



## LEGISLATIVE COUNCIL

# QUESTIONS AND ANSWERS

No. 47

THURSDAY 18 MARCH 2004

(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

<b>Publication of Questions</b>	<b>Answer to be lodged by</b>
Q&A No. 39 (Including Question Nos 877 to 897)	30 March 2004
Q&A No. 40 (Including Question Nos 898 to 901)	31 March 2004
Q&A No. 41 (Including Question Nos 902 to 921)	01 April 2004
Q&A No. 42 (Including Question Nos 922 to 950)	13 April 2004
Q&A No. 43 (Including Question Nos 951 to 952)	14 April 2004
Q&A No. 44 (Including Question Nos 953 to 973)	15 April 2004
Q&A No. 45 (Including Question Nos 974 to 979)	20 April 2004
Q&A No. 46 (Including Question Nos 980 to 986)	21 April 2004
Q&A No. 47 (Including Question Nos 987 to 1007)	22 April 2004

**18 MARCH 2004**

(Paper No. 47)

987 ABORIGINAL AFFAIRS—MORRISSET HOSPITAL LAND—Mr Pearce to ask the Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Youth representing the Minister for Education and Training and Minister for Aboriginal Affairs—

- (1) (a) Was Mr Robert Leece or his twin brother Mr John Leece involved in any way in the land transfer of the former Morriset Hospital land, valued at approximately \$60 million, from the NSW Aboriginal Land Council?
- (b) Is any aspect of this transfer currently being investigated by any government body?
- (c) If so, why?

988 COMMERCE—HUNTER REGION LAND TRANSACTIONS—Mr Pearce to ask the Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer, and Minister for the Central Coast—

- (1) (a) Has a Mr Robert Leece been involved in any land transactions on behalf of the New South Wales Government in the Hunter region?
- (b) If so, how many land transactions has he been involved in since 1995?
- (c) If Mr Leece was involved in these transactions was it as a public servant or consultant to the New South Wales Government?
- (d) If so, what was his remuneration for the work carried out?

989 TRANSPORT—RAIL SAFETY—Dr Wong to ask the Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests)—

- (1) Does the Minister recognise that there is a legitimate concern about rail safety and security?
- (2) Amidst heightened commonwealth counter-terrorism and strategic planning when can New South Wales expect a more updated and comprehensible disaster/incident management plan for New South rail networks?

990 INDUSTRIAL RELATIONS—RHODES PENINSULA—Ms Rhiannon to ask the Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer, and Minister for the Central Coast—

What involvement does WorkCover have with the decontamination of the former Union Carbide site at Rhodes Peninsula, or any other contaminated land on that peninsula?

991 ENVIRONMENT—RHODES PENINSULA—Ms Rhiannon to ask Minister for Justice, and Minister Assisting the Premier on Citizenship representing the Attorney General and Minister for the Environment—

- (1) (a) Has Meriton requested Government financial assistance to fund the total or partial decontamination of the former Union Carbide site at Rhodes Peninsula?
- (b) If so, how much has been requested?

- (2) (a) Has any money been provided to Meriton or any other company for decontamination of the former Union Carbide site at Rhodes Peninsula?
- (b) If so:
- (i) Who to?
- (ii) How much?
- (3) What involvement does WorkCover have with the decontamination of the contaminated lands on Rhodes Peninsula?
- (4) What involvement does the Department of the Environment have with the decontamination of the contaminated lands on Rhodes Peninsula?
- (5) (a) Are any other NSW Government departments involved with the decontamination of the contaminated lands on Rhodes Peninsula?
- (b) If so, which departments?

992 TRANSPORT—RURAL BRANCH LINES—Ms Rhiannon to ask the Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests)—

- (1) When will the Government make a decision on the future of the 15 rural branch lines studied in the recent report by the Grain Industry Advisory Committee?
- (2) (a) Does the Government have a strategy or policy that guides its decisions on the closure or re-opening of rural branch lines?
- (b) If so, can you outline what the strategy or policy is?

993 TRANSPORT—RAIL SERVICES TO SCONE, MUSWELLBROOK AND DUNGOG—Ms Rhiannon to ask the Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests)—

- (1) (a) Will weekend rail services to Scone, Muswellbrook and Dungog continue to run according to the normal timetable throughout the rest of this year?
- (b) If not:
- (i) What changes will be made, and when?
- (ii) Why are these changes to be made?
- (iii) Are these changes to be temporary or permanent?
- (iv) If they are temporary, how long will they last?
- (2) Are there plans now under consideration to cancel any or all of New South Wales' XPT services in the next 12 to 24 months?

994 TRANSPORT—MV TRADER—Ms Rhiannon to ask the Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests)—

- (1) What is the current status of the insurance of the MV Island Trader, which operates between Yamba and Lord Howe Island?
- (2) Does the MV Island Trader have adequate insurance to cover oil spills?
- (3) Are you aware that one of the Special Conditions of the Protection and Indemnity Insurance provided by British Marine Luxembourg (BML) sets out that the insurance is “subject to survey at the owners' expense by a BML-appointed surveyor within 60 days of attachment”?

(4) What is the current survey position of the MV Island Trader?

995 TRANSPORT—PARRY REPORT—Ms Rhiannon to ask the Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests)—

- (1) Does the Parry Report state that the public subsidy to CountryLink is 14 cents per passenger-kilometre and the public subsidy to CityRail is 20 cents per passenger-kilometre?
- (2) (a) Does the Parry Report single out the CountryLink subsidy for particular criticism as unsustainable?  
(b) If so, why?

996 MINERAL RESOURCES—BARRABA WOODSREEF MINE—Ms Rhiannon to ask the Minister for Agriculture and Fisheries representing the Minister for Mineral Resources—

- (1) (a) Is the Government still negotiating with Pacific Magnesium for a contract to clean up, and extract magnesium from, the tailings at the Barraba Woodsreef Mine?  
(b) If so, at what stage are the negotiations?
- (2) If this project does not go ahead, what action will the Government take to remediate the Woodsreef site and reduce the risk to the local community of asbestos inhalation?

997 ROADS—PACIFIC HIGHWAY BYPASS AT KEMPSEY—Ms Rhiannon to ask the Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests) representing the Minister for Roads and Minister for Housing—

- (1) (a) What studies have been done of the impact of the proposed Pacific Highway bypass at Kempsey on the Macleay River floodplain and the ecosystems it supports?  
(b) What were the findings of those studies?
- (2) (a) What studies have been done of the impact of the eastern option on the colony of flying foxes in the East Kempsey Wetlands?  
(b) What were the findings of those studies?  
(c) Do any studies recommend a delay to the project so that further studies can be carried out?
- (3) (a) What studies have been done of the impact of the eastern option on the habitat of the Golden Bell tree frog in the land around Crescent Head Road and elsewhere in the East Kempsey Wetlands?  
(b) What were the findings of those studies?  
(c) Do any studies recommend a delay to the project so that further studies can be carried out?
- (4) What will be the impact of the eastern option on the community in Bruce's Lane?
- (5) What will be the impact of the eastern option on Frederickton?
- (6) What consultation has been done with the residents of:
  - (a) Bruce's Lane?
  - (b) Frederickton?

- (7) Do you acknowledge that there is significant community opposition to the proposed routes of the bypass, particularly the eastern option?
- (8) What is your time frame for making a decision on the route of the bypass?
- (9) What consultation will the Minister and the RTA undertake with the residents during that remaining time?

998 POLICE—SEXUAL ASSAULT ALLEGATIONS AGAINST CANTERBURY-BANKSTOWN RUGBY LEAGUE TEAM—Ms Rhiannon to ask the Minister for Justice, and Minister Assisting the Premier on Citizenship representing the Minister for Police—

- (1) In relation to the claims of sexual assault involving members of the Canterbury-Bankstown Rugby League team, why were those players suspected of perpetrating the crime allowed to return to Sydney before they were interviewed by the police?
- (2) In sexual assault cases:
  - (a) Is it usual police practice to interview the accused as soon as possible after the crime?
  - (b) If so, was there a deviation from this practice?
  - (c) If so, why?
- (3) (a) In sexual assault cases where there is more than one suspect, is it usual police practice to question the suspects separately, in order to prevent the suspects collaborating to produce a joint version of events?
  - (b) If so, was there a deviation from this practice?
  - (c) If so, why?

999 PREMIER—MEDICAL RESEARCH AND COMPENSATION FOUNDATION—Revd Mr Nile to ask the Treasurer, Minister for State Development, and Vice-President of the Executive Council representing the Premier, Minister for the Arts and Minister for Citizenship—

With regard to the announcement of the Special Commission of Inquiry into the establishment of the Medical Research and Compensation Foundation, will the terms of reference:

- (1) Examine all the impacts of the alleged blow-out in asbestos liability claims?
- (2) Include all parties, including the NSW Government, which along with other manufacturers constitute 85% of liabilities associated with asbestos?

1000 PREMIER—REDFERN RIOT—Revd Mr Nile to ask the Minister for Justice, and Minister Assisting the Premier on Citizenship representing the Minister for Police—

Following the Redfern Riot, NSW Police officers requested that the Premier address five issues so that they may execute their duties more effectively.

What is the Premier's response to the request for:

- (1) A new station opposite Redfern Railway?
- (2) A permanent full-time operational support group?
- (3) A full-time Robbery Unit?

(4) Legislation to be changed so that throwing rocks at Police incurs a custodial sentence?

1001 HEALTH—SELECTIVE SEROTONIN REUPTAKE INHIBITORS (SSRIS)—Revd Mr Nile to ask the Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer, and Minister for the Central Coast representing the Minister for Health—

- (1) Are New South Wales children taking ‘Selective Serotonin Reuptake Inhibitors’ (SSRIs) that have been banned overseas according to the Federal Therapeutic Goods Administration?
- (2) Do scientific studies show that the SSRIs do not help children and only increase the risk of suicide?
- (3) What is the Minister willing to do in order to protect New South Wales children?

1002 PREMIER—COMMONWEALTH GRANTS COMMISSION—Revd Mr Nile to ask the Treasurer, Minister for State Development, and Vice-President of the Executive Council representing the Premier, Minister for the Arts and Minister for Citizenship—

- (1) What is the connection between the Commonwealth Grants Commission and the Federal Government?
- (2) What is the procedure of how GST is attributed to New South Wales?
- (3) What amount does New South Wales receive from GST revenue?

1003 PREMIER—BIOSECURITY AUSTRALIA—Revd Mr Nile to ask the Treasurer, Minister for State Development, and Vice-President of the Executive Council representing the Premier, Minister for the Arts and Minister for Citizenship—

- (1) Has Biosecurity Australia changed its position on imported Philippine Bananas and cleared the fruit for import in its recent report?
- (2) Has the Queensland plant virologist Professor James Dale condemned the report and stated that Australia will be exposed to the ‘Bract Mosaic’ virus?
- (3) What impact could this virus have on New South Wales farmers and industry?

1004 SPECIAL MINISTER OF STATE—DRUG SUMMIT RECOMMENDATIONS—Revd Mr Nile to ask the Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer, and Minister for the Central Coast—

- (1) In 2003, could only 40 out of 166 people who entered the Drug Court drug rehabilitation program get through the first phase?
- (2) Out of the 910 participants in five years could only 102 make it through all three phases and graduate as ‘drug free’?
- (3) As the Drug Court process has been extended, what steps is the Government taking to ensure that the Drug Court is more successful with a higher level of ‘drug free’ graduates?

1005 INDUSTRIAL RELATIONS—TRADE UNIONS—Revd Mr Nile to ask the Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer, and Minister for the Central Coast—

- (1) Will New South Wales workers who refuse to join trade unions be forced to pay a “bargaining agent fee” of around \$350 a year?

- (2) Is the Minister aware that unions are planning to take a test case to the NSW Industrial Relations Commission to have the fees incorporated into state workplace law?
- (3) Does the Government support this policy?

1006 PREMIER—EXTRADITION OF GORDON WOOD—Revd Mr Nile to ask the Treasurer, Minister for State Development, and Vice-President of the Executive Council representing the Premier, Minister for the Arts and Minister for Citizenship—

- (1) Is it a fact that the Premier said yesterday that he believed “there was a very good prima facie case” for Gordon Wood to be extradited back to Australia to face charges over the murder of Caroline Byrne?
- (2) Has the Director of Public Prosecution’s office claimed that because of the lack of resources it will take 12 months to study the extensive Police brief on this matter?
- (3) Will the Government ensure the DPP has the resources to finalise this case as a matter of urgency, within 14 days?

1007 ATTORNEY GENERAL—ADVERTISING FOR PERSONAL INJURY CASES —Revd Mr Nile to ask the Minister for Justice, and Minister Assisting the Premier on Citizenship representing the Attorney General and Minister for the Environment—

- (1)
  - (a) Have more than 30 New South Wales solicitors broken State law under Section 38JA (1) of the *Legal Profession Amendment (Advertising) Act 2003*, by advertising for personal injury cases?
  - (b) If so, have these solicitors received only a warning, pending the outcome of the Maurie Stack Supreme Court challenge?
- (2) Can we expect other State laws being placed on hold whilst solicitors, in some cases those charged under these laws, debate their validity?

John Evans  
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