



LEGISLATIVE COUNCIL

**QUESTIONS
AND
ANSWERS**

No. 154

WEDNESDAY 16 MAY 2018

(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. 148 (Including Question Nos 2147 to 2156)	16 May 2018
Q & A No. 149 (Including Question Nos 2157 to 2185)	17 May 2018
Q & A No. 150 (Including Question Nos 2186 to 2196)	05 June 2018
Q & A No. 151 (Questions—Nil)	-
Q & A No. 152 (Including Question Nos 2197 to 2239)	07 June 2018
Q & A No. 153 (Including Question Nos 2240 to 2247)	19 June 2018
Q & A No. 154 (Including Question Nos 2248 to 2258)	20 June 2018

11 APRIL 2018

(Paper No. 148)

***2147 LOCAL GOVERNMENT—SEEKING FURTHER INFORMATION REGARDING QUESTION NUMBER 2058—**Mr Primrose asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for the Environment, Minister for Local Government, and Minister for Heritage—

In response to my question on notice number 2058, which sought information on research or development activities planned or underway for 2018-19 by the Office of Local Government, you advised that 'such information can be found in the Office of Local Government's Annual Report.'

(1) Under what section/s and on what page/s in the latest Annual Report (for 2016 / 17) can this information be found?

Answer—

I am advised:

- (1) The latest and most relevant information to the Research and Development activities for OLG was available in the latest Annual Report.
- (2) Any information for the 2018-19 period will be available in the Office of Local Government 2018-19 Annual Report once published.

***2148 HEALTH—SAMPLING/TESTING FOR POLYCHLORINATED BIPHENYL IN EDIBLE SEAFOOD IN NEW SOUTH WALES—**Mr Field asked the Minister for Primary Industries, Minister for Regional Water, Minister for Trade and Industry representing the Minister for Health, and Minister for Medical Research—

- (1) What is the level of polychlorinated biphenyl (PCB) contamination in seafood that NSW Health considers safe for human consumption?
- (2) What is the basis of that safe level determination?
- (3) Is any edible seafood caught and sold in New South Wales for human consumption sampled / tested for PCB contamination?
 - (a) If so, what is the nature of this sampling / testing including:
 - (i) Where does this sampling / testing occur?
 - (ii) What species are tested?
 - (iii) Who conducts this testing?
 - (iv) How often does this sampling / testing occur?
 - (v) Are the results of this testing publicly available?
 - (vi) Has any sampling / testing shown PCB levels above safe levels?
- (4) Has the Government received, or is it aware of any evidence to suggest that levels of PCB in seafood, available for sale or consumption in New South Wales, are higher than what is considered safe for human consumption?
 - (a) If so,
 - (i) What is this evidence?
 - (ii) What actions has the Government taken in regards to this evidence?

Answer—

The issue of sampling and testing for PCB in edible seafood is an issue for the NSW Department of Primary Industries Fisheries and the Food Authority.

***2149 HEALTH—SAMPLING/TESTING FOR METALS AND METALLOIDS IN EDIBLE SEAFOOD IN NEW SOUTH WALES—**Mr Field asked the Minister for Primary Industries, Minister for Regional Water, Minister for Trade and Industry representing the Minister for Health, and Minister for Medical Research—

- (1) What is the level of metal and metalloid contamination in edible seafood that NSW Health considers safe for human consumption?

- (2) What is the basis of that safe level determination?
- (3) Is any edible seafood caught and sold in New South Wales for human consumption sampled / tested for metal and metalloid contamination?
 - (a) If so, what is the nature of this sampling / testing including:
 - (i) Where does this sampling / testing occur?
 - (ii) What species are tested?
 - (iii) Who conducts this testing?
 - (iv) How often does this sampling / testing occur?
 - (v) Are the results of this testing publicly available?
 - (vi) Has any sampling / testing shown metal and metalloid levels above safe levels?
- (4) Has the Government received, or is it aware of any evidence to suggest that levels of mercury and other metals or metalloids in fish, available for sale or consumption in New South Wales, are higher than what is considered safer for human consumption?
 - (a) If so,
 - (i) What is this evidence?
 - (ii) What actions has the Government taken in regards to this evidence?

Answer—

Sampling and testing for metals and metalloids in edible seafood are an issue for the NSW Department of Primary Industries Fisheries and the Food Authority.

*2150 HEALTH—HUMAN HEALTH IMPACTS OF PLASTICS CONSUMED BY EDIBLE SEAFOOD—Mr Field asked the Minister for Primary Industries, Minister for Regional Water, Minister for Trade and Industry representing the Minister for Health, and Minister for Medical Research—

- (1) Has NSW Health done any research, or sampling / testing of edible seafood caught in New South Wales, to assess whether plastic ingested by fish acts as a vector for the bioaccumulation of other contaminants, leading to higher levels of toxicity for human consumption?
 - (a) If so, what research, or sampling / testing has been conducted?
 - (b) If not, is the Government aware of any external research that suggests plastic ingested by fish acts as a vector for the bioaccumulation of other contaminants, leading to higher levels of toxicity for human consumption?

Answer—

Fish sampling and food safety is the responsibility of the NSW Department of Primary Industries Fisheries and the Food Authority.

*2151 ENVIRONMENT—SAMPLING/TESTING OF EDIBLE SEAFOOD IN NEW SOUTH WALES—Mr Field asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for the Environment, Minister for Local Government, and Minister for Heritage—

- (1) What sampling / testing programs have been conducted of edible seafood in New South Wales in the last two years that have involved the Environment Protection Authority (EPA)?
 - (a) For each of the sampling / testing programs:
 - (i) What was the reason for the sampling / testing program being initiated?
 - (ii) What Government departments / bodies are involved in the sampling / testing program?
 - (iii) What were the dates of the sampling / testing of the program?
 - (iv) What is the current status of the sampling / testing?
 - (v) Where was sampling / testing done?
 - (vi) What species were sampled / tested?
 - (vii) What was tested for?
 - (viii) Has the sampling / testing resulted in any form of action (ie. dietary advice)?
 - (ix) Have the results of the sampling / testing been made public?
 - (x) What is the status of the testing / sampling program? (is it ongoing, or has the sampling /

testing program concluded, have reports on the testing been received)

- (2) Is the Minister aware of any sampling / testing of edible seafood that has occurred over this same period that has not involved the EPA?

Answer—

I am advised :

- (1) A range of edible seafood species have been targeted to inform dietary advice. The results of testing can be found at www.epa.nsw.gov.au.
- (2) No.

*2152 PRIMARY INDUSTRIES—TESTING OF CONTAMINATION OF FISH SOLD FOR CONSUMPTION IN NEW SOUTH WALES—Mr Field asked the Minister for Primary Industries, Minister for Regional Water, Minister for Trade and Industry—

- (1) What research or sampling / testing programs have been conducted (including contracting any external research) in the past two years by the Department of Primary Industries on contamination of edible seafood in New South Wales?
- (a) For each of the sampling / testing programs:
- (i) What was the reason for the sampling / testing program being initiated?
 - (ii) What Government departments / bodies are involved in the sampling / testing program?
 - (iii) What were the dates of the sampling / testing of the program?
 - (iv) What is the current status of the sampling / testing?
 - (v) Where was sampling / testing done?
 - (vi) What species were sampled / tested?
 - (vii) What was tested for?
 - (viii) Has the sampling / testing resulted in any form of action (ie. dietary advice)
 - (ix) Have the results of the sampling / testing been made public?
 - (x) What is the status of the testing / sampling program? (is it ongoing, or has the sampling / testing program concluded, have reports on the testing been received)

Answer—

Please contact the Legislative Council Procedure Office for a copy of the answer.

*2153 FINANCE, SERVICES AND PROPERTY—RESIDENTIAL LAND VALUES—Mr Mookhey asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Finance, Services and Property—

- (1) What is the total unimproved value of land used for residential purposes and eligible for land tax in New South Wales for each financial year since 2010-11?
- (2) What is the total unimproved value of land of those properties referred to above within the following values and the total amount of land tax revenues received within those values:
- (a) Below \$629,000?
 - (b) Above \$629,000?
 - (c) Above \$1 million?
 - (d) Above \$2 million?
 - (e) Above \$3 million?
 - (f) Above \$3.846 million?
 - (g) Above \$4 million?
 - (h) Above \$5 million?
 - (i) Above \$6 million?
 - (j) Above \$7 million?
 - (k) Above \$8 million?
 - (l) Above \$9 million?
 - (m) Above \$10 million?

Answer—

For copy of the table please contact the Legislative Council Procedure Office.

*2154 FINANCE, SERVICES AND PROPERTY—COMMERCIAL LAND VALUES—Mr Mookhey asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Finance, Services and Property—

- (1) What is the total unimproved value of land used for commercial purposes and eligible for land tax in New South Wales for each financial year since 2010-11?
- (2) What is the total unimproved value of land of those properties referred to above within the following values and the total amount of land tax revenues received within those values:
 - (a) Below \$629,000?
 - (b) Above \$629,000?
 - (c) Above \$1 million?
 - (d) Above \$2 million?
 - (e) Above \$3 million?
 - (f) Above \$3.846 million?
 - (g) Above \$4 million?
 - (h) Above \$5 million?
 - (i) Above \$6 million?
 - (j) Above \$7 million?
 - (k) Above \$8 million?
 - (l) Above \$9 million?
 - (m) Above \$10 million?

Answer—

For a copy of the table please contact the Legislative Council Procedure Office.

*2155 FINANCE, SERVICES AND PROPERTY—VACANT LAND VALUES—Mr Mookhey asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Finance, Services and Property—

- (1) What is the total unimproved value of vacant land eligible for land tax in New South Wales for each financial year since 2010-11?
- (2) What is the total unimproved value of vacant land within the following values and the total amount of land tax revenues received within those values:
 - (a) Below \$629,000?
 - (b) Above \$629,000?
 - (c) Above \$1 million?
 - (d) Above \$2 million?
 - (e) Above \$3 million?
 - (f) Above \$3.846 million?
 - (g) Above \$4 million?
 - (h) Above \$5 million?
 - (i) Above \$6 million?
 - (j) Above \$7 million?
 - (k) Above \$8 million?
 - (l) Above \$9 million?
 - (m) Above \$10 million?

Answer—

Revenue NSW do not hold the data requested. 'Vacant land' for Land Tax is determined based on unimproved land values. Therefore, every block of land is considered 'vacant' for the purposes of Land Tax; the improvements placed on the land are not taken into consideration for valuation purposes.

*2156 INDUSTRIAL RELATIONS—CONSTRUCTION INDUSTRY HARRASSMENT PROTECTION—Revd Mr Nile asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Treasurer, and Minister for Industrial Relations—

- (1) Is the Minister aware of the report in the recent Civil Contractors Federation Bulletin concerning threats to freedom of association and allegations of harassment on New South Wales construction sites?
- (2) What is the Government's position concerning the balance between, on one hand the display of symbols, such as the Eureka flag, and on the other hand managing how they are used, for example to harass the 90 per cent of whom are not union members.
- (3) What action is the Government taking to protect non-union workers from threats, intimidation and harassment by CFMEU members?

Answer—

Within New South Wales there are comprehensive guidelines which address these very matters. The New South Wales Industrial Relations Building and Construction Procurement Guidelines have been in force since 1 July 2013. The Guidelines apply to building and construction companies that bid or tender for NSW Government infrastructure work and importantly reflect this Government's commitment to greater productivity within the State's building and construction industry.

The Government takes active steps to ensure that all infrastructure projects in NSW comply with these Guidelines and provide workplaces which are productive, safe and free from any harassment associated with union membership or non-membership. This Government requires its contractors to adopt policies that promote freedom of association.

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2248 LANDS AND FORESTRY—LOGGING—Ms Walker to ask the Minister for Primary Industries, Minister for Regional Water, Minister for Trade and Industry representing the Minister for Lands and Forestry, and Minister for Racing—

- (1) When will the Government release their draft Integrated Forestry Operation Approvals?
- (2) Does the Government plan to open High Conservation Value Oldgrowth forests, which is included in "informal reserves" as part of the comprehensive, adequate and representative (CAR) system, for logging?
- (3) How many people are employed in the harvesting of sawn timber in New South Wales?
 - (a) How many in:
 - (i) Softwood plantations?
 - (ii) Hardwood plantations?
 - (iii) Public native forests?
 - (iv) Private native forests?
- (4) How many people are employed in the primary manufacture of sawn timber in New South Wales?
 - (a) How many in:
 - (i) Softwood plantations?
 - (ii) Hardwood plantations?
 - (iii) Public native forests?
 - (iv) Private native forests?

2249 LANDS AND FORESTRY—BAGO STATE FOREST LOGS—Ms Walker to ask the Minister for Primary Industries, Minister for Regional Water, Minister for Trade and Industry representing the Minister for Lands and Forestry, and Minister for Racing—

- (1) What was the total volume, source (compartment number/s) and grade of logs from Bago State Forest used for the log chop contests at the Sydney Royal Easter Show 2018?

2250 ENVIRONMENT—YELLOW BELLIED GLIDER POPULATION IN BAGO STATE FOREST—Ms Walker to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for the Environment, Minister for Local Government, and Minister for Heritage—

- (1) What monitoring of the Endangered Yellow Bellied Glider population is undertaken in Bago State Forest?
- (2) Was any assessment undertaken of the impacts of suspending the endangered status of the Bago Yellow Bellied Glider population in 2011 to enable logging of the Yellow Bellied Glider habitat?
- (3) What measures were taken to protect the Endangered Yellow Bellied Glider population during logging operations in Bago State Forest?
- (4) What specific protections were applied to address the identified threats to the population of "continual decline in habitat quality caused by timber harvesting operations" and "loss of hollow-bearing trees"?

2251 ENVIRONMENT—WARRAGAMBA DAM - CLIMATE CHANGE FUND—Mr Field to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for the Environment, Minister for Local Government, and Minister for Heritage—

The NSW Climate Change Fund Annual Report 2016-17 identified that in the 2016-17 financial year, \$3,080,000 was allocated from the Climate Change Fund for 'Water NSW development works and environmental assessments for the raising of the Warragamba Dam wall' (page 35 of the Annual Report).

- (1) What specific projects were funded within this allocation?
- (2) How much money was directed to each project element?

2252 ENVIRONMENT—WARRAGAMBA DAM - CLIMATE CHANGE FUND—Mr Field to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for the Environment, Minister for Local Government, and Minister for Heritage—

In regards to the proposal to raise the Warragamba Dam wall by 14 metres, \$30 million from the Climate Change Fund has been allocated to Phase One of the Hawkesbury-Nepean Flood Risk Management Strategy (refer to Question 1836, asked to the Premier on 18 October 2017).

- (1) What specific projects will be funded within this allocation?
- (2) How much money will be directed to each project element?
- (3) What is the timing of each project element?

2253 ENVIRONMENT—RAISING WARRAGAMBA DAM WALL - CLIMATE CHANGE FUND—Mr Field to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for the Environment, Minister for Local Government, and Minister for Heritage—

What is the justification, with specific reference to the relevant subsection under section 34F of the Energy and Utilities Administration Act 1987, for the allocation of funds from the Climate Change Fund to raising the Warragamba Dam wall by 14 metres?

2254 PLANNING—WARRAGAMBA DAM - URBAN DEVELOPMENT IN THE HAWKESBURY-NEPEAN VALLEY—Mr Field to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Planning, Minister for Housing, and Special Minister for State—

For each local government area that overlaps the Hawkesbury-Nepean Valley floodplain (Hawkesbury City, Hills Shire, Penrith City and Blacktown local government areas):

- (1) How many hectares of land is considered flood prone land?
- (2) How many hectares of land is considered not suitable for any further urban development due to flood risk?

- (3) How many hectares of flood prone land currently has development potential?
- (4) How many hectares of land currently flood prone will have development potential if the Warragamba Dam wall is raised by 14 metres?

2255 PLANNING—WARRAGAMBA DAM - URBAN DEVELOPMENT IN THE NORTH WEST PRIORITY GROWTH AREA—Mr Field to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Planning, Minister for Housing, and Special Minister for State—

The North West Priority Growth Area Structure Plan Review November 2016 identifies that 'the estimated dwelling yield for the North West Growth Centre is around 70,000 dwellings'. Please provide information on:

- (1) How many of these dwellings are on flood prone land?
- (2) If the Warragamba Dam is raised by 14 metres, how many of these dwellings will still be on flood prone land?

2256 WESTERN SYDNEY—WARRAGAMBA DAM COSTS—Mr Field to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport—

In regards to the proposal to raise Warragamba Dam wall by 14 metres, the predicted cost for the project has been estimated at \$690 million (2015 dollars) (refer to Question 1836, asked to the Premier on 18 October 2017):

- (1) Is this cost estimate still current?
 - (a) If not, what is the updated cost estimate?
- (2) Where will this money be sourced from? Please provide a breakdown in terms of:
 - (a) Climate Change Fund
 - (b) Restart Fund
 - (c) Water NSW operational funds
 - (d) Other available funding sources.
- (3) How much money has been spent to date? Please provide a breakdown of specific projects with allocated funding.

2257 ATTORNEY GENERAL—SUPPORT FOR YOUNG ABORIGINAL PEOPLE IN THE COURTS—Mr Shoebridge to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Attorney General—

- (1) What current plans are there to provide greater resources to young Aboriginal people facing criminal proceedings in our courts?
- (2) In particular, what steps are being taken to improve access to travel and accommodation support to young people to attend court in areas where they may no longer live?
- (3) What proportion of Aboriginal young people facing charges plead guilty to those charges when they live in the local area where the court is situated?
- (4) What proportion of Aboriginal young people facing charges plead guilty to those charges when they live outside of the local area where the court is situated?
- (5) What detail is collected to ascertain the impact of the pressure on young Aboriginal people to plead guilty if they have moved away from the court where criminal proceedings were first commenced?
- (6) What consideration has been given to making it easier to move charges faced by Aboriginal young people from the area where criminal proceedings were first commenced to a court close to where the person now lives?

2258 INNOVATION AND BETTER REGULATION—SAFEWORK NSW HEALTH AND SAFETY REPRESENTATIVES—Mr Shoebridge to ask the Minister for Early Childhood Education, Minister for Aboriginal Affairs, Assistant Minister for Education representing the Minister for Innovation and Better Regulation—

- (1) Please provide a list of SafeWork NSW Health and Safety Representatives by office and title, not name.
 - (a) When was this list provided by SafeWork NSW to SafeWork NSW in their capacity as a regulator?
 - (b) How many times has this list of Health and Safety Representatives been updated since 1 January 2012?
 - (c) When was this list most recently updated?
- (2) How many Health and Safety Representatives have ever been notified to SafeWork NSW?
- (3) How many Health and Safety Representatives are there currently in New South Wales?
- (4) How many Health and Safety Representatives are there currently in each New South Wales government agency?
- (5) What does SafeWork NSW do with the list of Health and Safety Representatives notified to it?
- (6) Does SafeWork NSW provide support and advice specifically targeted at Health and Safety Representatives?

David Blunt
Clerk of the Parliaments