed.

The State Health Plan provides the framework for NSW Health to respond to major incidents and disasters. The Plan is reflected across the eight Area Health Services in their local Health Plans and for the Ambulance Service in the State Major Incident Disaster Plan.

*3947 TRANSPORT—NEW RAIL CROSSING THROUGH THE LIVERPOOL RANGES TO GUNNEDAH—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1)
- (a) Has \$290 million been allocated for a new rail crossing through the Liverpool Ranges to Gunnedah?
- (b) If so, how much of this money has been spent?
- (c) If so, what has it been spent on?
- (d) If not, how much money has been allocated for this rail crossing?
- (e) If not, when do you anticipate the work will start?
- (2) Is this rail crossing for all freight or just for the transport of coal?

(3) Will passenger rail services utilise this line at any time?

Answer—

I am advised:

The Australian Rail Track Corporation (ARTC) took up a 60 year lease of the NSW interstate and Hunter Valley rail freight corridors in September 2004. The new rail crossing through the Liverpool Ranges to Gunnedah is the responsibility of the ARTC.

*3948 MINERAL RESOURCES—NEW RAIL CROSSING THROUGH THE LIVERPOOL RANGES TO GUNNEDAH—Ms Rhiannon asked the Minister for Regulatory Reform, Minister for Mineral Resources—

(1)

- (a) Has \$290 million been allocated for a new rail crossing through the Liverpool Ranges to Gunnedah?
- (b) If so, how much of this money has been spent?
- (c) If so, what has it been spent on?
- (d) If not, how much money has been allocated for this rail crossing?
- (e) If not, when do you anticipate the work will start?

(2) Is this rail crossing for all freight or just for the transport of coal?

(3) Will passenger rail services utilise this line at any time?

Answer—

This is a matter for the Minister for Transport and Roads.

*3949 TRANSPORT—FAST FERRY SERVICE—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1) What is the tender criteria for the 'Fast Ferry Service' to Manly from Circular Quay?
- (2) Is the nominal amount of the access fee for Manly Wharf a criteria of this tender decision?
- (3) Will this service be tendered in accordance with section 17A of the Passenger Transport Act 1990?

Answer—

I am advised:

- (1) The tender criteria for the Manly High Speed Ferry Service Request for Tender are:
- (2) Yes.
- (3) Section 17A does not apply. Pursuant to section 216A of the Passenger Transport Regulation 2007, a high speed ferry service between Manly and Circular Quay is prescribed as a regular passenger service of a class that is not included within the meaning of the definition of 'regular ferry service' in section 3(1) of the Passenger Transport Act 1990.

*3950 PORTS AND WATERWAYS—FAST FERRY SERVICE—Ms Rhiannon asked the Minister for Regulatory Reform, Minister for Mineral Resources representing the Minister for Ports and Waterways—

- (1) What is the tender criteria for the 'Fast Ferry Service' to Manly from Circular Quay?
- (2) Is the nominal amount of the access fee for Manly Wharf a criteria of this tender decision?
- (3) Will this service be tendered in accordance with section 17A of the Passenger Transport Act 1990?

Answer—

This is a matter for the Minister for Transport.

*3951 MINERAL RESOURCES—NEW RAIL LINE FROM MINIMBAH TO MAITLAND—Ms Rhiannon asked the Minister for Regulatory Reform, Minister for Mineral Resources—

(1)

- (a) Has \$384 million been allocated for a third rail track between Minimbah and Maitland?
 - (b) If so, how much of this money has been spent?
 - (c) If so, what has it been spent on?
 - (d) If not, how much money has been allocated for this project?
 - (e) If not, when do you anticipate the work will start?
- (2) Is this rail project for the movement of all passenger and freight rail or just for the transport of coal?

Answer—

This is a matter for the Minister for Transport and Roads.

*3952 TRANSPORT—NEW RAIL LINE FROM MINIMBAH TO MAITLAND—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1)
- (a) Has \$384 million been allocated for a third rail track between Minimbah and Maitland?
 - (b) If so, how much of this money has been spent?
 - (c) If so, what has it been spent on?
 - (d) If not, how much money has been allocated for this project?
 - (e) If not, when do you anticipate the work will start?
- (2) Is this rail project for the movement of all passenger and freight rail or just for the transport of coal?

Answer—

I am advised:

The Australian Rail Track Corporation (ARTC) took up a 60 year lease of the NSW interstate and Hunter Valley rail freight corridors in September 2004. The rail line between Minimbah and Maitland is the responsibility of the ARTC.

*3953 TRANSPORT—MAITLAND TO BRANXTON BI-DIRECTIONAL SIGNALLING—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1)
- (a) Has \$40 million been spent on bi-directional signalling between Maitland and Branxton?
 - (b) If not how much has been spent?
 - (c) When will the project be completed?
 - (d) What is the purpose of this project?

Answer—

I am advised:

The Australian Rail Track Corporation (ARTC) took up a 60 year lease of the NSW interstate and Hunter Valley rail freight corridors in September 2004. The signalling between Maitland and Branxton is the responsibility of the ARTC.

*3954 MINERAL RESOURCES—MAITLAND TO BRANXTON BI-DIRECTIONAL SIGNALLING—Ms Rhiannon asked the Minister for Regulatory Reform, Minister for Mineral Resources—

- (1)
- (a) Has \$40 million been spent on bi-directional signalling between Maitland and Branxton?
 - (b) If not how much has been spent?
 - (c) When will the project be completed?
 - (d) What is the purpose of this project?

Answer—

This is a matter for the Minister for Transport and Roads.

*3955 POLICE—TRAFFIC AND SPEEDING CAMERAS—Ms Rhiannon asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State representing the Minister for Police, and Minister for Finance—

(1)

- (a) How many individual fines were issued as a result of the operation of traffic or speeding cameras in the last three annual recording periods?
- (b) What variables explain the rise or fall in the number of these fines?

(2)

- (a) Has there been a rise or fall in the overall number of traffic accidents following the introduction of traffic or speeding cameras?
- (b) If there has been a decline, how does this correlate with the number of cameras deployed across New South Wales?

(3)

- (a) Has there been an increase in the number of speed or traffic cameras over the last three years?
- (b) If so how many new sites have a speed or traffic camera in each of the last three years?

(4)

- (a) Are there any plans to locate additional speed and traffic cameras on roads around New South Wales in the next 12 months?
- (b) If so, how many and what type of locations will be targeted?

(5)

- (a) Has there been an increase in revenue from traffic infringements following the introduction of traffic or speeding cameras?
- (b) What percentage of the state's annual revenue do the fines from traffic and speeding cameras comprise?
- (c) Is this rate increasing?
- (d) If so, by how much each year?

(6)

- (a) How many people each year contest traffic or speeding fines in the court system?
- (b) Is there a higher level of contesting fines from traffic or speeding cameras than from fines issued by police?
- (c) By how many people per year is it higher or lower?

(7) If there is an increase in the number of people contesting fines what are the additional and total costs of managing this process within the court system?

(8)

- (a) How have additional cases coming to court as a result of traffic or speeding camera fines impacted on the time people contesting other issues have had to wait to have their cases heard?
- (b) By how long has the time taken for a case to be heard increased since the introduction of traffic or speeding cameras?

(9) If additional traffic or speeding cameras are to be introduced over the next few years, what actions will the Roads and Traffic Authority and other Government agencies take to ensure that potential delays in court processing are avoided?

Answer—

The NSW Police Force has advised me that it does not currently operate or administer traffic speed cameras. The Member's questions should be redirected to the appropriate Minister.

*3956 MINERAL RESOURCES—NEW RAIL LINE FROM MUSWELLBROOK TO ST HELLIERS—Ms Rhiannon asked the Minister for Regulatory Reform, Minister for Mineral Resources—

(1)

- (a) Has \$27 million been spent on a new line between Muswellbrook and St Helliers?
- (b) If not, how much has been spent?
- (c) When will the project be completed?
- (d) What is the purpose of this project?

Answer—

This is a matter for the Minister for Transport and Roads.

*3957 TRANSPORT—NEW RAIL LINE FROM MUSWELLBROOK TO ST HELLIERS—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

(1)

- (a) Has \$27 million been spent on a new line between Muswellbrook and St Helliers?
- (b) If not, how much has been spent?
- (c) When will the project be completed?
- (d) What is the purpose of this project?

Answer—

I am advised:

The Australian Rail Track Corporation (ARTC) took up a 60 year lease of the NSW interstate and Hunter Valley rail freight corridors in September 2004. The rail line from Muswellbrook to St Helliers is the responsibility of the ARTC.

*3958 TRANSPORT—TRAFFIC AND SPEEDING CAMERAS—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

(1)

- (a) How many individual fines were issued as a result of the operation of traffic or speeding cameras in the last three annual recording periods?
- (b) What variables explain the rise or fall in the number of these fines?

(2)

- (a) Has there been a rise or fall in the overall number of traffic accidents following the introduction of traffic or speeding cameras?
- (b) If there has been a decline, how does this correlate with the number of cameras deployed across New South Wales?

(3)

- (a) Has there been an increase in the number of speed or traffic cameras over the last three years?
- (b) If so how many new sites have a speed or traffic camera in each of the last three years?

(4)

- (a) Are there any plans to locate additional speed and traffic cameras on roads around New South Wales in the next 12 months?
- (b) If so, how many and what type of locations will be targeted?

(5)

- (a) Has there been an increase in revenue from traffic infringements following the introduction of traffic or speeding cameras?
- (b) What percentage of the state's annual revenue do the fines from traffic and speeding cameras comprise?
- (c) Is this rate increasing?
- (d) If so, by how much each year?

(6)

- (a) How many people each year contest traffic or speeding fines in the court system?
 - (b) Is there a higher level of contesting fines from traffic or speeding cameras than from fines issued by police?
 - (c) By how many people per year is it higher or lower?
- (7) If there is an increase in the number of people contesting fines what are the additional and total costs of managing this process within the court system?
- (8)
- (a) How have additional cases coming to court as a result of traffic or speeding camera fines impacted on the time people contesting other issues have had to wait to have their cases heard?
 - (b) By how long has the time taken for a case to be heard increased since the introduction of traffic or speeding cameras?
- (9) If additional traffic or speeding cameras are to be introduced over the next few years, what actions will the Roads and Traffic Authority and other Government agencies take to ensure that potential delays in court processing are avoided?

Answer—

I am advised:

- (1) - (9) This issue of fines should be referred to the Treasurer as he is responsible for the State Debt Recovery Office.

Issues concerning court processes should be referred to the Attorney General.

Between 2000 and 2008 the number of recorded crashes has decreased by 19% from 52,914 to 42,833.

There are currently 172 fixed speed cameras at 141 locations, details of which can be found on the RTA's website.

New digital safety cameras will be installed at 200 sites and are replacing the current outdated wet film red light cameras and will also enforce speeding offences at some of the locations. The first 50 locations will be installed at those intersections that pose the highest yearly crash cost to the community.

*3959 PLANNING—SOMERSBY FIELDS—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Planning, Minister for Infrastructure, and Minister for Redfern Waterloo—

- (1) What progress has been made in regard to rezoning Somersby Fields?
- (2) Has the Minister met with Gosford City Council as part of this process?
- (3) Will the rezoning allow for a buffer zone of 1km around schools and other vulnerable institutions?
- (4) When can Somersby residents expect the area to be rezoned?

Answer—

- (1) The proposal to rezone the Somersby Fields site remains under consideration.
- (2) See 1 above.
- (3) See 1 above.
- (4) See 1 above.

*3960 TRANSPORT—SCHOOL BUS SEATBELTS—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Transport, and Minister for the Illawarra—

- (1) Is the Minister aware of the National Guidelines for Risk Assessment of School Bus Routes?
- (2)
 - (a) Have the risks of school buses without seatbelts been assessed?
 - (b) What action has been taken to alleviate the risks?
- (3)
 - (a) How many school buses in New South Wales have been fitted with lap/sash seatbelts?
 - (b)

- (i) Have safety improvements been implemented in New South Wales, particularly to buses travelling on high risk routes?
 - (ii) If not, why not?
- (4) Why does the Government continue to purchase buses without seatbelts when \$25,000 of Federal Government funding is available per new bus for the provision of lap/sash seat belts?
- (5) Will the dangerous policy of allowing passengers to stand on buses travelling on non-urban, high speed or dirt roads be outlawed?

Answer—

(1) - (3) The NSW Government has been looking closely at the issue of school bus safety. The work done by NSW has been instrumental in the development of National Guidelines for Risk Assessment of School Bus Routes, which have been endorsed by the Australian Transport Council. These Guidelines are being used to identify possible risk factors along school bus routes, particularly in rural and regional areas, and to classify routes according to the overall level of risk. Risk factors include a range of road, traffic and climate conditions, including speed limits, road design and curvature, or the presence of heavy vehicle traffic. Routes containing higher risk factors are being classified as Environment Three. NSW has almost completed this assessment process for more than 3,000 rural and regional school bus routes. Once this is complete, NSW Transport and Infrastructure will work with operators of Environment Three bus routes and other stakeholders to develop specific mitigation strategies. Strategies that may be implemented include reducing the maximum speed of travel, changing the course of the route, providing additional training for drivers, treating other external factors (eg: level crossings) or where appropriate, installing seatbelts. Consideration also needs to be given to educating school children and other drivers about safety around school buses.

(4) The Commonwealth Government operates the Seatbelts for Kids Program which provides a subsidy for bus operators to install seatbelts on buses. A maximum of \$25,000 is available for each school bus. NSW has been encouraging its private operators to access this funding. Approximately 23 buses have been upgraded under this program.

(5) NSW Transport and Infrastructure imposes speed restrictions as a condition of a bus operator's accreditation where a school bus has standing passengers.

*3961 PLANNING—PEABODY METROPOLITAN MINE—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Planning, Minister for Infrastructure, and Minister for Redfern Waterloo—

- (1) On what basis were members of the Planning Assessment Commission (PAC) inquiry into the extension of Peabody's metropolitan mine appointed?
- (2) What safeguards were in place to ensure the independence of the Commission?
- (3)
 - (a) Did the Department of Planning and the Director General, Mr Sam Haddad refuse to appoint the five independent experts supplied by Rivers SOS to the Panel?
 - (b) If so, was there anyone representing the community other than those from the mining sector?

Answer—

- (1) The members of the Metropolitan PAC inquiry were appointed on the basis of their expertise and experience, and consistent with the advice of the Department of Planning.
- (2) The PAC has established a Code of Conduct, which was implemented in December 2008, prior to the announcement of the Metropolitan PAC inquiry.
- (3)
 - (a) The list supplied by Rivers SOS was first received by the Department of Planning on 22 February 2009, which was after the appointment and announcement of the Metropolitan PAC Panel.
 - (b) The purpose of the PAC review was to provide an independent expert assessment of the project, not to represent community or sectional interests.

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*3962 PLANNING—PORT WARATAH COAL SERVICE FOURTH TERMINAL—Ms Rhiannon asked the Treasurer, Minister for State Development representing the Minister for Planning, Minister for Infrastructure, and Minister for Redfern Waterloo—

- (1) The Newcastle Herald [13 December 2009, page 4] reported that "Port Waratah Coal Service gets land from Government to build fourth Newcastle terminal". If so, how much land has been allocated to Port Waratah Coal Services?
- (2)
 - (a) Did Port Waratah Coal Services pay for this land?
 - (b) If so, how much was paid?
- (3)
 - (a) Does Port Waratah Coal Services pay rates on this land?
 - (b) If so, how much is paid?

Answer—

These questions should be referred to the Minister for Ports and Waterways.

*3963 LOCAL GOVERNMENT—LOCAL GOVERNMENT GENERAL MANAGER CONTRACTS—Ms Ficarra asked the Minister for Primary Industries, Minister for Lands representing the Minister for Local Government, and Minister Assisting the Minister for Health (Mental Health and Cancer)—

- (1) Are Councillors entitled to a copy of the performance review of a General Manager prior to a Confidential Session of the Council to determine the matter?
- (2) Are Councillors entitled to a copy of the General Manager's contract at any time prior to, during, or post deliberations on renewal or continuation of such contract?
- (3) Are Councillors entitled to a copy or to view a copy of a General Manager's Performance Criteria even when the Council is determining whether the General Manager's Contract should be continued or renewed?
- (4) At a Confidential Session of a Council meeting at which the Performance Review is to be considered, must the matter be immediately determined at that meeting?
- (5) At a Confidential Session of the Council meeting at which the Performance Review is to be considered, may Councillors only view the performance review of the General Manager and not be provided with a copy of that document?
- (6)
 - (a) Will action be taken to ensure that Councillors are properly informed as to relevant matters prior to appointing, renewing or continuing a General Manager's contract by ensuring that the above mentioned documents are available to Councillors at least seven days prior to them having to make a decision on whether to appoint, continue or renew a contract of a General Manager?
 - (b) If not, why not?
 - (a) What qualifications does a firm undertaking Performance Reviews of General Manager have to have?
 - (b) Will the Division of Local Government introduce an accreditation process to ensure that firms undertaking such reviews and advising Councils are free from conflicts of interest and are properly qualified to undertake such work?
 - (c) If not, why not?
- (7)
 - (a) What qualifications does a firm undertaking Recruitment Reviews of General Manager have to have?
 - (b) Will the Division of Local Government introduce an accreditation process to ensure that firms undertaking such reviews and advising Councils are free from conflicts of interest and are properly qualified to undertake such work?

(c) If not, why not?

Answer—

I provide the following details in response to your questions:

- (1) Yes.
- (2) Yes.
- (3) Yes.
- (4) No.
- (5) This is a matter of discretion for each council.
- (6)
 - (a) A council may only appoint or reappoint its general manager by resolution at a properly constituted council meeting. The Local Government Act requires that the agenda and business papers for each council meeting be sent to each councillor at least three days prior to the meeting. Councils are however free to prescribe any longer period they see fit for the provision of documents to councillors prior to a meeting. Councillors were informed of these requirements during the councillor training sessions conducted by the former Department of Local Government following the 2008 ordinary council elections.
 - (b) See 6.a above.
 - (c) A council is under no obligation to engage the services of a firm when assessing a general manager's performance. Should a council choose to use a firm, it is for the council itself to consider the firm's suitability in light of the requirements set out in the Local Government Act and the conflict of interest provisions in the Code of Conduct.
 - (d) See 6.c above.
 - (e) See 6.c above
- (7)
 - (a) A council is under no obligation to engage the services of a recruitment agency when recruiting a general manager. Should a council choose to do so then it is for the council itself to determine the suitability of a particular recruitment agency to assist it in the recruitment process. A practice note to assist councils in meeting the requirements of the Act in relation to the recruitment of their general managers and to adopt best practices has been developed by the Division of Local Government. The Local Government and Shires Associations also provide advice and assistance to councils on executive recruitment.
 - (b) See 7.a above.
 - (c) See 7.a above.

*3964 LOCAL GOVERNMENT—LOCAL GOVERNMENT MANDATORY CODE OF CONDUCT—Ms Ficarra asked the Minister for Primary Industries, Minister for Lands representing the Minister for Local Government, and Minister Assisting the Minister for Health (Mental Health and Cancer)—

- (1) Is it a breach of the Local Government Mandatory Code of Conduct, the Local Government Act or any other legislation for a General Manager of a Council or Council Officer to release to the Media a letter from the Independent Commission Against Corruption marked "In Confidence" which names a complainant?
- (2) Is it a breach of the Local Government Mandatory Code of Conduct, the Local Government Act or any other legislation for a General Manager of a Council to speak to the Media about a complaint and name the complainant/s?
- (3) Is it a breach of the Local Government Mandatory Code of Conduct, the Local Government Act or any other legislation for a General Manager of a Council to speak purportedly on behalf of a Legal Officer of the Division of Local Government about a complaint to the Minister or Division of Local Government and name the complainant/s, despite the complainant/s not being notified?
- (4) Is it appropriate for an Officer of the Division of Local Government to advise a General Manager or Council Officer verbally of a complaint/s or an outcome of a complaint/s so that same can be reported in the Media without the complainant/s being informed of the outcome?
- (5) If the above actions constitute a breach, what action can be taken against the respective General

Manager and/or Council Officer?

Answer—

I provide the following details in response to your questions:

- (1) Councils themselves are primarily responsible for determining whether the actions of their members and staff constitute a breach of the standards of behaviour set out in the code of conduct. It is also for councils to determine what should occur in cases of a breach of those standards. It would be inappropriate for me or the Division of Local Government to publicly comment on an allegation of a breach of a council's code of conduct before the council in question itself has first had an opportunity to examine the matter and take any appropriate action. Concerns about any disclosure of confidential correspondence from the Independent Commission Against Corruption should be raised with that organisation.
- (2) See response to question 1.
- (3) See response to question 1.
- (4) In the course of dealing with a complaint, it will often be necessary for the Division of Local Government to make enquiries into the matter with the council concerned. Enquiries may be made in writing, by telephone or in person. Where the Division makes enquiries, it will normally inform the council on outcomes unless, given the circumstances of a particular matter, it is not appropriate to do so.
- (5) The Model Code of Conduct requires complaints about a council's general manager to be made to the Mayor. Following receipt of the complaint and appropriate review, it is a matter for the elected council to determine whether there has been a breach of the code of conduct and impose any sanction.

*3965 LOCAL GOVERNMENT—BROOKVALE OVAL—Ms Ficarra asked the Minister for Primary Industries, Minister for Lands representing the Minister for Local Government, and Minister Assisting the Minister for Health (Mental Health and Cancer)—

- (1) Has the Minister or the Department received any complaints concerning proposals regarding the reclassification and redevelopment of Brookvale Oval?
- (2) Do any of the proposals regarding Brookvale Oval breach the Brookvale Park Plan of Management or the Warringah Local Environmental Plan 2000?
- (3)
 - (a) Is it a breach of the Mandatory Local Government Code of Conduct, the Local Government Act, any other legislation or Plans of Management for a Council Officer to make proposals contrary to these instruments?
 - (b) If so, what action can be taken against the General Manager or Council Officer/s that have breached these instruments?

Answer—

I provide the following details in response to your questions:

- (1) Yes, one complaint.
- (2) It is a matter for Council to ensure that the final proposal it intends to endorse complies with the relevant legislation and plan of management.
- (3)
 - (a) I am advised that Brookvale Oval is classified as community land. Its management therefore must comply with the relevant requirements of the Local Government Act 1993, the Local Government (General) Regulation 2005 and the relevant plan of management. It is appropriate for Council officers to prepare and submit options for Council's consideration. Where there is doubt about the validity of a specific proposal, the Council should obtain its own legal advice. Ultimately, it is a matter for Council to decide whether to adopt or reject those options. I am advised by the Division of Local Government that Warringah Council considered various options for the future development of Brookvale Oval at its meeting of 25 August 2009. I am also advised that Council resolved to undertake a comprehensive community consultation process regarding these options.

(b) See above.

*3966 ATTORNEY GENERAL—OMBUDSMAN INVESTIGATIONS AND LEGAL PROFESSIONAL PRIVILEGE—Ms Hale asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council—

- (1) Is the NSW Ombudsman the only Ombudsman in Australia that can be refused access to documents held by public sector agencies on the grounds of legal professional privilege?
- (2)
 - (a) Does a similar restriction on access apply to the Police Integrity Commission or the Independent Commission Against Corruption?
 - (b) If not, what concerns does the Government have that prevent it from amending the Ombudsman Act 1974 to grant the Ombudsman access?
- (3) Can the assertion of legal professional privilege be used by an authority to obstruct an Ombudsman's investigation?
- (4) Will the Government introduce legislation to amend section 21 of the Ombudsman Act 1974 to remove the restriction that prevents the Ombudsman gaining access to documents held by a public sector authority where the authority asserts legal professional privilege?

Answer—

I am advised:

Legal professional privilege is a fundamental common law right that has been modified by legislation in relation to Ombudsmen in other Australian jurisdictions. In 2009, the NSW Government introduced modifications to legal professional privilege as part of its freedom of information reforms.

Under the Government Information (Information Commissioner) Act 2009, the Information Commissioner has been given the power to compel production of legally privileged documents from agencies. The Government Information (Public Access) Act 2009 also contains a provision aimed at encouraging public sector agencies not to rely on legal professional privilege when determining access to information applications.

*3967 PREMIER—OMBUDSMAN INVESTIGATIONS AND LEGAL PROFESSIONAL PRIVILEGE—Ms Hale asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Premier, Minister for the Arts, and Minister for the Central Coast—

- (1) Is the NSW Ombudsman the only Ombudsman in Australia that can be refused access to documents held by public sector agencies on the grounds of legal professional privilege?
- (2)
 - (a) Does a similar restriction on access apply to the Police Integrity Commission or the Independent Commission Against Corruption?
 - (b) If not, what concerns does the Government have that prevent it from amending the Ombudsman Act 1974 to grant the Ombudsman access?
- (3) Can the assertion of legal professional privilege be used by an authority to obstruct an Ombudsman's investigation?
- (4) Will the Government introduce legislation to amend section 21 of the Ombudsman Act 1974 to remove the restriction that prevents the Ombudsman gaining access to documents held by a public sector authority where the authority asserts legal professional privilege?

Answer—

Legal professional privilege is a fundamental common law right that has been modified by legislation in relation to Ombudsmen in other Australian jurisdictions. In 2009, the NSW Government introduced modifications to legal professional privilege as part of its freedom of information reforms.

Under the Government Information (Information Commissioner) Act 2009, the Information Commissioner has been given the power to compel production of legally privileged documents from agencies. The Government Information (Public Access) Act 2009 also contains a provision aimed at

encouraging public sector agencies not to rely on legal professional privilege when determining access to information applications.

*3968 WATER—LACHLAN REGULATED RIVER WATER SOURCE—Mr Cohen asked the Minister for Primary Industries, Minister for Lands representing the Minister for Water, and Minister for Regional Development—

- (1) How many high security water licences in the Lachlan Regulated River Water Source are held by mining companies?
- (2) Of the approximate 11.5 GL allocated to high security licence holders in the Lachlan Regulated River Resource in the 2009/10 water year what percentage of the allocation is used by mining companies?
- (3) What are the names of the members sitting on the Critical Water Advisory Committee for the Lachlan Regulated River Water Source?
- (4)
 - (a) How many meetings has the Critical Water Advisory Committee had?
 - (b) On what dates did these meetings take place?
- (5)
 - (a) Prior to the closure of the Lachlan River at Condobolin, were 500 mega litres per day released from Wyangala Dam to fill high security licence orders?
 - (b) If so, which high security licence holders received delivery of water and allocations?
- (6) How much water has been received at Lake Brewster from the Lachlan River in the last year?

Answer—

- (1) Mining companies hold two Regulated River (High Security) Access Licences in the regulated Lachlan River water source. One licence is held downstream of Lake Cargelligo Weir and has a share component of 80 units, which equates to 8 ML under the current 10 percent water allocation. The second is upstream of Lake Cargelligo Weir and has a share component of zero units. The zero share licence is required to allow the company to purchase allocation water from the market (temporary trade).
- (2) One mining company has used approximately 17 percent of the 2.6GL allocated to high security water access licences in 2009/10. The 2.6GL high security allocation does not include town water supply, domestic and stock, or conveyance allocations. When these licence category allocations are considered, mining usage is some 4 percent.
- (3) The names of the members sitting on the Critical Water Advisory Committee for the Lachlan Regulated River Water Source are as follows:
 - Dennis Moxey, Lachlan Valley Water, Lachlan Customer Service Committee
 - Mary Ewing, Lachlan Valley Water, Lachlan CMA
 - Alister Lockhart, Forbes Shire Council
 - Kent Boyd, Parkes Shire Council
 - John Sutherland, Lachlan Customer Service Committee
 - Andrew Bywater, Barrick Gold Mine
 - Paul Packard, Department of Environment Climate Change and Water
 - Allan Lugg, Industry and Investment NSW (Fisheries),
 - Sri Sriharan, State Water
 - Peter Christmas, NSW Office of Water
 - Steve Palmer, NSW Office of Water
 - Anne Brook, NSW Office of Water
 - Jim Crossley (new member - not attended any meetings; a landholder in lower Lachlan)
 - Dennis Moxey, Lachlan Valley Water, Lachlan Customer Service Committee
 - Mary Ewing, Lachlan Valley Water, Lachlan CMA
 - Alister Lockhart, Forbes Shire Council
 - Kent Boyd, Parkes Shire Council
 - John Sutherland, Lachlan Customer Service Committee

- Andrew Bywater, Barrick Gold Mine
 - Paul Packard, Department of Environment Climate Change and Water
 - Allan Lugg, Industry and Investment NSW (Fisheries),
 - Sri Sritharan, State Water
 - Peter Christmas, NSW Office of Water
 - Steve Palmer, NSW Office of Water
 - Anne Brook, NSW Office of Water
 - Jim Crossley (new member - not attended any meetings; a landholder in lower Lachlan)
- (4)
- (a) 10 meetings.
 - (b) 16 July 2007; 13 September 2007; 20 December 2007; 4 June 2008; 24 October 2008; 1 June 2009; 25 August 2009; 28 September 2009; 23 October 2009; and 20 November 2009
- (5)
- (a) These releases were required to meet all needs, including town water supplies, basic landholder rights, stock and domestic watering, and transmission losses. Releases from Wyangala Dam have had to be reduced from 1 November 2009 in order to conserve the available water for as long as possible. On average, less than 10 ML/day may be used by high security irrigation licences in the upper Lachlan.
 - (b) A range of high security licenses received water totalling 1,295 ML.
- (6) Total flow past the Lake Brewster Weir in 2008/09 was about 46,500ML (about 127 ML/day). There was not any water directed into Lake Brewster storage, other than some for construction of wetlands purposes, in 2008/09. The Lake Brewster weir pool volume ranged between 4,700ML and 100ML during 2008/09. No flows have been directed into Lake Brewster storage in 2009/10, other than for wetland purposes. As at 10 December 2009 Brewster weir pool was holding about 880ML at 12.2 percent of capacity.

*3969 REGIONAL DEVELOPMENT—MUDA ABORIGINAL CORPORATION LANGUAGE CENTRE—Mr Cohen asked the Minister for Primary Industries, Minister for Lands representing the Minister for Water, and Minister for Regional Development—

Does the Department of Regional Development have plans to provide funding support to 2CUZ FM and the Muda Aboriginal Corporation Language Centre if the Federal Government also continues funding the centre and station as it has for the last 15 years?

Answer—

Funding for 2CUZ FM and the language centre is not available through Industry & Investment NSW's regional development programs.

*3970 LANDS—UNIDENTIFIED LAND IN THE WOLLONGONG LOCAL GOVERNMENT AREA—Ms Hale asked the Minister for Primary Industries, Minister for Lands—

- (1) Lot 5 DP 752018 appears to have no Certificate of Title.
 - (a) Does such a Certificate of Title exist?
 - (b) If so, who is shown as the owner of the Lot?
 - (c) If not, why not?
- (2) Adjoining Lot 5 DP 752018 is Lot 7001 DP 1053532.
 - (a) Does this Lot have a Certificate of Title?
 - (b) If not, why not?
 - (c) If so, who is shown as the owner of the Lot?
- (3) The Draft Wollongong Local Environment Plan 2009 map shows three unidentified parcels of land directly adjoining Lot 7001 DP 1053532. The Department of Lands map for the same area shows two of these three parcels of land as having been combined into one. One appears to have been a public road that has been subsumed under another unidentified title.
 - (a) What are the lot numbers and other relevant details of the three parcels of land?

- (b)
- (i) Has a Certificate of Title been issued for any of these three parcels of land?
 - (ii) If not, why not?
 - (iii) If so, when was the Certificate of Title issued?
- (c)
- (i) Is the land owned by the Crown?
 - (ii) If not, who owns each of those parcels of land?
- (d)
- (i) Which map is correct, that exhibited by Wollongong City Council or that prepared by the Department of Lands?
- (e)
- (i) Have two parcels of land been combined into one?
 - (ii) If so, when was this done?
 - (iii) For what reason was it done?
- (4)
- (a) Does a large portion of land at Bulgo adjoining the southern boundary of the Royal National Park have an identifiable DP number?
 - (b) If so, why does the DP number not appear on either Department of Lands or the Wollongong City Council maps?
- (5) 5. How many parcels of land within the Wollongong Local Government Area (LGA) are unidentified?
- (6) 6. How many of these unidentified parcels of land in the Wollongong LGA are listed with the Department of Lands as lacking a current Certificate of Title?

Answer—

- (1)
- (a) No but a folio of the Register was created in July 2008.
 - (b) The State of New South Wales.
 - (c) N/A
- (2)
- (a) No, but a folio of the Register was created in July 2007
 - (b) N/A
 - (c) The State of New South Wales.
- (3)
- (a) The three parcels of land in question are lots 7306, 7307 and 7308 DP1145765.
 - (b) No but folios of the register were created in the name of the State of New South Wales in November 2009.
 - (c) Yes
 - (d) The Land and Property Management Authority is responsible for maintaining the integrity of the states cadastre.
 - (e)
 - (i) No.
 - (ii) N/A
 - (iii) N/A
- (4)
- (a) It is assumed that the large parcel referred to is the parcel known as part lot 2 DP752018 as shown in LPMA records.
 - (b) As in the answer above.
- (5) Unknown. A program is being undertaken to address this across NSW.
- (6) N/A

*3971 LANDS—LAND CERTIFICATES OF TITLE—Ms Hale asked the Minister for Primary Industries, Minister for Lands—

- (1) Is land owned by the State government or Local Government Authority required to be identified by a current Certificate of Title?
- (2) In what circumstances would Crown land or Community resumed/acquired land or land resumed by Integral or for Roads not be identified by a current Certificate of Title?

Answer—

- (1) No.
- (2) In those circumstances where ownership by or on behalf of the relevant authority is not dependent upon the issue of a Certificate of Title under The Real Property Act 1900.

*3972 CLIMATE CHANGE AND THE ENVIRONMENT—PARKING ARRANGEMENTS OF THE ROYAL BOTANICAL GARDENS TRUST—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) Regarding the Royal Botanic Gardens Trust:
 - (a) What were the gross proceeds of meter parking in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
 - (b) Who collected the revenues for meter parking and what were their costs in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
 - (c) What was the cost of installing and maintaining parking meters in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
 - (d) How many parking meters were operating during:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
 - (e) How many parking spaces were allocated to meter parking as at 30 June in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
 - (f) What, if any, changes were made to extend timing, size of penalty, cost of parking and period of coverage during:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
 - (g) What were the net proceeds of meter parking returned to the trust in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
 - (h) How many parking tickets were issued, by offence in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
 - (i) Please describe any changes to types of offences and penalties (eg: were any "no parking spaces" converted to "no standing" or "no stopping") during:

- (i) 2006-2007?
- (ii) 2007-2008?
- (iii) 2008-2009?
- (j) What was the gross value of parking fines issued in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
- (k) How many parking fines were collected in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
- (l) What was the net value of parking fines returned to the trust in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
- (m) What were the costs of collection in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
- (2) How many rangers were employed to police parking in the following years, please details in regards to the number per facility operated by the Royal Botanical Gardens Trust:
 - (a) 2006-2007?
 - (b) 2007-2008?
 - (c) 2008-2009?

Answer—

I am advised:

- (1)
 - (a)
 - (i) \$1,464,000
 - (ii) \$1,819,000
 - (iii) \$1,973,000
 - (b)
 - (i) Nycon Group \$66,927
 - (ii) Nycon Group \$82,650
 - (iii) Nycon Group & TDN P/L \$101,518
 - (c)
 - (i) \$98,904
 - (ii) \$150,167 (Note: all parking meters were replaced in 2008 leading to an improved service and a better ability to monitor patrons overstaying in parking spaces).
 - (iii) \$183,610
 - (d)
 - (i) 42
 - (ii) 42
 - (iii) 42
 - (e)
 - (i) -(iii) 338 in each financial year.
 - (f)
 - (i) Penalty for parking after meter expired increased \$2.
 - (ii) Penalty for parking after meter expired increased \$2, penalty for parking contrary to sign increased \$93 this increased to align with other parking penalties in the precinct.
 - (iii) Penalty for parking after meter expired increased \$3.
 - (g)

- (i) \$1,215,000
(ii) \$1,484,000
(iii) \$1,573,000
- (h) By offence as follows:
- | | 2006-07 | 2007-08 | 2008-09 |
|-----------------------------|---------|---------|---------|
| Parking after meter expired | 2,572 | 8,705 | 14,095 |
| Parking contrary to sign | 834 | 1,380 | 1,929 |
| Miscellaneous | 94 | 494 | 447 |
- (i)
(i) - (iii) No changes in any of these financial years
- (j)
(i) \$286,021
(ii) \$928,795
(iii) \$1,521,843
- (k)
(i) 3,219
(ii) 10,638
(iii) 14,518
- (l)
(i) \$171,000
(ii) \$674,000
(iii) \$1,235,000 Note that the above amounts do not take into account Trust costs, for example State Debt Recovery Office processing fees, rangers wages, auto site costs, which together would equate to approximately 40% of the net value of parking fines.
- (m)
(i) \$86,936
(ii) \$394,151
(iii) \$521,071
- (2) Rangers are employed specifically to police parking only on the Sydney estates.
- (a) Nominal
(b) 1.5
(c) 2

*3973 EMERGENCY SERVICES—NATIONAL PARKS AND WILDLIFE SERVICE SKY CRANES—Ms Cusack asked the Minister for Primary Industries, Minister for Lands representing the Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs—

- (1) How much money was spent on contracts for sky cranes in last summer's fire season?
- (2) What was the standing charge for the use of the sky cranes?
- (3) How many flight-hours were undertaken by contracted sky cranes in the previous summer's fire season?
- (4) What was the flight cost per hour for use of the sky cranes?

Answer—

- (1) Nationally coordinated contracts through the National Aerial Firefighting Centre mean that Aircrews utilised in NSW can be sent to assist our neighbouring States during major bush fires, if NSW conditions are appropriate. In the 2008/09 fire season NSW paid \$4,352,751 in standby and operating costs for two Aircrews, arranged through the National Aerial Firefighting Centre.
- (2) The contract charges are "Commercial in Confidence" and not for public release or print within the public domain.
- (3) In the 2008/09 fire season, 63.61 flight hours were undertaken between both aircraft.

(4) See 2 above.

*3974 CLIMATE CHANGE AND THE ENVIRONMENT—NATIONAL PARKS AND WILDLIFE SERVICE SKY CRANES—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) How much money was spent on contracts for sky cranes in last summer's fire season?
- (2) What was the standing charge for the use of the sky cranes?
- (3) How many flight-hours were undertaken by contracted sky cranes in the previous summer's fire season?
- (4) What was the flight cost per hour for use of the sky cranes?

Answer—

This matter relates to the portfolio responsibility of my colleague, the Hon Steven Whan MP, Minister for Emergency Services and it is appropriate that you have asked Minister Whan this question (Question on Notice No 3973).

*3975 CLIMATE CHANGE AND THE ENVIRONMENT—STORMWATER TRUST—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

How much money did the Stormwater Trust spend, and on how projects, in the following years:

- (a) 2004-2005?
- (b) 2005-2006?
- (c) 2006-2007?
- (d) 2007-2008?
- (e) 2008-2009?

Answer—

The Stormwater Trust was in operation from 1997 to 30 June 2006. I am advised that the Stormwater Trust's expenditure was:

- (1) 2004–05 – \$2.59 million, including payments for projects across 50 councils.
- (2) 2005–06 – \$2.53 million, including payments for projects across 14 councils.
- (3) 2006–07 – Nil. The Trust closed on 30 June 2006.
- (4) 2007–08 – Nil
- (5) 2008–09 – Nil

*3976 CLIMATE CHANGE AND THE ENVIRONMENT—BOTANICAL GARDEN PARKING FINES—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

(1)

- (a) How much revenue has been received at each Botanical Garden from parking fees in the years:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
- (b) How much is anticipated from parking fees in 2009/10?

(2)

- (a) How much revenue has been received at each Botanical Garden from parking fines in the years:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
- (b) How much is anticipated from parking fees in 2009/10?

Answer—

(1)

- (a) Parking revenue is only received at Sydney.
 - (i) \$1,464,000
 - (ii) \$1,819,000
 - (iii) \$1,973,000
- (b) \$1,719,000

(2)

- (a) Revenue from parking fines is only received at Sydney.
 - (i) \$171,000
 - (ii) \$674,000
 - (iii) \$1,235,000
- (b) \$1,069,000

*3977 CLIMATE CHANGE AND THE ENVIRONMENT—RED GUM NATIONAL PARKS—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

How many full time equivalent staff are proposed for the red gum national parks announced today?

Answer—

Management arrangements, including staff numbers, will be determined after the Government has fully considered the Natural Resources Commission's final report on the River Red Gum forests which was released on 21 December 2009.

*3978 CLIMATE CHANGE AND THE ENVIRONMENT—NATIONAL PARKS AND WILDLIFE SERVICE STAFF—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) How many full time equivalent staff have the National Parks and Wildlife Service (NPWS) had in the following years:
 - (a) 2004-2005?
 - (b) 2005-2006?
 - (c) 2006-2007?
 - (d) 2007-2008?
 - (e) 2008-2009?
- (2) How many individual employees have the NPWS had in the following years:
 - (a) 2004-2005?
 - (b) 2005-2006?
 - (c) 2006-2007?
 - (d) 2007-2008?
 - (e) 2008-2009?

Answer—

I am advised:

(1)

- (a) 1401
- (b) 1506
- (c) 1613
- (d) 1648
- (e) 1699

(2)

- (a) 1953

- (b) 1976
- (c) 2141
- (d) 2187
- (e) 2292

Increases in these numbers are due to the expansion of the national parks estate by 700 000 hectares since 2004.

*3979 CLIMATE CHANGE AND THE ENVIRONMENT—GREENHOUSE GAS ABATEMENT SCHEME—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) How many abatement certificates have been surrendered as part of the Greenhouse Gas Abatement Scheme?
- (2) How many Category A abatement certificates have been surrendered as part of the Greenhouse Gas Abatement Scheme?

Answer—

I am advised that this information is published by the Scheme Administrator at www.greenhousegas.nsw.gov.au.

*3980 CLIMATE CHANGE AND THE ENVIRONMENT—NSW CATCHMENT MANAGEMENT AUTHORITIES FUNDING—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

NSW Catchment Management Authorities Celebrating Five Years of Achievements lists total government funds invested in NSW Catchment Management Authorities in 2004/5 as \$84.17m, 2005/6 as \$118.67m, 2006/7 as \$206.34m, 2007/8 as \$241.04m, and 2008/9 as \$188.27m.

- (1) How much of this government funding originated from the NSW Government in:
 - (a) 2004-2005?
 - (b) 2005-2006?
 - (c) 2006-2007?
 - (d) 2007-2008?
 - (e) 2008-2009?

- (2) How much has the NSW Government budgeted for 2009-10?

Answer—

- (1) I am advised that the NSW Government funding highlighted in the NSW Catchment Management Authorities – Celebrating Five Years of Achievements invested between 2004/05 to 2008/09 was \$436.1 million. This comprises \$46 million in 2004/05, \$65.9 million in 2005/06, \$107.7 million in 2006/07, \$117.4 million in 2007/08 and \$99.1 million in 2008/09. These figures are for NSW Government investment outside the Sydney Metropolitan area and do not include an additional \$12.9 million for Sydney Metropolitan Catchment Management Authority.
- (2) I am advised that for 2009/10 the NSW Government has budgeted \$64 million for investment in all NSW Catchment Management Authorities. Catchment Management Authorities may attract additional NSW Government funding through grant programs.

*3981 CLIMATE CHANGE AND THE ENVIRONMENT—NSW CATCHMENT MANAGEMENT AUTHORITIES FUNDING—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

How much of the total funding provided to Catchment Management Authorities by the NSW Government went to each of the individual Catchment Management Authorities in the years:

- (a) 2004-2005?
- (b) 2005-2006?

- (c) 2006-2007?
- (d) 2007-2008?
- (e) 2008-2009?

Answer—

I am advised:

(1)

- (a) For 2004-2005 the NSW Government provided the following amounts to each Catchment Management Authority:
 - Border Rivers Gwydir CMA \$2.7 million
 - Central West CMA \$3.1 million
 - Hawkesbury Nepean CMA \$4 million
 - Hunter Central Rivers CMA - \$2.9 million
 - Lachlan CMA \$10.2 million
 - Lower Murray Darling CMA \$4.9 million
 - Murray CMA \$2.2 million
 - Murrumbidgee CMA \$3.3 million
 - Namoi CMA \$4.1 million
 - Northern Rivers CMA \$3.2 million
 - Southern Rivers CMA \$3.2 million
 - Sydney Metro CMA \$1.9 million
 - Western CMA \$2.2 million
 - Border Rivers Gwydir CMA \$2.7 million
 - Central West CMA \$3.1 million
 - Hawkesbury Nepean CMA \$4 million
 - Hunter Central Rivers CMA - \$2.9 million
 - Lachlan CMA \$10.2 million
 - Lower Murray Darling CMA \$4.9 million
 - Murray CMA \$2.2 million
 - Murrumbidgee CMA \$3.3 million
 - Namoi CMA \$4.1 million
 - Northern Rivers CMA \$3.2 million
 - Southern Rivers CMA \$3.2 million
 - Sydney Metro CMA \$1.9 million
 - Western CMA \$2.2 million
- (b) For 2005-2006 the NSW Government provided the following amounts to each Catchment Management Authority:
 - Border Rivers Gwydir CMA \$4.4 million
 - Central West CMA \$4.9 million
 - Hawkesbury Nepean CMA \$5 million
 - Hunter Central Rivers CMA - \$4.3 million
 - Lachlan CMA \$8.5 million
 - Lower Murray Darling CMA \$4.5 million
 - Murray CMA \$8.2 million
 - Murrumbidgee CMA \$11.7 million
 - Namoi CMA \$3.8 million
 - Northern Rivers CMA \$3.7 million
 - Southern Rivers CMA \$4.3 million
 - Sydney Metro CMA \$1.9 million
 - Western CMA \$2.6 million
 - Border Rivers Gwydir CMA \$4.4 million
 - Central West CMA \$4.9 million
 - Hawkesbury Nepean CMA \$5 million
 - Hunter Central Rivers CMA - \$4.3 million

- Lachlan CMA \$8.5 million
 - Lower Murray Darling CMA \$4.5 million
 - Murray CMA \$8.2 million
 - Murrumbidgee CMA \$11.7 million
 - Namoi CMA \$3.8 million
 - Northern Rivers CMA \$3.7 million
 - Southern Rivers CMA \$4.3 million
 - Sydney Metro CMA \$1.9 million
 - Western CMA \$2.6 million
- (c) For 2006-2007 the NSW Government provided the following amounts to each Catchment Management Authority:
- Border Rivers Gwydir CMA \$7.5 million
 - Central West CMA \$10.3 million
 - Hawkesbury Nepean CMA \$4.2 million
 - Hunter Central Rivers CMA - \$7.6 million
 - Lachlan CMA \$7.6 million
 - Lower Murray Darling CMA \$6 million
 - Murray CMA \$15.6 million
 - Murrumbidgee CMA \$21.8 million
 - Namoi CMA \$9.9 million
 - Northern Rivers CMA \$5.8 million
 - Southern Rivers CMA \$5.9 million
 - Sydney Metro CMA \$2.1 million
 - Western CMA \$5.5 million
- Border Rivers Gwydir CMA \$7.5 million
 - Central West CMA \$10.3 million
 - Hawkesbury Nepean CMA \$4.2 million
 - Hunter Central Rivers CMA - \$7.6 million
 - Lachlan CMA \$7.6 million
 - Lower Murray Darling CMA \$6 million
 - Murray CMA \$15.6 million
 - Murrumbidgee CMA \$21.8 million
 - Namoi CMA \$9.9 million
 - Northern Rivers CMA \$5.8 million
 - Southern Rivers CMA \$5.9 million
 - Sydney Metro CMA \$2.1 million
 - Western CMA \$5.5 million
- (d) For 2007-2008 the NSW Government provided the following amounts to each Catchment Management Authority:
- Border Rivers Gwydir CMA \$12.8 million
 - Central West CMA \$13.8 million
 - Hawkesbury Nepean CMA \$4.9 million
 - Hunter Central Rivers CMA - \$4.9 million
 - Lachlan CMA \$7.5 million
 - Lower Murray Darling CMA \$3.2 million
 - Murray CMA \$21.3 million
 - Murrumbidgee CMA \$19.8 million
 - Namoi CMA \$9.4 million
 - Northern Rivers CMA \$6.2 million
 - Southern Rivers CMA \$6.3 million
 - Sydney Metro CMA \$4.2 million
 - Western CMA \$7.3 million
- Border Rivers Gwydir CMA \$12.8 million
 - Central West CMA \$13.8 million
 - Hawkesbury Nepean CMA \$4.9 million
 - Hunter Central Rivers CMA - \$4.9 million
 - Lachlan CMA \$7.5 million
 - Lower Murray Darling CMA \$3.2 million
 - Murray CMA \$21.3 million
 - Murrumbidgee CMA \$19.8 million
 - Namoi CMA \$9.4 million
 - Northern Rivers CMA \$6.2 million
 - Southern Rivers CMA \$6.3 million
 - Sydney Metro CMA \$4.2 million
 - Western CMA \$7.3 million

*3982 CLIMATE CHANGE AND THE ENVIRONMENT—SOLAR BONUS SCHEME—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) What is the expected annual price rise due to the Solar Bonus Scheme in each year of the scheme's operation?
- (2) What is the expected total price rise due to the Solar Bonus Scheme?

Answer—

I refer the Honourable Member to the Report of the New South Wales Feed-in Tariff Taskforce, which was released in February 2009, and which contains detailed financial analysis.

*3983 CLIMATE CHANGE AND THE ENVIRONMENT—GARDENS OF STONE NATIONAL PARK—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) What consideration is being given to the extension of the Gardens of Stone National Park?
- (2)
 - (a) Is there a timetable for evaluating the proposal prepared by the Blue Mountains Conservation Society and the Colong Foundation?
 - (b) If so, what is it?

Answer—

I am advised of the following:

- (1) The Gardens of Stone Stage 2 proposal identifies several parcels of land in the western Blue Mountains considered suitable for reservation under the National Parks and Wildlife Act 1974. There are three main sites contained within the proposal: Mt Airly - Genowlan Peninsula, Ben Bullen/Wolgan State Forests and the Newnes Plateau. The proposal has been given considerable consideration by the Department of Environment, Climate Change and Water, Industry and Investment NSW and local stakeholders.
- (2) It is not possible to put a precise timeframe around the reservation of the Gardens of Stone proposal. Discussions are continuing with other NSW Government agencies and neighbouring interests.

*3984 CLIMATE CHANGE AND THE ENVIRONMENT—ROYAL BOTANIC GARDENS TRUST PARKING TICKETS AND METRES—Ms Cusack asked the Minister for Climate Change and the Environment, Minister for Energy, Minister for Corrective Services, Minister for Public Sector Reform, Special Minister of State—

- (1) In relation to the Royal Botanic Gardens Trust facilities:
 - (a) How many parking tickets were issued, by facility, in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
 - (b) What was the value of those tickets, by facility, in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
- (2) In relation to the Royal Botanic Gardens Trust
 - (a) How many parking meters were in operation, by facility, in:
 - (i) 2006-2007?
 - (ii) 2007-2008?
 - (iii) 2008-2009?
 - (b) What was the value of takings, by facility, in:
 - (i) 2006-2007?
 - (ii) 2007-2008?

(iii) 2008-2009?

Answer—

I am advised:

- (1)
- (a) Note that parking fines are only issued at Sydney
 - (i) 5,000
 - (ii) 10,579
 - (iii) 16,471
 - (b)
 - (i) \$286,021
 - (ii) \$928,795
 - (iii) \$1,521,843
- (2) Please note parking meters are only at Sydney
- (a)
 - (i) 2
 - (ii) 42
 - (iii) 42
 - (b)
 - (i) \$1,464,000
 - (ii) \$1,819,000
 - (iii) \$1,973,000

*3985 HEALTH—CANOWINDRA HOSPITAL—Ms Rhiannon asked the Attorney General, Minister for Industrial Relations, and Vice President of the Executive Council representing the Deputy Premier, and Minister for Health—

- (1) Are there plans to close the Canowindra Hospital?
- (2) Are there any plans to turn the hospital into a multi-purpose unit?
- (3) Has the Government received a petition, signed by 900 local residents, to save the hospital?

Answer—

I am advised:

- (1) and (2) There are no plans to close Canowindra Hospital and any staff changes to models of delivery would only take place in consultation with the community and staff.
- (3) Yes.

*3986 PLANNING—SALTWATER DEVELOPMENT, SOUTH WEST ROCKS—Ms Hale asked the Treasurer, Minister for State Development representing the Minister for Planning, Minister for Infrastructure, and Minister for Redfern Waterloo—

- (1) Did the Director General of Planning, Mr Sam Haddad, in the recent Natural Resources Advisory Committee (NRAC) report, write favourably on the preservation of the 7(b) conservation area in the "Land Release-Saltwater Lagoon, South West Rocks"?
- (2)
 - (a) Has the Malbec company, which has lodged a Part 3A Major Projects Application for its proposed "Saltwater" development at South West Rocks, ignored Kempsey Shire Council's request to develop a Development Control Plan (DCP) for the area?
 - (b) Will a DCP be required before an approval is considered?
- (3)
 - (a) In the Environmental Assessment prepared by Malbec, have Malbec proposed to construct in the "preserved" 7(b) conservation area part of a road, bike and walking tracks, children's playground, a BBQ area, a pollution retention pond and to use it as their Asset Protection Zone area?

- (b) Will the Minister insist on Malbec abiding by their responsibilities in maintaining the preserved area in its undisturbed state?
- (4)
- (a) Have Malbec, in claiming protection of the Wallum Froglet proposed to build upon part of the habitat of that threatened species which extends over the majority of the site without a "no dog and cat" clause?
- (b) Will the Minister intervene to insist on Malbec abiding by their responsibilities in maintaining and preserving the habitat of the Wallum Froglet?
- (c) If so, what steps will the Minister take to ensure Malbec abides by the Minister's directions?
- (5) Will movement of fauna to the SEPP 71 Intermittently Closed and Open Local Lagoons (ICOLL) be hampered by the cumulative impact of development and the development of a "preserved" declared wetland into a cycle track?
- (6) Is the proposal (for the 7(b) conservation zone in the EA) approvable in its current form?

Answer—

- (1) The standard report to NRAC's November 2009 meeting by the Department provided, amongst other things, an update on the project. The report made reference to the fact that the ecological values within this area will be conserved.
- (2)
- (a) and (b). The Department will assess the development against the provisions of the DCP should it be finalised prior to determination.
- (3)
- (a) Yes.
- (b) 4(a), (b) & (c), 5 & 6. These matters will be considered in a merit assessment of the proposal.

23 FEBRUARY 2010

(Paper No. 134)

3987 COMMERCE—TERMINATED GOVERNMENT CONTRACTS—Mr Pearce to ask the Minister Industrial Relations, Minister for Commerce, Minister for Energy, Minister for Public Sector Reform—

- (1) How many contracts administered by the Department were terminated because of the default of a non-government party in the following financial years:
- (a) 2007-08?
- (b) 2008-09?
- (2) On how many occasions did the government pursue Public Indemnity Insurance in relation to a terminated contract in the following financial years:
- (a) 2007-08?
- (b) 2008-09?
- (3) On how many occasions were payments made pursuant to Public Indemnity Insurance claims in the following financial years:
- (a) 2007-08?
- (b) 2008-09?
- (4) On how many occasions were Public Indemnity Insurance claims declined or refused in the following financial years:
- (a) 2007-08?
- (b) 2008-09?

- 3988 POLICE—OPERATIONAL POLICE LOCATIONS—Mr Gallacher to ask the Minister for Planning, Minister for Infrastructure, Minister for Lands representing the Minister for Police, and Minister for Finance—

Page three of the 2008-09 New South Wales Police Force Annual Report states that police "operate from more than 474 police locations".

- (a) Are these 474 locations all police stations?
- (b) If not, what is the definition of 'locations' used by the New South Wales Police Force.
- (c) If not, how many police stations are considered operational as at 23 February 2010?

- 3989 ENERGY—WRIGHTS ROAD CONSTRUCTION WORKS—Mr Harwin to ask the Minister Industrial Relations, Minister for Commerce, Minister for Energy, Minister for Public Sector Reform—

- (1) Have construction works undertaken by Energy Australia during February 2010 on Wrights Road, Drummoyne been completed?
- (2)
 - (a) Was the City of Canada Bay advised of the proposed works prior to their commencement?
 - (b) If so, how much notice was given?
- (3) Was Energy Australia, the Department of Energy, Utilities and Sustainability or your office aware that the City of Canada Bay Council had resurfaced Wrights Road prior to the commencement of works?
- (4) Will Energy Australia pay for the costs of resurfacing the road following the completion of all works?
- (5) If so, what is the total amount that Energy Australia has allocated to cover the costs of resurfacing Wrights Road?

- 3990 HEALTH—SYDNEY CHILDREN'S HOSPITAL BED OCCUPANCY RATES—Mr Harwin to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council representing the Deputy Premier, and Minister for Health—

What was the bed occupancy rate at Sydney Children's Hospital in:

- (a) January 2009?
- (b) February 2009?
- (c) March 2009?
- (d) April 2009?
- (e) May 2009?
- (f) June 2009?
- (g) July 2009?
- (h) August 2009?
- (i) September 2009?
- (j) October 2009?
- (k) November 2009?
- (l) December 2009?
- (m) January 2009?

- 3991 PLANNING—IMPACTS OF THE TILLEGRA DAM PROPOSAL—Revd Mr Nile to ask the Minister for Planning, Minister for Infrastructure, Minister for Lands—

What independent advice or research is the Department of Planning seeking regarding the impacts of the Tillegra Dam proposal on low income households in the Hunter, in particular on local farming communities, the fishing industry and the price of water rates?

- 3992 EDUCATION AND TRAINING—EDUCATION REGARDING SEXUAL ASSAULT—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council representing the Minister for Education and Training—
- (1) Has a recent study published by researchers at Monash University found that, compared to the general population, people who were sexually assaulted as a child are 18 times more likely to commit suicide and 49 times more likely to die from and accidental drug overdose?
 - (2) What education programs are provided by Department of Education and Training to raise awareness and increase protection of children from sexual assault?
 - (3) What services are provided by the Department to victims and their families of sexual assault?
 - (4)
 - (a) In view of the outcome of Monash University's research, will increased funding be allocated to assist in this area?
 - (b) If not, why not?
 - (5)
 - (a) What support and financial contribution does the Department give to Bravehearts Inc?
 - (b) In view of the excellent work this organisation is doing across New South Wales in Schools via its Ditto program, will the Department offer this organisation funding support?
 - (c) If not, why not?
- 3993 TRANSPORT AND ROADS—SYDNEY LIGHT RAIL EXTENSIONS—Ms Rhiannon to ask the Treasurer, Special Minister of State representing the Minister for Transport and Roads—
- (1)
 - (a) How did the government calculate the estimate of \$500 million for the Sydney light rail extensions to Dulwich Hill and Barangaroo? Please provide a breakdown of costs
 - (b) Were international comparisons used to arrive at this estimate?
 - (c) If so, please details of which comparisons were used.
 - (2) What is the breakdown of the \$90 million in estimated costs of the Metro Light Rail Central to Barangaroo extension? Please provide details of estimates relating to the following aspects of the project:
 - (a) repair and upgrade of the existing electrified track.
 - (b) voltage conversion.
 - (c) stops.
 - (d) additional vehicle requirements.
 - (3)
 - (a) What is the estimated cost of the extension to Circular Quay via Barangaroo?
 - (b) Given the extension to Circular Quay via Barangaroo is double the distance of the Central to Barangaroo extension, will the estimated cost be \$180 million, double the estimated cost of the Central to Barangaroo extension?
 - (4) What role did the NSW Treasury play in setting the estimate for the light rail extension at \$500 million?
 - (5) What role did the transport expert, Mr Ziggie Lejins, play in setting the estimate for the light rail extension at \$500 million?
 - (6) What role did the TIDC play in setting the estimate for the light rail extension at \$500 million?
 - (7) Has the government planned to pay for the additional light rail vehicles needed to operate the extensions?
 - (8) Will the government be amending MyZone to integrate light rail services with the rest of publicly and privately operated public transport?

- 3994 HEALTH—HOSPITAL WAITING LISTS IN NORTHERN SYDNEY CENTRAL COAST AREA HEALTH—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council representing the Deputy Premier, and Minister for Health—
- (1)
 - (a) Since 2005, has the Minister for Health received any representations from Ms Belinda Neal MP, on behalf of constituents, in relation to hospital waiting lists?
 - (b) If so, how many?
 - (2)
 - (a) While Chief Executive Officer of Northern Sydney Central Coast Area Health, did Mr Jon Blackwell, at the request of Ms Neal, expedite the availability of a bed for her son?
 - (b) Do records of Ms Neal's son's admission exist?
 - (3) Are Area Health waiting lists amended on representations of members of Parliament?
- 3995 ATTORNEY GENERAL—SERVICES FOR SEXUAL ASSAULT VICTIMS—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council—
- (1) Did a recent study published by researchers at Monash University find that, compared to the general population, people who were sexually assaulted as a child are 18 times more likely to commit suicide and 49 times more likely to die from an accidental drug overdose?
 - (2) What services are provided by Victims Services specifically relating to victims of sexual assault and their families?
 - (3) What services are provided by the Government specifically for victims of sexual assault and their families?
 - (4)
 - (a) In view of the outcome of Monash University's research, will increased funding be allocated to assist victims of sexual assault and their families?
 - (b) If not, why not?
 - (5)
 - (a) What support and financial contribution does the Department give to Bravehearts Inc?
 - (b) In view of the excellent work this organisation is doing across New South Wales, will the Department offer this organisation funding support?
 - (c) If not, why not?
- 3996 TRANSPORT AND ROADS—CITY RAIL NORTH WEST RAIL LINK—Ms Rhiannon to ask the Treasurer, Special Minister of State representing the Minister for Transport and Roads—
- (1)
 - (a) How did the government calculate an estimate of \$6.7 billion for the full CityRail North West Rail Link? Please provide a breakdown of details.
 - (b) Is this figure based on international comparisons?
 - (c) If so, provide details of any comparisons made.
 - (2) When the go-ahead for Stage 1 of the North West Rail Link was last announced (Epping to The Hills Centre, a 9km track with three stations) the full cost was estimated to be \$700M. On the basis of this estimate, the full project cost would have been less than \$2 billion. Why then is there a difference in the two projects estimated costings?
 - (3)
 - (a) How does the cost of the Airport Rail Link compare with the final cost of the North West Rail Link?
 - (b) Does this compare favourably?
 - (c) If not, why not?

- (4) What role did the NSW Treasury play in setting the estimate for North West Rail Link at \$6.7B?
- (5) What role did the transport expert, Mr Ziggy Lejins, play in setting the estimate for the North West Rail Link at \$6.7 billion?
- (6) What role did the TIDC play in setting the estimate for North West Rail Link at \$6.7 billion?

3997 COMMUNITY SERVICES—SERVICES FOR SEXUAL ASSAULT VICTIMS—Ms Ficarra to ask the Treasurer, Special Minister of State representing the Minister for the State Plan, and Minister for Community Services—

- (1) Did a recent study published by researchers at Monash University find that, compared to the general population, people who were sexually assaulted as a child are 18 times more likely to commit suicide and 49 times more likely to die from an accidental drug overdose?
- (2) What services are provided by Victims Services specifically relating to victims of sexual assault and their families?
- (3) What services are provided by the Government specifically for victims of sexual assault and their families?
- (4)
 - (a) In view of the outcome of Monash University's research, will increased funding be allocated to assist victims of sexual assault and their families?
 - (b) If not, why not?
- (5)
 - (a) What support and financial contribution does the Department give to Bravehearts Inc?
 - (b) In view of the excellent work this organisation is doing across New South Wales, will the Department offer this organisation funding support?
 - (c) If not, why not?

3998 POLICE—POLICE STATION STAFFING—Ms Ficarra to ask the Minister for Planning, Minister for Infrastructure, Minister for Lands representing the Minister for Police, and Minister for Finance—

- (1) How many staff were located at the following stations in January 2009:
 - (a) Blackheath?
 - (b) Katoomba?
 - (c) Lawson?
 - (d) Mt Victoria?
 - (e) Springwood?
 - (f) Penrith?
 - (g) St. Marys?
 - (h) Warragamba?
- (2) How many staff were located at the following stations in January 2010:
 - (a) Blackheath?
 - (b) Katoomba?
 - (c) Lawson?
 - (d) Mt Victoria?
 - (e) Springwood?
 - (f) Penrith?
 - (g) St. Marys?
 - (h) Warragamba?

3999 EDUCATION AND TRAINING—HIGHLY ACCOMPLISHED TEACHERS' PAYMENT SCHEME—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council representing the Minister for Education and Training—

- (1) On what date was the the Highly Accomplished Teachers' Scheme introduced?
 - (2)
 - (a) What consultation process was undertaken in regards to this scheme?
 - (b) Which stakeholders were consulted?
 - (c) When were these stakeholders consulted?
 - (3)
 - (a) Was a report prepared as a response to any consultation process?
 - (b) If so, is the report publicly available?
 - (4) How are Highly Accomplished Teachers selected?
 - (5) Was there any advertising for teachers to apply to become Highly Accomplished Teachers?
 - (6) What qualifies a school to receive a Highly Accomplished Teacher?
 - (7) How many Highly Accomplished Teachers have been allocated to the Penrith electorate?
 - (8) How many Highly Accomplished Teachers' have been allocated to the Mulgoa electorate?
- 4000 EDUCATION AND TRAINING—ALLEGED KNIFE ATTACK—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council representing the Minister for Education and Training—
- (1) What measures has the Department of Education and Training introduced to address the issue of weapons in New South Wales schools?
 - (2)
 - (a) Has the Department undertaken a Risk Assessment pursuant to the Occupational Health and Safety Act 2000, regarding the risk of violence and weapons in schools?
 - (b) If not, why not?
- 4001 POLICE—GRAFFITI IN BROOKVALE—Ms Ficarra to ask the Minister for Planning, Minister for Infrastructure, Minister for Lands representing the Minister for Police, and Minister for Finance—
- (1)
 - (a) Will there be an increase in police patrols in the Brookvale CBD, particularly of the buildings backing onto the Winbourne Road car park, in view of the significant increase in graffiti crime?
 - (b) If not, why not?
 - (2) Since the introduction of the Graffiti Control Amendment Act 2009, how many people in the Warringah Council area have been:
 - (a) charged with offences under this new legislation?
 - (b) convicted of offences under this new legislation?
- 4002 LANDS—CROMER PARK MANAGEMENT PLAN—Ms Ficarra to ask the Minister for Planning, Minister for Infrastructure, Minister for Lands—
- (1) On what date did Warringah Council submit to the Department of Lands the Draft Management Plan for Cromer Park for consideration?
 - (2) When is it anticipated that the Department will make its determination regarding the plan?
- 4003 TRANSPORT AND ROADS—FLASHING SAFETY LIGHTS—Ms Ficarra to ask the Treasurer, Special Minister of State representing the Minister for Transport and Roads—
- The answer to Question on Notice 3252 published on the Question and Answer paper of 18 June 2009 stated that in the Penrith electorate no schools have flashing safety lights and in the Mulgoa electorate only two Schools have flashing safety lights. Since June 2009:
- (1)
 - (a) Has the Government allocated funding to every school in the Penrith electorate for flashing safety lights?

- (b) If so, what is the amount of funds allocated to each school?
- (c) If so, when will the lights be installed at the respective locations?
- (d) If not, why haven't funds been allocated to those schools without flashing safety lights?
- (2)
- (a) Has the Government allocated funding to every school in the Mulgoa electorate for flashing safety lights?
- (b) If so, what is the amount of funds allocated to each school?
- (c) If so, when will the lights be installed at the respective locations?
- (d) If not, why haven't funds been allocated to those schools without flashing safety lights?
- 4004 WATER—KURNELL DESALINATION PLANT—Ms Ficarra to ask the Minister for State and Regional Development, Minister for Mineral and Forest Resources, Minister for the Central Coast representing the Minister for Water, and Minister for Corrective Services—
- (1)
- (a) Are stormwater collection measures and solar panels installed at the Kurnell Desalination Plant to take advantage of the extensive rooftop surface structure?
- (b) If not, are there any plans in place regarding these initiatives?
- (c) If so, what are the costs and timeframes involved?
- (d) If not, why not?
- 4005 ENERGY—ENERGY INFRASTRUCTURE—Ms Ficarra to ask the Minister Industrial Relations, Minister for Commerce, Minister for Energy, Minister for Public Sector Reform—
- (1) What projects, locations, associated expenditure and timeframes are underway or fully costed that relate to:
- (a) New energy infrastructure?
- (b) Upgrades to existing energy infrastructure?
- 4006 LOCAL GOVERNMENT—USE OF COUNCIL RESOURCES FOR POLITICAL PURPOSES—Ms Ficarra to ask the Minister Industrial Relations, Minister for Commerce, Minister for Energy, Minister for Public Sector Reform representing the Minister for Local Government, Minister Assisting the Minister for Planning, and Minister Assisting the Minister for Health (Mental Health)—
- (1)
- (a) Does the Department of Local Government have a mandatory Code of Conduct for Council staff?
- (b) If so, does the code address the use of email and internet resources?
- (2) Does the code specifically prohibit the following actions:
- (a) Use email and internet resources of a Council for political and/or campaigning purposes?
- (b) Use email resources to commit identity fraud and defame elected representatives?
- (c) Use email resources to harass and make false claims against elected representatives?
- (d) Use Council resources to make threats to members of the public and elected representatives?
- (e) Use a Council vehicle during an election campaign to transport campaign materials and candidates?
- 4007 CLIMATE CHANGE AND THE ENVIRONMENT—RENEWABLE ENERGY TARIFF REBATES—Ms Ficarra to ask the Minister Industrial Relations, Minister for Commerce, Minister for Energy, Minister for Public Sector Reform representing the Minister for Climate Change and the Environment, and Minister Assisting the Minister for Health (Cancer)—
- (1)

- (a) What measures have been put into place to ensure that households and small businesses are able to receive cash rebates or payments for the generation of renewable energy from their rooftop panels?
- (b) Will all energy retailers be expected to adhere to these measures?
- (c) What regulations or legislation have been enacted or planned to be enacted to ensure customers are protected from retailers?
- (2)
- (a) What is the full amount of the rebate?
- (b) Is the amount of the rebate fixed?
- (c) If so, over what timeframe will the rebate be fixed for?
- (3)
- (a) Will the rebate be extended to medium and large businesses?
- (b) If so, when?
- 4008 ATTORNEY GENERAL—MONITORING GRAFFITI ACT IN GOSFORD AREA—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council—
- (1) Since the introduction of the Graffiti Control Amendment Act 2009, how many people in the Gosford Local Government area have been:
- (a) charged with offences under this new legislation?
- (b) convicted of offences under this new legislation?
- 4009 ATTORNEY GENERAL—MONITORING GRAFFITI ACT IN SUTHERLAND SHIRE AREA—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council—
- (1) Since the introduction of the Graffiti Control Amendment Act 2009, how many people in the Sutherland Shire Local Government area have been:
- (a) charged with offences under this new legislation?
- (b) convicted of offences under this new legislation?
- 4010 ATTORNEY GENERAL—MONITORING GRAFFITI ACT IN BLACKTOWN AREA—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council—
- (1) Since the introduction of the Graffiti Control Amendment Act 2009, how many people in the Blacktown Local Government area have been:
- (a) charged with offences under this new legislation?
- (b) convicted of offences under this new legislation?
- 4011 ATTORNEY GENERAL—MONITORING GRAFFITI ACT IN NEWCASTLE AREA—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council—
- (1) Since the introduction of the Graffiti Control Amendment Act 2009, how many people in the Newcastle Local Government area have been:
- (a) charged with offences under this new legislation?
- (b) convicted of offences under this new legislation?
- 4012 EDUCATION AND TRAINING—DEMOUNTABLE CLASSROOMS—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council representing the Minister for Education and Training—

Further to the answer to Question on Notice 3250 published in the Question and Answer Paper of 18 June

2009.

(1)

- (a) How much funding has been allocated to schools in the Penrith electorate for permanent classrooms to faze out the 12 demountable classrooms that were in schools last year?
- (b) Which schools in the Penrith electorate have received funding for permanent classrooms?
- (c) What was the amount of funding for each school?
- (d) Have any new or additional demountable classrooms been erected since June 2009 in the Penrith electorate?
- (e) If so, how many?
- (f) If so, at which schools?

(2)

- (a) How much funding has been allocated to schools in the Mulgoa electorate for permanent classrooms to faze out the 49 demountable classrooms that were in schools last year?
- (b) Which schools in the Mulgoa electorate have received funding for permanent classrooms?
- (c) What was the amount of funding for each school?
- (d) Have any new or additional demountable classrooms been erected since June 2009 in the Mulgoa electorate?
- (e) If so, how many?
- (f) If so, at which schools?

4013 ATTORNEY GENERAL—MONITORING GRAFFITI ACT IN WOLLONGONG AREA—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council—

- (1) Since the introduction of the Graffiti Control Amendment Act 2009, how many people in the Wollongong Local Government area have been:
 - (a) charged with offences under this new legislation?
 - (b) convicted of offences under this new legislation?

4014 ATTORNEY GENERAL—MONITORING GRAFFITI ACT IN PENRITH AREA—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council—

- (1) Since the introduction of the Graffiti Control Amendment Act 2009, how many people in the Penrith Local Government area have been:
 - (a) charged with offences under this new legislation?
 - (b) convicted of offences under this new legislation?

4015 ATTORNEY GENERAL—MONITORING GRAFFITI ACT IN BROOKVALE CBD—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council—

- (1) Since the introduction of the Graffiti Control Amendment Act 2009, how many people in the Warringah Local Government area have been:
 - (a) charged with offences under this new legislation?
 - (b) convicted of offences under this new legislation?

4016 EDUCATION AND TRAINING—SCHOOL SECURITY FENCING IN PENRITH AND MULGOA ELECTORATES—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council representing the Minister for Education and Training—

- (1) Were any of the following schools:
 - (a) Emu Plains Public School.

- (b) Glenbrook Public School.
- (c) Lapstone Public School.
- (d) Emu Heights Public School.
- (e) Leonay Public School.
- (f) Kingswood Public School.
- (g) Penrith Lakes Environmental Education Centre.
- (h) Nepean High School.
- (i) Blackland High School.
- (j) Kingswood High School.
- (k) Bringelly Public School.
- (l) Badgery's Creek Public School.
- (m) St Marys South Public School.
- (n) Luddenham Public School.
- (o) Mulgoa Public School.
- (p) Orchard Hills Public School.
- (q) Regentville Public School.
- (r) Glenmore Park Public School.
- (s) St Marys Senior High School.
- (i) Allocated funds for security fencing in the 2009/10 Fencing Program?
- (ii) If so, how much funding has been allocated to each school?
- (iii) If not, why was each school not allocated funding?

4017 CLIMATE CHANGE AND THE ENVIRONMENT—PERMITS AND CONSENTS—Mr Cohen to ask the Minister Industrial Relations, Minister for Commerce, Minister for Energy, Minister for Public Sector Reform representing the Minister for Climate Change and the Environment, and Minister Assisting the Minister for Health (Cancer)—

- (1) Between 25th May 2009 to 23 February 2010, how many applicants applied for permits and consents under sections 87 and 90 of the National Park and Wildlife Act 1974? Please provide the following details:
- (a) name or company name.
 - (b) application date.
 - (c) site features.
 - (d) local government area in which the artefact or place is situated.

4018 LOCAL GOVERNMENT—LOCAL GOVERNMENT ACT 1993 COMPLIANCE—Ms Ficarra to ask the Minister Industrial Relations, Minister for Commerce, Minister for Energy, Minister for Public Sector Reform representing the Minister for Local Government, Minister Assisting the Minister for Planning, and Minister Assisting the Minister for Health (Mental Health)—

- (1) Is it the responsibility of the Department of Local Government to ensure that the Local Government Act 1993 is complied with by councils?
- (2) What action can the Department of Local Government take against a council for failure to comply with the Local Government Act 1993?

4019 CLIMATE CHANGE AND THE ENVIRONMENT—GARIE SURF SAFETY CENTRE—Mr Cohen to ask the Minister Industrial Relations, Minister for Commerce, Minister for Energy, Minister for Public Sector Reform representing the Minister for Climate Change and the Environment, and Minister Assisting the Minister for Health (Cancer)—

- (1)
- (a) Is Garie Surf Safety Centre in the Royal National Park currently leased out for functions such as wedding receptions or birthday parties?
 - (b) If so, how many functions of this nature have occurred at Garie Surf Safety Centre since its construction?

- (c) If so, will the Centre be leased for these purposes in future?
- (2)
- (a) Is this consistent with the Royal National Park Plan of Management?
- (b) If so, under what provision?
- (3)
- (a) Does the Garie Surf Safety Centre caretaker reside within the building?
- (b) If so, what is the position title and job specifications?
- (4) Does the Plan of Management for the Royal National Park state that only National Parks and Wildlife Services (NPWS) staff can reside in the park?
- (5) Is the current caretaker of the Garie Surf Safety Centre an employee of NPWS?
- 4020 WATER—LACHLAN REGULATED RIVER WATER SOURCE—Mr Cohen to ask the Minister for State and Regional Development, Minister for Mineral and Forest Resources, Minister for the Central Coast representing the Minister for Water, and Minister for Corrective Services—
- (1)
- (a) Of the water allocated to Jemalong Irrigation Ltd in the Lachlan Regulated River Water Source for the 2009-2010 water year how many megalitres has been traded to date?
- (b) Who has this water been allocated to?
- (2) Of the allocation traded by Jemalong Irrigation Ltd what was the average price per megalitre obtained?
- (3)
- (a) On the 25 August 2009, did the Lachlan Critical Water Advisory Committee state that "in order to save water for future town water supplies, it may be necessary to restrict regulated flows downstream of Lake Cargelligo late October"?
- (b) Did the Lachlan Critical Water Advisory Committee recommend that flows from Wyangala Dam be stopped at Condobolin?
- (c) If so, on what date and at which meeting did the Committee resolve to recommend this to the Minister?
- (d) If the Committee made no recommendation on restricting flows downstream of Condobolin, who advised the Minister to take this course of action?
- (e) On what basis was the Lachlan Critical Water Advisory Committee's recommendation that flows from Wyangala Dam be cut off below Lake Cargelligo rejected?
- (f) What are the reasons for restricting flows from Wyangala Dam at Condobolin rather than downstream of Lake Cargelligo?
- (g) How much water is saved in terms of transmission loss by restricting flows from Wyangala at Condobolin as opposed to Lake Cargelligo?
- (h) What impact does restricting flows from Wyangala Dam at Condobolin have on groundwater recharge?
- (i) What impact does restricting flows from Wyangala Dam at Lake Cargelligo have on groundwater recharge?
- (j) On what basis did the Critical Water Advisory Committee recommend Jemalong Irrigation Ltd be restricted to trading water upstream only?
- (4)
- (a) On 1 June 2009, did the Lachlan Critical Water Advisory in advising on proposed allocations for high security users stated "[t]he mines rely on trading. The only available water for purchase would be high security"?
- (b) Is providing priority allocations to high security users to create market purchasing opportunities for extractive industries consistent with the Water Management Act 2000?
- (5) Please provide the minutes of the meetings of the Lachlan Critical Water Advisory Committee held in January and February 2010.
- (6) What are the details of North Mining Ltd's Water Act 1912 licences including:

- (a) Share allocation?
 (b) Water source?
 (c) Conditions?
- (7) What are the details of water purchases made by North Mining Ltd, including details of the transferor and share component temporary or permanently assigned, for the following water years:
 (a) 2008-2009?
 (b) 2009-2010?
- 4021 POLICE—POLICE FORCE ATTESTATION—Mr Gallacher to ask the Minister for Planning, Minister for Infrastructure, Minister for Lands representing the Minister for Police, and Minister for Finance—
- The answer to Question on Notice 3839 published in the Question and Answer Paper of 12 November 2009 stated "initial and final numbers of students expected to participate in each attestation will be subject to change for planning reasons and due to student attrition during police training".
- (1)
 (a) Has a determination been made as to when each attestation will occur between now and March 2011?
 (b) If so, when will each attestation occur?
- (2) Who determines the initial number of students accepted for each attestation?
- (3) In relation to each of the four proposed attestations planned before March 2011:
 (a) When will the determination on initial numbers for each attestation be made?
 (b) What criteria is used to determine the initial number of students to accept?
 (c) What is the attrition rate used to calculate the initial number of students and predict the final number of students?
- 4022 PRIMARY INDUSTRIES—IMPROPER USE OF 1080 POISON BAIT—Mr Cohen to ask the Minister for Planning, Minister for Infrastructure, Minister for Lands representing the Minister for Primary Industries, Minister for Emergency Services, and Minister for Rural Affairs—
- (1) Who was given permission by the Livestock Health and Pest Authority to use 1080 baits in the area of the Pretty Gully Road and the Emu Creek bridge crossing near Bonalbo in northern New South Wales in September 2009?
- (2) Who was responsible for placing the 1080 warning sign on the fence of the UNIMIN Corporation mining lease?
- (3) What training did the person/s who laid the baits have in the use of such baits?
- (4) Has an investigation be conducted into why the warning sign was placed two weeks after the baits were already laid and backdated?
- (5) Will an investigation be conducted into the assertions by local landholders that hundreds of native birds, as well as a domestic dog, disappeared from the area at the time the baits were laid?
- 4023 LANDS—CONSERVATION COVENANTS AND TRAVELLING STOCK ROUTES—Mr Cohen to ask the Minister for Planning, Minister for Infrastructure, Minister for Lands—
- (1) What percentage of properties converted from crown leasehold to freehold under the Crown Lands (Continued Tenures) Act 1989 are converted with conservation covenants placed on the title?
- (2) What is the nature of conservation covenants used in the conversion process and the restrictions on use and positive obligations imposed?
- (3)
 (a) Are crown leaseholders compensated in anyway for the registering of conservation covenants during the conversion process?
 (b) If so, what is the nature and extent of compensation?
- (4) Who advises of the potential and appropriateness of placing a conservation covenant on crown leasehold converted land?

- (5) How many hectares of Travelling Stock Routes have been returned to the Department of Lands?
- (6) What percentage of Travelling Stock Routes returned to the Department of Lands have been converted to freehold?
- (7) What percentage of Travelling Stock Routes returned to the Department of Lands is under crown leasehold?
- 4024 MINERAL AND FOREST RESOURCES—THREATENED SPECIES LICENCES—Mr Cohen to ask the Minister for State and Regional Development, Minister for Mineral and Forest Resources, Minister for the Central Coast—
- (1) How many breaches of threatened species licences by Forests NSW have been recorded in non-compliance registers in 2009?
- (2) How many registered threatened species licence non-compliance incidents occurred during 2009? Please provide details of each incident in the:
- (a) State Forest.
- (b) Compartment.
- (3)
- (a) Must exclusions zones be totally located within State Forest land, and not include private property land?
- (b) If so, are there any instances whereby private land outside of a State Forest boundary is counted as an exclusion zone?
- 4025 CLIMATE CHANGE AND THE ENVIRONMENT—ADMINISTRATIVE COSTS OF ACCREDITING AUDITORS—Mr Cohen to ask the Minister Industrial Relations, Minister for Commerce, Minister for Energy, Minister for Public Sector Reform representing the Minister for Climate Change and the Environment, and Minister Assisting the Minister for Health (Cancer)—
- (1) What are the administrative costs to the Department or the Environmental Protection Authority of accrediting site auditors under the Contaminated Lands Management Act? Please provide a breakdown of yearly administration costs.
- (2) What were the administrative costs to the Department of Environment and Climate Change in accrediting Biobanking Assessors?
- 4026 CLIMATE CHANGE AND THE ENVIRONMENT—ESTUARIES AND MARINE PARKS—Mr Cohen to ask the Minister Industrial Relations, Minister for Commerce, Minister for Energy, Minister for Public Sector Reform representing the Minister for Climate Change and the Environment, and Minister Assisting the Minister for Health (Cancer)—
- What are the names of all 67 estuaries that drain and flow into waters in or adjoining New South Wales Marine Parks.
- 4027 CLIMATE CHANGE AND THE ENVIRONMENT—BREACHES OF THREATENED SPECIES AND ENVIRONMENTAL PROTECTION LICENCES—Mr Cohen to ask the Minister Industrial Relations, Minister for Commerce, Minister for Energy, Minister for Public Sector Reform representing the Minister for Climate Change and the Environment, and Minister Assisting the Minister for Health (Cancer)—
- (a) How many registered breaches of threatened species licences held by Forests NSW did the Department of Environment, Climate Change and Water (DECCW) investigate in 2009?
- (b) Of the breaches registered on Forests NSW non-compliance registers how many investigated by DECCW have resulted in:
- (i) issuances of penalty notices?
- (ii) prosecution?
- (1)
- (a) How many planning based breaches of the threatened species license has DECCW uncovered since 2004?
- (b) What was the location and nature of each breach?

- (c) For each breach what was the penalty?
- (2) How many instances of non-compliance with environmental protection licences held by the Forestry Commission of NSW were recorded in:
- (a) 2008?
- (b) 2009?
- (3) How many clean notices did DECCW issue to Forests NSW in:
- (a) 2008?
- (b) 2009?
- 4028 PRIMARY INDUSTRIES—GAME COUNCIL PUBLIC LIABILITY INSURANCE—Mr Cohen to ask the Minister for Planning, Minister for Infrastructure, Minister for Lands representing the Minister for Primary Industries, Minister for Emergency Services, and Minister for Rural Affairs—
- (1) Who is the current insurer providing Game Hunting Licence insurance to the NSW Game Council?
- (2) What is the premium for public liability insurance obtained by the NSW Game Council for each year of operation of the Council?
- (3)
- (a) Has there ever been a claim made against the Game Councils public liability insurance?
- (b) If so, please provide details?
- (4) Does the current public liability insurance policy cover hunting activities in national parks?
- (5)
- (a) Have the NSW Game Council, the Department of Industry and Investment or Treasury obtained any quotes on the estimated increase in public liability insurance premiums if hunting activities by the Game Council were permitted in national parks?
- (b) If so, what is the estimated premium cost?
- 4029 PRIMARY INDUSTRIES—FORESTS NSW THREATENED SPECIES LICENCES—Mr Cohen to ask the Minister for Planning, Minister for Infrastructure, Minister for Lands representing the Minister for Primary Industries, Minister for Emergency Services, and Minister for Rural Affairs—
- (1) How many cases have there been between 2004 and January 2010 of non-compliance with licences obtained under the Fisheries Management Act by Forests NSW? Please provide details of each instance.
- (2)
- (a) Has condition 5.14.1 of Forests NSW Threatened Species Licence been implemented in the Upper North east region?
- (b) If so, when and what actions has Forests NSW taken to comply with this condition?
- 4030 ATTORNEY GENERAL—MONITORING GRAFFITI IN BROOKVALE CBD—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council—
- (1) Since the introduction of the Graffiti Control Amendment Act 2009, how many people in the Warringah Council area have been:
- (a) charged with offences under this new legislation?
- (b) convicted of offences under this new legislation?
- 4031 POLICE—POLICE CHAPLAINS—Ms Ficarra to ask the Minister for Planning, Minister for Infrastructure, Minister for Lands representing the Minister for Police, and Minister for Finance—
- (1) How many Police Chaplains are engaged by NSW Police?
- (2) What regions do they cover?
- (3) What are their duties?

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- (4) How many Police Officers does each support?
- (5) How much of their work is given voluntarily?
- (6) Are their duty hours monitored and reported to protect against stress and burn out?
- (7) What level of financial support is given to Police Chaplains?
- (8) Are Chaplain's road tolls reimbursed as part of work related expenses?
- (9)
- (a) Within what timeframe, from the time of lodgement, are chaplains reimbursed for expenses?
- (b) Can it be improved?
- (10)
- (a) Are Queensland Police Chaplains paid?
- (b) Are Defence Force Chaplains paid?
- (c) Are Australian Federal Police Chaplains paid?
- (11)
- (a) Have paid positions for police chaplains in New South Wales been considered?
- (b) If not, why not?
- (c) If so, what was the outcome?
- (12)
- (a) Do police chaplains in other jurisdictions undertake similar roles?
- (b) Are police chaplains in other jurisdictions employed under similar conditions as those in New South Wales?
- (13) Are chaplains provided financial support for ongoing professional development?
- 4032 HEALTH—HEALTH SERVICES FOR VICTIMS OF SEXUAL ASSAULT—Ms Ficarra to ask the Attorney General, Minister for Citizenship, Minister for Regulatory Reform, and Vice President of the Executive Council representing the Deputy Premier, and Minister for Health—
- (1) Has a recent study published by researchers at Monash University found that, compared to the general population, people who were sexually assaulted as a child are 18 times more likely to commit suicide and 49 times more likely to die from an accidental drug overdose?
- (2) What services are provided by NSW Health specifically for victims of sexual assault and their families?
- (3)
- (a) In view of the outcome of Monash University's research, will increased funding be allocated to assist in this area?
- (b) If not, why not?
- (4)
- (a) What support and financial contribution does the Department give to Bravehearts Inc?
- (b) In view of the excellent work this organisation is doing across New South Wales, will the Department offer this organisation funding support?
- (c) If not, why not?
- 4033 POLICE—CONCILIATION BETWEEN OFFICER MUNT AND THE NSW POLICE FORCE—Ms Ficarra to ask the Minister for Planning, Minister for Infrastructure, Minister for Lands representing the Minister for Police, and Minister for Finance—
- (1) In view of the allegations by Officer Shane Munt as to the conduct of Superintendent Gavin Dengate, why is Superintendent Dengate representing NSW Police and acting as a "decision maker" in the conciliation between Officer Munt and NSW Police despite the apparent conflict of interest on the part of Superintendent Dengate?

- (2) Why has NSW Police failed to respond to Officer Munt's emails of 8 October 2009, 15 April 2009 and 9 April 2009 concerning Superintendent Dengate's alleged conflict of interest and conduct towards him?
- (3) What is the status of Officer Munt's application for discharge?

Lynn Lovelock
Clerk of the Parliaments

Authorised by the Parliament of New South Wales